

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JEFFREY LEONARD, IN HIS CAPACITY AS)	
TRUSTEE OF THE POPLAWSKI 2008)	
INSURANCE TRUST; PHYLLIS POPLAWSKI;)	Civil Action No. 18-cv-04994-AKH
PBR PARTNERS, BRIGHTON TRUSTEES,)	
LLC, on behalf of and as trustee for COOK)	
STREET MASTER TRUST III; BANK OF)	
UTAH, solely as security intermediary for COOK)	
STREET MASTER TRUST III; PEAK TRUST)	
COMPANY, AK, on behalf of and as trustee for)	
SUSAN L. CICIORA TRUST and STEWART)	
WEST INDIES TRUST; and ADVANCE TRUST)	
& LIFE ESCROW SERVICES, LTA, as)	
securities intermediary for LIFE PARTNERS)	
POSITION HOLDER TRUST, on behalf of)	
themselves and all others similarly situated,)	
)	
)	
Plaintiffs,)	
)	
vs.)	
)	
JOHN HANCOCK LIFE INSURANCE)	
COMPANY OF NEW YORK and JOHN)	
HANCOCK LIFE INSURANCE COMPANY)	
(U.S.A.),)	
)	
)	
Defendants.)	
)	
)	
)	

**NOTICE OF PLAINTIFFS’ MOTION FOR PRELIMINARY APPROVAL AND CLASS
CERTIFICATION**

PLEASE TAKE NOTICE that Plaintiffs, as individuals and on behalf of the class of policy owners proposed to be certified for purposes of settlement, move this Court before the Honorable Alvin K. Hellerstein for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure: (i) preliminarily approving the Settlement and distribution plan; (ii) preliminarily certifying the Settlement Class and appointing Plaintiffs as Class Representatives and Susman Godfrey L.L.P. as Class Counsel for purposes of the Settlement; (iii) approving the form and

manner of notice to the Settlement Class, directing notice under Rule 23(e)(1); and (iv) scheduling a final approval hearing at which the Court will consider final approval of the Settlement, final approval of the distribution plan, and Class Counsel's motion for fees and costs, based on the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval and Class Certification, the supporting Declarations of Seth Ard, Hon. James C. Francis IV (Ret.), and Gina M. Intrepido-Bowden, and the exhibits attached thereto.

Dated: December 30, 2021

/s/Seth Ard

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