

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AKIRA KIRKPATRICK, VALERI NATOLE,
CANDACE N. GRAHAM, NICHOLAS
BOWES, AND CARLY SWARTZ,
*on behalf of themselves
and all others similarly situated,*

Plaintiffs,

v.

UNIVERSITY OF PITTSBURGH,

Defendant.

Case No. 2:20-cv-690-WSS

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

PLEASE TAKE NOTICE THAT, upon the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiffs Akira Kirkpatrick, Valeri Natole, Candace N. Graham, Nicholas Bowes, and Carly Swartz will move this Court on Monday, July 28, 2025, at 10:00 a.m. in the United States District Court for the Western District of Pennsylvania, Joseph F. Weis, Jr. U.S. Courthouse, Courtroom 8B, 700 Grant Street, Pittsburgh, PA 15219, before the Honorable William S. Stickman IV of the United States District Court for the Western District of Pennsylvania, for an Order under Federal Rule of Civil Procedure 23: (1) finally certifying, for purposes of the Settlement only, the following Settlement Class:

All students who were enrolled in at least one in-person course(s) during the Spring 2020 semester at the University and any of its branch locations but had their course(s) moved to remote learning as a result of the COVID-19 pandemic.

Excluded from the Settlement Class is: (i) any person who properly executes and files a timely opt-out request to be excluded from the Settlement Class; and (ii) the legal representatives, successors or assigns of any such excluded person.

(2) confirming that the notice plan approved by the Court in its April 14, 2025, Preliminary Approval Order has been fully and sufficiently executed; (3) finally appointing Named Plaintiffs Akira Kirkpatrick, Valeri Natole, Candance N. Graham, Nicholas Bowes, and Carly Swartz as Settlement Class Representatives; (4) finally appointing Gary F. Lynch and Nicholas A. Colella of Lynch Carpenter, LLP, Jeffrey A. Klafter of Klafter Lesser LLP, and Paul Doolittle of Poulin | Willey | Anastopoulos, LLC as Class Counsel to act on behalf of the Settlement Class and the Settlement Class Representatives with respect to the Settlement; (5) entering the proposed final judgment; and (6) granting such other and further relief as may be just and appropriate.

Dated: July 18, 2025

Respectfully submitted,

/s/ Nicholas A. Colella

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Class*

CERTIFICATE OF SERVICE

I hereby certify that, on July 18, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of Pennsylvania by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

/s/ Nicholas A. Colella

Nicholas A. Colella