

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Paul Laidig, Peter Lewis, and Derek Kemp, as
representatives of a class of similarly situated
persons, and on behalf of the Vi-Jon Employee
Stock Ownership Plan,

Plaintiffs,

v.

GreatBanc Trust Company, Berkshire Fund VI,
Limited Partnership, John G. Brunner, John G.
Brunner Revocable Trust dated 06-09-1992,
John and Janell Brunner Family Trust Dated
May 27, 2020, Gerald Bowe, Jane Brock-
Wilson, Gregory Delaney, Gerald Greiman,
Sharlyn C. Heslam, Edward Kolodzieski,
Lawrence J. LeGrand, Spencer Murray, Rich
Koulouris, Keith Grypp, Scott Mekus, VJCS
Holdings, Inc., Vi-Jon, Inc., and VJ Holding
Corp.,

Defendants.

Case No. 1:22-cv-01296

Hon. LaShonda A. Hunt

Hon. Heather K. McShain

**DECLARATION OF
BROCK J. SPECHT IN SUPPORT
OF UNOPPOSED MOTION FOR
APPOINTMENT OF
INDEPENDENT FIDUCIARY**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

I, Brock J. Specht, declare and state as follows:

1. I am a partner at Nichols Kaster, PLLP (“Nichols Kaster”), and am one of the attorneys of record for Plaintiffs in the above captioned action. I respectfully submit this declaration in support of the Settling Parties’ Unopposed Motion for Appointment of Independent Fiduciary.¹

2. The proposed partial class action settlement agreement (the “Settlement”) in this

¹ “Settling Parties” means Plaintiffs Paul David Laidig, Peter Lewis, and Derek Kemp (“Plaintiffs”), and Defendants John Brunner and the John G. Brunner Revocable Trust dated 06-09-1992 (the “Brunner Defendants”).

case provides that Plaintiffs' Counsel shall work cooperatively with a current Plan fiduciary to seek the selection of a qualified Independent Fiduciary to review the Settlements on behalf of the Plan. *See* ECF No. 258-1 at 10 (Settlement § 2.2). Current plan fiduciaries have declined to take responsibility for selecting an Independent Fiduciary. Accordingly, Plaintiffs' Counsel and the Brunner Defendants' counsel have selected Fiduciary Counselors, Inc., to serve as Independent Fiduciary for purposes of this settlement. Plaintiffs' Counsel is familiar with Fiduciary Counselors from prior engagements and has reviewed Fiduciary Counselors' experience and qualifications and has determined that they are qualified to serve as Independent Fiduciary in this matter. Attached hereto as **Exhibit 1** is a true and correct copy of Fiduciary Counselors General Brochure and Biographies.

3. Fiduciary Counselors has confirmed that it has no conflict that would prevent it from serving as the Independent Fiduciary in this matter. *Declaration of Stephen Caflisch*, at ¶ 3.

4. Fiduciary Counselors has indicated that it requires confirmation of its appointment from the Court or from someone with the authority to act on behalf of the Plan in order to issue its report. *Id.* at ¶ 7.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 9, 2025

s/Brock J. Specht
Brock J. Specht

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2025, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Dated: May 9, 2025

s/Brock J. Specht
Brock J. Specht