

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

_____)	Master Index No. 711788/2018
)	Hon. Joseph Risi, J.S.C.
IN RE ALTICE USA, INC. SECURITIES)	
LITIGATION)	Motion Seq. No. 007
)	
_____)	

NOTICE OF (1) PLAINTIFFS’ MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION; AND (2) LEAD COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF LITIGATION EXPENSES AND SERVICE AWARDS TO PLAINTIFFS

PLEASE TAKE NOTICE that on February 24, 2022, Plaintiffs and Lead Counsel will move the Court, located at 88-11 Sutphin Blvd, Jamaica, New York 11435, in the Commercial Division, Part C thereof, Courtroom 26, at 9:30 a.m., for an Order (1) granting final approval of the class action Settlement¹ in this Action and the Plan of Allocation; (2) confirming the Court’s preliminary certification of the Settlement Class ([NYSCEF No. 141](#)); (3) awarding Lead Counsel Attorneys’ Fees in the amount of one third of the Settlement Consideration, or \$1,650,000; (4) awarding Lead Counsel reimbursement for Litigation Expenses in the amount of \$62,378.80; and (5) awarding Plaintiffs service awards in the amount of \$2,000 for their service to the Settlement Class (the “Motion”).

In Support of the Motion, Lead Plaintiffs and Lead Counsel will rely upon:

- A. The Joint Affirmation of William C. Fredericks and Laurence Rosen in Support of (1) Plaintiffs Motion for Final Approval of the C.lass Action Settlement and Plan of Allocation; and (2) Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses and Service Awards to Plaintiffs;

¹ Capitalized terms not otherwise defined herein have the meanings set forth in the Stipulation of Settlement (the “Stipulation”), filed July 26, 2021 ([NYSCEF No. 138](#)).

- B. The Memorandum of Law in Support of (1) Plaintiffs Motion for Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses and Service Awards to Plaintiffs;
- C. The Affidavit of Andrew O'Neill in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- D. The Affidavit of Brian LaPoint in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- E. The Affidavit of Ryan Newman in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- F. The Affidavit of Andrea Hadzmicchalis in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- G. The Affidavit of Franck Chauvin in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- H. The Affidavit of Garfield Anderson in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;

- I. The Affidavit of Stephanie Garcia in Support of Lead Plaintiffs' Motion for (1) Final Approval of the Class Action Settlement and Plan of Allocation; and (2) Award of Attorneys' Fees and Reimbursement of Litigation Expenses;
- J. The Affirmation of William C. Fredericks in Support of Lead Counsel's Application for Attorneys' Fees and Litigation Expenses;
- K. The Affirmation of Laurence M. Rosen in Support of Lead Counsel's Application for Attorneys' Fees and Litigation Expenses;
- L. The Joint Affirmation of Jeffrey D. Lebowitz and Scott B. Fisher in Support of Lead Counsel's Application for Attorneys' Fees and Litigation Expenses;
- M. The Affirmation of David W. Hall in Support of Lead Counsel's Application for Attorneys' Fees and Litigation Expenses;
- N. The Affidavit of Kari Schmidt Regarding Distribution of Class Notice, Report on Requests for Exclusion, and Notice and Administration Costs Incurred to Date;
- O. All exhibits attached to the foregoing; and
- P. All filings and proceedings in this action to date.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Preliminary Approval Order ([NYSCEF No. 141](#)), all objections to the Settlement, the Motion, Lead Counsel's requests for Attorneys' Fees and Litigation Expenses, and Lead Plaintiffs' requested service awards, must be received on or before February 3, 2022, 21 days before the return date for this motion;

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Preliminary Approval Order ([NYSCEF No. 141](#)), all reply papers and/or briefs, including any in response to a filed objection, shall be filed and served at least seven (7) calendar days prior to the return date for this motion.

Dated: January 20, 2022
New York, New York

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