

OUTTEN & GOLDEN LLP
Adam T. Klein
Justin M. Swartz
Lewis M. Steel
Ossai Miazad
Sally J. Abrahamson
Deirdre Aaron
3 Park Avenue, 29th Floor
New York, NY 10016

COMMUNITY SERVICE SOCIETY
Judy Whiting
Paul Keefe
105 East 22nd Street
New York, NY 10010

COMMUNITY LEGAL SERVICES, INC.
Sharon Dietrich*
1424 Chestnut Street
Philadelphia, PA 19102

LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
Ray P. McClain*
1401 New York Ave., NW
Washington, DC 20005

CENTER FOR CONSTITUTIONAL RIGHTS
Darius Charney
666 Broadway 7th Floor
New York, NY 10012
INDIAN LAW RESOURCE CENTER
Robert T. Coulter*
602 North Ewing Street
Helena, MT 59601

LATINOJUSTICE PRLDEF
Jackson Chin
99 Hudson Street, 14th Floor
New York, NY 10013

**Admitted pro hac vice*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY GONZALEZ, IGNACIO RIESCO, :
PRECIOUS DANIELS, ALEXIS MATEO, :
FELICIA RICKETT-SAMUELS, CHYNELL :
SCOTT, VIVIAN KARGBO, SCOTTY DESPHY, :
and EDWARD ZAHNLE, on behalf of themselves :
and all others similarly situated, and :
CEPHUS HOUSER as the Trustee for the Trust :
Agreement of EVELYN HOUSER, individually, :

Plaintiffs, :

-against- :

PENNY PRITZKER, Secretary, United States :
Department of Commerce, :

Defendant. :

CIVIL ACTION NO.
10-CV-3105 (FM)

NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE, AND CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEMENT CLASS

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement, Approval of the Proposed Notice of Settlement and Class Action Settlement Procedure, and Conditional Certification for Damages of the Settlement Class and in the Declaration of Adam T. Klein in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement, Approval of the Proposed Notice of Settlement and Class Action Settlement Procedure, and Conditional Certification for Damages of the Settlement Class ("Klein Decl."), and the supporting exhibits attached thereto, Plaintiffs respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Settlement Agreement, attached as **Exhibit 1** to the Klein Decl.;
- (2) approving the proposed settlement procedure;
- (3) conditionally certifying the proposed settlement class pursuant to Fed. R. Civ. P. 23(b)(3) for damages;
- (4) approving the proposed Notice of Class Action Settlement ("Notice"), attached as **Exhibit 2** to the Klein Decl.; and
- (5) entering the proposed Privacy Act Protective Order, attached as **Exhibit 15** to the Klein Decl.

* * *

Plaintiffs submit a Proposed Order, attached to the Klein Decl. as **Exhibit 16**, for the Court's convenience.

Dated: April 19, 2016
New York, New York

Respectfully submitted,

By: /s/ Adam T. Klien

OUTTEN & GOLDEN LLP

Adam T. Klein
Justin M. Swartz
Lewis M. Steel
Ossai Miazad
Sally J. Abrahamson
Deirdre Aaron
3 Park Avenue, 29th Floor
New York, NY 10016
Telephone: 212-245-1000

and

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Attorneys for Plaintiffs and the Class

LATINOJUSTICE PRLDEF

Jackson Chin
99 Hudson Street, 14th Floor
New York, NY 10013