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13 *Counsel for Lead Plaintiff Bradley Sostack*

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **OAKLAND DIVISION**

17 In re RIPPLE LABS, INC. LITIGATION

Case No. 4:18-cv-06753-PJH (RMI)
 Formerly Consolidated/Related
 Case No. 4:21-cv-06518 (Closed 9-27-21)

18 CLASS ACTION

19 This Document Relates to:

20 All Actions

**NOTICE OF MOTION AND MOTION
 FOR CLASS CERTIFICATION;
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT**

21 DATE: April 26, 2023
 22 TIME: 1:30 p.m.
 23 PLACE: 1301 Clay St., Oakland, CA 94612
 Courtroom 3
 24 JUDGE: Hon. Phyllis J. Hamilton

25 Consolidated First Amended Complaint
 26 Filed: March 25, 2020

27 **FILED UNDER SEAL**
 28 **REDACTED**

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that on April 26, 2023 at 1:30 p.m., in the courtroom of the Honorable Phyllis J. Hamilton, United States District Judge, Northern District of California, located at 1301 Clay Street, Oakland, CA 94612, Courtroom 3, Lead Plaintiff Bradley Sostack will move the Court for certification of two classes pursuant to Rule 23 of the Federal Rules of Civil Procedure:

- Federal Securities Claims Class: All persons or entities who purchased XRP from May 3, 2017 through the present and who have (a) retained the XRP, and/or (b) sold the XRP at a loss.
- California State Securities Claims Class: All persons or entities who purchased XRP from Defendants and/or from any person or entity selling XRP on Defendants' behalf from May 3, 2017 through the present and who have (a) retained the XRP, and/or (b) sold the XRP at a loss.

Excluded from both Classes are: Defendant Bradley Garlinghouse; corporate officers, members of the boards of directors, and senior executives of Defendants Ripple Labs, Inc. and XRP II, LLC; members of Defendants' immediate families and their legal representatives, heirs, successors or assigns; and any entity in which Defendants have or had a controlling interest.

Lead Plaintiff also requests he be appointed by the Court as the class representative and that Susman Godfrey L.L.P. and Taylor-Copeland Law be appointed as Class Counsel. The grounds for this motion are that this case meets all the requirements for class treatment as required under Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure.

The Motion is based on this Notice of Motion and supporting Memorandum of Points and Authorities, the Declaration of Nicholas N. Spear and the exhibits attached thereto, the Declaration of Lead Plaintiff Bradley Sostack and the exhibit attached thereto, the reply briefing in further

1 support of this Motion, the arguments of counsel, and any such other matters as the Court may
2 consider.

3 Dated: November 18, 2022

SUSMAN GODFREY L.L.P.

4 By /s/ Marc M. Seltzer

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