

# EXHIBIT 4

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

MIKE SHAFER, DAVID KEATING,  
and WILLIAM JEFFREY IGOE, on  
Behalf of Themselves and All Others  
Similarly Situated,

Plaintiffs,

v.

GLOBAL PAYMENTS INC., ACTIVE  
NETWORK LLC, JEFF SLOAN,  
CAMERON BREADY, PAUL TODD,  
JOSH WHIPPLE, and ANDREA FACINI,

Defendants.

Case No. 1:23-cv-00577-LMM

CLASS ACTION

**DECLARATION OF DAVID KEATING IN SUPPORT OF:  
(I) CO-LEAD PLAINTIFFS' MOTION FOR FINAL APPROVAL OF  
SETTLEMENT AND PLAN OF ALLOCATION; AND (II) LEAD  
COUNSEL'S MOTION FOR ATTORNEYS' FEES AND LITIGATION  
EXPENSES**

I, David Keating, hereby declare under penalty of perjury as follows:

1. I am one of the three Court-appointed Co-Lead Plaintiffs in this securities class action (the "Action").<sup>1</sup> I submit this declaration in support of (i) Co-Lead Plaintiffs' motion for final approval of the proposed Settlement and approval

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<sup>1</sup> Unless otherwise defined in this Declaration, all capitalized terms have the meanings set out in the Stipulation and Agreement of Settlement dated June 10, 2024 (ECF No. 65-2).

of the proposed Plan of Allocation; and (ii) Co-Lead Counsel's motion for attorneys' fees and Litigation Expenses. I have personal knowledge of the matters set forth in this Declaration and, if called upon, I could and would testify competently thereto.

2. I live in Stone Mountain, Georgia. I have an Associate Degree in Project Management from Gateway Technical Institute and am currently retired. Previously, I was a worldwide product manager. I am 68 years old and have been investing in the securities markets for over 20 years. I purchased Global Payments securities during the Settlement Class Period and suffered substantial losses as a result of the violations of the federal securities laws alleged in this action.

**I. My Oversight of the Action**

3. I am aware of and understand the requirements and responsibilities of a lead plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 ("PSLRA").

4. On May 11, 2023, the Court appointed me, Mike Shafer, and David Keating as Co-Lead Plaintiffs in the Action pursuant to the PSLRA, and approved our selection of Pomerantz LLP ("Pomerantz") and Lowey Dannenberg, P.C. ("Lowey") as Co-Lead Counsel and Evangelista Worley as Liaison Counsel for the class.

5. I closely supervised, carefully monitored, and was actively involved in all material aspects of the prosecution and resolution of the Action. I received

periodic status reports from Co-Lead Counsel on case developments and participated in regular discussions with Co-Lead Counsel concerning the prosecution of the Action, the strengths of and risks of the claims, and potential settlement. In particular, throughout the course of the Action, I: (a) communicated with Co-Lead Counsel by email and telephone calls regarding the posture and progress of the case; (b) reviewed all significant pleadings and briefs filed in the Action; (c) participated in the mediation process and consulted with Co-Lead Counsel concerning the settlement negotiations; and (d) evaluated and approved the proposed Settlement.

6. In addition, I was advised of and participated in the settlement negotiations and the mediation process and conferred with Co-Lead Counsel regarding the Parties' respective positions.

## **II. I Strongly Endorse the Settlement**

7. Based on my involvement throughout the prosecution and resolution of the claims asserted in the Action, I believe that the proposed Settlement is fair, reasonable, and adequate to the Settlement Class. I believe that the Settlement represents a favorable recovery for the Settlement Class, particularly in light of the substantial risks of continuing to prosecute the claims in this case and in recovering a judgment larger than the proposed Settlement. Therefore, I strongly endorse approval of the Settlement by the Court.

### **III. I Support Co-Lead Counsel's Motion for Attorneys' Fees and Litigation Expenses**

8. While I understand that the ultimate determination of Co-Lead Counsel's request for attorneys' fees and expenses rests with the Court, I believe that Co-Lead Counsel's request for an award of attorneys' fees in the amount of 33.3% of the Settlement Fund is reasonable in light of the result achieved in the Action, the risks undertaken, and the quality of the work performed by Plaintiffs' Counsel on behalf of Co-Lead Plaintiffs and the Settlement Class. After the agreement to settle the Action was reached, I again evaluated the fee request by considering the substantial recovery obtained for the Settlement Class in this Action, the risk of the Action, and my observations of the high-quality work performed by Plaintiffs' Counsel through the litigation, and have authorized the fee request to the Court for its ultimate determination.

9. I further believe that Plaintiffs' Counsel's Litigation Expenses are reasonable and represent the costs and expenses necessary for the prosecution and resolution of the claims in the Action. Based on the foregoing, and consistent with its obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Co-Lead Counsel's motion for attorneys' fees and Litigation Expenses.

10. I understand that reimbursement of a class representative's reasonable costs and expenses is authorized under the PSLRA. For this reason, in connection

with Co-Lead Counsel's request for reimbursement of Litigation Expenses, I seek reimbursement for the costs and expenses that I incurred directly relating to the representation of the Settlement Class in the Action.

11. The time I devoted to the representation of the Settlement Class in this Action was time I otherwise would have expected to spend on investing activities. I seek reimbursement in the amount \$12,500 (reflecting approximately 60 hours) for the time I devoted to supervising and participating in the Action.

#### **IV. Conclusion**

12. In conclusion, I, a Court-appointed Co-Lead Plaintiff and representative for the Settlement Class, was closely involved throughout the prosecution and settlement of the Action, strongly endorse the Settlement as fair, reasonable, and adequate, and believe it represents a favorable recovery for the Settlement Class in light of the risks of continued litigation. I further support Co-Lead Counsel's motion for attorneys' fees and payment of Plaintiffs' Counsel's Litigation Expenses and believes that it represents fair and reasonable compensation for counsel in light of the recovery obtained for the Settlement Class, the substantial work conducted, and the litigation risks. Finally, I request reimbursement for my expenses under the PSLRA as set forth above. Accordingly, I respectfully request that the Court approve (i) Co-Lead Plaintiffs' motion for final approval of the proposed

Settlement and Plan of Allocation; and (ii) Co-Lead Counsel’s motion for attorneys’ fees and Litigation Expenses.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 30th day of October, 2024.

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*David Keating*  
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David Keating