

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

_____	X
In re PAYMENT CARD INTERCHANGE	: MDL No. 1720(MKB)(JO)
FEE AND MERCHANT DISCOUNT	: :
ANTITRUST LITIGATION	: Civil No. 05-5075(MKB)(JO)
_____	: :
This Document Relates To:	: NOTICE OF RULE 23(b)(3) CLASS
	: PLAINTIFFS' MOTION AND MOTION
	: FOR CLASS SETTLEMENT
ALL ACTIONS.	: PRELIMINARY APPROVAL
_____	: :
	: X

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE THAT, on a date and time determined by the Court, or as soon thereafter as the matter may be heard in the courtroom of the Honorable Margo K. Brodie, Courtroom 6F, United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, Rule 23(b)(3) Class Plaintiffs Photos Etc. Corporation (also referred to as 30 Minute Photos Etc. Corporation in the Third Consolidated Amended Class Action Complaint); Traditions, Ltd.; Capital Audio Electronics, Inc.; CHS Inc.; Discount Optics, Inc.; Leon's Transmission Service, Inc.; Parkway Corporation (also known as Parkway Corp.); and Payless Inc. (and on behalf of Payless ShoeSource, Inc.), will and hereby do, move this Court, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for an order granting their Motion for Class Settlement Preliminary Approval.

This motion is based on this Notice and the accompanying Memorandum in support thereof, the attached complete and fully executed Superseding and Amended Definitive Class Settlement Agreement of the Rule 23(b)(3) Class Plaintiffs and the Defendants (*see* Exhibit 1, attached hereto), the Declarations of K. Craig Wildfang, Eric D. Green and the Honorable Edward A. Infante (Ret.) in support thereof and exhibits thereto, the pleadings and other files herein, and such other written and oral argument as may be presented to the Court.

Dated: September 18, 2018

ROBBINS GELLER RUDMAN  
& DOWD LLP  
PATRICK J. COUGHLIN  
ALEXANDRA S. BERNAY  
CARMEN A. MEDICI

s/ Alexandra S. Bernay  
\_\_\_\_\_  
ALEXANDRA S. BERNAY

655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

Dated: September 18, 2018

ROBINS KAPLAN LLP  
K. CRAIG WILDFANG  
THOMAS J. UNDLIN  
RYAN W. MARTH

s/ K. Craig Wildfang  
\_\_\_\_\_  
K. CRAIG WILDFANG

2800 LaSalle Plaza  
800 LaSalle Avenue South  
Minneapolis, MN 55402-2015  
Telephone: 612/349-8500  
612/339-4181 (fax)

Dated: September 18, 2018

BERGER MONTAGUE PC  
H. LADDIE MONTAGUE, JR.  
MERRILL G. DAVIDOFF  
MICHAEL J. KANE

s/ H. Laddie Montague, Jr.  
\_\_\_\_\_  
H. LADDIE MONTAGUE, JR.

1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Telephone: 215/875-3000  
215/875-4604 (fax)

*Attorneys for Rule 23(b)(3) Class Plaintiffs in In  
re Payment Card Interchange Fee and Merchant  
Discount Antitrust Litigation*