

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
SHAWN HARRINGTON, on behalf of himself)	
and all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:19-cv-11180-RGS
)	
WELLS FARGO BANK N.A.,)	
)	
Defendant.)	
_____)	

MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Plaintiff Shawn Harrington (“Plaintiff”) hereby moves for entry of an Order granting preliminary approval of the Class Action Settlement Agreement between Plaintiff and Defendant Wells Fargo Bank, N.A. d/b/a Wells Fargo Auto (“Wells Fargo Auto”).

Plaintiff respectfully requests that the Court (i) conditionally certify the Settlement Class for purposes of settlement, (ii) appoint Plaintiff as the Settlement Class Representative; (iii) appoint Lemberg Law, LLC, as Class Counsel; (iv) preliminarily approve the terms of the Settlement Agreement; (v) approve the form, content and method of delivering notice to the Settlement Class as set out in the Settlement Agreement as “the best notice that is practicable under the circumstances” (Fed. R. Civ. P. 23(c)(2)(B)); and (vi) schedule a final approval hearing in accordance with the deadlines proposed in the Settlement Agreement.

In support, Plaintiff submits the accompanying Memorandum of Law in Support of Motion to Preliminary Approve Class Action Settlement, the executed Settlement Agreement and its exhibits (A-D), and the Declarations of Sergei Lemberg and Stephen F. Taylor.

For the reasons set forth in the accompanying memorandum, Plaintiff respectfully requests that the Court enter the Preliminary Approval Order in the form attached as Exhibit B to the Settlement Agreement and submitted herewith as Exhibit A to this motion.

Dated: September 3, 2020

Respectfully submitted,

By: /s/ Sergei Lemberg
Sergei Lemberg, Esq. (BBO# 650671)
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2020, I served a true and accurate copy of the foregoing to counsel of record through the Court's CM/ECF system which sent notice of such filing to all counsel of record.

/s/ Sergei Lemberg
Sergei Lemberg