

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JODDA MOORE, and TERRELL AIKEN,
individually and on behalf of all similarly
situated persons,

Plaintiffs,

v.

INDEPENDENCE BLUE CROSS, LLC d/b/a
INDEPENDENCE BLUE CROSS,

Defendant.

No. 2:23-cv-00566

(Judge Scott)

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
AND COLLECTIVE SETTLEMENT AND PROVISIONAL CERTIFICATION OF
SETTLEMENT CLASS AND COLLECTIVE**

Plaintiffs, Jodda Moore and Terrell Aiken, by and through their counsel, Mobilio Wood, and Cohn Lifland Pearlman Herrmann & Knopf LLP, respectfully request that this Honorable Court enter an Order: (1) granting preliminary approval of the parties' Settlement Agreement and Release ("Settlement Agreement")¹; (2) provisionally certifying the Settlement Collective² under Section 216(b) of the Fair Labor Standards Act for the purposes of effectuating the settlement; (3) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(a) and 23(b)(3) for purposes of effectuating the settlement; (4) appointing Plaintiffs as class representatives; (5) appointing Plaintiffs' co-counsel, Mobilio Wood, and Cohn Lifland Pearlman Herrmann & Knopf LLP, as Class Counsel pursuant to Fed. R. Civ. P. 23; (6) appointing RG/2

¹ The Settlement Agreement is attached as Exhibit "1" to Plaintiffs' Brief in Support of Their Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective, filed contemporaneously herewith.

² Capitalized terms not otherwise defined in this Order shall have the same meaning as ascribed to them in the Settlement Agreement.

Claims Administration LLC as the Administrator of the settlement; (7) approving the proposed Notice of Settlement and directing its distribution in accordance with the Settlement Agreement; (8) setting a deadline to opt-out/object forty-five (45) calendar days after the date the Notice of Settlement is mailed by the Administrator, or thirty (30) calendar days after the date of re-mailing in the event that the initial mailing is returned as undeliverable for a particular Settlement Collective Member or Settlement Class Member; and (9) setting a date for a Final Approval Hearing.

In support of this motion, Plaintiffs rely on their Brief in Support of Their Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective, as well as the Declarations of Peter C. Wood, Jr., Esq., and Alex A. Pisarevsky, Esq., filed contemporaneously herewith.

Respectfully submitted,

Date: 5/1/2024

BY: /s/ Peter C. Wood, Jr.
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*Co-Counsel for Plaintiffs Jodda Moore
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Date: 5/1/2024

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 1st day of May, 2024, the foregoing Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective was electronically filed and served on the following counsel of record via the Court's ECF system:

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Date: 5/1/2024

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CERTIFICATION OF UNCONTESTED MOTION

Pursuant to Local Rule 7.1, the undersigned hereby certifies that Plaintiffs' counsel conferred with counsel for Defendant prior to filing Plaintiff's Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective, and that Defendant does not oppose the relief sought in Plaintiffs' motion.

Date: 5/1/2024

BY: /s/ Peter C. Wood, Jr.

Peter C. Wood, Jr., Esq. (ID No. 310145)

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