

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE AEGEAN MARINE
PETROLEUM NETWORK, INC.
SECURITIES LITIGATION

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) Case No. 1:18-cv-04993 (NRB)
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) Hon. Naomi Reice Buchwald
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NOTICE OF LEAD PLAINTIFF’S MOTION FOR: (I) FINAL APPROVAL OF THE PROPOSED INDIVIDUAL DEFENDANTS SETTLEMENTS; (II) FINAL CERTIFICATION OF THE SETTLEMENT CLASS; AND (III) FINAL APPROVAL OF THE PROPOSED INDIVIDUAL DEFENDANTS PLAN OF ALLOCATION

PLEASE TAKE NOTICE that Lead Plaintiff Utah Retirement Systems (“Lead Plaintiff”), on behalf of itself and the proposed Settlement Class,¹ hereby moves this Court before the Honorable Naomi Reice Buchwald, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure:

- (a) granting final approval of the Individual Defendants Settlements with Spyros Gianniotis (“Gianniotis”) and Dimitris Melissanidis (“Melissanidis”);
- (b) granting certification of the Settlement Class;
- (c) granting approval of the Plan of Allocation;
- (d) appointing Lead Plaintiff as Class Representative and Lead Counsel as Class Counsel for purposes of the Individual Defendants Settlements; and
- (e) granting such other and further relief as the Court deems just and proper (the “Motion”).

The proposed Individual Defendants Settlements would resolve and release claims against Gianniotis and Melissanidis (the “Individual Defendants”) and other Released Parties defined in the settlement agreements.

Gianniotis and Melissanidis will not oppose this motion.

¹ All capitalized terms not otherwise defined herein have the same meaning as in the Notice of (I) Pendency of Class Action and Proposed Individual Defendants Settlements; and (II) Final Approval Hearing For The Individual Defendants Settlements, The Individual Defendants Plans of Allocation and Motion For Approval of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “Detailed Notice”) (ECF No. 438-6).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Lead Plaintiff submits and is filing herewith:

- (A) Memorandum of Law in Support of Lead Plaintiff's Motion For: (I) Final Approval of Proposed Individual Defendants Settlements; (II) Final Certification of Settlement Class; and (III) Final Approval of The Proposed Individual Defendants Plan of Allocation;
- (B) Declaration of Nicole Lavallee in Support of (A) Lead Plaintiff's Motion For: (I) Final Approval of The Proposed Individual Defendants Settlements; (II) Final Certification of The Settlement Class; and (III) Final Approval of The Proposed Individual Defendants Plan of Allocation; and (B) Lead Counsel's Motion For Attorneys' Fees and Reimbursement of Litigation Expenses;
- (C) [Proposed] Final Judgment and Order of Dismissal With Prejudice Regarding Spyros Gianniotis;
- (D) [Proposed] Final Judgment and Order of Dismissal With Prejudice Regarding Dimitris Melissanidis; and
- (E) [Proposed] Order Approving Plan of Allocation.

Dated: September 14, 2023

Respectfully submitted,

BERMAN TABACCO

By: /s/ Nicole Lavallee
Nicole Lavallee (admitted *pro hac vice*)

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