

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NICHOLE JACOBSEN, KATHERINE
KING, DEBORAH DALRYMPLE, LAURA
PHILLIPS, and JEFFREY HUNTER,
Individually and on Behalf of
All Others Similarly Situated,

Plaintiffs,

v.

LONG ISLAND COMMUNITY
HOSPITAL, ROBERT SCHWARZ,
ERNEST PATRICK SMITH, LISA ROSE,
RICHARD MARGULIS, JAMES
MAIORINO, WALTER LADICK, MARK
MULHOLLAND, MARC ADLER, and
FREDERICK C. BRAUN, III,

Defendants.

Case No. 2:24-cv-00386-GRB-ST

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

PLEASE TAKE NOTICE that Plaintiffs Nichole Jacobsen, Katherine King, Deborah Dalrymple, Laura Phillips, and Jeffrey Hunter (collectively, "Plaintiffs"), through Counsel, on behalf of themselves and the Settlement Class, hereby move this Court under Federal Rule of Civil Procedure 23 for the entry of an order (the "Proposed Preliminary Approval Order"), substantially in the form attached as Exhibit D to the Settlement Agreement dated August 19, 2026 (the "Settlement Agreement")¹ preliminarily approving the proposed Settlement set forth in the Settlement Agreement, attached as Exhibit 1 to the Declaration of Gustavo F. Bruckner in Support

¹ All capitalized terms not defined herein have the definitions set forth in the Settlement Agreement.

of this Motion (the “Bruckner Declaration”), and preliminarily certifying the proposed Settlement Class for settlement purposes only.

Plaintiffs further request that the Court appoint Plaintiffs as Class Representatives and Pomerantz LLP as Class Counsel for settlement purposes only; appoint RG/2 Claims Administration LLC as Settlement Administrator; approve the form and manner of providing notice to Settlement Class Members; establish deadlines for notice, objections, Plaintiffs’ motion for Final Approval, and Class Counsel’s application for Attorneys’ Fees and Costs and Case Contribution Awards; and schedule a Final Approval Hearing to consider final approval of the Settlement and the requested fee, costs and awards.

Plaintiffs base this Unopposed Motion, the Bruckner Declaration, the Settlement Agreement and all exhibits attached thereto, and Plaintiffs’ Supporting Memorandum of Law, all filed contemporaneously herewith, and all pleadings, records, and papers on file herein.

Defendants do not oppose the relief Plaintiffs seek. Accordingly, Plaintiffs request that the Court enter the Proposed Preliminary Approval Order.

DATED: August 19, 2026

Respectfully submitted,

POMERANTZ LLP

/s/ Gustavo F. Bruckner

Gustavo F. Bruckner

Samuel J. Adams

Ankita Sangwan

600 Third Avenue, 20th Floor

New York, NY 10016

(212) 661-1100

gfbruckner@pomlaw.com

sjadams@pomlaw.com

asangwan@pomlaw.com

Counsel for Plaintiffs