

**IN THE CIRCUIT COURT OF CASS COUNTY, MISSOURI
SEVENTEENTH JUDICIAL CIRCUIT**

BRIAN FERRY and **DAVID CLEMENT**, on
behalf of themselves and all others similarly
situated,

No. 26CA-CC0013

Plaintiffs,

v.

CLASS ACTION

CLARIENCE TECHNOLOGIES, LLC and
SAFE FLEET HOLDINGS, LLC,

DEMAND FOR JURY TRIAL

Defendants.

ORDER PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT

This matter having come before the Court on Plaintiffs Brian Ferry and David Clement's Unopposed Motion for Preliminary Approval of Class Action Settlement, and the Court having reviewed the Settlement Agreement and all supporting submissions, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED as follows:

1. This Preliminary Approval Order incorporates the Settlement Agreement ("Agreement"), and the capitalized terms used in this Order shall have the meanings and definitions given to them in the Agreement.

2. The Court has jurisdiction over the subject matter of this action and personal jurisdiction over the Parties before it. Venue is proper in this Court.

3. The Court preliminarily certifies for settlement purposes the following Settlement Class:

All individuals residing in the United States whose Private Information may have been impacted in the Data Incident affecting Defendants on or around April 13, 2024, including all those who received notice of the Data Incident.

Excluded from the participating Settlement Class are: (a) Defendants, including all persons who are directors, officers, and agents of Defendants, or their respective subsidiaries and affiliated companies; (b) any Settlement Class Member who timely and validly requests exclusion from the Settlement in accordance with the Agreement; (c) any judges assigned to this case and their staff and family; (d) governmental entities; (e) the attorneys representing the Parties in the Action; and (f) any other person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the Data Incident or who pleads *nolo contendere* to any such charge.

4. For settlement purposes only, the Court preliminarily finds that the requirements of Missouri Supreme Court Rule 52.08(a) and 52.08(b)(3) are satisfied, including numerosity, commonality, typicality, adequacy, predominance, and superiority.

5. The Court also preliminarily finds that the Settlement, on the terms and conditions set forth in the Agreement, was reached in arm's-length negotiations, and falls within the range of possible approval such that notice to the Settlement Class is warranted.

6. The Court appoints Plaintiffs Brian Ferry and David Clement as Class Representatives for the Settlement Class.

7. The Court appoints Raina C. Borrelli of Strauss Borrelli PLLC, Grayson Wells of Stranch, Jennings & Garvey, PLLC, and Leigh S. Montgomery of Ellzey, Kherkher, Sanford & Montgomery LLP as Class Counsel for the Settlement Class.

8. Simpluris is appointed as the Settlement Administrator.

9. The Settlement Administrator shall perform the duties and responsibilities set forth in the Agreement and this Order.

10. The Court approves, in form and content, the Short Form Notice, Long Form Notice, and Claim Form attached to the Settlement Agreement, with such non-material changes as the Parties may agree upon and the Settlement Administrator may reasonably require for formatting or administration.

11. Class Counsel shall file the Motion for Final Approval, including the Application for Attorneys' Fees, Costs, and Service Awards, no later than forty-five (45) days before the initial date set for the Final Approval Hearing.

12. Within fifteen (15) days after entry of this Order, Defendants shall provide the Settlement Class List to the Settlement Administrator.

13. The Settlement Administrator shall provide Notice in accordance with the Agreement no later than thirty (30) days after entry of this Order.

14. Notice shall be completed in its entirety no later than sixty (60) days before the initially scheduled Final Approval Hearing.

15. The Settlement Administrator shall establish the Settlement Website before disseminating Notice. The Settlement Website shall include the Long Form Notice, Claim Form, Settlement Agreement, Plaintiffs' motion for preliminary approval, this Order, the motion for attorneys' fees, costs, and Service Awards, the operative complaint, relevant deadlines, and the date of the Final Approval Hearing.

16. Settlement Class Members who wish to receive Settlement benefits must submit a valid Claim Form no later than ninety (90) days after the Notice Deadline. Claim Forms may be submitted electronically through the Settlement Website or by mail to the Settlement Administrator. Settlement Class Members who wish to exclude themselves from the Settlement must submit a valid Request for Exclusion, postmarked no later than sixty (60) days after the Notice Deadline, in accordance with the procedures set forth in the Settlement Agreement and approved Notice.

17. Any Settlement Class Member who does not timely and validly request exclusion shall be bound by all proceedings, orders, and judgments in this Action, including the release set forth in the Settlement Agreement, regardless of whether that person submits a Claim Form.

18. Settlement Class Members who wish to object to the Settlement or to the request for Fee Award and Costs must file a written objection with the Court and send copies by U.S. Mail to Settlement Class Counsel, Defendants' Counsel, and the Settlement Administrator no later than sixty (60) days after the Notice Deadline. Any objection must comply with the requirements set forth in the Settlement Agreement and approved Notice.

19. Any Settlement Class Member who fails to timely and properly object in accordance with the Settlement Agreement shall be deemed to have waived the objection and shall be forever barred from objecting to the Settlement, the Fee Award and Costs, the Service Awards, or the Final Approval Order and Judgment.

20. A Final Approval Hearing shall be held on NOVEMBER 2, 2026, at 10:30
a.m., before the Honorable Stacey J. Lett at the Cass County 17th Judicial Circuit Courthouse
2501 W. Mechanic St. Harrisonville, MO 64701, to consider:

a. whether the proposed Settlement is fair, reasonable, and adequate and should be finally
approved;

b. whether the Settlement Class should be finally certified for settlement purposes only;

c. whether the Court should enter the proposed Final Approval Order; whether the Court should
approve Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards; and
d. any other matters the Court deems appropriate.

21. The Final Approval Hearing shall be scheduled no earlier than one hundred twenty
(120) days after entry of this Order.

22. Pending final determination of whether the Settlement should be approved, all
proceedings in this Action, other than proceedings necessary to carry out or enforce the terms and
conditions of the Settlement Agreement and this Order, are stayed.

23. If the Settlement does not receive final approval or does not become effective in
accordance with the terms of the Settlement Agreement, then this Order shall be rendered null and
void and shall be vacated, and the Parties shall return to their respective positions as if the
Settlement had not been executed.

24. The Court retains jurisdiction over all matters relating to the administration,
consummation, enforcement, and interpretation of the Agreement and this Order.

25. The Parties are directed to carry out their respective obligations under the Agreement and this Order.

26. The applicable deadlines set by this Order and the Settlement Agreement are summarized below:

Event	Deadline
Defendants provide the Settlement Class List to the Settlement Administrator	Within fifteen (15) days of the entry of the Preliminary Approval Order
Notice Deadline	Sixty (60) days before the initially scheduled Final Approval Hearing
Plaintiffs shall file the Motion for Final Approval	At least forty-five (45) days before the initially scheduled Final Approval Hearing
Objection Deadline	Sixty (60) days following the Notice Deadline
Opt-Out Deadline	Sixty (60) days following the Notice Deadline
Claims Deadline	Ninety (90) days after the Notice Deadline.
Final Approval Hearing	No earlier than one hundred and twenty (120) days after entry of the Preliminary Approval Order

IT IS SO ORDERED.


Judge

Dated: 7-29-26