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

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

Plaintiffs,

vs.

DELTA DENTAL OF CALIFORNIA, a
California Corporation,

Defendant.

No.: CGC-14-538849

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
PROPOSED AMENDED CLASS ACTION
SETTLEMENT AND RELATED ORDERS**

Hearing Date: April 25, 2018
Time: 1:30 p.m.
Judge: Hon. Mary E. Wiss
Dept.: 305

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on April 25, 2018 at 1:30 p.m. or as soon thereafter as the
3 matter may be heard in Department 305 of the above-entitled Court, located at 400 McAllister
4 Street, San Francisco, California, Plaintiffs will, and do hereby, move for an Order certifying the
5 proposed Class for settlement purposes, granting final approval of the Amended Settlement
6 Agreement as fair, reasonable and adequate for the Class, a finding that the Class has received the
7 best practicable notice of the Amended Settlement Agreement and an adequate opportunity to
8 respond, approving the plan of allocation and distribution of the Amended Settlement Amount on
9 behalf of the Class, and approving the establishment of a Qualified Settlement Fund as described in
10 the Amended Settlement Agreement to receive the payment by Delta Dental of the Final Settlement
11 Amount of \$65,020,624, to be administered by Rust Consulting Inc. as Class Notice Administrator,
12 as set forth with more particularity in the Motion and supporting Declarations filed herewith.
13 Plaintiffs seek this Order pursuant to California Code of Civil Procedure § 382 and California Rule
14 of Court 3.769, and the additional authority cited in the Memorandum of Points and Authorities
15 filed herewith.

16 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
17 and Authorities, and the declarations of Colin Loveness, Kim Schmidt and Paul Alexander,
18 including the attachments thereto, as well as all of the pleadings and papers on file in this action, all
19 admissible evidence presented at the hearing, oral argument by counsel at the hearing, and upon
20 such further information or matter that as may be presented to the Court at the time of the hearing.

21 Dated: April 4, 2018

ARNOLD & PORTER KAYE SCHOLER
LLP

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23 By: /s/ Paul Alexander
Paul Alexander

24 Attorneys for Plaintiffs and the Class
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