

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSHUA DELLER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

DREXEL UNIVERSITY.

Defendant.

Case No. 2:23-cv-03746-JDW

**PLAINTIFF'S UNOPPOSED MOTION TO PRELIMINARILY APPROVE CLASS
ACTION SETTLEMENT, CERTIFY THE CLASS,
APPOINT CLASS COUNSEL, APPROVE PROPOSED
CLASS NOTICE, AND SCHEDULE A FINAL APPROVAL HEARING**

PLEASE TAKE NOTICE THAT, upon the Declarations of Nicholas A. Colella and Michael A. Tompkins and the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiff Joshua Deller moves for an Order under Federal Rule of Civil Procedure 23:

(1) Preliminarily approving the proposed Settlement on behalf of the Settlement Class Members according to the terms of the Stipulation of Settlement;

(2) Provisionally certifying, for purposes of the Settlement only, the following Settlement Class:

All enrolled students at Drexel University during the Spring 2020 term who paid any Tuition and/or Fees for that term, or who were credited with having paid the same for the Spring 2020 Term.

Excluded from the Settlement Class is any person who (1) was enrolled solely in online classes through Drexel University Online, and/or (2) whose tuition and fees were fully funded by Drexel, or (3) who properly executes and files a timely opt-out request to be excluded from the Settlement Class.

- (3) Preliminarily appointing Named Plaintiff Joshua Deller as Settlement Class Representative;
- (4) Preliminarily appointing Nicholas A. Colella of Lynch Carpenter, LLP and Michael A. Tompkins and Anthony M. Alesandro of Leeds Brown Law, P.C. as Class Counsel to act on behalf of the Settlement Class and the Settlement Class Representative with respect to the Settlement;
- (5) Approving the Parties' proposed settlement procedure, including approving the Parties' selection of RG/2 Claims Administration LLC as Settlement Administrator and approving the Parties' proposed schedule;
- (6) Entering the proposed Order Preliminarily Approving the Proposed Settlement and Provisionally Certifying the Proposed Settlement Class, attached as Exhibit A to the Settlement Agreement, which is attached as Exhibit 1 to the Declaration of Nicholas A. Colella; and
- (7) Granting such other and further relief as may be just and appropriate.

Dated: January 30, 2026

Respectfully submitted,

/s/ Nicholas A. Colella
Nicholas A. Colella (PA 332699)
LYNCH CARPENTER, LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
Phone: (412) 322-9243
NickC@lcllp.com

Michael Tompkins, Esq.
Anthony M. Alesandro, Esq.
LEEDS BROWN LAW, P.C.
One Old Country Road, Suite 347
Carle Place, New York 11514
Tel: (516) 873-9550

mtompkins@leedsbrownlaw.com
aalessandro@leedsbrownlaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that, on January 30, 2026, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Eastern District of Pennsylvania by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

/s/ Nicholas A. Colella
Nicholas A. Colella