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14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 FEDERICO GALAVIS and ZAK
17 KIRIAKOS, Individually and On Behalf
18 of All Others Similarly Situated,

19 Plaintiffs,

20 vs.

21 BANK OF AMERICA, N.A. and VISA,
22 INC.,

23 Defendants.

Case No.: 2:18-cv-09490-SVW-PJWx

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

Hon. Stephen V. Wilson

Hearing

Date: December 9, 2019

Time: 1:30 p.m.

Place: 350 West 1st Street, Los Angeles, CA
90012, Courtroom 10A

1 **TO THE COURT AND ALL PARTIES AND COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE THAT on November 18, 2019, at 1:30 p.m., or as
3 soon thereafter as it may be heard, in Courtroom 10A of this Court, located at 350
4 West First Street, Los Angeles, California, Plaintiffs Federico Galavis and Zak
5 Kiriakos (“Plaintiffs”) will and hereby do move this Court for an order pursuant to
6 Fed. R. Civ. P. 23, granting Preliminary Approval of a class action Settlement between
7 Plaintiffs and Defendants Bank of America, N.A. (“BANA”) and Visa, Inc. (“Visa”),
8 directing notice of the Settlement to be disseminated to proposed Class Members, and
9 preliminarily certifying for settlement purposes the following Class:

10 All persons and entities in the United States who, upon acquiring a
11 Cryptocurrency between and including June 1, 2016 and September 26,
12 2019, incurred Cash Advance Fees and/or Cash Advance Interest charges
on credit cards issued by Bank of America, N.A.

13 The proposed Settlement is filed concurrently herewith as Exhibit A to the Declaration
14 of David J. Harris, Jr.

15 This Motion is based upon Plaintiffs’ concurrently filed Memorandum of Law
16 in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement,
17 the Declarations of Federico Galavis, Zak Kiriakos, and Cabot Williams, and the
18 Declaration of David J. Harris, Jr. in support of Plaintiffs’ Motion for Preliminary
19 Approval of Class Action Settlement, and all Exhibits thereto, as well as the Court’s
20 file in this action, any matters of which the Court may take judicial notice, the
21 arguments of counsel, and any supplemental papers filed at or before the hearing on
22 this Motion.

23 This Motion is made following the conference of counsel pursuant to C.D. Cal.
24 L.R. 7-3, which took place on October 21, 2019.

1 Dated: October 22, 2019

Respectfully submitted,

2 FINKELSTEIN & KRINSK LLP

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4 By: s/ David J. Harris, Jr.

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