

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<i>IN RE</i> NYC BUS TOUR ANTITRUST LITIGATION	Master Case File No. 13-CV-0711 (ALC)(GWG) <b>RELATED TO ALL CASES</b>  <b>ECF Case</b>  <b>JURY TRIAL DEMANDED</b>
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**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL  
OF SETTLEMENT WITH DEFENDANTS**

Plaintiffs hereby move for an Order granting preliminary approval of a settlement agreement between Plaintiffs Natasha Bhandari and Tracey L. Nobel (“Class Plaintiffs”), individually and on behalf of the putative class in this action (the “Class”), and defendants Twin America, LLC., Coach USA, Inc., International Bus Services, Inc., CitySights LLC and City Sights Twin, LLC (“Defendants”).

Pursuant to the Settlement Agreement with Defendants, a copy of which is attached as Exhibit 1 to the Declaration of William Christopher Carmody, submitted herewith, and as described in the accompanying Memorandum of Law, Defendants have agreed to pay \$19 million in exchange for dismissal of claims by the Class against Defendants in this litigation.

Therefore, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs respectfully request that the Court enter an Order:

- a) Preliminarily approving the Settlement Agreement and the plan of distribution;
- b) Certifying the proposed Class as defined in the Settlement Agreement;
- c) Appointing Susman Godfrey LLP as counsel for the Class pursuant to Fed. R. Civ. P. 23(g) and the named plaintiffs as class representatives;

- d) Approving the Notice Program and Forms submitted with the Declaration of Shannon R. Wheatman, Ph.D; and
- e) Granting such other and further relief as may be appropriate.

This Motion is supported by the Settlement Agreement; Plaintiffs' Memorandum of Law in Support of Motion for Preliminary Approval, submitted herewith; the Declaration of William Christopher Carmody, submitted herewith; the Declaration of Antonio Piazza, submitted herewith; the Declaration of Shannon R. Wheatman, Ph.D., submitted herewith; all pleadings filed in this case; and such additional evidence or argument as may be presented to the Court. This Motion is uncontested by Defendants.

DATED: May 20, 2014

Respectfully submitted,

/s/ William Christopher Carmody  
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**CERTIFICATE OF SERVICE**

On May 20, 2014, I caused copies of Plaintiffs' Uncontested Motion For Preliminary Approval of Settlement with Defendants to be served on the following counsel via electronic mail:

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DATED: New York, New York  
May 20, 2014

/s/ Mandi Bruns  
**Mandi Bruns**