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8 *Counsel for Plaintiffs and Proposed Classes*
9

10
11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 JEFFREY STEPHENSON and BILLY
14 SMITH II, individually, on behalf of
15 himself and all others similarly situated,

16 Plaintiffs,

17 vs.

18 NAVY FEDERAL CREDIT UNION,
19 Defendant.

Case No. **3:23-CV-01851-WQH-KSC**

**NOTICE OF MOTION AND
PLAINTIFFS' UNOPPOSED
MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT
AND PROVISIONAL CLASS
CERTIFICATION**

Judge: Hon. William Q. Hayes
Place: Courtroom 14B
Hearing Date: August 25, 2025

**NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT**

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24 TO THE HONORABLE COURT, ALL PARTIES, AND THEIR COUNSEL
25 OF RECORD, PLEASE TAKE NOTICE that on **August 25, 2025**, or as soon
26 thereafter as the matter may be heard, in Courtroom 14B, before the Honorable
27 William Q. Hayes, Plaintiffs and Class Counsel will, and hereby do, respectfully
28

1 request that the Court grant Preliminary Approval of the Settlement, the terms of
2 which are more specifically described in the Memorandum and Points of Authority
3 filed in support of this Motion.

4 This Motion is based upon this Notice of Motion and Unopposed Motion; the
5 accompanying Memorandum of Points and Authorities; the Settlement Agreement;
6 and the Joint Declaration of Scott Edelsberg, Adam Schwartzbaum, Sophia Gold,
7 Jeffrey Kaliel and Edwin Elliot in Support of Preliminary Approval, other pleadings
8 and papers on file in this Action; and other such evidence or argument as may be
9 presented to the Court at the hearing on this Motion. Defendant, Navy Federal Credit
10 Union, does not oppose this Motion.

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12 Dated: July 22, 2025

Respectfully submitted,

13
14 /s/ Scott Edelsberg
15 Scott Edelsberg, Esq.
16 (CA Bar No. 330990)
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**Admitted Pro Hac Vice*

***Counsel for Plaintiffs and the
Proposed Class***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of July 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

Respectfully submitted,
/s/ Scott Edelsberg