

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA**

Jeffrey Tucker, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

Baptist Health System, Inc., the Baptist Health
System, Inc. Benefits Committee and John
Does 1-20,

Defendants.

Civil Action No. 2:15-cv-00382-MHH

**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Plaintiff Jeffrey Tucker (“Plaintiff”) on behalf of himself and all others similarly situated, by and through his attorneys, respectfully moves pursuant to Federal Rule of Civil Procedure 23(e) and the Employee Retirement Income Security Act of 1974 (“ERISA”) for an order granting preliminary approval of the proposed settlement of this class action. Specifically, Plaintiff moves the Court for an Order: (1) preliminarily approve the Class Action Settlement Agreement (“Settlement” or “Settlement Agreement”); (2) preliminarily certify the proposed Class pursuant to Federal Rules of Civil Procedure 23(b)(1) and/or (b)(2); (3) approve the form and method of Class Notice; and (4) set a date and time for a hearing (the “Fairness Hearing”) for the Court to consider whether to grant final approval of the Settlement, the payment of attorneys’ fees and expenses and the payment of an Incentive Fee to the Named Plaintiff.

The grounds for this Motion are set forth in Plaintiff's Memorandum of Law and the supporting documents in the Declaration of Robert A. Izard, both filed herewith.

WHEREFORE, Plaintiff prays that the Motion be granted and that he have such other and further relief as the Court deems just and proper.

Dated: August 26, 2016

Respectfully submitted,

By: /s/ Robert A. Izard

Robert A. Izard

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CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2016, a copy of the foregoing was sent via the
CM/ECF system to the following counsel of record:

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