

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

**SUPERIOR COURT
BUSINESS LITIGATION
SESSION 2**

IN RE HARVARD MORGUE CASES

Lead Case:

**Nicole MacTaggart, et al. v. President & Fellows of Harvard College, et al.,
2384CV01389-BLS2**

Consolidated Civil Action Nos.:

2384CV01461-BLS2

2384CV01481-BLS2

2384CV01602-BLS2

2384CV01640-BLS2

2384CV01843-BLS2

2384CV02002-BLS2

2384CV02223-BLS2

2384CV02373-BLS2

2384CV02624-BLS2

2384CV02699-BLS2

2384CV02836-BLS2

2584CV02954-BLS2

2684CV01719-BLS2

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[PROPOSED] PRELIMINARY APPROVAL ORDER

The Court having reviewed the Plaintiffs' Assented-to Motion for Preliminary Approval of the Settlement of this Action (the "Motion") and the Exhibits thereto, including the Class Action Settlement Agreement dated August 14, 2026 (the "Settlement Agreement") between Plaintiffs, individually and on behalf of the Class ("Plaintiffs") and the Settling Defendants President and Fellows of Harvard College ("Harvard") and Mark F. Cicchetti (hereinafter "Settling Defendants"), and good

cause appearing therefor, IT IS HEREBY ORDERED AS FOLLOWS:

1. For purposes of this Order, the Court adopts all the defined terms that are used in the Settlement Agreement and incorporates those terms by reference in this Order.

2. The Court preliminarily approves the Settlement of this Action that is set forth in the Settlement Agreement. Subject to any further submissions that may be made at or prior to the Final Approval Hearing described below, the Court finds that the Settlement is fair, just, reasonable and adequate to the certified Class and its members.

3. The Court hereby certifies the Settlement Classes (the "Class") defined in the Settlement Agreement. The Court finds that, for settlement purposes only, the proposed Settlement Class meets all the requirements of Massachusetts Rule of Civil Procedure 23(a) and (b), namely that the Settlement Classes are so numerous that joinder of all members is impractical; that there are common issues of law and fact; that the claims of the Settlement Class Representatives are typical of the Class; that the Settlement Class Representatives will fairly and adequately protect the interests of the Settlement Classes as they have no interests antagonistic to or in conflict with the Settlement Classes and have retained experienced and competent counsel to prosecute this matter; that common issues predominate over any individual issues; and that a class action is the superior means of adjudicating the controversy.

4. The Court hereby appoints the following as Class Counsel: Jeffrey N. Catalano of Keches Law Group, P.C. and Shannon Pennock of Morgan & Morgan as Co-Lead Counsel; Leo V. Boyle of Boyle Meehan (a Keches Law Firm) as Liaison Counsel.

5. The Court hereby appoints Plaintiffs Nicole MacTaggart and Glenn Wilder, Jr., as Class Representatives of the Primary Settlement Class and Plaintiff Scott Cavanagh as Class Representative of the Pre-2018 Settlement Class.

6. The Court hereby approves the form of Notice attached to the Settlement Agreement as Exhibit 3. The Court finds that the Notice is reasonably and practicably calculated to apprise the Class of the proposed Settlement, and their rights and obligations thereunder, including, *inter alia*, their rights to submit claims, to object to the Settlement and to attend the Final Approval Hearing.

7. The Court approves the plan of notice as described in the Declaration of Jacob Kamenir, Vice President of Legal Notice for Simpluris, Inc., which is **Exhibit C** to the Motion ("Kamenir Declaration"). The Court finds that the plan of mail, publication and internet notice described in the Kamenir Declaration is appropriate and is reasonably and practicably calculated to apprise the Class of the proposed Settlement, and their rights and obligations thereunder, including, *inter alia*, their rights to submit claims, to object to the Settlement and to attend the Final Approval Hearing.

8. The Court approves the appointment of Simpluris, Inc. as the Settlement Administrator.

9. The Settlement Administrator shall implement the plan of Notice as described in the Kamenir Declaration.

10. The Settlement Administrator will provide Notice to the Class in accordance with the Notice Plan within 30 days of the date of this Preliminary Approval Order (the "Notice Date").

11. The Court hereby approves the Claim Form attached to the Settlement Agreement as Exhibit 2. To be valid, any Claim Form must be submitted to the Settlement Administrator in the manner provided in the Claim Form, and no later than 113 days after this Preliminary Approval Order.

12. No later than 35 days after this Preliminary Approval Order, Plaintiffs shall file with the Court and serve on Defense Counsel, their Motion for Final Approval of the Settlement and any supporting materials and Plaintiffs' Application for an Award of Fees and Expenses, and any supporting materials. All those filings shall also be posted on the settlement website set up by the Settlement Administrator promptly after they are filed with the Court.

13. No later than 90 days after this Preliminary Approval Order, any Class member wishing to object to the approval of this Settlement Agreement or the Fee Application shall file his or her objections with the Court and serve the Parties

following the procedures and objection deadlines set forth in the Notice. Any Class member who fails to object timely to the Settlement or the Fee Application in the manner described in the Notice shall be deemed to have waived any such objection, shall not be permitted to object to any terms or approval of the Settlement or the Fee Application at the Fairness Hearing, and shall be foreclosed from seeking any review of the Settlement or Fee Application by appeal or other means. Any Party may file a response to any objection no later than 97 days after this Preliminary Approval Order.

14. Not later than 97 days after this Preliminary Approval Order, Class Counsel shall file an affidavit or declaration from the Settlement Administrator attesting to compliance with and completion of the plan of Notice set forth in the Kamenir Declaration.

15. The Court hereby enjoins Settlement Class Members, pending final approval, from prosecuting Released Claims except as permitted by the Court.

16. The Court hereby directs the Parties, Class Counsel and Defense Counsel to proceed in accordance with the terms of the Settlement Agreement and hereby authorizes them to take all acts reasonably necessary to implement this Preliminary Approval Order.

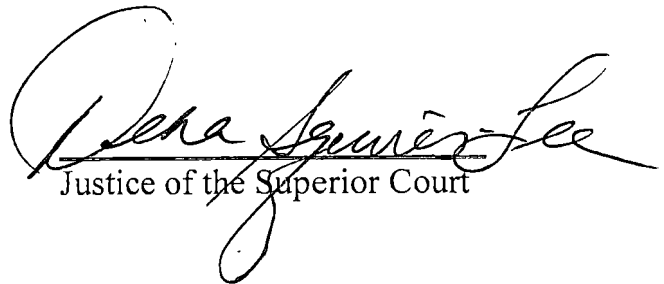
17. The Final Approval Hearing shall be held at 2:00 p.m. on Dec. 9, 2026, in Courtroom 1017, Suffolk Superior Court, 3 Pemberton

Square, Boston, Massachusetts, to determine whether the proposed Settlement of the Actions, as set forth in the Settlement Agreement, should be approved as fair, reasonable and adequate to the Class and its members, and whether the Final Order and Judgment approving the Settlement should be entered. At the Final Approval Hearing, the Court also will determine whether Class Counsel's Fee Application should be approved. At that hearing the Court will also consider any timely objections to the Settlement Agreement or the Fee Application, and all responses to objections by the Parties.

18. The Court may, for good cause, change the date of the Final Approval hearing or extend any of the deadlines set forth in this Order without further notice to the Class members.

IT IS HEREBY ORDERED.

Dated: Aug. 18, 2026


Justice of the Superior Court