

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TANIA NUNEZ, JOHNNY CHU, ASHOK)
D. PANDYA and DAVID E. STERN,)
individually and on behalf of all others)
similarly situated,)

Plaintiffs,)

v.)

B. BRAUN MEDICAL INC., BOARD OF)
DIRECTORS OF B. BRAUN MEDICAL)
INC., THE RETIREMENT COMMITTEE)
OF B. BRAUN MEDICAL INC. and JOHN)
DOES 1-30.)

Defendants.)

CIVIL ACTION NO.:
5:20-cv-04195

PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION

Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(1), Plaintiffs, Tania Nunez, Johnny Chu, Ashok D. Pandya and David E. Stern (collectively, “Plaintiffs”) hereby move for Class Certification. In support of this Motion, Plaintiffs submit the accompanying Memorandum of Law in Support of Plaintiffs’ Motion for Class Certification and supporting materials. Plaintiffs, through their undersigned counsel, hereby respectfully move the Court for an Order pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(1) as follows:

(1) certifying the following class:

All persons, except Defendants and their immediate family members, who were participants in or beneficiaries of the Plan, at any time between August 26, 2014 through the date of judgment (the “Class Period”).

(2) appointing Plaintiffs as representatives of the certified Class; and

(3) appointing Capozzi Adler, P.C. as Class Counsel.

WHEREFORE, Plaintiffs respectfully request that this Court grant Plaintiffs’ Motion for Class Certification.

Dated: November 26, 2021

Respectfully Submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

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CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2021, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

/s/ Mark K. Gyandoh _____

Mark K. Gyandoh, Esq.