

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS: COMMERCIAL DIVISION**

_____)	Master Index No. 711788/2018
IN RE ALTICE USA, INC. SECURITIES)	
LITIGATION)	Hon. Joseph Risi, J.S.C.
)	
_____)	Motion Seq. No. _____

**NOTICE OF MOTION IN SUPPORT OF STATE PLAINTIFFS’ UNOPPOSED
MOTION FOR PRELIMINARY APPROVAL OF THE CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that upon the attached affirmation of William C. Fredericks, affirmed on July 26, 2021 (“Fredericks Affirmation”) and all pleadings, records, and papers on file herein, Plaintiffs Ryan Newman, Andrew O’Neill, and Brian LaPoint (the “State Plaintiffs”) respectfully move this Court at the Motion Submission Part at the Courthouse located at 88-11 Sutphin Boulevard, Jamaica, N.Y. 11435, on August 3, 2021, at 9:30 a.m., or as soon thereafter as counsel may be heard, for entry of an Order granting the State Plaintiffs’ Unopposed Motion for Preliminary Approval of the Class Action Settlement (“Motion for Preliminary Approval”):

1. preliminarily approving the parties’ Stipulation of Settlement (the “Settlement”), attached as Exhibit 1 to the Fredericks Affirmation;
2. entering the [Proposed] Preliminary Order, attached as Exhibit 2 to the Fredericks Affirmation, which includes copies of the proposed Notice, Summary Notice, and Proof of Claim and Release form attached as exhibits thereto;
3. directing the date and time for a final Fairness Hearing at which time the Court will consider whether the Settlement should be finally approved, and whether a Final Judgment thereon should be entered; and
4. granting such other and further relief as the Court deems proper.

PLEASE TAKE FURTHER NOTICE that Defendants’ opposition shall be filed by July 30, 2021, and Plaintiffs’ reply is due on or before August 2, 2021. Defendants do not oppose the filing of this Motion and the relief sought herein. Accordingly, State Plaintiffs respectfully request that the Court grant the Motion for Preliminary Approval.

Dated: July 26, 2021
New York, New York

SCOTT+SCOTT ATTORNEYS AT LAW LLP

s/ William C. Fredericks
William C. Fredericks (2336303)
Randy Moonan (5201686)
Jeffrey P. Jacobson (5606025)
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: (212) 223-6444
Facsimile: (212) 223-6334
wfredericks@scott-scott.com
rmoonan@scott-scott.com
jjacobson@scott-scott.com

Lead Counsel for Appellants

Scott B. Fisher (2383933)
JASPAN SCHLESINGER LLP
300 Garden City Plaza
Garden City, NY 11530
Telephone: (516) 746-8000
Facsimile: (516) 393-8282
sfisher@jaspanllp.com

Jeffrey D. Lebowitz (1161603)
**ABRAMS, FENSTERMAN, FENSTERMAN,
EISMAN, FORMATO, FERRARA, WOLF &
CARONE, LLP**
3 Dakota Drive, Suite 300
Lake Success, NY 11042
jlebowitz@abramslaw.com
Telephone: (516) 328-2300
Facsimile: (516) 328-6638

David W. Hall (*pro hac vice*)
HEDIN HALL LLP
Four Embarcadero Center, Suite 1400
San Francisco, CA 94104
Telephone: (415) 766-3534
Facsimile: (415) 402-0058
dhall@hedinhall.com

Additional Counsel for Appellants