

**CAUSE NO. 2025-51687**

**CHRISTOPHER MENARD**, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

**BRAY INTERNATIONAL INC.**,

Defendant.

**IN THE DISTRICT COURT**

**HARRIS COUNTY, TEXAS**

**151<sup>st</sup> JUDICIAL DISTRICT**

**Hon. Erica R. Hughes**

**PRELIMINARY APPROVAL ORDER**

Plaintiff Christopher Menard, by and through his counsel, has submitted a Class Action Settlement Agreement (the “Settlement”) and has applied under Texas Rule of Civil Procedure 42 for an order: (1) preliminarily approving the terms and conditions set forth in the Settlement, (2) certifying a class for purposes of settlement, (3) approving the form and method of notice to the Settlement Class Members, and (4) scheduling a Final Fairness Hearing to consider final approval of the Settlement. The Court has given due consideration to the terms of the Settlement, the exhibits to the Settlement, the submissions in support of preliminary approval of the Settlement, and the record of proceedings, and now finds that the proposed Settlement should be preliminarily approved pending notice to the Settlement Class Members and a final hearing on whether the Settlement is fair, reasonable, and adequate.

**ACCORDINGLY, IT IS HEREBY ORDERED:**

1. Terms capitalized herein and not otherwise defined shall have the meanings ascribed to them in the Settlement Agreement.
2. This Court has jurisdiction over the subject matter of this lawsuit and jurisdiction over the Plaintiff, the Settlement Class Members, and Defendant in the above-captioned case (the “Parties”).

3. The Court finds that for the purposes of settlement and notice the requirements of Texas Rule of Civil Procedure 42 have been met, specifically:

- a. The Settlement Class is so numerous that joinder of all members is impracticable, as there are thousands of members;
- b. There are questions of law or fact common to the Settlement Class based upon the claims raised in the lawsuit stemming from the Data Incident;
- c. The Plaintiff's claims are typical of the claims of the Settlement Class and stem from the same Data Incident;
- d. The Plaintiff and Class Counsel will fairly and adequately protect the interests of the Settlement Class as they have the same interests in claims relating to the Data Incident;
- e. A class action provides a fair and efficient method for adjudication of the controversy, as questions of law and fact common to the Settlement Class predominate over any questions affecting only individual members in that the questions all relate to the Data Incident, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy as it will resolve all claims through one proceeding.

The Court therefore **CERTIFIES** the following Settlement Class:

All individuals residing in the United States whose Personal Information was potentially accessible in the Data Incident experienced by Defendant in April 2024, including all those individuals who received notice of the Data Incident.

4. The Court appoints Plaintiff as Class Representative of the Settlement Class and appoints Brittany Resch of Strauss Borrelli PLLC as Class Counsel.

5. The Court finds that the terms of the Settlement are within the range of a fair, reasonable, and adequate settlement between the Settlement Class and Defendant under the circumstances of this case. The Court therefore preliminarily approves the Settlement and directs the Parties to the Settlement to perform and satisfy the terms and conditions of the Settlement that are triggered by such preliminary approval.

6. The proposed Notice in the forms attached to the Settlement, and the manner of distribution of such Notice by direct mail and email, if known, are hereby approved by this Court as the best notice practicable to the Class. The proposed Notice attached to the Settlement and the manner of distribution of such by posting to the Settlement Website, is hereby approved by the Court. The form and manner of notice proposed in the Settlement complies with the requirements of due process. The Claim Form is likewise approved by the Court.

7. Pursuant to Texas Rule of Civil Procedure 42, a Final Fairness Hearing shall be held before the undersigned at the Harris County Civil Courthouse, 201 Caroline, 11th Floor Houston Texas 77002 (or by telephone or video conference, if necessary) at \_\_\_\_\_ on \_\_\_\_\_, 2026, for the purposes of: (a) determining whether the Settlement is fair, reasonable, and adequate and should be finally approved; (b) determining whether a Final Approval Order should be entered; and (c) considering Class Counsel's application for an award of attorneys' fees, expenses, and a Service Award. The Court may adjourn, continue, and reconvene the Final Approval Hearing pursuant to oral announcement without further notice to the Settlement Class, and the Court may consider and grant final approval of the Settlement, with or without minor modification and without further notice to the Settlement Class.

8. Simpluris is appointed as Claims Administrator and shall cause notice to be sent to each Settlement Class Member as set forth in the Settlement.

9. Settlement Class Members shall be afforded an opportunity to opt-out of the Settlement. Any Settlement Class Member wishing to opt-out shall individually sign and timely submit written notice clearly manifesting their intent to be excluded from the Settlement Class within 60 days after the day on which the notice program commences to the designated Post Office box established by the Claims Administrator. Settlement Class Members who submit valid and timely notices of their intent to opt-out from the Settlement Class shall not receive any cash benefits of and/or be bound by the terms of this Settlement. Settlement Class Members who do not timely and validly opt-out of the Settlement Class shall be bound by all determinations and judgments in the action concerning the Settlement.

10. Settlement Class Members who have not opted-out of the Settlement Class shall be afforded an opportunity to object to the terms of the Settlement. Any objection must include: (i) the name of these proceedings; (ii) the Settlement Class Member's full name, current mailing address, and telephone number; (iii) a statement that states with specificity the grounds for the objection, as well as any documents supporting the objection; (iv) a statement as to whether the objection applies only to the objector, to a specific subset of the class, or to the entire class; (v) the identity of any attorneys representing the objector; (vi) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vii) a list of all other matters in which the objecting Settlement Class Member and/or his/her attorney has lodged an objection to a class action settlement; and (viii) the signature (or electronic equivalent) of the Settlement Class Member or the Settlement Class Member's attorney. To be timely, written objections must be mailed to the Settlement Administrator and postmarked no later than sixty (60) days after the Notice Deadline (the "Objection Deadline") and simultaneously filed with the Court by the Objection Deadline.

11. Any Settlement Class Member who does not make his or her objection known in the manner provided in the Settlement and notice shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness or adequacy of the proposed Settlement.

12. Any request for intervention in this action for purposes of commenting on or objecting to the Settlement must meet the requirements set forth above, including the deadline for filing objections, and also must be accompanied by any evidence, briefs, motions or other materials the proposed intervenor intends to offer in support of the request for intervention.

13. Any lawyer intending to appear at the Final Fairness Hearing must be authorized to represent a Settlement Class Member, must be duly admitted to practice law before the Court, and must file a written appearance. Copies of the appearance must be served on Settlement Class Counsel and counsel for Defendant in accordance with applicable rules of Court.

14. No later than fourteen (14) days prior to the deadlines for a Settlement Class Member to opt-out of or object to the Settlement, Settlement Class Counsel shall file a motion for approval of the attorneys' fees, expenses, and service awards to be paid by Defendant, along with any supporting materials, to be considered at the Final Fairness Hearing.

15. If the Settlement does not become effective or is rescinded pursuant to the terms of the Settlement, the Settlement and all proceedings had in connection therewith shall be without prejudice to the status quo ante rights of the Plaintiff and Defendant, and all orders issued pursuant to the Settlement shall be vacated.

16. The Court retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

17. For clarity, the deadlines set forth above and in the Agreement are as follows:

<b>Deadline for Defendant to send the Class List to the Settlement Administrator</b>	14 days from entry of the Preliminary Approval Order
<b>Notice Deadline</b>	30 days from entry of the Preliminary Approval Order
<b>Motion for Attorneys' Fees and Costs, and Service Award</b>	At least 15 days prior to the Objection and Opt-Out Deadlines
<b>Opt-Out Deadline</b>	60 days after Notice Deadline
<b>Objection Deadline</b>	60 days after Notice Deadline
<b>Claim Deadline</b>	90 days after Notice Deadline
<b>Final Approval Hearing</b>	At a date to be set by the Court at its convenience, but in no event less than 120 days from entry of the Preliminary Approval Order

**IT IS SO ORDERED.**

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2026.

Signed: *Erica R. Hughes*  
4/1/2026

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Hon. Erica R. Hughes