

STATE OF RHODE ISLAND

PROVIDENCE, sc.

SUPERIOR COURT

ALEXANDRA MORELLI; DAVID NOVASAM;
AUDREY SNOW; BETTY J. POTENZA;
NORMAN R. PLANTE; EILEEN BOTELHO;
GARY RUO; DAVID A. ROSA;
CARONAH CASSELL-JOHNSON; SHEILA M.
GALAMAGA; CAITLYN LAMARRE; and
DIANE M. CAPPALLI, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

RHODE ISLAND PUBLIC TRANSIT AUTHORITY
and UNITEDHEALTHCARE OF NEW ENGLAND,
INC.,

Defendants.

C.A. NO. PC-2022-6145
Business Calendar

PLAINTIFFS' UNOPPOSED MOTION
IN SUPPORT OF FINAL APPROVAL OF A PRELIMINARILY APPROVED CLASS
ACTION SETTLEMENT, A CONDITIONALLY CERTIFIED SETTLEMENT CLASS,
AND APPLICATIONS FOR ATTORNEYS' FEES AND PLAINTIFFS' SERVICE
AWARDS

INTRODUCTION

Plaintiffs Alexandra Morelli, David Novasam, Audrey Snow, Betty J. Potenza, Norman R. Plante, Eileen Bothelho, Gary Ruo, David A. Rosa, Caronah Cassell-Johnson, Sheila M. Galamaga, Caitlyn Lamarre and Diane M. Cappalli ("Representative Plaintiffs" or "Plaintiffs"), individually and on behalf of the Settlement Class¹, respectfully move ("Motion") this Court for Final Approval of the Settlement preliminarily approved by this Court on April 25, 2025. Plaintiffs respectfully request that this Court enter the Proposed Order Granting Final Approval of a

¹ Capitalized terms not defined herein shall have the meanings given to them in the parties' Settlement Agreement.

Preliminarily Approved Class Action Settlement, Certifying the Settlement Class for Settlement Purposes, and Granting Plaintiffs' Applications for Attorneys' Fees and Plaintiffs' Service Awards ("Proposed Final Approval Order"), and thereafter, granting a Final Judgment of the Settlement entered into between the Plaintiffs and Defendants in the above-captioned proceeding. Defendants do not oppose this Motion². In support of Plaintiffs' request, Plaintiffs assert that the preliminarily approved Settlement is fair, reasonable, and adequate, and is consistent with the provisions of Rhode Island Superior Court Rule 23. In further support of the Motion, Plaintiff refers the Court to Plaintiff's Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Final Approval of a Preliminarily Approved Class Action Settlement, a Conditionally Certified Settlement Class, and Applications for Attorneys' Fees and Plaintiffs' Service Awards ("Final Approval Memo."). A proposed form of a Final Approval Order is attached as Exhibit 4 to the Final Approval Memo.

WHEREFORE, Plaintiffs request that the Court grant this Motion and enter the Proposed Final Approval Order:

- a. Granting final certification of the Settlement Class for settlement purposes, appointing Plaintiffs as Class Representatives, and appointing Peter N. Wasylyk of Law Offices of Peter N. Wasylyk, Carlin Phillips of Phillips and Garcia, and Lynette Labinger as Class Counsel.
- b. Finding the Notice Program satisfies the requirements of due process and Rhode Island Rule of Civil Procedure 23.
- c. Finding the terms of the Settlement are fair, reasonable, and adequate, and were entered into after extensive, arm's-length negotiations.

² Defendants do not oppose the relief sought by Plaintiffs' motion for final approval and agree that the Court should grant final approval of the class action settlement. By not opposing this relief, Defendants do not concede the factual basis for any claim and deny liability. The language in the accompanying memorandum, including the description of proceedings, as well as legal and factual arguments, is Plaintiffs', and Defendants may disagree with certain of those characterizations and descriptions.

d. Directing the Parties, Class Counsel, and the Settlement Administrator to consummate the Settlement in accordance with the Final Approval Order and the terms of the Settlement Agreement.

e. Dismissing with prejudice all claims resolved by the Settlement, including the Released Claims, and ruling the Settlement is binding on all Settlement Class Members, including the Releases contained in the Agreement (subject to the Court retaining jurisdiction to enforce the terms of the Settlement and the Releases).

f. Approving Plaintiffs' Applications for Attorneys' Fees and Service Awards.

In support of this Motion, Plaintiffs rely on all the pleadings and papers on file in this Action, and any oral argument that heard or to be heard by this Court at or prior to the Final Approval Hearing currently scheduled for October 3, 2025, as well as the concurrently filed Final Approval Memo, the Declaration of Class Counsel Peter N. Wasylyk in Support of Plaintiffs' Motion for Final Approval, the Claims Administrator's Affidavit by Shelby Alvey on behalf of Simpluris, and the Affidavit from Attorney John J. Longo, an independent Rhode Island licensed attorney in support of Plaintiffs' Application for Attorneys' Fees.

DATED: September 19, 2025

By their attorneys,

/s/ Peter N. Wasylyk
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Cooperating counsel,
American Civil Liberties Union Foundation
Of Rhode Island

CERTIFICATION

On September 19, 2025, this document was filed using the Court's electronic filing system. Therefore, it is available for viewing and downloading by registered users who have signed up to receive notices in this case.

/s/ Peter N. Wasylyk