

LYDIA GRUBER,	:	SUPERIOR COURT
on behalf of herself and all others	:	
similarly situated,	:	JUDICIAL DISTRICT OF HARTFORD
<i>Plaintiff,</i>	:	COMPLEX LITIGATION DOCKET
	:	
v.	:	
	:	
STARION ENERGY, INC.	:	
<i>Defendant.</i>	:	July 24, 2017

PLAINTIFF’S MOTION FOR CERTIFICATION OF SETTLEMENT CLASS AND FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Plaintiff Lydia Gruber (“Plaintiff”), individually and on behalf of the proposed Settlement Class,¹ respectfully moves that the Court:

- (1) Certify the Settlement Class;
- (2) Appoint Lydia Gruber as Lead Plaintiff and Lydia Gruber, Louise Ferdinand, Melissa Pennellatore, Diana Windley, Case Martin, and Douglas Siedenburg as Class Representatives;
- (3) Appoint Seth Klein and Robert Iazard of Iazard Kindall & Raabe LLP and Jeremy Heisler, Michael Palmer, Andrew Melzer and David Tracey of Sanford Heisler Sharp LLP as Settlement Class Counsel;
- (4) Approve the Settlement; and
- (5) Approve the Plan of Allocation.

¹ All capitalized terms have the meaning set out in the Settlement Agreement, attached to the Affidavit of Seth R. Klein in Support of Plaintiffs’ Motion for Certification of Settlement Class and Final Approval of Class Action Settlement and Motion for Award of Attorneys’ Fees & Expenses and for Case Contribution Awards (“Klein Aff.”), as Exhibit A.

In support of this Motion, Plaintiff represents that: (1) the Settlement Class has received full and fair notice of the Settlement in accordance with the Notice Plan approved by the Court in its Preliminary Approval Order [Dkt No. 112.86]; (2) the Settlement class meets the numerosity, commonality, typicality, adequacy, predominance and superiority requirements of Sections 9.7 and 9.8(3) of the Practice Book and therefore should be certified; and (3) both the Settlement and the Plan of Allocation are fair, reasonable and adequate and merit final approval. In further support of this Motion, Plaintiffs have filed a Memorandum of Law, supporting affidavits from Seth R. Klein of IZARD KINDALL & RAABE LLP; Jeremy Heisler of SANFORD HEISLER SHARP LLP; and Senior Project Manager Scott DiCarlo (on behalf of Notice and Claims Administrator KCC Class Action Services, LLC); together with a Proposed Order.

Dated: July 24, 2017

PLAINTIFF,

LYDIA GRUBER

By: /s/ Seth R. Klein
Robert A. IZARD
Seth R. Klein
IZARD KINDALL & RAABE LLP
(Juris No. 410725)
29 South Main Street, Suite 305
West Hartford, CT 06107
(860) 493-6292

Jeremy Heisler*
Michael Palmer*
Andrew Melzer*
David Tracey*
SANFORD HEISLER SHARP, LLP
1350 Avenue of the Americas, 31st Fl.
New York, NY 10019
Tel: (646) 402-5650
**Admitted pro hac vice*

*Attorneys for Plaintiff and Class
Counsel for Plaintiff, Class Representatives
and the Class*

CERTIFICATION

Pursuant to Practice Book § 10-14, I hereby certify that a copy of the above was electronically delivered on July 24, 2017 to all counsel and pro se parties of record.

Keith E. Smith ksmith@eckertseamans.com
Charles A. Zdebski czdebski@eckertseamans.com

/s/ Seth R. Klein _____
Seth R. Klein