

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

IN RE: LINCOLN NATIONAL COI
LITIGATION

Case No.: 2:16-cv-6605-GJP

IN RE: LINCOLN NATIONAL 2017 COI
RATE LITIGATION

Case No.: 2:17-cv-04150-GJP

**PLAINTIFFS' UNOPPOSED MOTION FOR CONSOLIDATION OF ACTIONS FOR
SETTLEMENT PURPOSES ONLY, PRELIMINARY CERTIFICATION OF
SETTLEMENT CLASS AND APPOINTMENT OF CLASS COUNSEL, PRELIMINARY
APPROVAL OF PROPOSED CLASS SETTLEMENT, SCHEDULING OF A FAIRNESS
HEARING AND APPROVAL OF CLASS NOTICE**

Pursuant to Federal Rules of Civil Procedure 23 and 42(a), Plaintiffs in the above-captioned actions respectfully move for entry of an Order (i) consolidating the two actions for purposes of settlement only; (ii) preliminarily approving the proposed class settlement reached through arms' length mediation and negotiations between the representatives of the parties memorialized in the Joint Stipulation and Settlement Agreement attached hereto as Exhibit 1; (iii) preliminarily certifying a settlement class and appointing class counsel; (iv) setting a fairness hearing to consider final approval of the proposed settlement, the plan of allocation, service awards, and the application by class counsel for an award of attorneys' fees and litigation expenses; and (v) approving the form, content, and manner of the proposed class notice attached hereto as Exhibit 2.

Plaintiffs' Motion is supported by the accompanying memorandum of law, the exhibits attached hereto, the Declaration of Jeffrey W. Golan, dated March 24, 2023, and all other papers and proceedings of record. Having agreed to the terms and conditions of the Joint Stipulation and Settlement Agreement, Defendants do not oppose the Motion.

Dated: March 24, 2023

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