

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION**

JUSTIN GEORGE, ARIENNE PATZELT,
MELISSA ZUBER, and TSU HAN POH-
GRACIA, as representatives of a class of similarly
situated persons, and on behalf of the Garnet
Health Medical Center 403(b) Retirement Savings
Plan and Garnet Health Medical Center - Catskills
403(b) Retirement Savings Plan,

Plaintiffs,

v.

GARNET HEALTH MEDICAL CENTER,

Defendant.

Case No. 7:24-cv-6422-PMH

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Plaintiffs Justin George, Arienne Patzelt, Melissa Zuber, and Tsu Han Poh-Gracia (“Plaintiffs”) individually and on behalf of the proposed Settlement Class, hereby respectfully move for an order (1) preliminarily approving a class action settlement agreement between Plaintiffs and Garnet Health Medical Center (“Defendant” and together with Plaintiffs, “Parties”); (2) approving Settlement Notice and authorizing its distribution to the Settlement Class; (3) certifying, on a preliminary basis, the proposed Settlement Class; (4) setting a date for a Fairness Hearing; and (5) granting other relief as set forth in the proposed Preliminary Approval Order.

This motion is made based on this Motion, the accompanying Memorandum in Support, Declaration of Jennifer K. Lee and the accompanying exhibits (which includes the Settlement Agreement), Declaration of James White, Declaration of Justin George, Declaration of Arienne

Patzelt, Declaration of Melissa Zuber, Declaration of Tsu Han Poh-Gracia, and all other papers, pleadings, documents, arguments of counsel, and materials presented before or during the hearing on this motion, or any other evidence or argument the Court may consider.

Dated: October 31, 2025

ENGSTROM LEE LLC

/s/Jennifer K. Lee

Jennifer K. Lee, NY Bar No. 4876272*
Carl F. Engstrom, MN Bar No. 396298**
Steven J. Eiden, MN Bar No. 402656**
323 N. Washington Avenue, Suite 200
Minneapolis, MN 55401
Telephone: (612) 305-8349
jlee@engstromlee.com
cengstrom@engstromlee.com
seiden@engstromlee.com

JAMES WHITE FIRM LLC

James H. White IV, AL Bar No. 3611I58J **
2100 Morris Avenue
Birmingham, AL 35203
Telephone: (205) 317-2551
james@whitefirmllc.com

*Admitted in S.D.N.Y.

**Admitted *Pro Hac Vice*