SAXENA WHITE P.A.
David R. Kaplan (SBN 230144)
dkaplan@saxenawhite.com
505 Lomas Santa Fe Drive, Suite 180
Solana Beach, CA 92075
Telephone: (858) 997-0860

Attorneys for Lead Plaintiffs the Atlanta Funds and Co-Lead Counsel for the Proposed Settlement Class

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP
Jonathan D. Uslaner (SBN 256898)
jonathanu@blbglaw.com
2121 Avenue of the Stars, Suite 2575
Los Angeles, CA 90067
Telephone: (310) 819-3470

Attorneys for Lead Plaintiff Baton Rouge and Co-Lead Counsel for the Proposed Settlement Class

[Additional counsel appear on signature page]

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

IN RE MERIT MEDICAL SYSTEMS, INC. SECURITIES LITIGATION	Case No. 8:19-cv-2326-DOC-ADS **NOTICE OF MOTION AND UNOPPOSED MOTION FOR APPROVAL OF DISTRIBUTION PLAN** Judge: Hon. David O. Carter Courtroom: 10A Date: January 9, 2023 Time: 8:30 a.m.

TO: THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Court-appointed Lead Plaintiffs City of Atlanta Police Pension Fund and City of Atlanta Firefighters' Pension Fund (collectively, the "Atlanta Funds") and the Employees' Retirement System of the City of Baton Rouge and Parish of East Baton Rouge ("Baton Rouge" and, together with the Atlanta Funds, the "Lead Plaintiffs") hereby move the Court, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure and this Court's Order Approving Plan of Allocation of Net Settlement Fund (ECF No. 117) and Judgment Approving Class Action Settlement (ECF No. 119), for entry of the accompanying [Proposed] Order Approving Distribution Plan ("Class Distribution Order") that will, among other things: (1) approve the administrative determinations of A.B. Data accepting and rejecting Claims submitted in connection with the Settlement reached in the above-captioned Action; (2) direct the distribution of the Net Settlement Fund to Claimants whose Claims are accepted by A.B. Data as valid and approved by the Court ("Authorized Claimants"), while maintaining a Reserve for any tax liability or claims administration-related contingencies that may arise; (3) direct that distribution checks state that the check must be cashed within ninety (90) days after the issue date; (4) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to cash their distribution checks in a timely manner; (5) approve the recommended plan for any funds remaining after the distribution; (6) approve A.B. Data's fees and expenses incurred and estimated to be incurred in the administration of the Settlement; (7) release claims related to the administration process; and (8) authorize the destruction of Claim Forms and supporting documents at an appropriate time.

Pursuant to Local Rule 7-3, this motion is made following the conference of counsel on November 22, 2022, and as set forth in the Stipulation of Settlement, Defendants have no interest in the relief sought by this motion. Defendants do not oppose this motion.

This Motion is set for hearing on January 9, 2023, at 8:30 a.m., before the Honorable David O. Carter of the United States District Court for the Central District of California, Courtroom 10A of the Ronald Regan Federal Building and United States Courthouse, 411 West Fourth Street, Santa Ana, CA 92701. However, there are no disputed Claims by any Settlement Class Member requiring Court review, and Lead Counsel respectfully submit that the motion is ripe for consideration by the Court and may be decided on the papers.

This Motion is based upon the accompanying Memorandum of Points and Authorities in Support of Unopposed Motion for of Approval of Distribution Plan, submitted herewith; the Declaration of Eric J. Miller in Support of Unopposed Motion for Approval of Distribution Plan ("Miller Declaration") submitted on behalf of the Court-approved Claims Administrator, A.B. Data, Ltd.'s Class Action Administration Company ("A.B. Data") and the exhibits thereto; all pleadings and papers filed herein; arguments of counsel; and any other matters properly before the Court.

Attached hereto as Exhibit 1 is a copy of the proposed Order Approving Distribution Plan.

Dated: November 29, 2022

Respectfully submitted,

SAXENA WHITE P.A.

/s/ *David R. Kaplan*

David R. Kaplan (SBN 230144)
dkaplan@saxenawhite.com
Hani Y. Farah (SBN 307622)
hfarah@saxenawhite.com
505 Lomas Santa Fe Drive, Suite 180
Solana Beach, CA 92075
Telephone: (858) 997-0860
Facsimile: (858) 369-0096

-and-

Steven B. Singer (*pro hac vice*)
ssinger@saxenawhite.com
10 Bank Street, 8th Floor
White Plains, NY 10606
Tel: (914) 437-8551
Fax: (888) 631-3611

Attorneys for Lead Plaintiffs the Atlanta Funds and Co-Lead Counsel for the Proposed Settlement Class

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP

/s/ *Jonathan D. Uslaner*
Jonathan D. Uslaner (Bar No. 256898)
jonathanu@blbglaw.com
Lauren M. Cruz (Bar No. 299964)
lauren.cruz@blbglaw.com
2121 Avenue of the Stars, Suite 2575
Los Angeles, CA 90067
Telephone: (310) 819-3470

-and-

John J. Rizio-Hamilton (*pro hac vice*)
johnr@blbglaw.com
1251 Avenue of the Americas
New York, New York 10020
Telephone: (212) 554-1400
Facsimile: (212) 554-1444

Attorneys for Lead Plaintiff Baton Rouge and Co-Lead Counsel for the Proposed Settlement Class