

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Stuart Krohnengold, Wayne Antoine, Lee
Webber, Anthony Medici, Joseph Bendrihem,
Larry Gilbert, Rafael Musni, Thomas Lantz,
Sandra Scanni, and Claudia Gonzalez, as
representatives of a class of similarly situated
persons, and on behalf of the New York Life
Insurance Employee Progress Sharing
Investment Plan, and the New York Life
Insurance Company Agents Progress Sharing
Plan,

Case No. 1:21-cv-01778 - JMF

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

Plaintiffs,

v.

New York Life Insurance Company; the
Fiduciary Investment Committee; the Board
of Trustees; Katherine O'Brien; Anthony R.
Malloy; Yie-Hsin Hung; Arthur A. Seter;
Scott L. Lenz; Robert J. Hynes; and John and
Jane Does 1-20,

Defendants.

Please take notice that Plaintiffs Amy Laurence,¹ Wayne Antoine, Lee Webber, Anthony Medici, Joseph Bendrihem, Larry Gilbert, Rafael Musni, Thomas Lantz, Sandra Scanni, and Claudia Gonzalez ("Plaintiffs") respectfully move the Court to: (1) preliminarily approve the parties' Class Action Settlement Agreement; (2) certify the proposed Settlement Class for purposes of Settlement; (3) approve the proposed Notice of Settlement and authorize distribution of the Notice to the proposed Settlement Class; (4) schedule a final approval hearing; and (5) enter the accompanying proposed Preliminary Approval Order.

¹ Ms. Laurence was substituted for her late husband Stuart Krohnengold following his passing. *See* ECF 173.

This motion is made under Federal Rule of Civil Procedure 23 and is based on the accompanying Memorandum of Law and authorities cited therein, the Declaration of Kai Richter and exhibit thereto (the Settlement Agreement is attached as Exhibit 1), the Declarations of Amy Laurence, Wayne Antoine, Lee Webber, Anthony Medici, Joseph Bendrihem, Larry Gilbert, Rafael Musni, Thomas Lantz, Sandra Scanni, and Claudia Gonzalez, and all files, records, and proceedings in this matter. Defendants do not oppose the motion as parties to the Settlement.

Dated: February 26, 2024

Respectfully Submitted,

/s/ Kai Richter

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