

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

**BRYAN STAFFORD, Executor of the
Estate of THOMAS FLEENOR, JR., et al.,**

Plaintiffs,

v.

Civil Action No. 5:22-cv-00405

PRIMECARE MEDICAL, INC., et al.,

Defendants.

**PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AS TO PRIMECARE
DEFENDANTS**

COME NOW Plaintiffs, by undersigned counsel, and, pursuant to Rule 23 of the *Federal Rules of Civil Procedure* and this Court's Order [ECF 949], hereby moves this Honorable Court for certification of a class. Specifically, Plaintiffs seek certification of an issue-based class pursuant to Rule 23(c). Additionally, Plaintiffs seek certification of a class pursuant to Rule 23(a) and (b) based upon the satisfaction of all necessary prerequisites. In further support of their motion Plaintiffs incorporate herein by reference the accompanying memorandum of law.

**PLAINTIFFS
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CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiffs hereby certifies that a true and correct copy of the foregoing *Plaintiffs' Motion for Class Certification* was filed with the clerk on November 22, 2024 via the Court's CM-ECF Filing System which will provide electronic notification to all counsel of record.

s/ Stephen P. New

Stephen P. New (WVSB 7756)