

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BENJAMIN MICHAEL MERRYMAN, AMY
WHITAKER MERRYMAN TRUST, B
MERRYMAN AND A MERRYMAN 4TH
GENERATION REMAINDER TRUST AND
CHESTER COUNTY EMPLOYEES
RETIREMENT FUND, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

CIVIL ACTION NO. 1:15-cv-09188-VEC

**NOTICE OF MOTION AND PLAINTIFFS' MOTION FOR FINAL APPROVAL OF
PROPOSED CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Preliminarily Approving Settlement and Providing for Notice entered July 18, 2018 (ECF No. 104), and upon (i) the Declaration of Sharan Nirmul in Support of (I) Plaintiffs' Motion for Final Approval of Proposed Class Action Settlement and Plan of Allocation; and (II) Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses and the exhibits thereto; (ii) the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Proposed Class Action Settlement and Plan of Allocation; and (iii) all other papers and proceedings herein, Benjamin Michael Merryman, Amy Whitaker Merryman Trust, B Merryman and A Merryman 4th Generation Remainder Trust and Chester County Employees Retirement Fund (collectively, "Plaintiffs"), on behalf of themselves and the Settlement Class, will

and do hereby move this Court, before the Honorable Valerie E. Caproni, on August 8, 2019 at 11:00 a.m., in Courtroom 443 of the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, NY 10007, or at such other location and time as set by the Court, for entry of an Order and Final Judgment approving the Settlement as fair, reasonable, and adequate and for entry of an Order approving the proposed Plan of Allocation as fair, reasonable, and adequate. Proposed Orders granting the requested relief will be submitted with Plaintiffs' reply papers after the deadline for objecting to the Settlement and requesting exclusion from the Settlement Class has passed.

Dated: June 20, 2019

Respectfully Submitted,

**KESSLER TOPAZ MELTZER
& CHECK, LLP**

s/Sharan Nirmul

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