

Laurence M. Rosen, Esq. (SBN 219683)  
**THE ROSEN LAW FIRM, P.A.**  
355 South Grand Avenue, Suite 2450  
Los Angeles, CA 90071  
Telephone: (213) 785-2610  
Facsimile: (213) 226-4684  
Email: lrosen@rosenlegal.com

*Co-Lead Counsel for Plaintiffs*

*[Additional Counsel of Signature Page]*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BRIAN DONLEY, Individually and on  
behalf of all others similarly situated,

Plaintiff,  
Plaintiff,

v.

LIVE NATION ENTERTAINMENT,  
INC., MICHAEL RAPINO, and JOE  
BERCHTOLD,

Defendants.

No. 2:23-cv-06343-KK (ASx)

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

CLASS ACTION

Date: April 24, 2025

Time: 9:30 a.m.

Courtroom: 3

Judge: Hon. Kenly Kiya Kato

1           Lead Plaintiffs Brian Donley and Gene Gress (collectively, “Plaintiffs”),  
2 individually and on behalf of the proposed Settlement Class, hereby submit this  
3 Unopposed Motion for Preliminary Approval of Class Action Settlement.<sup>1</sup>

4           PLEASE TAKE NOTICE that on April 24, 2025, or such date as determined  
5 by the Court, in Courtroom 3 of the United States District Court for the Central  
6 District of California, George E. Brown, Jr. United States Courthouse, 3470 12th  
7 Street, 3rd Floor, Riverside, California 92501, Plaintiffs will and hereby do move  
8 the Court for an order: (i) certifying the Settlement Class for settlement purposes,  
9 appointing Plaintiffs as class representatives, and appointing Lead Counsel, The  
10 Rosen Law Firm, P.A. and Glancy Prongay & Murray LLP, as class counsel; (ii)  
11 preliminarily approving the proposed Settlement; (iii) approving the Parties’  
12 proposed form and method of notifying the Settlement Class of the Action and the  
13 proposed Settlement and directing that such notice be disseminated to the  
14 Settlement Class; (iv) setting deadlines for Settlement Class members to exercise  
15 their rights in connection with the proposed Settlement; and (v) setting a date for a  
16 hearing to determine (a) whether the proposed Settlement provided for in the  
17 Stipulation is fair, reasonable, and adequate to the Settlement Class and should be  
18 finally approved by the Court; (b) finally certifying the Settlement Class; (c) Lead  
19 Counsel’s application for an award of attorneys’ fees and Litigation Expenses; and  
20 (d) Plaintiffs’ application for an award of reimbursement for costs and expenses in  
21 litigating this Action. This motion is based upon the Memorandum of Points and  
22 Authorities in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval,  
23

24 \_\_\_\_\_  
25 <sup>1</sup> Unless otherwise defined, all capitalized terms herein have the same meanings as  
26 set forth in the Stipulation and Agreement of Settlement dated March 21, 2025  
27 (“Stipulation”), which is attached as Exhibit 1 to the concurrently filed Declaration  
28 of Joshua Baker in Support of Lead Plaintiffs’ Unopposed Motion for Preliminary  
Approval of Class Action Settlement (“Baker Declaration”).

1 the Baker Declaration and exhibits thereto, all records and papers on file in this  
2 action, and any argument offered at a hearing on this motion.

3 Plaintiffs make this motion following the conference of counsel pursuant to  
4 Local Rule 7-3, conducted on March 14, 2025, during which Defendants' counsel  
5 advised that Defendants do not oppose this motion.

6  
7 Respectfully submitted,

8 Dated: March 21, 2025

**THE ROSEN LAW FIRM, P.A.**

9 By: /s/Joshua Baker

10 Laurence M. Rosen (SBN 219683)  
11 355 South Grand Avenue, Suite 2450  
12 Los Angeles, CA 90071  
13 Telephone: (213) 785-2610  
14 Facsimile: (213) 226-4684  
Email: lrosen@rosenlegal.com

15 Phillip Kim (*pro hac vice*)  
16 Joshua Baker (*pro hac vice*)  
17 101 Greenwood Avenue, Suite 440  
18 Jenkintown, PA 19046  
19 Telephone: (215) 600-2817  
20 Facsimile: (212) 202-3827  
Email: pkim@rosenlegal.com  
Email: jbaker@rosenlegal.com

21 **GLANCY PRONGAY & MURRAY**  
22 **LLP**

23 Robert V. Prongay  
24 Ex Kano S. Sams II  
25 Garth Spencer  
26 1925 Century Park East, Suite 2100  
27 Los Angeles, California 90067  
28 Telephone: (310) 201-9150  
Facsimile: (310) 201-9160  
Email: rprongay@glancylaw.com

Email: esams@glancylaw.com  
Email: gspencer@glancylaw.com

*Co-Lead Counsel for Plaintiffs*

**THE LAW OFFICES OF FRANK  
R. CRUZ**

Frank R. Cruz  
1999 Avenue of the Stars, Suite 1100  
Los Angeles, CA 90067  
Telephone: (310) 914-5007

*Additional Counsel for Brian Donley*