

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

SUZANNE POIRIER, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BAKKT HOLDINGS, INC. f/k/a VPC IMPACT
ACQUISITION HOLDINGS, JOHN MARTIN,
OLIBIA STAMATOGLOU, GORDON
WATSON, KAI SCHMITZ, and KURT
SUMMERS,

Defendants.

Case No. 1:22-cv-02283-EK-PK

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

**TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR COUNSEL OF
RECORD:**

PLEASE TAKE NOTICE that, Plaintiffs Rachina Mehrotra, Tse Winston Wing Kuen, and James Liner (collectively, "Plaintiffs"), by and through their undersigned counsel, hereby respectfully move this Court, pursuant to Federal Rule of Civil Procedure 23, for entry of an Order:

1. Granting preliminary approval of the proposed Settlement;
2. Approving the proposed form and manner of providing notice of the proposed Settlement to Class members;
3. Certifying the proposed Settlement Class for purposes of the Settlement; and
4. Scheduling a Settlement Fairness Hearing.

In support of this Motion, the undersigned submits the accompanying Memorandum of Law, the Declaration of Jeremy A. Lieberman and Adam M. Apton, the Declaration of Adam D.

Walter on behalf of A.B. Data, Ltd., and all exhibits attached thereto. The terms of the proposed Settlement are set forth in the Stipulation and Agreement of Settlement dated April 12, 2023 (the “Stipulation”), which was entered into by all Parties in the above-captioned action. In accordance with the terms of the Stipulation, Defendants do not oppose this Motion. Plaintiffs also submit a Proposed Order.

DATED: April 17, 2023

Respectfully submitted,

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