

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

AXA EQUITABLE LIFE INSURANCE  
COMPANY COI LITIGATION

[This document relates to *Brach Family Found, Inc., et al. v. AXA Equitable Life Ins. Co.*, No. 16 Civ. 740 (JMF)]

**ECF CASE**

No. 1:16-cv-00740 (JMF)

**NOTICE OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL**

**PLEASE TAKE NOTICE** that Plaintiffs Brach Family Foundation, Inc. and Mary J. McDonough, as Trustee of the Currie Children Trust, as individuals and on behalf of the certified Classes in this Action, move this Court before the Honorable Jesse M. Furman for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure: (i) preliminarily approving the Settlement and distribution plan; (ii) approving the form and manner of notice to the Classes, directing notice under Rule 23(e)(1); and (iii) scheduling a final approval hearing, at which the Court will consider final approval of the Settlement, final approval of the distribution plan, and Class Counsel's motion for fees and costs, based on the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval, the supporting Declarations of Seth Ard, David M. Murphy, and Gina M. Intrepido-Bowden, and the exhibits attached thereto.

Dated: June 15, 2023

*/s/ Steven G. Sklaver*  
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