

DOCKET NO.: FST-CV21-6054676-S	:	SUPERIOR COURT
	:	
SARAH KENT, and ALISON PACTONG, individually and on behalf of all other similarly situated,	:	JUDICIAL DISTRICT OF
	:	
	:	STAMFORD/NORWALK
Plaintiff,	:	
	:	
VS.	:	AT STAMFORD
	:	
WOMEN’S HEALTH USA, INC., IN VITRO SCIENCES, LLC, CENTER FOR ADVANCED REPRODUCTIVE SERVICES, P.C., and REPRODUCTIVE MEDICINE ASSOCIATES OF CONNECTICUT, P.C.,	:	
	:	
Defendants.	:	OCTOBER 17, 2022

**PLAINTIFFS’ UNOPPOSED MOTION FOR FINAL APPROVAL
OF PROPOSED SETTLEMENT AND PROPOSED
PLAN OF DISTRIBUTION OF SETTLEMENT FUND**

Plaintiffs Sarah Kent and Alison Pactong (“Plaintiffs”), by and through their undersigned counsel, respectfully move this Court, pursuant to Practice Book Sections 9-7 to 9-9, for final approval of the proposed settlement with Defendants Women’s Health USA, Inc. (“WHUSA”), In Vitro Sciences, LLC (“IVS”), Center for Advanced Reproductive Services, P.C. (“CARS”), and Reproductive Medicine Associates of Connecticut, P.C. (“RMACT”) (collectively, “Settling Defendants”). In support of this Motion, Plaintiffs submit (a) the accompanying memorandum of law (the “Memorandum”), which is incorporated by reference herein, and (b) the Affidavit of Jonathan M. Jagher in Support of Plaintiffs’ Unopposed Motion for Final Approval of Proposed Settlement and Proposed Plan of Distribution of Settlement Fund and Plaintiffs’ Motion for Award of Attorneys’ Fees, Costs and Expenses and for Class Representative Service Awards.

Dated: October 17, 2022

Respectfully submitted,

**THE PLAINTIFF,
SARAH KENT, individually and on behalf of all
other similarly situated,**

By: /s/ Jonathan M. Shapiro 419859

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Counsel for Plaintiffs and the Class

CERTIFICATION

I hereby certify that a copy of the above was mailed or electronically delivered on this 17th day of October, 2022 to all counsel and pro se parties of record and that written consent for electronic delivery was received from all counsel and pro se parties of record who were electronically served including:

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Terms and phrases in this Order shall have the same meaning as defined in the Settlement Agreement.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Court finds, based on the terms of the Settlement Agreement and the Motion and its supporting memorandum and affidavits, that the Action is a proper class action pursuant to Connecticut Practice Book §§ 9-7 and 9-8(1) and (2). Specifically, this Court finds that:

- a. There are questions of law and fact common to the Settlement Class;
- b. The claims of the Class Representatives are typical of the claims of the Settlement Class;
- c. Class Representatives and Settlement Class Counsel will fairly and adequately represent the interests of the Settlement Class, and that there are no conflicts of interest between Class Representatives and the other members of the Settlement Class;
- d. Questions of law and fact common to Settlement Class Members predominate over any questions affecting only individual members of the Settlement Class; and
- e. Certification of the Settlement Class is superior to other methods for the fair and efficient adjudication of this controversy.

2. For these reasons, the Court hereby certifies the following Settlement Class, for settlement purposes only, pursuant to Connecticut Practice Book § 9-9:

All natural persons that purchased or paid for, in whole or in part, assisted reproductive technology (“ART”) services from Center for Advanced Reproductive Services, P.C. (“CARS”) or Reproductive Medicine Associates of Connecticut P.C. (“RMACT”) from January 1, 2004 through July 19, 2022.

Specifically excluded from this Settlement Class are Defendants' officers, directors, and employees; all counsel of record; and the Court, Court personnel, and members of their immediate families.

3. The Court approves the Plan of Allocation described in the Motion and supporting memorandum and affidavits as being fair and reasonable.

SO ORDERED.

Dated: _____

Hon. Kenneth B. Povodator



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Type of Transaction:	Pleading/Motion/Other document
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