

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

KENNETH DUKES, MARK A. GALE,
CHRISTINE CHAVIS, AND DAVID R. FLY,
individually, and as representatives of a Class of
Participants and Beneficiaries of the
AmerisourceBergen Corporation Employee
Investment Plan,

Plaintiffs,

v.

AMERISOURCEBERGEN CORPORATION, et al.

Defendants

Case No. 3:23-CV-313-DJH-CHL

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs Kenneth Dukes, Mark A. Gale, Christine Chavis, and David R. Fly ("Plaintiffs") respectfully move the Court to: (1) preliminarily approve the Parties' Class Action Settlement Agreement in the above-referenced matter; (2) approve the proposed Settlement Notice and authorize distribution of the Notice to the Settlement Class; (3) preliminarily certify the Settlement Class for settlement purposes; (4) schedule a final approval hearing; (5) approve CAFA notice, and (6) enter the accompanying Preliminary Approval Order.

This motion is made pursuant to Federal Rule of Civil Procedure 23(e) and is based on the accompanying Memorandum of Law and authorities cited therein, the Declaration of Paul M. Secunda and exhibits attached thereto (including the Settlement Agreement attached as **Exhibit**

1), the Declarations of Kenneth Dukes, Christine Chavis, Mark A. Gale, and David R. Fly, and all files, records, and proceedings in this matter. Defendants join in the relief requested by Plaintiffs' Motion for Preliminary Approval of Settlement.

Dated this 19th day of March, 2025

WALCHESKE & LUZI, LLC

s/ Paul M. Secunda

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ATTORNEYS FOR PLAINTIFFS AND
PROPOSED SETTLEMENT CLASS

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2025, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

s/Paul M. Secunda
Paul M. Secunda