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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 CITY AND COUNTY OF SAN FRANCISCO

10 CALIFORNIA DENTAL ASSOCIATION, a
California Corporation;
11 RICHARD W. BARNES, D.D.S.;
ROBERT E. REED, D.D.S.;
12 DEAN SCHWEITZER, D.D.S.;
GERALD MIDDLETON, D.D.S.;
13 WHITNEY JOHNSON, D.D.S.;
TERRENCE Y. LAU, D.D.S.; and
14 BARBARA M. HAWTHORNE, D.D.S.,
individually and on behalf of all others
15 similarly situated,

16 Plaintiffs,

17 vs.

18 DELTA DENTAL OF CALIFORNIA, a
California Corporation,
19 Defendant.
20

Case No.: CGC-14-538849

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION IN SUPPORT OF
MOTION FOR CERTIFICATION OF
SETTLEMENT CLASS;
PRELIMINARY APPROVAL OF
PROPOSED CLASS ACTION
SETTLEMENT;
APPROVAL OF CLASS NOTICE;
APPROVAL OF CLASS
REPRESENTATIVES;
APPOINTMENT OF CLASS COUNSEL**

Date: March 21, 2017
Time: 10:00 a.m.
Judge: Hon. Mary E. Wiss
Dept.: 305

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22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 PLEASE TAKE NOTICE that on March 21, 2017 at 10:00 a.m. or as soon thereafter as the
24 matter may be heard in Department 305 of the above-entitled Court, located at 400 McAllister
25 Street, San Francisco, California 94102, plaintiff California Dental Association ("CDA") will, and
26 does hereby move for an Order provisionally certifying the proposed class for settlement purposes
27 only, for preliminary approval of the proposed settlement on behalf of the class, for approval of the
28 long form and short form notice to the class and the class notice plan, for approval of the individual

1 named plaintiffs as class representatives, and for appointment of Paul Alexander and Emily Wood
2 and the firm of Arnold & Porter Kaye Scholer as counsel for the class. Plaintiffs seek this Order
3 pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.764, and the
4 additional authority cited in the Memorandum of Points and Authorities filed herewith.

5 This motion is based upon this Notice of Motion, the accompanying Memorandum of Points
6 and Authorities in Support thereof, and the Declaration of Eric Green, the Declaration of Kim
7 Schmidt, the Declaration of Paul Alexander, the Declaration of Emily Wood as well as all of the
8 pleadings and papers on file in this action, all admissible evidence presented at the hearing, oral
9 argument by counsel at the hearing, and upon such matters as may be presented to the Court at the
10 time of the hearing.

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12 Dated: March 7, 2017

ARNOLD & PORTER KAYE SCHOLER
LLP

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15 By: /s/ Paul Alexander
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