

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
NO. 1984CV03373C

STACY FOSTER, JAMIE KIMBALL, JONATHAN  
RILEY, and NICOLE WESTCOTT, *on behalf of  
themselves and all others similarly situated,*

Plaintiffs,

v.

COMMONWEALTH OF MASSACHUSETTS,

Defendant.

**JOINT MOTION FOR ENTRY OF PRELIMINARY APPROVAL ORDER**

Now come the parties to the above-referenced matter and respectfully request that this Honorable Court issue the proposed Preliminary Approval Order, submitted herewith as Exhibit 1. The proposed Order (a) preliminarily approves the proposed Settlement set forth in the Stipulation and Settlement Agreement filed herewith as Exhibit 2, (b) approves the method of giving notice to Class Members, and (c) schedules a hearing to consider final approval of the Settlement.

The grounds for this motion are set forth in the accompanying Memorandum in Support of this Joint Motion for Entry of Preliminary Approval Order.

Respectfully submitted,

Plaintiffs	Defendant
<p>STACY FOSTER, JAMIE KIMBALL, JONATHAN RILEY, and NICOLE WESTCOTT, on behalf of themselves and all others similarly situated,</p> <p>By their attorneys,</p> <p><u>/s/ Daniel N. Marx</u> DANIEL N. MARX, BBO# 674523 WILLIAM W. FICK, BBO# 650562 Fick &amp; Marx LLP 24 Federal Street, 4th Fl. Boston, MA 02110 (857) 321-8360 dmarx@fickmarx.com wfick@fickmarx.com</p> <p>LUKE RYAN, BBO# 664999 Sasson, Turnbull, Ryan &amp; Hoose 100 Main Street, Third Floor Northampton, MA 01060 (413) 586-4800 lryan@strhlaw.com</p> <p>Dated: June 1, 2022</p>	<p>COMMONWEALTH OF MASSACHUSETTS</p> <p>By its attorneys, MAURA HEALEY ATTORNEY GENERAL</p> <p><u>/s/ Katherine B. Dirks</u> Anne Serman, BBO# 650426 Katherine B. Dirks, BBO# 673674 Assistant Attorneys General Government Bureau/Trial Division One Ashburton Place, Room 1813 Boston, MA 02108 (617) 963-2524 (Serman) (617) 963-2277 (Dirks) anne.sterman@mass.gov katherine.dirks@mass.gov</p> <p>Dated: June 1, 2022</p>

**CERTIFICATE OF SERVICE**

I, Katherine B. Dirks, hereby certify that on June 1, 2022, I served a copy of the above document upon counsel of record for the plaintiffs by email to:

Daniel Marx, Esq.  
William Fick, Esq.  
Fick & Marx LLP  
24 Federal Street, 4<sup>th</sup> Floor  
Boston, MA 02110  
wfick@fickmarx.com  
dmarx@fickmarx.com

Luke Ryan, Esq.  
Sasson, Turnbull, Ryan & Hoose  
100 Main Street, 3<sup>rd</sup> Floor  
Northampton, MA 01060  
lryan@strhlaw.com

/s/ Katherine B. Dirks  
Katherine B. Dirks