

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LISA CARTER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

THE CITY NATIONAL BANK AND
TRUST COMPANY OF LAWTON,
OKLAHOMA, and DOES
1 through 5,

Defendants.

Case No. CIV-21-29-PRW

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

Pursuant to Federal Rule of Civil Procedure Rule 23(e), Plaintiff Lisa Carter moves this Court to approve the Parties' agreement to settle the claims Plaintiff made in the Complaint, including those claims for which Plaintiff sought class action relief. Plaintiff seeks the Court's approval of the settlement on the basis that the proposed Class Representative and Class Counsel have adequately represented the class, the Settlement Agreement was negotiated at arm's length, the relief provide for the classes is adequate, and the proposal treats class members equitably relative to each other. A copy of the Parties' Settlement Agreement is attached to the Declaration of Richard McCune as Exhibit 1.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order: (a) certifying the Settlement Classes proposed in Plaintiff's motion; (b) giving preliminary approval to the terms of settlement proposed by the parties, as a preliminary step toward final approval of the settlement; (c) appointing Richard D. McCune and Emily J. Kirk of McCune Law Group, and Barrett T. Bowers of The Bowers Law Firm, as Class Counsel; (d) permitting Plaintiff to give notice of the proposed settlement to class members as provided in Plaintiff's motion; (e) setting a hearing date for final approval of the settlement, including payment to Class Counsel of fees and expenses, and class representative award as set forth in the Settlement Agreement; and (f) granting Plaintiff such other and further relief as may be appropriate.

Plaintiff bases this Motion on the Notice, attached memorandum of points and authorities, declaration of Plaintiff's counsel Richard D. McCune, declaration of Arthur Olsen, declaration of Plaintiff Lisa Carter, all exhibits thereto, all matters of which this

Court may take judicial notice, all pleadings in this matter, and such evidence and argument as may be presented at the hearing.

Dated: November 1, 2022

Respectfully Submitted,

/s/ Richard D. McCune

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