

NO. 202161470

ARTHUR DEKENIPP, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED,	:	IN THE 295 th DISTRICT COURT
	:	
	:	
Plaintiffs,	:	
	:	
v.	:	IN AND FOR
	:	
GASTROENTEROLOGY CONSULTANTS, P.A,	:	
	:	
Defendant.	:	HARRIS COUNTY, TEXAS
	:	

PLAINTIFFS’ MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Plaintiff Arthur Dekenipp, individually and behalf of others similarly situated (“Plaintiff”) hereby moves this Court to:

1. Grant final approval of the settlement described in the “Settlement Agreement” between Plaintiff and Gastroenterology Consultants, P.A, (“Defendant”), attached to the Declaration of Gary E. Mason, filed with Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement on June 3, 2022;
2. Certify the Settlement Class and Subclass for purposes of Settlement;
3. Appoint Plaintiff Arthur Dekenipp as Class Representative;
4. Appoint Gary E. Mason and Danielle L. Perry of Mason LLP as Class Counsel;
5. Find the Notice distributed to the Class complied with this Court’s Preliminary Approval Order and satisfied both due process and Texas Rule of Civil Procedure 42; and
6. Approve the attorneys’ fees, costs, and service awards agreed to in the Settlement Agreement and requested in Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards, filed July 21, 2022.

This Motion is based upon: (1) this Motion; (2) the Memorandum in Support of Plaintiff’s Motion for Final Approval of Class Action Settlement; (3) the Declaration of Settlement Administrator Ryan Aldridge; (4) the Motion for Attorneys’ Fees, Costs, and Service Awards,

Memorandum, and Declaration of Gary E. Mason filed in support; (5) the Settlement Agreement; (6) the [Proposed] Final Approval Order; (9) the records, pleadings, and papers filed in this action; and (10) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Dated: September 21, 2022

Respectfully submitted,

/s/ Gary E. Mason

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CERTIFICATE OF SERVICE

I, Jarrett L. Ellzey, an attorney of record in this case, hereby certify that on September 21, 2022, I served Plaintiffs' Motion for Final Approval of Class Action Settlement, by causing a true and accurate copy of such papers to be filed and served on all counsel of record via electronic mail.

/s/ Jarrett L. Ellzey
Jarrett L. Ellzey

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jarrett Ellzey

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Status as of 9/21/2022 2:27 PM CST

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