

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MONIQUE BELL, TREE ANDERSON, and  
MELISSA CONKLIN, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

CVS PHARMACY, INC.,

Defendant.

Case No. 1:21-cv-06850-PK

Hon. Peggy Kuo

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

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

**PLEASE TAKE NOTICE** that upon: (1) the accompanying Memorandum of Law; (2) the Declaration of Joseph I. Marchese, Esq., and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement with exhibits); (2) the Declaration of Adrian Gucovschi, Esq., and the exhibit attached thereto; and (3) the Declaration of Jeanne C. Finegan of Kroll Notice Media Solutions, Plaintiffs, by and through their undersigned attorneys, will move this Court, before the Honorable Peggy Kuo, United States Magistrate Judge, Eastern District of New York, at the Theodore Roosevelt United States Courthouse, 225 Cadman Plaza East, Courtroom 11C South, Brooklyn, NY 11201, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) granting preliminary approval of the Class Action Settlement; (ii) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3); (iii) approving the proposed notice program and notice documents, (iv) appointing Bursor & Fisher, P.A. and Gucovschi Rozenshteyn, PLLC as Class Counsel; (v) appointing Monique Bell, Tree Anderson, and Melissa Conklin as the Class Representatives for the Settlement Class; and (vi)

granting such other, further, or different relief as the court deems just and proper. The Parties have met and conferred about the filing of this Motion, and the Motion is unopposed. A Proposed Preliminary Approval Order is submitted herewith.

Dated: April 24, 2023

Respectfully submitted,

By: /s/ Joseph I. Marchese  
Joseph I. Marchese

**BURSOR & FISHER, P.A.**

Joseph I. Marchese  
888 Seventh Avenue  
New York, NY 10019  
Telephone: (646) 837-7410  
Email: [jmarchese@bursor.com](mailto:jmarchese@bursor.com)

**GUCOVSKI ROZENSHTEYN, PLLC**

Adrian Gucovski, Esq.  
630 Fifth Avenue, Suite 2000  
New York, NY 10111  
Telephone: (212) 884-4230  
E-Mail: [adrian@gr-firm.com](mailto:adrian@gr-firm.com)

*Proposed Class Counsel*