

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

*Carver, et al.,*

Plaintiffs,

vs.

*Bank of New York Mellon, et al.,*

Defendants.

No. 15-CV-10180 (JPO)(JLC)

**UNOPPOSED MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION**

To: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Preliminarily Approving Proposed Settlement and Providing for Notice filed on December 20, 2018 (ECF 196), and upon: (a) Named Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Plan of Allocation; (b) the Declaration of Richard Simmons, on behalf of the Claims Administrator; (c) the Declaration of Heather M. McElroy in Support of (I) Unopposed Motion for Final Approval of Class Action Settlement and Plan of Allocation and (II) Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Awards, and exhibits thereto; and (d) all other papers and proceedings herein, Named Plaintiffs Hedy L. Anselman, David Baumann, Carl Carver, Dante A. Dano, Jr., Edward C. Day, Landol D. Fletcher, Timothy R. Garrett, Dana Kellen, Deborah Jean Kenny, Lisa Parker, Edwin Scheibel, and Daryl Watkins, on behalf of themselves and the Settlement Class, will and hereby do move this Court, before the Honorable J. Paul Oetken, on May 23, 2019 at 3:00 p.m. in Courtroom 706 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, or such other location and time as set by the Court, for

entry of Judgment approving the Class Action Settlement and the Plan of Allocation as fair, reasonable, and adequate.

Dated: April 23, 2019

Respectfully Submitted,

**CIRESI CONLIN LLP**

By: \s\Heather M. McElroy

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