

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF KENTUCKY**

IN RE:

DAVID E. BRODY,

Plaintiff

vs.

UPSTART NETWORK, INC.

Defendant

Case No. 25-03044

Chapter 13

Case No. 22-31713

**DEBTOR'S MOTION FOR PRELIMINARY APPROVAL OF A CLASS SETTLEMENT,
APPROVAL OF NOTICE TO THE CLASS, AND SCHEDULING OF A FINAL
FAIRNESS HEARING**

Movant/Debtor David E. Brody ("Movant"), through counsel, move this Honorable Court, pursuant to Rule 23 of the Federal Rules of Civil Procedure as incorporated in Rule 7023 of the Bankruptcy Rules of Procedure and any other applicable law for Preliminary Approval of a Class Settlement, Approval of Notice to the Class, and Scheduling of a Final Fairness Hearing. Movant brings this motion both individually and on behalf of a class of persons defined in the attached settlement agreement with Defendant. In support of this motion, Movant files herewith a Memorandum in Support of this motion with the proposed class notice as an exhibit along with a proposed order granting the class relief requested.

WHEREFORE, Movant requests this Court enter an order granting preliminary approval of the class settlement, approval of the notice to the class, and scheduling of a final fairness hearing.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2025, a copy of the foregoing response of the Debtors was filed electronically with the Court's CM/ECF system. Notice of this filing will be sent by operation of the Court's CM/ECF system to all parties indicated on the electronic filing receipt. This filing may be accessed through the Court's CM/ECF system.

/s/ Matthew T. Sanning
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