

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE**

SUSAN SZUCS, ANTHONY PARRIZZI,
TERRENCE ERNEST GIDNEY, CHRISTINA
CHURCH, JIMMIE HARDAWAY, JR., SHARON
SIEGLE, PAUL PASCUCCI, JAMES
MARCISZEWSKI, and SHANNON ALLGRIM,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

EXCELSIOR ORTHOPAEDICS, LLP, and
BUFFALO SURGERY CENTER, LLP,

Defendants.

Index No. 812753/2024

**PLAINTIFFS' NOTICE OF
MOTION FOR ATTORNEYS'
FEES, COSTS, AND SERVICE
AWARDS**

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Attorneys for Defendants

PLEASE TAKE NOTICE that on July 8, 2026, at 10:00 a.m., or as soon thereafter as counsel may be heard, Plaintiffs Susan Szucs, Anthony Parrizzi, Terrence Ernest Gidney, Christina Church, Jimmie Hardaway, Jr., Sharon Siegle, Paul Pascucci, James Marciszewski, and Shannon Allgrim (collectively, "Plaintiffs") will move this Court at the Motion Support Office in the Erie County Courthouse, located at 25 Delaware Avenue, Buffalo, NY 14202, for approval of Plaintiffs' requested Fee Award and Costs, and Service Awards.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs will rely upon the accompanying Memorandum of Law, the Affirmation of Class Counsel, and all prior pleadings and proceedings in this matter.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), answering papers, if any, are required to be served at least seven days prior to the return date of this motion, with reply papers, if any, to be served at least one day before the return date of this motion.

Dated: May 1, 2026

Respectfully submitted,

/s/ Jennifer Czeisler

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