

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CLEVELAND BROTHERS DATA INCIDENT LITIGATION Case No. 1:23-cv-00501-JPW

**PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that Plaintiffs Randy Thomas, Gabrielle Thomas and Robert MacMichael (“Plaintiffs”), individually and on behalf of the putative class, move pursuant to Federal Rule of Civil Procedure 23(e) for an Order: (i) granting preliminary approval of the proposed Settlement; (ii) preliminarily certifying a class for purposes of Settlement; (iii) appointing Plaintiffs as Class Representatives; (iv) appointing Laura Van Note of Cole & Van Note and David K. Lietz of Milberg Coleman Bryson Phillips Grossman PLLC as Class Counsel; (v) approving the Parties’ proposed form and method of giving notice of the pendency of this action and the Settlement to the Settlement Class; (vi) directing that notice be given to the Settlement Class; (vii) scheduling a hearing at which time the Court will consider the request for final approval of the Settlement and request for attorneys’ fees, expenses, and service awards to Plaintiffs; and (viii) granting such other relief and further relief as the Court deems just and proper.

Defendant Cleveland Brothers Equipment Company, Inc. does not object to the relief sought by Plaintiffs.

This Motion is based upon the accompanying Memorandum of Law in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, and its exhibits thereto, including the Settlement Agreement and Release; the Declaration of Counsel in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement; and all prior pleadings and proceedings properly before the Court.

Respectfully submitted,

Dated: March _____, 2024

/s/ Laura Van Note

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