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8 *Co-Lead Counsel for Plaintiffs*

9 *[Additional Counsel on Signature Page]*

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 BRIAN DONLEY, Individually and on  
13 behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 LIVE NATION ENTERTAINMENT,  
17 INC., MICHAEL RAPINO, and JOE  
18 BERCHTOLD,

19 Defendants.  
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Case No. 2:23-cv-06343-KK-AS

**LEAD PLAINTIFFS' NOTICE OF  
MOTION AND MOTION FOR  
FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT AND  
PLAN OF ALLOCATION**

CLASS ACTION

Hearing Date: August 28, 2025

Hearing Time: 10:00 a.m.

Location: Courtroom 3

Judge: Kenly Kiya Kato

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

PLEASE TAKE NOTICE that, pursuant to ECF No. 92, on August 28, 2025, at 10:00 a.m., or as soon thereafter as the Parties<sup>1</sup> may be heard by the Honorable Kenly Kiya Kato, in Courtroom 3 of the George E. Brown, Jr. United States Courthouse, 3470 12th Street, 3rd Floor, Riverside, CA 92501, Court-appointed lead plaintiffs Brian Donley and Gene Gress (“Lead Plaintiffs”) will, and hereby do, move the Court for entry of an Order: (i) granting final approval of the Settlement in the above-captioned action on the terms set forth in the Stipulation; (ii) approving the proposed Plan of Allocation for distribution of the Net Settlement Fund; and (iii) granting final certification of the Settlement Class.

This motion is based upon the accompanying Memorandum of Law, the Joint Declaration of Joshua Baker and Ex Kano S. Sams II in Support of: (I) Lead Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan of Allocation; and (II) Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses, all the documents and exhibits in support thereof, as well as all the pleadings and papers on file in this matter and any further evidence and argument as may be presented at the hearing.<sup>2</sup>

Pursuant to Local Civil Rule 7-3, Lead Counsel have conferred with Defendants’ counsel, who advised that Defendants do not oppose this motion.

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<sup>1</sup> All capitalized terms, unless otherwise defined herein, have the same meaning as set forth in the Stipulation and Agreement of Settlement dated March 21, 2025 (the “Stipulation”; ECF No. 89-1).

<sup>2</sup> Lead Plaintiffs will submit a proposed order and judgment with their reply papers, after the deadlines for objecting and requesting exclusion have passed.

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2 Dated: July 24, 2025  
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Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

By: /s/Joshua Baker

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