

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

RICHARD MCCALL and ABRAHAM
LIBMAN, individually and on behalf of all
others similarly situated,

Index No. 66810/2021

Plaintiffs,

v.

HERCULES CORP.,

Defendant.

**PLAINTIFFS' NOTICE OF UNOPPOSED MOTION FOR FINAL CERTIFICATION OF
THE SETTLEMENT CLASS, AND FINAL APPROVAL OF THE CLASS ACTION
SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 12, 2022 at 11:00 a.m., upon: (1) the accompanying Memorandum of Law, (2) the Affidavit of Jennifer M. Keough dated June 23, 2022, (3) the Affidavit of Richard McCall dated April 19, 2022, (4) the Affidavit of Abraham Libman dated April 22, 2022, and (5) the Affirmation of Philip L. Fraietta dated June 24, 2022, and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement), Plaintiffs Richard McCall and Abraham Libman, through their undersigned attorneys, will move this Court, at the Supreme Court of the State of New York, County of Westchester, 111 Dr. Martin Luther King Jr. Blvd., White Plains, New York, for an Order, pursuant to Article 9 of the CPLR: (i) granting final approval of the Class Action Settlement; (ii) final certification of the Settlement Class under CPLR 902 in connection with the settlement process; (iii) granting such other, further, or different relief as the court deems just and proper.

* * *

A Proposed Final Approval Order is submitted herewith.

Dated: June 24, 2022

Respectfully submitted,

By: /s/ Philip L. Fraietta
Philip L. Fraietta

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