

EXHIBIT 5

Declaration of Robert M. Foote

Pursuant to 28 U.S.C. § 1746, and under penalty of perjury of the laws of the United States, I, Robert M. Foote, state the following to be true and correct:

1. My name is Robert M. Foote. I am over the age of 18 years and have personal knowledge of the facts and matters set forth herein.
2. I am a founding member of the law firm Foote, Mielke, Chavez & O'Neil, LLC, located in Geneva, Illinois.
3. I am an attorney licensed to practice law in the State of Illinois since 1979. After graduating from Harvard in 1976, I received my law degree in 1979 from the University of Wisconsin.
4. I provide this declaration as a graduate of the University of Wisconsin law school and currently inactive member of the Wisconsin bar (which I joined in 1979).
5. I have practiced law in over 20 jurisdictions through pro hac vice admission.
6. I am an active member of the Trial Bar for the Northern District of Illinois.
7. I have never been sanctioned or disciplined by any court.
8. I have spent over four decades litigating cases throughout the United States as a trial attorney. My firm is nationally known and well-respected as qualified and experienced counsel in complex and class action litigation. We have served as lead counsel, and/or in leadership in many cases throughout the country, including the following examples:
 - Lead Counsel in *Tipsword v. I.F.D.A. Services, Inc., et al.*, 3:09-cv-00390 (SDIL)
 - Lead Counsel in *Lee v. Allstate*, 03 LK 127 (Ill. Cir. Ct.)
 - Lead Counsel in *Charles K Grasley, et al. v. Chemtool Incorporated, et al.*, 2021 L 162 (Ill. Cir. Ct.)
 - Liaison Counsel in *In re: Deere & Company Repair Services Antitrust Litigation*, 3:22-cv-50188 (NDIL)
9. I have been asked to render an opinion regarding the reasonableness of the hourly rates, numbers of hours expended, costs incurred, and value of the settlement relative to the fees requested in the above-referenced case for Class Counsel.
10. I am providing the opinions below after examining the pleadings, the Preliminary Approval Order, the Settlement Agreement, firm biographies, and the declaration of D.G. Pantazis, Jr. submitted contemporaneously with my declaration.
11. I am very familiar with the work of the Pantazis firm. They have an unparalleled reputation for excellence in the legal community. This applies to their work, work product, ethical conduct, client communications, and conduct before courts throughout the Country.

12. First, I conclude that the hourly rates being requested by Class Counsel are reasonable and in line with market rates. In the 7th Circuit, I am very familiar with the market for legal services therein and am familiar with the hourly rates of attorneys, particularly of those with comparable practices to mine. In particular, I have served as co-counsel with D.G. Pantazis, Jr. and his firm, Wiggins, Childs, Pantazis, Fisher, and Goldfarb, LLC in multiple, complex cases throughout the country. Our firms have a relationship going back over 20 years.
13. The rate for Mr. Pantazis is reasonable based upon the number of years of experience and his particularized experience in complex and commercial litigation. The same is true for his partner, Brian Clark, his associate, Eric Sheffer, and their administrative assistant, Tammy Todd. I am personally familiar with and have litigated with these lawyers, and I can say from personal experience that these lawyers are skilled advocates whose performance is at the top of the market.
14. While I am not personally familiar with the other lawyers serving as class counsel, upon review of their firm biographies, including their years of experience and litigation history, I also attest that their rates are reasonable based upon the number of years of experience and their particular litigation experience.
15. Second, I conclude that the number of hours spent by Class Counsel and the type of work performed by Class Counsel in the prosecution of this class action lawsuit were reasonable and necessary to obtain the settlement at this juncture in the litigation. Having litigated many complex and class action lawsuits myself for over four decades, I understand the immense amount of work and preparation that plaintiffs' counsel must provide just to reach the class certification stage. Litigation such as this is protracted and expensive, and positive results such as this are far from guaranteed.
16. Third, I conclude that the costs incurred by Class Counsel were reasonable and necessary to prosecute this lawsuit. Having litigated consumer cases myself, I understand the need for experts, electronic discovery solutions, and other high cost allocations of resources necessary to move the case from discovery to class certification. The costs were spent by Class Counsel, with no guarantee of recovery, on behalf of the entire Class.
17. Lastly, I conclude that no matter how the Court views this settlement under CAFA, the requested fees and costs are reasonable in light of the significant settlement fund created for the Class. Having litigated complex and class cases both before and after CAFA was enacted, I am familiar with the safeguards put in place regarding voucher or coupon settlements. Having reviewed the significant injunctive relief, the \$12 million settlement fund, and the particulars of the vouchers, I believe the terms of this settlement are fair, reasonable, and adequate. Thus, the requested fee

of less than 25% of the Settlement Fund, which is far less than the lodestar, is more than reasonable.

Executed this the 13th day of August, 2026.

A handwritten signature in blue ink, appearing to read 'Robert M. Foote', is written over a horizontal line.

Robert M. Foote