

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT SMITH, on behalf of himself and
others similarly situated,

Plaintiff,

v.

ZOLL MEDICAL CORPORATION,
Defendant.

Case No. 1:23-cv-10575-IT

**PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

Under Federal Rule of Civil Procedure 23(e), Plaintiffs respectfully move this Court for an Order: (i) granting final approval of the proposed Settlement; (ii) certifying the class for purposes of Settlement; and (iii) entering Judgment and dismissing all claims. Plaintiffs consulted with ZOLL Medical Corporation before filing this Motion, and ZOLL does not oppose the relief requested.

This Motion is based on (i) the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement, filed concurrently herewith; (ii) Declaration of Class Counsel in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement, filed concurrently herewith; (iii) all prior pleadings and proceedings had herein; (iv) arguments of counsel; and (v) any other matters properly before the Court.

For the reasons described in Plaintiffs' Memorandum of Law in support of this Motion, Plaintiffs respectfully request that this Court grant the Motion and enter the proposed Order attached hereto.

Dated: August 27, 2026

Respectfully Submitted,

/s/ Jean S. Martin

Jean S. Martin (N.C. Bar No. 25703)

AYLSTOCK, WITKIN, KREIS &

OVERHOLTZ PLC

17 E. Main Street, Suite # 200

Pensacola, Florida 32502

Telephone: (850) 266-2893

Facsimile: (850) 916-7449

Email: jmartin@awkolaw.com

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record via the ECF system.

/s/ Jean S. Martin