



as the proposed settlement is fair, adequate and reasonable to Settlement Class members, and as the class certification requirements of *Fed.R.Civ.P.* 23 are satisfied. Further grounds and authorities for this motion are in the accompanying memorandum of law and exhibits, which are incorporated.

WHEREFORE, Representative Plaintiff respectfully requests that the Court grant final approval to the Settlement Agreement and enter the attached, comprehensive proposed Final Order Approving Settlement and Certifying Settlement Class.<sup>1</sup>

Respectfully submitted,

/s/ Richard S. Gordon

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<sup>1</sup>The proposed Final Order Approving Settlement and Certifying Settlement Class is comprehensive, and resolves all motions filed today: this Motion, the Motion for Incentive Award, the Motion for *Cy Pres* Award, and the Motion for Award of Attorney' Fees and Expenses to Class Counsel. The same proposed Final Order will be filed with

each of these motions, pursuant to the requirement that a proposed Order be submitted with every motion.