

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAFAEL FIGUEROA, KAHLIL CABLE,)	
TY' ANTHONY SCOTT, and RYAN PETTY <i>on</i>)	Case No. 2:20-CV-01484-LPL
<i>behalf of themselves and all others similarly</i>)	
<i>situated,</i>)	
)	
Plaintiffs,)	
)	
v.)	
)	
POINT PARK UNIVERSITY,)	
)	
Defendant.)	

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND APPROVAL OF MANNER OF DISTRIBUTION OF NET
SETTLEMENT FUND**

PLEASE TAKE NOTICE THAT, upon the Declaration of Gary F. Lynch, sworn to on November 24, 2023, and the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiffs Rafael Figueroa, Kahlil Cabble, Ty'Anthony Scott, and Ryan Petty will move this Court on December 4, 2023 at 10:00am in Courtroom 7B at the United States Courthouse, 700 Grant Street, Pittsburgh, PA 15219, before the United States District Court for the Western District of Pennsylvania, for an Order under Federal Rule of Civil Procedure 23: (1) certifying, for purposes of the Settlement only, the following Settlement Class:

All students enrolled at PPU who paid tuition and/or the mandatory fees for a student to attend in-person class(es) during the Spring 2020 semester at the University but had their class(es) moved to online learning, with the exception of; (i) any person who withdrew from PPU on or before March 12, 2020; (ii) any person enrolled solely in a program for the Spring 2020 semester that was originally delivered as an online program without regard to any changes in modality resulting from the COVID-19 pandemic; (iii) any person who properly executes and files a

timely opt-out request to be excluded from the Settlement Class; and (iv) the legal representatives, successors or assigns of any such excluded person;

(2) confirmation that the notice plan approved by the Court in its July 25, 2023 Preliminary Approval Order has been fully and sufficiently executed; (3) appointing Named Plaintiffs Rafael Figueroa, Kahlil Cabble, Ty'Anthony Scott, and Ryan Petty as Settlement Class Representatives; (4) appointing the law firm of Lynch Carpenter, LLP as Class Counsel to act on behalf of the Settlement Class and the Settlement Class Representatives with respect to the Settlement; (5) entering the proposed final judgment; and (6) granting such other and further relief as may be just and appropriate.

Dated: November 24, 2023

Respectfully submitted,

/s/ Gary F. Lynch

LYNCH CARPENTER, LLP

Gary F. Lynch

Jamisen A. Etzel

Nicholas A. Colella

1133 Penn Avenue 5th Floor

Pittsburgh, PA 15222

P. (412) 322-9243

F. (412) 231-0246

gary@lcllp.com

jamisen@lcllp.com

nickc@lcllp.com

ATTORNEYS FOR PLAINTIFFS