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17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 BRIAN SMITH, JACQUELINE MOONEY,
20 ANGELA BAKANAS, and MATTHEW
21 COLÓN, individually and on behalf of all
22 others similarly situated,

23 Plaintiffs,

24 v.

25 VCA, INC., and THE PLAN COMMITTEE
26 FOR THE VCA, INC. SALARY SAVINGS
27 PLAN, and JOHN AND JANE DOES 1-50,

28 Defendants.

Case No. 2:21-cv-09140-GW-AGR
**PLAINTIFFS' NOTICE OF
MOTION AND UNOPPOSED
MOTION FOR FINAL APPROVAL
OF CLASS ACTION
SETTLEMENT AGREEMENT**

Hearing: June 26, 2023

Time: 8:30 a.m.

Judge: Hon. George Wu

Ctrm: 9D

[Concurrently filed Declarations of
Andrew W. Ferich and Richard W.
Simmons]

TO THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that on June 26, 2023 at 8:30 a.m. in Courtroom 9D of the United States District Court for the Central District of California, located at 350 West 1st Street, Los Angeles, CA 90012, Plaintiffs Brian Smith, Jacqueline Mooney, Angela Bakanas, and Matthew Colón (“Plaintiffs”) will and hereby do move for an Order:

1. Granting final approval of the Settlement Agreement between Plaintiffs and Defendants, a copy of which was attached as Exhibit 1 to the granted Plaintiff’s Motion for Preliminary Approval;
2. Granting final certification to the Settlement Class for settlement purposes only;
3. Granting final approval of the form and manner of the Settlement Notice to the Settlement Class, and finding that notice has been conducted in accordance with the Court-approved notice plan and due process;
4. Dismissing with prejudice Plaintiffs’ and Class Members’ claims against Defendants; and
5. Adopting and entering the proposed Final Approval Order and Final Judgment submitted herewith.

This Motion and the Settlement satisfy the requirements of Federal Rule of Civil Procedure 23 on the grounds the Settlement is fair, adequate and reasonable, and that the Settlement Notice and notice plan provided the best notice practicable under the circumstances.

This Motion is based on this Notice of Motion and Motion; the supporting Memorandum of Points and Authorities; the Declaration of Andrew W. Ferich; the Declaration of Richard W. Simmons; the [Proposed] Final Approval Order; the [Proposed] Judgment; the pleadings on file herein; and such other and further material to be offered at the Final Approval Hearing.

1 Dated: April 26, 2023

Respectfully submitted,

2 */s/ Andrew W. Ferich*

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