

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT HUMPHRIES, and DENNIS
MOWRY, Individually and On Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

MITSUBISHI CHEMICAL AMERICA,
INC., MITSUBISHI CHEMICAL AMERICA
EMPLOYEES' SAVINGS PLAN
ADMINISTRATIVE COMMITTEE,
TRAVIS BAYNE, SHINICHIRO IGUCHI,
ROSE MARCHEK, PATRICIA
SAUNDERS, TOM WELSH, TOM SKINTA,
ATSUHIKO SATO, DEBORAH MOORER,
KAREN ZORUMSKI, DANNETTE GRANT,
DORIS FOSTER, BETH CASEY, DAN
MICHALAK, KELLY EDWARDS, KEN
SOUCY, and KITTY ANTWINE,

Defendants.

Case No. 1:23-cv-06214 (JLR)

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that Plaintiffs Robert Humphries and Dennis Mowry (collectively, “Plaintiffs”), through Counsel, on behalf of themselves and the Settlement Class, hereby move this Court under Federal Rule of Civil Procedure 23 for the entry of an order (the “Proposed Preliminary Approval Order”), substantially in the form attached as Exhibit D to the Settlement Agreement dated August 31, 2026 (the “Settlement Agreement”)¹ preliminarily approving the proposed Settlement set forth in the Settlement Agreement, attached as Exhibit 1 to the Declaration of Samuel J. Adams in Support of this Motion (the “Adams Declaration”), and preliminarily certifying the proposed Settlement Class for settlement purposes only.

Plaintiffs further request that the Court appoint Plaintiffs as Class Representatives and Pomerantz LLP as Class Counsel for settlement purposes only; appoint Strategic Claims Services as Settlement Administrator; approve the form and manner of providing notice to Settlement Class Members; establish deadlines for notice, objections, Plaintiffs’ motion for Final Approval, and Class Counsel’s application for Attorneys’ Fees and Costs and Case Contribution Awards; and schedule a Final Approval Hearing to consider final approval of the Settlement and the requested fee, costs and awards.

Plaintiffs base this Unopposed Motion, the Adams Declaration, the Settlement Agreement and all exhibits attached thereto, and Plaintiffs’ Supporting Memorandum of Law, all filed contemporaneously herewith, and all pleadings, records, and papers on file herein.

Defendants do not oppose the relief Plaintiffs seek. Accordingly, Plaintiffs request that the Court enter the Proposed Preliminary Approval Order.

¹ All capitalized terms not defined herein have the definitions set forth in the Settlement Agreement.

DATED: August 31, 2026

Respectfully submitted,

POMERANTZ LLP

/s/ Samuel J. Adams

Gustavo F. Bruckner

Samuel J. Adams

Ankita Sangwan

600 Third Avenue, 20th Floor

New York, NY 10016

(212) 661-1100

gbruckner@pomlaw.com

sjadams@pomlaw.com

asangwan@pomlaw.com

Counsel for Plaintiffs