

UNITED STATES DISTRICT COURT
 DISTRICT OF MASSACHUSETTS

RUBEN A. LUNA, Individually and on Behalf)	No. 1:19-cv-11662-LTS
of All Others Similarly Situated,)	(Consolidated)
))
Plaintiff,)	<u>CLASS ACTION</u>
))
vs.)	LEAD COUNSEL’S NOTICE OF MOTION
)	AND MOTION FOR ATTORNEYS’ FEES
CARBONITE, INC., et al.,)	AND LITIGATION EXPENSES, CHARGES
)	AND COSTS AND AWARD TO LEAD
Defendants.)	PLAINTIFF PURSUANT TO 15 U.S.C. §78u-
)	4(a)(4)
_____))

PLEASE TAKE NOTICE that on May 15, 2024, at 2:00 p.m. at the United States District Court for the District of Massachusetts, at the John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Boston, MA 02210, Lead Counsel, Robbins Geller Rudman & Dowd LLP (“Lead Counsel”), will respectfully move this Court, pursuant to Rules 23(h) and 54(d)(2) of the Federal Rules of Civil Procedure, for entry of an order: (a) awarding attorneys’ fees; (b) awarding litigation expenses, charges, and costs incurred by Lead Plaintiff’s Counsel; and (c) awarding payment to Lead Plaintiff pursuant to 15 U.S.C. §78u-4(a)(4).

PLEASE TAKE FURTHER NOTICE that, in support of its motion, Lead Counsel submits and is filing herewith: the Memorandum of Law in Support of Lead Counsel’s Motion for Attorneys’ Fees and Litigation Expenses, Charges and Costs and Award to Lead Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4); the Declaration of Robert D. Gerson in Support of: (1) Lead Plaintiff’s Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation; and (2) Lead Counsel’s Motion for Attorneys’ Fees and Litigation Expenses, Charges and Costs and Award to

Lead Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4); the Declaration of Thomas Clement; the Declaration of Ross D. Murray; and the Declarations of Lead Plaintiff's Counsel.

A proposed order will be submitted with Lead Counsel's reply submission on May 8, 2024.

DATED: April 10, 2024

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD (admitted *pro hac vice*)
ROBERT D. GERSON (admitted *pro hac vice*)

/s/ David A. Rosenfeld

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Local Counsel

CERTIFICATE OF SERVICE

I, David A. Rosenfeld, hereby certify that on April 10, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all counsel of record.

/s/ David A. Rosenfeld

DAVID A. ROSENFELD