

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: MOVEIT CUSTOMER DATA
SECURITY BREACH LITIGATION

MDL No. 1:23-md-03083-ADB-PGL

This Document Relates To:

STEPHEN GILMORE, individually and on
behalf of all others similarly situated,

C.A. No. 1:23-cv-12711-ADB

Plaintiff,

v.

THE BANK OF CANTON and
PROGRESS SOFTWARE
CORPORATION,

Defendants.

**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
PROPOSED CLASS ACTION SETTLEMENT**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiff Stephen Gilmore (“Plaintiff”) in the above-captioned action filed against Defendant The Bank of Canton and consolidated in this MDL, hereby moves this Court for entry of an Order: (1) granting preliminary approval of the proposed Class Action Settlement Agreement and Release with The Bank of Canton; (2) provisionally certifying the proposed Settlement Class; (3) conditionally appointing Plaintiff as Settlement Class Representative; (4) conditionally appointing Lead Counsel and Liaison & Coordinating Counsel as Settlement Class Counsel; (5) approving the form and manner of notice; (6) ordering that notice be disseminated to the Settlement Class according to the Settlement’s terms; (6) establishing deadlines for Settlement Class Members to request exclusion from the Settlement Class, file objections to the Settlement, or file Claims for a

Settlement Payment; and (7) setting the proposed schedule for completion of further settlement proceedings, including scheduling the final fairness hearing.

This Motion is based upon the record in this case as well as the concurrently filed: (1) Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval; (2) Declaration of Gary F. Lynch in Support of Plaintiff's Motion for Preliminary Approval and the exhibits attached thereto; and (3) Declaration of Cameron R. Azari, Esq. Regarding the Notice Program, as well as any additional materials and argument that may be presented to the Court.

DATED: February 20, 2025

Respectfully submitted,

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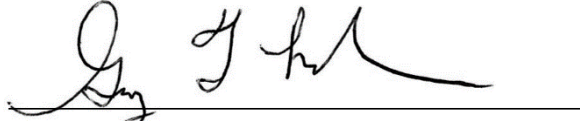
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Lead Counsel

LOCAL RULE 7.1 CERTIFICATION

I, Gary F. Lynch, pursuant to Local Rule 7.1(a)(2), hereby certify that counsel for Plaintiff has conferred in good faith with counsel for Defendant The Bank of Canton and Defendant does not oppose this Motion.

A handwritten signature in black ink, appearing to read "Gary F. Lynch", is written over a horizontal line.

Gary F. Lynch

CERTIFICATE OF SERVICE

I hereby certify that, on this date, the foregoing document was filed electronically via the Court's CM/ECF system, which will send notice of the filing to all counsel of record.

Dated: February 20, 2025

/s/ Kristen A. Johnson
Kristen A. Johnson (BBO# 667261)