

**STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 18th JUDICIAL CIRCUIT  
COUNTY OF DUPAGE**

PAUL LUKIS, ERIC WADE,  
KRISTOPHER PACHECO, QUINN  
HAINE, and MARLON SIGUENZA,  
*individually and on behalf of all others  
similarly situated,*

Plaintiffs,

v.

ONEPLUS USA CORP.

Defendants.

Civil Action No. 2023LA000573

**JURY TRIAL DEMANDED**

Candice Adams  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 23380652  
2023LA000573  
FILEDATE: 7/3/2023 9:24 AM  
Date Submitted: 7/3/2023 9:24 AM  
Date Accepted: 7/3/2023 10:49 AM  
MP

**UNOPPOSED MOTION FOR PRELIMINARY APPROVAL**

Plaintiffs Paul Lukis, Eric Wade, Kristopher Pacheco, Quinn Haine, and Marlon Siguenza (collectively, “Plaintiffs”), individually and on behalf of all others similarly situated, hereby move this Court to:

1. Preliminarily approve the settlement described in the Settlement Agreement between Plaintiffs and Defendants and the attachments thereto, including the notice forms and [Proposed] Preliminary Approval Order, as fair, adequate, and reasonable, and within the range of possible final approval.

2. Appoint Plaintiffs as the Settlement Class Representatives;<sup>1</sup>

3. Appoint Plaintiffs’ counsel as Class Counsel;

4. Provisionally certify the Settlement Class under 735 ILCS 5/2-801 for settlement purposes only;

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<sup>1</sup> Unless otherwise indicated, the defined terms herein shall have the same definitions as set forth in the Settlement Agreement, attached as Exhibit A to counsel’s declaration and the Memorandum of Law in Support of the Unopposed Motion for Preliminary Approval.

5. Approve the Parties' proposed Notice program and confirm that it is appropriate notice and that it satisfies due process and 735 ILCS 5/2-803;

7. Direct Notice to be sent to the Settlement Class Members in the form and manner proposed as set forth in the Settlement Agreement;

8. Set a date for a Final Approval Hearing, and consideration of Class Counsel's motion for a Fee Award and Service Awards to the Settlement Class Representatives as set forth in the Settlement Agreement; and

9. Set dates for Settlement Class Members to object to or exclude themselves from the Settlement, as set forth in the Settlement Agreement.

This Motion is based upon: (1) this Motion; (2) the Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Preliminary Approval; (3) the Settlement Agreement; (4) the Parties' proposed Notice program; (5) the [Proposed] Preliminary Approval Order; (6) the records, pleadings, and papers filed in this Action; and (7) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Respectfully Submitted,

DATED: July 3, 2023.

By: /s/ Gary M. Klinger

Gary M. Klinger

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