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August 12, 2022

VIA HAND DELIVERY

Marilyn Bentley
Clerk of the Court
Circuit Court for Baltimore City
Courthouse East
111 N. Calvert Street
Room 462E
Baltimore, Maryland 21202

RE: Timm, et al. v. Impac Mortgage Holdings, Inc.
Case No. 24C-11-008391

Dear Ms. Bentley:

Enclosed please find Plaintiff Curtis Timm's Petition for Incentive Award and Payment of Costs and Expenses. Please file the enclosed document in the above-captioned matter.

Thank you for your attention to this matter. Please contact me with any questions or concerns.

Very truly yours,

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

Thomas C. Costello

TCC/jp

Enclosure

cc: The Honorable Lawrence Fletcher-Hill (Via Hand Delivery)
All Counsel of Record (Via Electronic Mail)

**IN THE CIRCUIT COURT
FOR BALTIMORE CITY, MARYLAND**

CURTIS J. TIMM, ET AL.)	
)	
Plaintiff,)	
)	
vs.)	Case No:
)	24C-11-008391
IMPAC MORTGAGE HOLDINGS, INC., ET AL.)	
)	
Defendants)	
)	

PETITION FOR INCENTIVE AWARD AND PAYMENT OF COSTS AND EXPENSES

Plaintiff, Curtis J. Timm ("Timm"), by his undersigned attorneys, pursuant to the Amended Order Certifying Class and Providing for Class Notice and Final Hearing ("Class Certification Order") (docketed on 08/08/22) and Memorandum Opinion (docketed on 07/28/22), hereby petitions the Court for the entry of an order providing him with an incentive award and payment of his litigation related expenses, and in support thereof states as follows:

1. The Class Certification Order states that Timm "shall file, no later than August 12, 2022, any petition for award of attorney's fees and expenses or for any other form of monetary award that that the party intends to present...the petitions may be filed without full memoranda in support as long as they clearly state the maximum amount of relief sought."
2. The Class Certification Order also states that "full memoranda and documentation in support of the petitions, if

not filed with the petitions, shall be filed no later than sixty (60) days before the Final Hearing.

3. Timm hereby petitions this Honorable Court for an incentive award in an amount not to exceed \$4.5 million and to be calculated as follows: (a) a maximum of one-third of the \$1,169,985.94 2009 dividends payment to be deposited into the registry of the Court on or before August 19, 2022; and (b) a maximum or portion not to exceed one-third of any future value received by Series B Preferred Shareholders from Impac Mortgage Holdings, Inc. (as described in paragraph no. 23(b) of the Notice of Pendency of Class Action) or, alternatively, a maximum of one-third of the fair market value of the proposed Exchange Offer to Series B Preferred shareholders, if lawfully approved (as described in paragraph no 23(c) of the Notice of Pendency of Class Action) plus litigation expenses to be payable from the 2009 Dividend Amount and in a manner to be determined from non-common stock consideration received by the Series B Preferred shareholders pursuant to the proposed restructuring.
4. Timm also requests that he be reimbursed, in an amount not to exceed \$90,000 from the aforementioned \$1,169,985.94 2009 dividends payment, for his litigation related expenses.

5. In accordance with the Class Certification Order, Timm will file a supporting memorandum, along with documentation, no later than sixty (60) days before the final hearing currently set for December 5, 2022.

WHEREFORE, Plaintiff, Curtis J. Timm, respectfully requests that his Petition for Incentive Award and Payment of Costs and Expenses be granted in its entirety and for such other and further relief as justice may require.

Respectfully submitted,



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Attorneys for Plaintiff,
Curtis J. Timm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 12, 2022 a copy of the foregoing was served via electronic mail on:

Daniel S. Katz
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One East Pratt Street
Suite 901
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Attorney for Camac Fund, LP

and

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And

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Attorneys for Impac Mortgage Holdings, Inc.



Thomas C. Costello