

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ALBANY**

**ALAYNA WOODS, JENNIFER NELSON,**  
on behalf of herself and on behalf of her  
minor child, **E.N.-H., DANA BERKLEY** on  
behalf of her minor child, **M.B., JAMELLA  
MONTGOMERY, SUSAN HALL,  
ARGIRO TZIAKAS, CHRISTINA  
KOVALSKY,** and **ANDRE  
BLAKEMORE-BELL,** on behalf of  
themselves and all others similarly situated,

Plaintiffs,

-against-

**ALBANY ENT & ALLERGY SERVICES,  
PC,**

Defendant.

Index No. 904730-23

**NOTICE OF PLAINTIFFS' UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, the Declaration of Daniel O. Herrera (and the exhibits annexed thereto), and all pleadings and proceedings herein, Plaintiffs Alayna Woods, Jennifer Nelson on behalf of herself and her minor child E.N.-H, Dana Berkley on behalf of her minor child M.B., Jamella Montgomery, Susan Hall, Argiro Tziakas, and Christina Kovalsky (collectively, "Plaintiffs") will move this Court at the Albany County Courthouse located at 16 Eagle Street, Albany, New York, on the 24th day of May, 2024, at 9:00 am ET, or as soon thereafter as counsel may be heard, for an Order (i) granting preliminary approval of the proposed Settlement; (ii) preliminarily certifying a class for purposes of Settlement; (iii) appointing Plaintiffs as Class Representatives; (iv) appointing Danielle L. Perry of Mason LLP, Daniel O. Herrera of Cafferty Clobes Meriwether & Sprengel LLP, and William B. Federman of Federman & Sherwood as Class Counsel; (v) approving the Parties' proposed form

and method of giving notice of the pendency of this action and the Settlement to the Settlement Class; (vi) directing that notice be given to the Settlement Class; (vii) approving the selection of a claims administrator who will also oversee the notice plan; (viii) scheduling a hearing at which time the Court will consider the request for final approval of the Settlement and request for attorneys' fees, expenses, and service awards to Plaintiffs; and (ix) granting such other relief and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that Defendant AENT & Allergy Services, PC ("AENT" or "Defendant") does not oppose approval of the Settlement or certification of the Settlement Class for settlement purposes only.

Dated: April 18, 2024

Respectfully Submitted,

/s/ William B. Federman

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***Interim Co-Lead Class Counsel for  
Plaintiffs and the Putative Class***