

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: MOVEIT CUSTOMER DATA  
SECURITY BREACH LITIGATION

MDL No. 1:23-md-03083-ADB-PGL

This Document Relates To:  
1:23-cv-12436-ADB

JEFFREY SCOTT, et al., individually and  
on behalf of all others similarly situated,

PLAINTIFFS,

v.

UNION BANK AND TRUST COMPANY  
& PROGRESS SOFTWARE  
CORPORATION,

DEFENDANTS.

**PLAINTIFF’S UNOPPOSED MOTION FOR FINAL APPROVAL OF PROPOSED UBT  
CLASS ACTION SETTLEMENT**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiff Paul F. Bender (“Plaintiff”) in the above-captioned actions and consolidated in this MDL, hereby moves this Court for entry of an Order: (1) finally approving the proposed Class Action Settlement Agreement and Release between himself and Defendant Union Bank and Trust Company (“Defendant” or “UBT”) as fair, reasonable, and adequate; (2) finally certifying, for purposes of the Settlement only, the following Settlement Class:

All persons in the United States whose PII was included in the files affected by the Security Incident.

Excluded from the Settlement Class are (i) UBT, any entity in which UBT has a controlling interest, and UBT’s officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over

the Actions and the members of their immediate families and judicial staff; and (iii) any individual who timely and validly opts out of the Settlement.

(3) confirming that the notice plan approved by the Court in its March 9, 2026 Preliminary Approval Order (ECF No. 1717) has been fully and sufficiently effectuated; (4) finally appointing Plaintiff as the Settlement Class Representative; (5) finally appointing Lead Counsel and Liaison & Coordinating Counsel to act on behalf of the Settlement Class and the Settlement Class Representative with respect to the Settlement; (6) entering the proposed Final Approval and Judgment; and (7) granting such other and further relief as may be just and appropriate.

This Motion is based upon the record in this case as well as the concurrently filed: (1) Memorandum of Law in Support of Plaintiff's Motion for Final Approval of Proposed UBT Class Action Settlement Agreement; (2) Declaration of Gary F. Lynch in Support of Plaintiff's Motion for Final Approval of Proposed UBT Class Action Settlement Agreement; and (3) Declaration of Erika L. Britton in Support of Plaintiff's Motion for Final Approval of Proposed UBT Class Action Settlement Agreement, as well as any additional materials and argument that may be presented to the Court.

Dated: July 7, 2026

Respectfully submitted,

By: /s/ Kristen A. Johnson

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**LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that, pursuant to Local Rule 7.1(a)(2), that counsel for Plaintiff has conferred in good faith with counsel for Defendant Union Bank and Trust Company, and Defendant does not oppose this Motion.

Dated: July 7, 2026

/s/ Gary F. Lynch  
Gary F. Lynch

**CERTIFICATE OF SERVICE**

I hereby certify that, on this date, the foregoing document was filed electronically via the Court's CM/ECF system, which will send notice of the filing to all counsel of record.

Dated: July 7, 2026

/s/ Kristen A. Johnson  
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