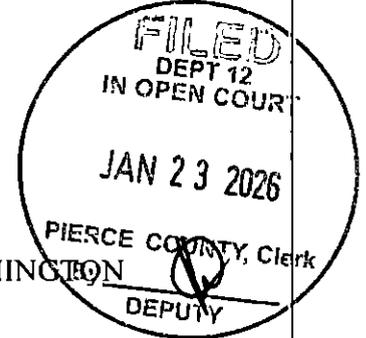


25-2-08462-8 81620878 ORLA 01-29-26

Judge Jennifer D. Andrews
Hearing Date: January 23, 2026
Hearing Time: 9am



IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY

SHAEFFER, LEHUTA, MEAD, individually,
and on behalf of all others similarly situate,

Plaintiff,

v.

NWRPC, LLC,

Defendants.

NO. 25-2-08462-6

~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT

CLERKS ACTION REQUIRED

WHEREAS, this Action¹ is a putative class action before this Court;

WHEREAS, Plaintiffs, individually, and on behalf of the proposed Settlement Class, and Defendant, have entered into the Settlement Agreement, which is subject to review and approval by the Court under Washington Rule of Civil Procedure 23(a) and (b)(3) and which, together with its exhibits, provides for a complete dismissal on the merits and with prejudice of the claims asserted in the Action against Defendant should the Court grant Final Approval of the Settlement;

WHEREAS, Plaintiffs filed an unopposed Motion for Preliminary Approval requesting entry of an order to: (1) conditionally certify the Settlement Class; (2) appoint Plaintiffs as Class Representatives; (3) appoint Kaleigh N. Boyd, Jeff Ostrow, and Gary Klinger as Class

¹ The capitalized terms herein shall have the same meanings as those used in Section II of the Settlement Agreement, attached to the Motion for Preliminary Approval as *Exhibit A*.

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1 Counsel; (4) preliminarily approve the Settlement; (5) appoint Simpluris, Inc. as the Settlement
2 Administrator; (6) approve the Notice Program and direct that Notice be sent to the Settlement
3 Class; (7) approve the Claim Form and Claims Process; (8) approve the Settlement's opt-out
4 and objection procedures; (8) stay all deadlines in the Action pending Final Approval of the
5 Settlement; (9) enjoin and bar all members of the Settlement Class from initiating or continuing
6 in any litigation or asserting any claims against Defendant and the Released Parties arising out
7 of, relating to, or in connection with the Released Claims prior to the Court's decision to grant
8 Final Approval of the Settlement; and (10) set a date for the Final Approval Hearing; and
9

10 WHEREAS, the Court having reviewed the Motion along with the Settlement and its
11 exhibits and finding that substantial and efficient grounds exist for entering this Preliminary
12 Approval Order granting the relief requested.

13 NOW, THEREFORE, IT IS HEREBY ORDERED:

14 1. **Settlement Class Certification:** Pursuant to Washington Rule of Civil
15 Procedure 23(a) and (b)(3), and for purposes of settlement only, the Action is hereby
16 preliminarily certified as a class action on behalf of the following Settlement Class:
17 The approximately 68,500 living individuals identified on the Class List whose Private
18 Information was determined by NWRPC's data review to have been potentially impacted
19 in the Data Incident.

20 2. **Settlement:** The Settlement provides Cash Payments and Credit Monitoring that
21 Defendant is obligated to pay under the Settlement. Defendant is also obligated to pay all
22 Settlement Administration Costs, and any Court-approved attorneys' fees, costs, and Service
23 Awards; provided, however, that Defendant's maximum obligation under the Settlement is to
24 pay a sum total of no more than \$1,200,000.00. For the sake of clarity, in no event shall
25 Defendant be obligated to pay more than \$1,200,000.00 in connection with the Settlement of
26 the Action.

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1 3. The terms of the Settlement are preliminarily approved and likely to be
2 approved at the Final Approval Hearing pursuant to Washington Rule of Civil Procedure 23(c)
3 and (e) as fair, reasonable, and adequate.

4 4. **Settlement Class Findings:** The Court finds, for purposes of settlement only,
5 and without any adjudication on the merits, that the prerequisites for certifying the Action as a
6 class action under Washington Rule of Civil Procedure 23(a) and (b)(3) have been satisfied,
7 and that the Court will likely certify at the Final Approval stage a Settlement Class.

8 5. As to Rule 23(a), the Court finds that: (a) the number of Settlement Class
9 members is so numerous that joinder is impracticable; (b) there are questions of law and fact
10 common to the Settlement Class; (c) the claims of the proposed Class Representatives are
11 typical of the claims of the Settlement Class; (d) the proposed Class Representatives and Class
12 Counsel have and will fairly and adequately represent the interests of the Settlement Class.

13 6. As to Rule 23(b)(3), the Court finds that questions of law and fact common to
14 the Settlement Class predominate over any questions affecting individual members. Also, a
15 class action is superior to other available methods for fairly and efficiently adjudicating the
16 Action taking into consideration: (i) the interest of members of the class in individually
17 controlling the prosecution or defense of separate actions; (ii) the extent and nature of the
18 litigation concerning the controversy already commenced by or against members of the class;
19 (iii) the desirability or undesirability of concentrating the litigation of the claims in the
20 particular forum; and (iv) the difficulties likely to be encountered in the management of a class
21 action. See Wash. R. Civ. P.23(b)(3).

22 7. **Appointment of Class Representatives and Class Counsel:** The Court hereby
23 finds and concludes pursuant to Washington Rule of Civil Procedure 23(a)(4), and for purposes
24 of settlement only, that Plaintiffs are adequate to serve as Class Representatives and hereby
25 appoints them to serve on behalf of the Settlement Class.

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1 8. The Court finds that proposed Class Counsel have expended a reasonable
2 amount of time, effort, and expense investigating the Data Incident. It is clear from their track
3 record of success, as outlined in their resumes, that Class Counsel are highly skilled and
4 knowledgeable concerning class action practice. For purposes of the Settlement only, the Court
5 appoints Kaleigh N. Boyd, Jeff Ostrow, and Gary Klinger as Class Counsel to act on behalf of
6 the Settlement Class and the Class Representatives with respect to the Settlement:

7 9. **Preliminary Approval of the Settlement:** The Court hereby preliminarily
8 approves the Settlement, as embodied in the Agreement, as being fair, reasonable, and
9 adequate, and in the best interest of the named Plaintiffs and the Settlement Class, subject to
10 further consideration at the Final Approval Hearing to be conducted as described below.

11 10. **Settlement Administrator:** Class Counsel are authorized to use Simpluris,
12 Inc. as the Settlement Administrator to supervise and administer the Notice Program and
13 oversee the Claims Process, as well as to administer the Settlement should the Court grant Final
14 Approval.

15 11. **Approval of Notice Program and Notices:** The Court approves, as to form and
16 content, the Notice Program, including the Postcard Notice and Long Form Notice,
17 substantially in the forms attached as exhibits to the Agreement. The Court finds that the Notice
18 Program: (a) is the best notice practicable under the circumstances; (b) constitutes notice that is
19 reasonably calculated, under the circumstances, to apprise Settlement Class members of the
20 pendency of the Action, the terms of the Settlement, the effect of the proposed Settlement
21 (including the Releases contained therein), and their right to opt-out of or to object to the
22 proposed Settlement and appear at the Final Approval Hearing; (c) constitutes due, adequate,
23 and sufficient notice to all persons entitled to receive notice of the proposed Settlement; and (d)
24 satisfies the requirements of Washington Rule of Civil Procedure 23, due process, the rules of
25 this Court, and all other applicable law and rules. The date and time of the Final Approval
26

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1 Hearing shall be posted on the Settlement Website and included in the Postcard Notice and
2 Long Form Notice, respectively, before they are emailed, mailed, or published.

3 12. **Claim Form and Claims Process:** The Court approves the Claim Form as set
4 forth in the Settlement, and the Claims Process to be implemented by the Settlement
5 Administrator. The Claim Form is straightforward and easy to complete, allowing each
6 Settlement Class Member to elect the alternative Settlement Class Member Benefits, Should
7 the Court grant Final Approval to the Settlement, Settlement Class Members who do not opt-
8 out of the Settlement shall be bound by its terms even if they do not submit Claims.

9 13. **Dissemination of Notice and Claim Forms:** The Court directs the Settlement
10 Administrator to disseminate the Notices and Claim Form, on or before the Notice Date, as
11 approved herein. Class Counsel and Defendant's counsel are hereby authorized to use all
12 reasonable procedures in connection with approval and administration of the Settlement that are
13 not materially inconsistent with this order or the Settlement, including making, without the
14 Court's further approval, minor form or content changes to the Notices and Claim Form they
15 jointly agree are reasonable or necessary.

16 14. **Opt-Outs from the Settlement Class:** The Notice shall provide that any
17 member of the Settlement Class who wishes to opt out from the Settlement Class must request
18 exclusion in writing within the time and manner set forth in the Notice. The Notices shall
19 provide that opt-out requests must be sent to the Settlement Administrator and be postmarked
20 no later than 60 days after the Notice Date and otherwise fully and strictly comply with the
21 requirements of the Settlement Agreement and Long Form Notice.

22 15. Any Settlement Class member who timely and validly opts-out from the
23 Settlement Class shall, provided the Court grants Final Approval: (a) be excluded from the
24 Settlement Class by Order of the Court; (b) not be a Settlement Class Member; (c) not be
25 bound by the terms of the Settlement; and (d) have no right to the Settlement Class Member
26

1 Benefits. Any Settlement Class member who does not timely and validly request to opt-out
2 shall be bound by the terms of this Settlement.

3 16. **Objections to the Settlement:** The Notice shall also provide that any
4 Settlement Class Member who does not opt-out from the Settlement Class may object to the
5 Settlement and/or the Application for Attorneys' Fees, Costs, and Service Awards. Objections
6 must be filed with the Clerk of the Court and mailed to the Settlement Administrator, Plaintiff's
7 Counsel and Defendant's Counsel. Objections must be submitted on behalf of a Settlement
8 Class Member no later than 60 days after the Notice Date and otherwise fully and strictly
9 comply with the requirements set forth in the Settlement Agreement and Long Form Notice.
10 Class Counsel and/or Defendant's counsel may conduct limited discovery on any objector
11 consistent with the rules of civil procedure, including taking depositions and propounding
12 written discovery requests.

13 17. **Motion for Final Approval and Application for Attorneys' Fees, Costs, and**
14 **Service Awards:** Class Counsel intends to seek an award of up to \$400,000.00 as attorneys'
15 fees and litigation costs, and Service Awards of \$2,500.00 each for the Class Representatives to
16 be paid separately by the Defendant. These amounts appear reasonable, but the Court will defer
17 ruling on those awards until the Final Approval Hearing when considering Class Counsel's
18 Application for Attorneys' Fees, Costs, and Service Awards.

19 18. Class Counsel shall file their Motion for Final Approval and Application for
20 Attorneys' Fees, Costs, and Service Awards no later than 45 days after the Notice Date. At the
21 Final Approval Hearing, the Court will hear argument on Class Counsel's request for attorneys'
22 fees and costs and Service Awards for the Class Representatives. In the Court's discretion, the
23 Court also will hear argument at the Final Approval Hearing from any Settlement Class
24 Members (or their counsel) who object to the Settlement or to the Application for Attorneys'
25 Fees, Costs, and Service Awards, provided the objector(s) submitted timely objections that
26 meet all of the requirements listed in the Settlement and in this order.

1 19. **Termination:** If the Settlement is terminated, not approved, canceled, fails to
2 become effective for any reason, or the Effective Date does not occur, this order shall become
3 null and void and shall be without prejudice to the rights of Plaintiffs, the Settlement Class
4 members, and Defendant all of whom shall be restored to their respective positions in the
5 Action as provided in the Agreement.

6 20. **Stay:** All pretrial proceedings and deadlines in this Action are stayed and
7 suspended until further order of this Court, except such actions as may be necessary to
8 implement the Settlement and this Preliminary Approval Order.

9 21. Upon the entry of this order, with the exception of Class Counsel, Defendant's
10 Counsel, Defendant, and the Class Representatives implementation of the Settlement and the
11 approval process in this Action, all members of the Settlement Class shall be provisionally
12 enjoined and barred from asserting any claims or continuing any litigation against Defendant
13 and the Released Parties arising out of, relating to, or in connection with the Released Claims
14 prior to the Court's decision as to whether to grant Final Approval of the Settlement.

15 22. **Jurisdiction:** For the benefit of the Settlement Class and to protect this Court's
16 jurisdiction, this Court retains continuing jurisdiction over the Settlement proceedings to ensure
17 the effectuation thereof in accordance with the Settlement preliminarily approved herein and
18 the related orders of this Court.

19 23. **Final Approval Hearing:** The Court will hold a Final Approval Hearing. The
20 Final Approval Hearing will be conducted for the following purposes: (a) to determine whether
21 the proposed Settlement, on the terms and conditions provided for in the Settlement, is fair,
22 reasonable, and adequate, and should be approved by the Court; (b) to determine whether an
23 order of final judgment should be entered dismissing the Action on the merits and with
24 prejudice; (c) to determine whether the proposed plan of allocation and distribution of the
25 Settlement Funds is fair and reasonable and should be approved; (d) to determine whether any
26 requested award of attorneys' fees and costs to Class Counsel and Service Awards to the Class

1 Representatives should be approved; and (e) to consider any other matters that may properly be
2 brought before the Court in connection with the Settlement. The Court may elect to hold the
3 Final Approval Hearing virtually by Zoom or some other application, and if it does, the
4 instructions on how to attend shall be posted by the Settlement Administrator on the Settlement
5 Website. The Court further reserves the right to adjourn or continue the Final Approval Hearing
6 and related deadlines without further written notice to the Settlement Class. If the Court alters
7 any of those dates or times, the revised dates and times shall be posted on the website
8 maintained by the Settlement Administrator.

9 24. **Schedule:** The Court hereby sets the following schedule of events:

Event	Date
Defendant to Provide Class List to Settlement Administrator	Within 10 days of Preliminary Approval
Notice Date	30 days after Preliminary Approval
Deadline to File Motion for Final Approval, and Application for Attorneys' Fees, Costs, and Service Awards	45 days after Notice Date
Opt-Out Deadline	60 days after Notice Date
Objection Deadline	60 days after Notice Date
Claim Form Deadline	60 days after Notice Date
Final Approval Hearing	<p>June 12, 2026, at 9 pm/am</p> <p>[No earlier than 90 days after Notice Date (i.e., 120 days after entry of this Preliminary Approval Order)]</p>

23 SO ORDERED this 23 day of January, 2026.

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HON. JENNIFER D. ANDREWS
SUPERIOR COURT JUDGE

PIERCE COUNTY, Clerk
By [Signature]
DEPUTY

FILED
DEPT 13
IN OPEN COURT
JAN 23 2026

[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT - 8

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