

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 29 2025

E. Escobedo

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

CATRINA BRANNON, on behalf of herself and) Case No: CVRI2403395
all others similarly situated,)

Plaintiff,)

vs.)

RANCHO FAMILY MEDICAL GROUP, INC.,)
a California Corporation; and DOES 1 through)
100, inclusive,)

Defendants.)

**SECOND AMENDED [PROPOSED]
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AND CERTIFICATION
OF A SETTLEMENT CLASS**

Date: March 18, 2025
Time: 8:30 a.m.
Dept: 1

Before the Court is the unopposed Motion for Preliminary Approval of the proposed Class Action Settlement between Plaintiff Catrina Brannon ("Plaintiff") and Defendant Rancho Family Medical Group, Inc. ("Rancho" or "Defendant") on behalf of a proposed Settlement Class defined as "All citizens of the United States who received notice from Rancho that their information may have been compromised in the November 2023 security incident at a Rancho service provider" (the "Settlement Class"), excluding (1) the judge presiding over this Litigation, and members of his direct family; (2) Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parent companies have a controlling interest and its current or former officers and directors; and (3) Settlement Class Members who submit a valid Request for

1 Exclusion prior to the Opt-Out Deadlin. Plaintiff respectfully requests that the Court enter an order
2 finding:

- 3 1) Conditionally certifying the Settlement Class, solely for purposes of implementing the
4 Settlement Agreement only;
- 5 2) The requirements of California Rules of Court, Rule 3.769, for preliminary settlement
6 approval have been satisfied, and the Court preliminarily approves the settlement of the
7 action referenced in the Settlement Agreement as being fair, just, reasonable, and
8 adequate to the Settlement Class and its members, subject to further consideration at
9 the Final Approval Hearing described below;
- 10 3) Appointing Simpluris as the Settlement Administrator;
- 11 4) Approving the proposed Notice, including the proposed opt-out and objection
12 procedures, as provided for in the Settlement Agreement;
- 13 5) Ordering Defendant to provide the Settlement Administrator the Settlement Class List
14 as provided for in the Settlement Agreement;
- 15 6) Directing the Settlement Administrator to disseminate Notice to the Settlement Class as
16 provided for in the Settlement Agreement; and
- 17 7) Setting a Final Approval Hearing in this Court.

18 Having reviewed and considered the parties' proposed Settlement Agreement and the
19 unopposed Motion for Preliminary Approval of the Class Action Settlement and having heard and
20 considered the oral argument of counsel, the Court makes the findings and grants the relief set forth
21 below, preliminarily approving the settlement outlined in the Settlement Agreement upon the terms
22 and conditions set forth in this Order. All terms and phrases in this Order shall have the same
23 meaning as they are defined in the Settlement Agreement.

24 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 25 1. The Court, pursuant to California Code of Civil Procedure section 382 and California Rules
26 of Court, Rule 3.769(d), hereby (a) conditionally certifies, for purposes of implementing the
27 Settlement Agreement only, a class consisting of defined as "All citizens of the United States who
28 received notice from Rancho that their information may have been compromised in the November
2023 security incident at a Rancho service provider" (the "Class"); excluded from the class are (1)
the judge presiding over this Litigation, and members of his direct family; (2) Defendant, its
subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or
its parent companies have a controlling interest and its current or former officers and directors; and
(3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out

1 Deadline; (b) for settlement purposes only, appoints Plaintiff as the representative of the Settlement
2 Class; and (c) for settlement purposes only, finds Class Counsel will fairly and adequately protect
3 the interests of the Class and appoints Mark D. Potter and James M. Treglio of Potter & Handy,
4 LLP, as Settlement Class counsel for the Settlement Class ("Class Counsel").

5 2. The Court also finds that the requirements of California Rules of Court, Rule 3.769, for
6 preliminary settlement approval have been satisfied, and the Court preliminarily approves the
7 Settlement of the action set forth in the Settlement Agreement as being fair, just, reasonable, and
8 adequate to the Class and its members, subject to further consideration at the Final Approval
9 Hearing.

10 3. The Court appoints Simpluris, Inc. as the Settlement Administrator and orders that Simpluris
11 act in conformity with the requirements of this Order and the Settlement Agreement, for which
12 Simpluris may withdraw reasonable Notice and Administrative Expenses from the Settlement Fund.

13 4. Defendant is ordered to provide the Settlement Class List to the Settlement Administrator as
14 provided for in the Settlement Agreement.

15 5. The Court approves, as to form and content, the Long and the Short Form Notices, attached
16 as Exhibits B and C to the Settlement Agreement. The Court finds that distribution of the Notice, in
17 the manner set forth in this Order and the Settlement Agreement, is reasonably calculated to apprise
18 the Settlement Class members, constitutes the best notice practicable under the circumstances, and
19 constitutes valid, due and sufficient notice to all members of the Settlement Class, complying fully
20 with the requirements of section 382 of the California Code of Civil Procedure, California Rules of
21 Court, Rules 3.766 and 3.769, and any other applicable laws.

22 6. The Notice shall be disseminated by the Settlement Administrator in the manner provided
23 for in the Settlement Agreement.

24 7. A hearing (the "Final Approval Hearing") shall be scheduled to be held before this Court on
25 January 28, 2025 at 8:30 a.m. in Department 1 of this Court. At the Final Approval Hearing, the
26 Court shall determine:

- 27 a) Whether the terms of the Settlement, set forth in the Settlement Agreement, are fair,
28 reasonable, adequate, and in the best interests of the Class;
- 29 b) Whether judgment, should be entered granting final approval of the Settlement; and
- 30 c) Whether and in what amounts of Class Counsels' Fees and Expenses and Settlement
31 Class Representative's Service Award as provided for in the Settlement Agreement, shall be
32 paid from the Settlement Fund.

1 8. Any member of the Class who desires to be excluded from the Settlement Class, and
2 therefore not bound by the terms of the Settlement Agreement, may request exclusion from the
3 settlement in this Action by mailing a request in writing to the Settlement Administrator at the
4 address set forth in the Notice, personally signed, stating the Settlement Class Member's full name
5 and current address and stating unequivocally that he/she wishes to be excluded from this class
6 action settlement. Any request for exclusion must be mailed to the Settlement Administrator
7 and postmarked in the time set forth in the Notice, which shall be no later than ninety (90) days
8 after the Notice Deadline. Any member of the Settlement Class who chooses to be excluded and
9 who provides the required information will not be bound by any judgment entered in connection
10 with this Settlement. A list of persons who requested exclusion shall be filed with the Court before
the date of the Final Approval Hearing.

11 9. Any member of the Settlement Class who elects to be excluded shall not be entitled to
12 receive any of the benefits of the Settlement Agreement, shall not be bound by the release of any
13 claims pursuant to the Settlement Agreement, and shall not be entitled to object to the Settlement
14 Agreement or appear at the Final Approval Hearing. The names of all persons timely submitting
valid Requests for Exclusion shall be provided to the Court.

15 10. Any member of the Settlement Class who desires to object to the Settlement must file any
16 objections and all papers in support of such objections with the Court in the time set forth in the
17 Notice, which shall be no later than ninety (90) days after the Notice date. All such written
18 objections shall be mailed to the the Settlement Administrator at their addresses set forth in the
19 Notice and to the Court at 4050 Main Street, Riverside, California 92501 The filing of any objection
20 will not extend the time within which a member of the Settlement Class may file a request for
21 exclusion from the Settlement. To state a valid objection to the Settlement, an objecting Settlement
22 Class Member must provide to the Settlement Administrator the following information in his or her
23 written objection: (1) the name of the proceedings; (2) the Settlement Class Member's full name,
24 current mailing address, email address, and telephone number; (3) a statement of the specific
25 grounds for the objection, as well as any documents supporting the objection; (4) the identity of any
26 attorneys representing the objector; (5) a statement regarding whether the Settlement Class Member
27 (or his/her attorney) intends to appear at the Final Approval Hearing; (6) a statement identifying all
class action settlements objected to by the Settlement Class Member in the previous five (5) years;
and (7) the signature of the Settlement Class Member or the Settlement Class Member's attorney.

28 11. Any objection not submitted as described in section V. of the Settlement Agreement, or any
objection otherwise not properly or timely filed, will be invalid and the objector will be deemed to

1 have waived any objections, will be foreclosed from making subsequent objections, and the objector
2 shall be bound by the final determination of the Court.

3 12. Service of all papers on counsel for the parties shall be made as follows:

4 **To Class Counsel:**

5 James M. Treglio
6 Potter Handy LLP
7 100 Pine St., Ste 1250
8 San Francisco, CA 94111

9 **To Defendant's Counsel:**

10 Michael Morgan
11 2049 Century Park East, Suite 3200
12 Los Angeles, CA 90067

13 13. Subject to approval of the Court, only a Settlement Class Member who has filed and served
14 valid and timely notice of intention to appear at the Final Approval Hearing ("Notice of Intention to
15 Appear") at least fifteen days prior to the Final Approval Hearing or such other date set by the
16 Court and does not request exclusion, may be heard at the Final Approval Hearing.

17 14. Any Settlement Class Member who does not make an objection in the time and manner
18 provided shall be deemed to have waived such objection and forever shall be foreclosed from
19 making any objection, and shall be bound by the final determination of the Court
20 regarding the fairness or adequacy of the proposed Settlement as incorporated in the Settlement
21 Agreement, adequacy of notice, the payment of Settlement Class Counsel's Fee Award and
22 Expenses and Settlement Class Representative's Service Award, and/or the Judgment.

23 15. In the event the Final Approval Order is not entered or there is no Effective Date, this
24 Preliminary Approval Order shall be of no force or effect and shall not be construed or used as an
25 admission, concession, or declaration by or against Defendant of any fault, wrongdoing, breach, or
26 liability. Nor shall this Preliminary Approval Order be construed or used as an admission,
27 concession, or declaration by or against the Settlement Class Representative or any other Settlement
28 Class Member that his or her claims lack merit or that the relief requested is inappropriate,
improper, unavailable, or as a waiver by any party of any defense or claims they may have in this
Action or in any other lawsuit..

16. The Court reserves the right to adjourn the date of the Final Approval Hearing and any adjournment thereof without further notice to the members of the Settlement Class, and retains jurisdiction to consider all further applications arising out of or connected with the settlement. The Court may approve the settlement, with such modifications as may be agreed to by the parties to the Settlement Agreement, if appropriate, without further notice to the Settlement Class.

17. The Court retains continuing and exclusive jurisdiction over the action to consider all further matters arising out of or connected with the Settlement, including the administration and enforcement of the Settlement Agreement.

18. Pending final determination of whether the Settlement Agreement should be approved, neither Plaintiff nor any Settlement Class Member may either directly, representatively, or in any other capacity, commence or prosecute against Defendant any action or proceeding in any court or tribunal asserting any of the claims alleged in the Action filed herein.

19. The case shall proceed pursuant to the following schedule:

Event	Deadline	Date
Last day for Settlement Administrator to mail Notice to Settlement Class Members and for the Settlement Website to go live	30 days after entry of this Order	September 28, 2025
Last day for Settlement Class Members to submit claim forms, file objections to settlement or to opt-out of the Class	90 days after the Notice Deadline	December 27, 2025
Last day for Class Counsel to file motion for the payment of Class Counsel's Fee Award and Expenses and Class Representative's Service Award.	45 days after the Notice Deadline	November 12, 2025

Last day for Class Counsel to file motion for final approval of Settlement.	10 days after the Objection and Opt-Out Deadline	January 6, 2026
Last day for the Parties to reply to any objections filed by Settlement Class Members	5 days before the Final Approval Hearing	January 23, 2026
Hearing on motion for final approval of Settlement and application for the payment of Class Counsel's Fee Award and Expenses and Class Representative's Service Award.	152 days after entry of this Order	January 28, 2025 ²⁰²⁶ at 8:30 a.m. in Department 1 of this Court

IT IS SO ORDERED.

August 29, 2025


JUDGE OF THE SUPERIOR COURT
Judge Harold W. Hopp