

1 **KESSLER TOPAZ**  
2 **MELTZER & CHECK, LLP**  
3 STACEY M. KAPLAN (Bar No. 241989)  
4 skaplan@ktmc.com  
5 One Sansome Street, Suite 1850  
6 San Francisco, CA 94104  
7 Tel: (415) 400-3000  
8 Fax: (415) 400-3001

9 [Additional Counsel on Signature Page.]

10 *Counsel for Lead Plaintiff Arkansas Teacher*  
11 *Retirement System and*  
12 *Plaintiff John A. Prokop and*  
13 *Lead Counsel for the Settlement Class*

14 **UNITED STATES DISTRICT COURT**  
15 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
16 **WESTERN DIVISION**

17 CORY LONGO, individually and on behalf  
18 of all others similarly situated, et al.,

19 Plaintiffs,

20 v.

21 OSI SYSTEMS, INC., et al.,

22 Defendants.

Case No. 2:17-cv-08841-FMO-SKx

CLASS ACTION

**LEAD PLAINTIFF'S NOTICE OF  
MOTION AND UNOPPOSED MOTION  
FOR APPROVAL OF DISTRIBUTION  
PLAN**

Hearing Date: November 7, 2024

Time: 10:00 a.m.

Courtroom: 6D

Judge: Hon. Fernando M. Olguin

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on November 7, 2024 at 10:00 a.m., Court-appointed Lead Plaintiff, Arkansas Teacher Retirement System (“Lead Plaintiff”), on behalf of itself, named plaintiff John A. Prokop, and the class certified for purposes of settlement (“Settlement Class”), will and hereby does move the Honorable Fernando M. Olguin, in Courtroom 6D of the United States District Court for the Central District of California, United States Courthouse, 350 W. 1st Street, 6th Floor, Los Angeles, California 90012, for an order pursuant to Federal Rule of Civil Procedure 23 which will, *inter alia*: (i) approve the administrative determinations of the Court-authorized Claims Administrator, A.B. Data, Ltd. (“A.B. Data”), accepting and rejecting the Claims submitted in connection with the Settlement reached in the above-captioned Action as set forth in the Declaration of Adam D. Walter in Support of Lead Plaintiff’s Unopposed Motion for Approval of Distribution Plan (“Walter Declaration”) filed concurrently herewith;<sup>1</sup> (ii) approve payment of \$59,710.78 from the Settlement Fund to A.B. Data for its unpaid fees and expenses incurred in connection with administering the Settlement and its fees and expenses to be incurred in conducting the Initial Distribution of the Net Settlement Fund; (iii) direct the Initial Distribution of the Net Settlement Fund to Claimants whose Claims are accepted by A.B. Data as valid and approved by the Court (“Authorized Claimants”) in accordance with the Distribution Plan set forth in the Walter Declaration; (iv) direct that distribution checks issued in the Initial Distribution state that the check must be negotiated within one hundred twenty (120) days after the issue date; (v) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to negotiate their distribution checks in a timely manner; (vi) approve the recommended plan for redistribution and/or contribution of any funds remaining in the Net Settlement Fund following the Initial Distribution; (vii) release claims related to the administration process; (viii) authorize the destruction of Claims and

<sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Walter Declaration and in the Stipulation and Agreement of Settlement dated as of October 22, 2021 (ECF No. 125-4) (“Stipulation”).

1 supporting documents as set forth in the Walter Declaration; and (ix) provide that the Court  
2 retains jurisdiction to consider any further application or matter which may arise in  
3 connection with this Action, and such other and further relief as this Court deems  
4 appropriate.

5 This Motion is based upon: (i) this Notice of Motion; (ii) the supporting  
6 Memorandum filed concurrently herewith; (iii) the Walter Declaration; (iv) the pleadings  
7 and records on file in this Action; and (v) such other matters the Court may consider in  
8 evaluating the Motion.

9 Lead Counsel has provided Defendants with advance notice of this Motion.  
10 Defendants have indicated that they do not oppose this Motion.<sup>2</sup> In addition, as set forth in  
11 the accompanying papers, there are no disputed Claims by any Settlement Class Member  
12 requiring Court review.

13 Respectfully submitted,

14 Dated: September 13, 2024

**KESSLER TOPAZ  
MELTZER & CHECK, LLP**

/s/ Stacey M. Kaplan  
STACEY M. KAPLAN (Bar No. 241898)  
skaplan@ktmc.com  
One Sansome Street, Suite 1850  
San Francisco, CA 94104  
Telephone: (415) 400-3000  
Facsimile: (415) 400-3001

20 \_\_\_\_\_  
21 <sup>2</sup> Defendants have no role in or responsibility for the administration of the Settlement  
22 Fund or processing of Claims, including determinations as to the validity of Claims or the  
23 distribution of the Net Settlement Fund. *See* Stipulation, ¶ 19. (“[N]one of Defendants, nor  
24 any of the other Released Defendants’ Parties, shall have any involvement in or any  
25 responsibility, authority, or liability whatsoever with respect to: (i) the selection of the  
26 Claims Administrator; (ii) any act, omission, or determination by Plaintiffs’ Counsel or the  
27 Claims Administrator; (iii) the development or application of the Plan of Allocation; (iv) the  
28 management, administration, investment, or disbursement of the Settlement; (v) the  
determination, administration, calculation, or payment of any Claims or the disbursement  
of the Net Settlement Fund; (vi) any loss suffered by, or fluctuation in value of, the  
Settlement Fund; or (vii) the payment or withholding of any Taxes, expenses, and/or costs  
incurred in connection with the taxation of the Settlement Fund, distributions or other  
payments from the Escrow Account, or the filing of any federal, state, or local returns.  
Defendants and the other Released Defendants’ Parties shall have no liability whatsoever  
to any person or entity, including, but not limited to, Lead Plaintiff, named plaintiff John  
A. Prokop, any other Settlement Class Members, or Plaintiffs’ Counsel in connection with  
the foregoing.”).

1 *Counsel for Lead Plaintiff Arkansas Teacher*  
2 *Retirement System and*  
3 *Plaintiff John A. Prokop and*  
4 *Lead Counsel for the Settlement Class*

5 **KIESEL LAW LLP**

6 PAUL R. KIESEL (Bar No. 119854)

7 kiesel@kiesel.law

8 JEFFREY A. KONCIUS (Bar No. 189803)

9 koncius@kiesel.law

10 CHERISSE HEIDI A. CLEOFE (Bar  
11 No. 290152)

12 cleofe@kiesel.law

13 8648 Wilshire Boulevard

14 Beverly Hills, CA 90211

15 Telephone: (310) 854-4444

16 Facsimile: (310) 854-0812

17 *Liaison Counsel for the Settlement Class*

18 **KEIL & GOODSON P.A.**

19 MATT KEIL (*pro hac vice*)

20 mkeil@kglawfirm.com

21 406 Walnut Street

22 Texarkana, AR 71854

23 Telephone: (870) 772-4113

24 Facsimile: (870) 773-2967

25 **SAXENA WHITE P.A.**

26 MAYA SAXENA

27 msaxena@saxenawhite.com

28 JOSEPH E. WHITE, III

jwhite@saxenawhite.com

LESTER R. HOOKER (Bar No. 241590)

lhooker@saxenawhite.com

7777 Glades Road, Suite 300

Boca Raton, FL 33434

Telephone: (561) 394-3399

Facsimile: (561) 394-3382

*Additional Counsel*