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Interim Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re: Robinhood Outage Litigation	Master File No. 3:20-cv-01626-JD <u>CLASS ACTION</u> **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT; MEMORADUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF** Date: September 22, 2022 Time: 10:00 a.m. Judge: Hon. James Donato Ctrm: 11, 19th Floor

<u>NOTICE OF MOTION AND MOTION</u>

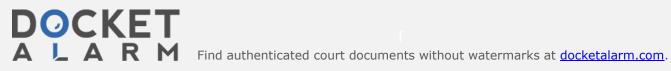**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on September 22, 2022 at 10:00 a.m., or as soon thereafter as the matter may be heard, before the Honorable James Donato, United States District Judge for the Northern District of California, at the San Francisco Courthouse, 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102, Plaintiffs will and hereby do move for an Order pursuant to Rule 23 of the Federal Rules of Civil Procedure ("Rule"):

(i)   preliminarily approving the proposed Class Action Settlement Agreement and Release dated August 4, 2022 (attached as Exhibit A to the Joint Declaration of Anne Marie Murphy and Matthew B. George in Support of Plaintiffs' Motion for Preliminary Approval of Proposed Class Action Settlement ("Joint Decl."), filed concurrently herewith);

(ii)   finding that, for purposes of effectuating the proposed Settlement, the prerequisites for class certification under Federal Rule of Civil Procedure 23(a) are likely to be found satisfied;

(iii)   approving the form and manner of notice to the Settlement Class;

(iv)   approving the selection of the Settlement Administrator;

(v)   appointing Cotchett, Pitre & McCarthy ("CPM") and Kaplan Fox & Kilsheimer LLP ("Kaplan Fox") as Co-Lead Class Counsel for purposes of the settlement;

(vi)   appointing Plaintiffs Daniel Beckman, Emma Jones, Mahdi Heidari Moghadam, Howard Morey, Colin Prendergast, Raghu Rao, Michael Riggs, and Jason Steinberg as Class Representatives for purpose of the settlement; and

(vii)   scheduling a Fairness Hearing before the Court.

Plaintiffs' motion is based upon this Notice of Motion and Motion, the Memorandum of Points and Authorities set forth below, the Joint Declaration, the Settlement Agreement, the Declaration of Cameron R. Azari, Esq. on Notice Plan and Notices ("Azari Decl."), Declaration of Scott Walster ("Walster Decl."), all exhibits attached thereto, the pleadings and records on file in

1   this Action, and other such matters and argument as the Court may consider at the hearing of this

2   motion.

3   **STATEMENT OF ISSUES TO BE DECIDED**

4   1.   Whether the Court should grant conditional certification of the Settlement Class; and

5   2.   Whether the Court should grant preliminary approval of the Settlement.

6   Respectfully submitted,

7   Dated: August 5, 2022   */s/ Anne Marie Murphy*

8   **COTCHETT, PITRE & MCCARTHY, LLP**
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16   Dated: August 5, 2022   */s/ Matthew B. George*
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