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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,)	Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE	)	Consolidated and Related to: Case Nos.
BECKER, KARLINA CHAVEZ, and	)	RG21107152, RG21107777
ELIZABETH MONTOYA on behalf of)	
themselves and all others similarly situated,	)	INDEX OF DECLARATIONS AND
Plaintiffs,	)	EXHIBITS TO PLAINTIFFS' MOTION
	)	FOR FINAL APPROVAL OF CLASS
v.	)	ACTION SETTLEMENT
)	
THE REGENTS OF THE UNIVERSITY OF	)	Date: December 9, 2025
CALIFORNIA,	)	Time: 2:30 p.m.
	)	Dept.: 21
Defendant.	)	Reservation ID No.: 561047834633;
	)	908232200371
)	
	)	Action Filed: April 27, 2021
	)	Judge: Hon. Somnath Raj Chatterjee
)	
)	

TABLE OF CONTENTS

Declaration of Simon S. Grille.....TAB 2

- Exhibit 1 Declaration of M. Anderson Berry
- Exhibit 2 Declaration of Rachele Byrd
- Exhibit 3 Declaration of Jeff Westerman
- Exhibit 4 Declaration of Miguel Ochoa
- Exhibit 5 Declaration of Alvaro Galvis
- Exhibit 6 Declaration of Rose Becker
- Exhibit 7 Declaration of Karlina Chavez
- Exhibit 8 Declaration of Jamie McDole
- Exhibit 9 Declaration of Elizabeth Montoya
- Exhibit 10 Girard Sharp LLP Firm Resume

Declaration of Jennifer Forst.....TAB 3

- Exhibit A Long Form Notice
- Exhibit B Claim Form
- Exhibit C Settlement Class Email Notice
- Exhibit D CMIA Subclass Email Notice
- Exhibit E Settlement Class Postcard Notice
- Exhibit G CMIA Subclass Postcard Notice

TAB 2

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BECKER, KARLINA CHAVEZ, and)	RG21107152, RG21107777
ELIZABETH MONTOYA on behalf of)	
themselves and all others similarly situated,)	DECLARATION OF SIMON S. GRILLE
Plaintiffs,)	IN SUPPORT PLAINTIFFS' MOTIONS
)	FOR FINAL APPROVAL OF CLASS
v.)	ACTION SETTLEMENT AND MOTION
)	FOR ATTORNEYS' FEES, LITIGATION
THE REGENTS OF THE UNIVERSITY OF)	EXPENSES, AND SERVICE AWARDS.
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1 I, Simon S. Grille, declare as follows:

2 1. I am a partner of Girard Sharp LLP, and one of the attorneys of record for Plaintiffs. I was
3 appointed by the Court as lead counsel to act on behalf of the proposed class in this case.

4 2. I submit this declaration in support of Plaintiffs' Motion for Final Approval of Class
5 Action Settlement¹ and Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards. I submit
6 this declaration based on personal knowledge, and if called to do so, could testify to the matters contained
7 herein.

8 3. Attached as **Exhibit 1** is the Declaration of M. Anderson Berry in Support of Motions for
9 Final Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

10 4. Attached as **Exhibit 2** is the Declaration of Rachele Byrd in Support of Motions for Final
11 Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

12 5. Attached as **Exhibit 3** is the Declaration of Jeff Westerman in Support of Motions for
13 Final Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

14 6. Attached as **Exhibit 4** is the Declaration of Miguel Ochoa in Support of Motions for Final
15 Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

16 7. Attached as **Exhibit 5** is the Declaration of Alvaro Galvis in Support of Motions for Final
17 Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

18 8. Attached as **Exhibit 6** is the Declaration of Rose Becker in Support of Motions for Final
19 Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

20 9. Attached as **Exhibit 7** is the Declaration of Karlina Chavez in Support of Motions for
21 Final Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

22 10. Attached as **Exhibit 8** is the Declaration of Jamie McDole in Support of Motions for Final
23 Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

24 11. Attached as **Exhibit 9** is the Declaration of Elizabeth Montoya in Support of Motions for
25 Final Approval and Award of Attorneys' Fees, Litigation Expenses, and Service Awards.

26
27 ¹ Capitalized terms in this declaration have the same meaning as those terms are defined in the Settlement
28 Agreement, filed as Exhibit A to Plaintiffs' Supplemental Brief in Support of Preliminary Approval of
Class Action Settlement.

12. Attached as **Exhibit 10** is a true and correct copy of the firm resume for Girard Sharp LLP.

SUMMARY OF THE SETTLEMENT

13. The proposed Settlement is the product of arm’s length negotiations and provides substantial benefits to the Settlement Class while eliminating the costs and burdens of continued litigation. Under the Settlement, Defendant The Regents of the University of California (“UC Regents,” “UC,” or “Defendant”) will pay \$5,800,000 for a non-reversionary Settlement Fund. All Settlement Class Members who asserted a cause of action under the California Confidentiality of Medical Information Act (“CMIA”), Cal. Civ. Code § 56, *et seq.* (“CMIA Subclass Members”) are eligible to receive a Statutory Payment of \$150. All Participating Settlement Class Members may also submit a claim for up to ten thousand dollars (\$10,000.00) for reimbursement of Fraud, Out-of-Pocket Costs and/or Documented Time (“Fraud/Out-of-Pocket Costs/Time Payment”).

14. After the Statutory Payments and Fraud/Out-of-Pocket Costs/Time Payments are deducted from the Net Settlement Fund, each Participating Settlement Class Member may receive a payment calculated as a pro rata share of the remaining Net Settlement Fund (“Pro Rata Payments”), regardless of whether that Participating Settlement Class Member is eligible for a Statutory Payment and/or Fraud/Out-of-Pocket Costs/Time Payment. The Settlement also provides significant non-monetary relief that will ensure UC Regents has adequate processes and procedures in place to safeguard the personal information of students and employees in the future. The Settlement Fund will also pay for notice to the Settlement Class, as well as the costs of settlement administration, and any court-approved attorneys’ fees, costs, and service awards.

15. I believe the proposed settlement provides a substantial recovery in a case presenting complex legal issues and substantial risks. I, along with other counsel, have represented the interests of the proposed Settlement Class from the inception of this hard-fought litigation until the present. UC Regents was represented by a preeminent law firm, who vigorously defended against Plaintiffs' claims throughout the course of this Litigation.

16. This proposed Settlement is the result of significant litigation efforts, including extensive motion practice and discovery, and more than two years of settlement negotiations that included two

1 mediations sessions on July 11, 2022 with mediator Hon. Charles W. McCoy (Ret.) and on August 29,
2 2024 with Hon. Diane M. Welsh (Ret.).

3 **THE LITIGATION**

4 17. As alleged in Plaintiffs' Fourth Amended Complaint, on or about March 31, 2021, UC
5 Regents announced a data breach whereby unauthorized parties exfiltrated information belonging to
6 current and former UC students and employees, information provided by students who participated in the
7 2020 University of California Undergraduate Experience Survey (UCUES), or alleged medical records
8 stored on UC Regents' instance of a file transfer application ("FTA") licensed from Accellion, Inc.

9 18. On May 10, 2021, UC announced that "impacted information may include full names,
10 addresses, telephone numbers, Social Security numbers, driver's license information, passport information,
11 financial information including bank routing and account numbers, health and related benefit information,
12 disability information and birthdates, as well as other personal information provided to UC." (Fourth
13 Amended Complaint, ¶ 85.) In addition, "[i]nformation provided by students who participated in the 2020
14 University of California Undergraduate Experience Survey (UCUES) was also impacted and posted to the
15 internet by the threat actor." (*Ibid.*) Finally, "[f]or individuals that submitted applications for admission to
16 the 2020-21 school year, their responses to questions in their application were impacted, [and f]or
17 individuals that started or submitted applications for the 2021-22 school year, their name, email address
18 and phone number were impacted." (*Ibid.*)

19 19. Following the announcements of the Data Breach, Plaintiffs' Counsel conducted an
20 extensive investigation into the Data Breach, UC's operations, and what information it collects and stores
21 about UC students and employees. Plaintiffs' Counsel researched publicly available sources, including
22 UC's announcements related to the Data Breach, data breach notices provided to victims, information
23 and statements about Accellion's FTA product, and forensic reports released by the cybersecurity firm,
24 Mandiant. Plaintiffs' Counsel also conducted numerous interviews of individuals affected by the Data
25 Breach. Plaintiffs' Counsel then investigated potential legal claims related to the Data Breach, whether
26 additional entities were potentially liable for the Data Breach and examined UC Regent's response to the
27 Data Breach.

1 20. Following this investigation, Girard Sharp filed the first action on April 27, 2021—*Erazo*
2 *v. Regents of Univ. of Cal.*, Case No. RG21097796. After filing the initial complaint, Girard Sharp
3 continued to investigate and develop the case. Our continuing investigation included interviewing
4 numerous students and employees who were impacted by the Data Breach, retaining and consulting with
5 technical and damages experts, and researching publicly available information about the cause of the
6 Data Breach and the information impacted.

7 21. On July 28, 2021, Plaintiffs served each Defendant with an initial set of document
8 requests. Girard Sharp then negotiated with Defendants a stipulated protective order and an order
9 governing the production and use of electronically stored information produced in this litigation.

10 22. Two other related actions were filed shortly after *Erazo: Fields v. Regents of Univ. of Cal.*,
11 Case No. RG21107152 was filed July 20, 2021, and *Becker v. Regents of Univ. Cal.*, Case No.
12 RG21107777 was filed August 2, 2021. On September 10, the Parties filed a stipulation requesting that
13 the Court determine these three cases were related under California Rules of Court, rule 3.300 and
14 consolidate the related actions under Code of Civil Procedure section 1048(a). The Parties further
15 stipulated that *Erazo* should be the lead case under California Rules of Court, rule 3.350(b).

16 23. On September 23, 2021, the Court consolidated the related actions under the first-filed
17 action and appointed Girard Sharp LLP as lead counsel of an executive committee including Wolf
18 Haldenstein Adler Freeman & Herz LLP, and Morgan & Morgan, P.A.

19 24. On October 7, 2021, Plaintiffs filed a Consolidated Class Action Complaint on behalf of
20 Plaintiffs Michael Erazo, Miguel Ochoa, Jamie McDole, Arielle Fields, Alvaro Galvis, Rose Becker,
21 Steve Goldfield, and Karlina Chavez, and named Accellion, Inc. and UC Regents as defendants. Plaintiffs
22 alleged the following claims against Accellion, Inc. and UC Regents: (1) violation of the CMIA; (2)
23 violation of California Consumer Records Act (Civ. Code § 1798.80, *et seq.*) (“CRA”); (3) negligence;
24 and (4) Invasion of Privacy. Plaintiffs’ also alleged violation of the Information Practices Act (Civ. Code
25 § 1798.1, *et seq.*) (“IPA”) against UC Regents. And Plaintiffs alleged violation of the California
26 Consumer Privacy Act of 2018 (Civ. Code § 1798.100, *et seq.*) (“CCPA”) and violation of the California
27 Unfair Competition Law (Bus. & Prof. Code § 17200, *et seq.*) (“UCL”) against Accellion, Inc.

1 25. On October 29, the Court granted the Parties' stipulation to voluntarily dismiss the
2 individual claims of former plaintiff Michael Erazo.

3 26. On November 8, 2021 each Defendant filed a demurrer in response to the Consolidated
4 Class Action Complaint. Accellion moved to dismiss all claims asserted against it while UC Regents
5 moved to dismiss the IPA, CRA, CMIA, and Invasion of Privacy claims, and moved to strike Plaintiffs'
6 request for statutory damages under the CMIA. Plaintiffs opposed the demurrers and motion to strike on
7 December 8, and Defendants filed replies on January 7, 2022.

8 27. On January 28, prior to the hearing on Accellion's demurrer, the Court granted the Parties'
9 stipulation to stay all claims against Accellion pending a proposed settlement before the Hon. Edward J.
10 Davila in a federal action that brought similar claims against Accellion: *Fehlen v. Accellion*, Case No.
11 5:21-cv-01353-EJD (N.D. Cal.). The settlement motion in *Fehlen* was later terminated on September 8
12 after that case was consolidated with several other federal cases and the court requested leadership
13 applications in the newly consolidated action: *In re Accellion, Inc. Data Breach Litigation*, Case No.
14 5:21-cv-01155-EJD (N.D. Cal.) ("*In re Accellion*"). On February 10, 2023, Judge Davila appointed
15 Girard Sharp LLP and Susman Godfrey LLP to serve as interim lead class counsel in *In re Accellion*.

16 28. On February 15, Plaintiffs and Accellion stipulated to the voluntary dismissal of all claims
17 against Accellion in this action without prejudice to Plaintiffs' ability to refile any of their claims in *In*
18 *re Accellion*. The Court granted the stipulation and dismissed claims against Accellion on February 26,
19 2024.

20 29. On February 16, 2022, the Parties stipulated to withdraw the hearing on UC Regents'
21 demurrer to the Consolidated Complaint, toll UC Regents' deadline to respond to the Consolidated
22 Complaint, and hold formal discovery in abeyance pending settlement discussions. The Court granted
23 the stipulation on March 9, 2022.

24 30. After an informal exchange of documents and information to inform settlement
25 discussions, Plaintiffs and UC Regents mediated with retired judge Charles (Tim) McCoy on July 11.
26 The Parties continued their discussions and continued to exchange information after the July 11 mediation
27 but did not reach agreement. Accordingly, on November 15, 2022, Plaintiffs and UC Regents requested
28

1 that the Court reset the hearing for UC Regents' motion to strike and demurrer. Plaintiffs also requested
2 that formal discovery between Plaintiffs and UC Regents resume in full. The Court lifted the stay as to
3 Regents on November 29, 2022.

4 31. After receiving supplemental briefing from both Plaintiffs and UC Regents, the Court
5 issued a tentative ruling on UC Regents' Demurrer and Motion to Strike on January 9, 2023. The Court
6 held a hearing on January 10, after which it took the matter under submission.

7 32. On March 1, 2023, the Court issued a final ruling on UC Regents' Demurrer and Motion
8 to Strike Plaintiffs' Consolidated Class Action Complaint. The Court sustained UC Regents' demurrer
9 as to the CRA claim, but overruled UC Regents' demurrers as to the CMIA, IPA and Invasion of Privacy
10 claims. The Court granted UC Regents' Motion to Strike references to Civil Code 56.10(a) and (e) with
11 leave to amend but denied the Motion to Strike the request for CMIA statutory damages under Civil Code
12 56.36.

13 33. On March 24, 2023, Plaintiffs filed their First Amended Consolidated Complaint, which
14 was amended in response to the Court's ruling on UC Regents' Demurrer and removed the CRA claims
15 as to UC Regents and the Civil Code section 56.10 claim. UC Regents answered the First Amended
16 Complaint on May 3, 2023.

17 34. On June 30, 2023, pursuant to Code of Civil Procedure section 1008(b), UC Regents
18 renewed its motion to strike Plaintiffs' request for nominal damages under Cal Civ. Code § 56.36.
19 Plaintiffs opposed the motion on July 31, and the Court issued a tentative ruling denying the motion on
20 August 24. UC Regents contested the tentative and the Court heard argument on August 25. The court
21 denied UC Regents' motion on October 4, 2023.

22 35. On July 16, 2024, Plaintiffs filed the Second Amended Consolidated Complaint ("SAC").
23 The SAC included Plaintiff Elizabeth Montoya, who responded to the UCUES survey with sensitive
24 medical information that was exposed on the dark web and is a member of the CMIA subclass. On the
25 same date, the Court granted the Parties' stipulation to voluntarily dismiss the individual claims of former
26 plaintiff Arielle Fields.

1 36. On August 23, 2024, the Court granted the Parties’ stipulation to voluntarily dismiss the
2 individual claims of former plaintiff Steve Goldfield.

3 37. After conferring with UC Regents, Plaintiffs filed a Third Amended Consolidated
4 Complaint on August 27, 2024 asserting the CMIA claim only on behalf of Ms. Montoya and the
5 proposed subclass she represents.

6 38. Plaintiffs conducted comprehensive discovery during this case, including:

7 a. Serving 48 document requests, four special interrogatories and a set of form
8 interrogatories, and 11 requests for admission on UC Regents.

9 b. Conferring and negotiating amended responses and supplemental productions
10 from UC Regents;

11 c. Negotiating search terms and custodians for production of documents by both
12 Regents and Plaintiffs;

13 d. Reviewing, analyzing, and coding nearly 100,000 pages of documents produced
14 by UC Regents, including approximately 38,601 pages of documents exposed by the Data Breach that
15 were produced and reviewed on a secure laptop.

16 e. Reviewing, analyzing, and coding approximately 7,500 pages of documents
17 produced by Accellion.

18 f. Serving UC Regents with a deposition notice pursuant to CCP section 2025.010,
19 negotiating the scope of topics, and conducting the deposition on July 10, 2024;

20 g. Taking depositions of four current and former UC Regents employees;

21 h. Serving subpoenas on three non-party entities that UC Regents retained to
22 investigate the Data Breach;

23 i. Setting up an electronic document review platform to review documents produced
24 by UC Regents and non-parties;

25 j. Preparing responses to UC Regents’ discovery requests on behalf of each
26 Plaintiff, including ten requests for production, eight special interrogatories, and a set of form
27 interrogatories, propounded on each Plaintiff; and
28

1 k. Gathering, reviewing, and producing Plaintiffs' documents in response to UC
2 Regents' document requests.

3 39. After extensive conferral and an informal discovery conference with the Court, Regents
4 produced copies of all of the records exposed in the Data Breach on a secure laptop. The laptop was
5 modified such that all ports were disabled and it could not access the internet. Accordingly, each of the
6 nearly 40,000 documents had to be reviewed manually without the assistance of a document review
7 platform or any other tools, such as global searches. Native documents, such as spreadsheets containing
8 thousands of rows of data, could not be manipulated, which made it particularly difficult to review
9 UCUES responses. During the course of the review, Plaintiffs identified over 8,000 Class members who
10 they contend had their medical information exposed in the Data Breach, which formed the basis for
11 Plaintiffs' CMIA claims.

12 40. Plaintiffs also retained and worked closely with experts in the fields of cybersecurity,
13 economics, and forensic accounting. Plaintiffs worked with experts to develop damage models based on
14 calculating the value of time spent remediating the consequences of the data breach based on a "market
15 rate," as well as models measuring the lost value of plaintiffs' PII.

16 41. The Parties also briefed several discovery disputes and appeared before the Court under
17 the Court's Informal Discovery Conference procedure. After the Parties submitted letters regarding UC
18 Regents' production of documents in response to certain of Plaintiffs' requests, the Court held Informal
19 Discovery Conferences on May 24, June 15, and June 29, 2023. The Parties submitted a joint statement
20 prior to each Conference and the Court issued Orders following each Conference. UC Regents then made
21 two additional document productions and the parties agreed on the form of a privilege log. In April 2024,
22 the Parties briefed a dispute concerning production of documents and testimony regarding prior data
23 breaches experienced by UC Regents, and in June 2024, the Parties briefed a dispute concerning UC
24 Regents' attempt to clawback purportedly privileged documents.

25 42. Plaintiffs were due to file Class Certification by October 17, 2024 and had begun drafting
26 their brief and working with experts on their reports, but this work was put on hold after the Parties
27 reached a settlement agreement in principle on October 1, 2024.

43. On February 5, 2025, Plaintiffs filed a Fourth Amended Consolidated Complaint to conform the Class definitions to the terms of the Settlement Agreement, which proposes to resolve claims for class members nationwide.

SETTLEMENT NEGOTIATIONS

44. The Parties engaged in extensive, arm's-length negotiations over the course of more than two years that included mediation sessions on July 11, 2022 with mediator Hon. Charles W. McCoy (Ret.) and on August 29, 2024 with Hon. Diane M. Welsh (Ret.).

45. Ahead of the mediation session, the Parties prepared comprehensive mediation briefs. In addition, Plaintiffs requested, and UC Regents provided as part of settlement negotiations, information regarding the scope of the Data Breach and persons affected. Plaintiffs also obtained and analyzed relevant insurance policies.

46. Before any terms were negotiated, Plaintiffs had a thorough understanding of the composition of the Settlement Class, the nature of UC Regent's anticipated defenses on the merits, the likely nature of arguments that would be advanced at class certification, summary judgment, and trial, and the complex technical issues surrounding the claims and defenses.

47. The Parties ultimately reached an agreement in principle on October 1, 2024. Since then, the Parties continued to discuss the details and exchanged multiples drafts of the Settlement Agreement with revisions and comments, before ultimately executing the Settlement Agreement on February 5, 2025.

48. The Parties also collaborated on the logistics and substance of the Notice Plan. Plaintiffs' Counsel obtained and negotiated bids from five well-established, experienced, and highly regarded class action notice and administration firms. As a result, Plaintiffs maximized the amount that would be available to the Settlement Class for payment of claims, by minimizing the notice and administration costs, while ensuring that the notice and administration plan complied with all federal and state rules and guidelines and due process requirements.

1 **PRELIMINARY APPROVAL AND AMENDED SETTLEMENT AGREEMENT**

2 49. On February 6, 2025, Plaintiffs' Counsel submitted their motion for preliminary approval
3 of the Settlement. The Court issued a supplemental briefing order on April 22, 2025. The Parties
4 cooperated to respond to the Court's order and address the Court's questions on the following three
5 issues: (1) clarification on the scope of the release for absent class members; (2) the mechanics of the
6 notice and distribution process; and (3) the number of days given to absent class members to cash checks.
7 The Parties also filed an amended Settlement Agreement pursuant to the Court's recommendations.

8 50. On June 10, 2025, the Court issued an Order granting preliminary approval of the
9 settlement.

10 **SETTLEMENT TERMS AND DISTRIBUTION OF THE SETTLEMENT FUND**

11 51. The proposed Settlement Class is defined as:

12 The approximately 353,265 persons whose information was in UCOP's electronic
13 information systems and was compromised as a result of the 2020-21 breach of
14 UCOP's instance of Accellion's FTA. Excluded from the Settlement Class are (1)
15 the Judge(s) presiding over the Action, and members of their families; (2) the
16 Defendant, its subsidiaries, parent companies, successors, predecessors, and any
17 entity in which the Defendant has a controlling interest and its current or former
18 officers and directors; (3) the successors or assigns of any such excluded Persons;
19 and (4) individuals who settled with the Defendant any and all claims relating to
20 the FTA Data Breach, including Mark Clark.

21 52. In exchange for the Settlement's benefits, all Settlement Class Members who do not opt-
22 out of the Settlement will release any claims against Defendants based on the same set of operative facts
23 alleged in the Complaint.

24 53. The Settlement provides for a non-reversionary cash fund of \$5,800,000. All Settlement
25 Class Members are eligible to receive cash payments from the fund, and CMIA Subclass Members are
26 eligible to receive an additional Statutory Payment from the fund. The Settlement Fund will be used to
27 pay: (i) all Administrative Expenses; (ii) any Taxes; (iii) any Service Awards; (iv) any Fee Award and
28 Costs; (v) any Statutory Payments; (vi) any Fraud/Out-of-Pocket Costs/Time Payments; (vii) any Pro
Rata Payments; and (viii) any other Settlement Benefits.

1 54. The Parties have identified approximately 8,600 Settlement Class Members who could
2 potentially be CMIA Subclass Members. CMIA Subclass Members who submit a claim will
3 automatically receive a Statutory Payment of \$150.

4 55. After all Statutory Payments have been distributed to eligible class members, all
5 Participating Settlement Class Members, including Settlement Class Members who receive a Statutory
6 Payment, are eligible to receive a cash payment of up to \$10,000 for reimbursement of Fraud/Out-of-
7 Pocket Costs and/or Documented Time fairly traceable to the Data Breach. Claims for Fraud/Out-of-
8 Pocket Costs and Documented Time must be supported by Reasonable Documentation, must have been
9 incurred on or after December 24, 2020, and must relate to the type of PII and/or PHI disclosed in the
10 Data Breach. In addition, claims for Documented Time must demonstrate an expenditure of over five (5)
11 hours of Documented Time. Eligible claims for Documented Time will be paid at the rate of \$30 per
12 hour.

13 56. In the event that the aggregate amount of all Fraud/Out-of-Pocket Costs/Time Payments
14 exceeds the total amount of the Net Settlement Fund less the Statutory Payments, then the value of the
15 Fraud/Out-of-Pocket Costs/Time Payments to be paid to each Participating Settlement Class Member
16 shall be reduced on a pro rata basis, such that the aggregate value of all Fraud/Out-of-Pocket Costs/Time
17 Payments does not exceed the Net Settlement Fund. In such an event, no Net Settlement Funds will be
18 distributed to Participating Settlement Class Members with Approved Claims for Pro Rata Payments.

19 57. In the event that the aggregate amount of all Fraud/Out-of-Pocket Costs/Time Payments
20 does not exceed the Net Settlement Fund less Statutory Payments, then the remaining Net Settlement
21 Fund will be divided pro rata among all Participating Settlement Class Members to make the Pro Rata
22 Payments so that each Participating Settlement Class Member receives an equal share of the remaining
23 Net Settlement Fund after all other Settlement Benefits have been paid out of the Settlement Fund. If the
24 Pro Rata Payment to each Participating Settlement Class Member receiving that benefit would be less
25 than five dollars and no cents (\$5.00), the remaining Net Settlement Fund will be divided equally among
26 only those Participating Settlement Class Members that received a Statutory Payment or a Fraud/Out-of-
27 Pocket Costs/Time Payment.

58. To the extent any monies remain in the Net Settlement Fund more than 130 days after the distribution of Settlement Payments to the Participating Settlement Class Members, a subsequent Settlement Payment will be made, *pro rata*, to all Participating Settlement Class Members with Approved Claims who deposited or claimed their Settlement payment. If, at the discretion of the Settlement Administrator in consultation with the parties, the amount of a subsequent Settlement Payment distribution would be too small to make individual distributions to Participating Settlement Class Members economically viable, the remaining Net Settlement Fund shall be distributed to the Non-Profit Residual Recipient subject to Court approval of a final accounting.

59. The parties have selected EPIC (Electronic Privacy Information Center), a 26 U.S.C. § 501(c)(3) non-profit organization whose work relates directly to the subject matter of the Action, as the Non-Profit Residual Recipient. Class Counsel have no personal interest or involvement in the governance or work of EPIC.

60. Participating Settlement Class Members will have the option of receiving Settlement Payments via check or electronic payment.

61. As of September 12, 2025, the number of people who have filed valid claims is 17,002, resulting in a claims rate of 4.74%. The Administrator has received 172 CMIA Statutory Payment claims, 419 Fraud/Out-of-Pocket Costs claims, and 3,432 Documented Time claims. Accordingly, if payments were distributed now and assuming Plaintiffs' fee, expense, and service award requests are granted in full, I estimate pro rata payments to each participating class member of \$178.28

THE SETTLEMENT AMOUNT

62. Plaintiffs believe the \$5,800,000 settlement is a favorable result in relation to their potential recoverable damages had they obtained class certification and prevailed at trial. Plaintiffs' operative complaint advances claims for violations of the CMIA and IPA as well as common law claims for negligence and invasion of privacy.

63. The CMIA provides for nominal statutory damages of \$1,000 for each person who can demonstrate that their medical records were negligently released in violation of the statute. The parties identified approximately 8,600 Class Members who could allege their medical information was exposed in

1 violation of the CMIA, which would amount to an \$8.6 million recovery if those claims were certified and
2 prevailed through trial and appeal. But the CMIA claims faced substantial risk. Regents twice moved to
3 strike the claim for statutory damages based on public entity immunity under Government Code section
4 818, and even though the Court upheld the claim, Regents expressed its intent to appeal the ruling. Plaintiffs
5 would further need to prove that information exposed in the data breach qualified as “medical information”
6 under the statute, a point that Regents vigorously disputed. The majority of the 8,600 class members had
7 alleged medical information exposed in the form of their responses to UCUES. Regents disputed that these
8 survey responses constituted medical information or that Regents was acting as a provider of health care
9 under Civil Code section 56.06 in connection with its administration of the survey. While Plaintiffs are
10 confident they would prevail on these points, Regents’ arguments present substantial risk. By contrast, the
11 Settlement provides every CMIA Subclass member with a payment of \$150 after simply submitting a claim
12 to verify their contact information and payment method.

13 64. Unlike the CMIA, the IPA, negligence, and invasion of privacy claims would require
14 Plaintiffs to prove actual damages. Plaintiffs would submit expert testimony to present these damages as
15 a function of (1) the additional time Class Members have been forced to spend remediating the
16 consequences of the Data Breach, (2) the costs associated with the increased risk of fraud and identity
17 theft faced by Class Members, or (3) the diminution in value of Class Members’ personal information as
18 a result of its unauthorized release. While Plaintiffs worked carefully with leading experts to develop
19 these damages methodologies, they are relatively untested and would be hotly contested by Regents.
20 Even assuming Plaintiffs prevailed at trial, if the Court required any form of individualized damage
21 prove-up process, Class Counsel believe such a victory would be Pyrrhic because individual Class
22 members would likely find it difficult to come forward to establish whether or not they ultimately suffered
23 any damage depending on whether they spent time remediating the effects of the breach or suffered
24 identity theft. In contrast, the claims procedure made available under the Settlement offers substantial
25 recoveries to consumers who make the minimal effort needed to submit a claim.

26 65. The operative Complaint seeks injunctive relief to remediate Defendant’s deficient cyber
27 security. The Settlement fully covers the intangible value of this injunctive relief through the Enhanced
28

1 Cybersecurity measures that Regents has agreed to undertake in connection with the Settlement. Thus,
2 the value of the Settlement amounts to \$5,800,000 plus the value of the Enhanced Cybersecurity measures
3 and provides immediate relief to Class Members compared to the risk and uncertainty of continued
4 litigation.

5 **THE SETTLEMENT ADMINISTRATOR**

6 After soliciting competing bids in an effort to achieve the best deal for the class for administration
7 of the Settlement, I, along with the other Plaintiffs' Counsel, negotiated an agreement with CPT Group
8 ("CPT"), under which CPT has agreed to cap the cost for administration at \$405,600. The Court
9 appointed CPT as the Settlement Administrator in its order granting Plaintiffs' preliminary approval
10 motion. Thus far, CPT has incurred \$150,012.45 in expenses associated with notifying Class Members
11 and administering the Settlement, and anticipates it will incur approximately \$27,987.55 in additional
12 administration costs if a redistribution is economically viable, or \$13,987.55 in additional costs if
13 redistribution is not required. All payments to the Settlement Administrator from the Settlement Fund are
14 subject to prior Court approval. The Settlement Administrator will provide updated declarations
15 regarding its fees and expenses in connection with Plaintiffs' Reply brief and after distribution to eligible
16 Class Members.

17 66. Plaintiffs' Counsel worked closely with the Settlement Administrator to format the Claim
18 Form and Notice in a manner that maximizes the likelihood they will be received and understood by
19 Class Members.

20 67. The Claim Form was drafted in plain English for comprehension and ease of use by
21 potential Class Members. The Settlement Administrator has established and maintained a Settlement
22 Website with the domain name <https://www.regents-accelliondatabreachsettlement.com/>. The Settlement
23 Website includes the Notice, the Settlement Agreement, the Preliminary Approval Order, other relevant
24 case documents, a set of frequently asked questions, and information on how to object or opt out, as well
25 as contact information for Plaintiffs' Counsel and CPT. The Settlement Website also includes a readily
26 accessible means for Class members to submit a Claim Form electronically. The Settlement
27 Administrator has also established a tollfree telephone number where Class Members can obtain
28

1 assistance and receive instructions for accessing settlement-related information, the Claim Form, and
2 case documents. The accompanying Declaration of Jennifer Forst on behalf of CPT Group, Inc.
3 Regarding Settlement Administration And In Support of Plaintiffs' Unopposed Motion for Final
4 Approval of Settlement ("Forst Decl.") provides additional detail regarding notice and administration.

5 **NOTICE ADMINISTRATION**

6 68. According to UC Regent's records, CPT identified a "Class List" of 358,541 records,
7 including 8,098 CMIA Subclass individuals.

8 69. The Claims Administrator provided notice as detailed in the accompanying Forst Decl. to
9 those identified in the Class List.

10 70. Notice is also posted on the Settlement Website, and the Settlement Administrator
11 provided a toll-free number and email address that Class Members can use to receive assistance for filing
12 a claim.

13 71. CPT believes notice was successfully disseminated to 98.52% Class Members, which
14 equates to a success rate of 4.74% to-date

15 **PLAINTIFFS' COUNSEL'S SETTLEMENT ADMINISTRATION ACTIVITIES TO DATE**

16 72. Plaintiffs' Counsel has worked (and continues to work) diligently with CPT to resolve
17 any questions or concerns raised by Claimants or respond directly to Claimants who have contacted
18 Plaintiffs' Counsel with questions or concerns.

19 73. As part of these efforts, Plaintiffs' Counsel has, as of September 12, 2025, received and
20 promptly responded to 31 inquiries from potential Class Members.

21 74. Given the ongoing nature of these inquiries, Plaintiffs' Counsel continues to spend time
22 assisting Class Members and supervising the administration of the settlement.

23 **ATTORNEYS' FEE AWARD**

24 75. Plaintiffs seek 33% of the fund in attorneys' fees for a fee of \$1,914,000. Plaintiffs'
25 Counsel's total lodestar, through January 31, 2025, is approximately \$2,938,361.80 using current rates
26 and representing 4,452.15 hours of work on this matter.²

27 _____
28 ² Plaintiffs' Counsel's total lodestar includes the attorneys' fees incurred by all law firms appointed to the
Executive Committee, as well as Zimmerman Reed LLP.

76. Class Members were given notice of the request for attorneys' fees, litigation expenses, and service awards in the Long Form Notice on the Settlement Website. The Long Form Notice states that Plaintiffs' Counsel will seek attorneys' fees of up to 33% of the Settlement Fund, litigation expenses, and service awards of up to \$2,500 for each of the Plaintiffs. Plaintiffs' motion for attorneys' fees, expense reimbursements, and service awards will be posted on the Settlement Website promptly after this filing and hence will be available for any class member to review thirty-five days before the objection deadline, October 20, 2025.

77. Plaintiffs' Counsel's lodestar reflects the determined and sophisticated defense mounted by UC Regents and its experienced counsel. I, along with the other Plaintiffs' Counsel prosecuting this case, have significant experience prosecuting data breach consumer class actions and we are well-informed of the legal claims at issue and the risks of this case. Plaintiffs' Counsel have been involved as lead counsel, liaison counsel, or co-counsel in many large data breach and class action cases in the country, resulting in a multitude of beneficial results to class members in California and throughout the United States. The parties reached settlement only after several mediation sessions, extensive discovery, and multiple rounds of demurrer and motion to strike briefing.

78. Through September 12, 2025, Girard Sharp LLP has dedicated approximately 3562.6 hours to prosecuting this case on behalf of Plaintiffs and the Class, with a resulting lodestar of \$2,306,739. The lodestar for Girard Sharp LLP is broken down in the following chart, and the lodestar breakdown for other counsel appointed to the Executive Committee in this litigation is included in the declarations filed herewith. (Exs. 1-2, Ex. A; Ex. 3 ¶¶5-7.) The lodestar attributable to timekeepers with fewer than 10 hours were excluded, as was non-billable time:

Timekeeper	Position	Rate	Hours	Lodestar
Girard, Daniel	Partner	\$1,195.00	54.1	\$64,496.50
Polk, Adam	Partner	\$1,025.00	146.9	\$140,545.00
Elias, Jordan	Partner	\$1,050.00	185.7	\$174,420.00
Grille, Simon	Partner	\$925.00	1008.5	\$796,142.50
Tan, Trevor	Partner	\$950.00	574	\$417,842.50

Timekeeper	Position	Rate	Hours	Lodestar
Applegate, Renee	Associate	\$250.00	128.8	\$32,200.00
Collur, Samhita	Associate	\$550.00	108.2	\$59,150.00
Dhawan, Namita	Associate	\$700.00	93.3	\$65,310.00
Kalonia, Maya	Associate	\$250.00	68.9	\$17,225.00
Limbach, Cole	Associate	\$500.00	87.5	\$217,500.00
Macey, Kimberly	Associate	\$500.00	226.5	\$104,182.50
Palumbo, Kristen	Associate	\$875.00	35.7	\$31,237.50
Quackenbush, Kyle	Associate	\$700.00	160.2	\$104,275.00
Teuscher, Ellen	Associate	\$250.00	38.6	\$9,650.00
von Goetz, Anne-Michele	Litigation Secretary	\$300.00	42.7	\$10,085.00
Montoya, Marie	Litigation Secretary	\$300.00	18.9	\$5,100.00
Park, Rachel	Litigation Assistant	\$300.00	149.1	\$37,690.00
Limbach, Cole	Litigation Assistant	\$225.00	435	\$19,687.50
Totals:			3562.6	\$2,306,739.00

79. Girard Sharp LLP's hourly rates range from \$250 to \$1,195 for attorneys and \$225 to \$300 for all litigation staff. Girard Sharp sets their rates based upon their regular monitoring of prevailing market rates for attorneys of comparable skill, experience, and qualifications, and Plaintiffs' Counsel's professional rates have been repeatedly approved by California courts. (See, e.g., *In re Capacitors Antitrust Litigation* (N.D. Cal., Sept. 15, 2020, No. 3:14-CV-03264-JD) 2020 WL 6813220, at *4, *report and recommendation adopted* (N.D. Cal., Nov. 7, 2020, No. 3:14-CV-03264-JD) 2020 WL 6544472; *In re Nexus 6P Products Liab. Litig.*, (N.D. Cal. Nov. 12, 2019, No. 17-cv-02185-BLF, ECF No. 225); *Weeks v. Google LLC*, (N.D. Cal. Aug. 30, 2019, No. 18-cv-00801), ECF No. 184.) The rates for the other firms appointed to the Executive Committee have also routinely been approved by courts. (Exs. 1-2 ¶ 5; Ex. 3 ¶ 7.)

80. The Parties have reached no agreement on the amount of fees and expenses to be sought by Plaintiffs' Counsel. There is no "clear sailing" agreement.

81. Plaintiffs' Counsel's lodestar will further increase in the months to come as a result of ongoing work responding to class member inquiries, preparing the reply in support of Plaintiffs' motions for final approval and for attorneys' fees, expense reimbursement, and service awards, preparing for and attending the Final Fairness Hearing, supervising the Settlement Administrator's work, including with respect to distribution of the Settlement Fund.

LITIGATION EXPENSES

82. Plaintiffs will seek reimbursement of case expenses, which include expert witness fees, in an amount of \$169,295.58.³

83. Plaintiffs' Counsel's billing rates do not reflect charges for litigation expenses. Expense items are billed separately; such charges are not duplicated in the firm's lodestar.

84. As of September 12, 2025, Girard Sharp has incurred \$161,362.83 in litigation expenses. Girard Sharp advanced a variety of out-of-pocket expenses in furtherance of the prosecution of this litigation. Below is an itemized list of the unreimbursed expenses that Girard Sharp has incurred in this litigation:

Expense Category	Amount
Court/Filing Fees	\$3,400.66
Professional Fees	\$65,322.50
Advertising	\$5,901.89
Ground Transportation	\$1.50
Meals	\$26.93
Mediation/Arbitration	\$17,975.00
Telephone/Facsimile	\$179.10
Postage/Express Delivery Messenger	\$6,483.12

³ Plaintiffs' Counsel's total reimbursement request includes the case expenses incurred by all firms appointed to the Plaintiffs' Executive Committee, as well as Zimmerman Reed LLP.

Expense Category	Amount
Copies/Prints – Internal	\$890.10
Court Reporters/Transcripts	\$21,665.95
Computer research	\$39,516.08
Total:	\$161,362.83

The expenses incurred by other counsel appointed to the Executive Committee and involved in this litigation are summarized in the counsel declarations filed herewith. (Exs. 1-2, Ex. B.)⁴

85. The costs and expenses summarized in the paragraphs above were reasonably and necessarily incurred in furtherance of the prosecution of this case, were advanced by Plaintiffs' Counsel on behalf of Plaintiffs and the Class and have not been reimbursed. They are reflected in Plaintiffs' Counsel's books and records, which are prepared from expense vouchers, check records, invoices, and other source materials, copies of which will be made available upon the Court's request. Third party expenses are not marked up, meaning that the Plaintiffs' Counsel requests reimbursement only for the amount actually billed by the third party. Plaintiffs' Counsel may incur additional expenses in connection with the final approval hearing and settlement administration. Plaintiffs' Counsel respectfully reserves the right to seek reimbursement for those expenses.

SERVICE AWARDS

86. Plaintiffs ask the Court to approve service awards in the amount of \$2,500 for each of the six (6) Settlement Class Representatives: Miguel Ochoa, Jamie McDole, Alvaro Galvis, Rose Becker, Karlina Chavez, and Elizabeth Montoya

87. Each Plaintiff devoted considerable time to this case, including by assisting counsel in preparing the complaints, communicating with Plaintiffs' Counsel about case developments, responding to written discovery requests, gathering and producing documents, and working with Plaintiffs' Counsel to obtain preliminary approval of the Settlement.

88. Throughout the Action, proposed Settlement Class Representatives diligently represented and pursued the interests of the Class. The Settlement Class Representatives provided extensive

⁴ Zimmerman Reed LLP has not incurred any litigation expenses.

information regarding the harms they suffered as a result of the Data Breach, including providing all necessary paperwork and documents. The Settlement Class Representatives also remained in contact with Plaintiffs' Counsel throughout the litigation, promptly responding to our inquiries for further information and communicating with Plaintiffs' Counsel to keep up to date on the status of the Litigation. Each of the Settlement Class Representatives responded to Requests for Production of Documents and Interrogatories propounded by UC Regents and searched for and produced relevant documents. The Settlement Class Representatives also communicated with Plaintiffs' Counsel regarding the terms of the Settlement and reviewed the Settlement Agreement.

89. After deduction of the requested attorneys' fees and costs, the maximum amount CPT estimates it will need to complete the claims administration process (\$178,000), and the service awards (\$15,000), approximately \$3,523,704.42 million would remain in the Settlement Fund.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed this 15th day of September 2025.

/s/ Simon S. Grille

Simon S. Grille

EXHIBIT 1

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

GIRARD SHARP LLP

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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,
JAMIE MCDOLE, ALVARO GALVIS,
ROSE BECKER, and KARLINA CHAVEZ,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

Lead Case No. RG21097796
Consolidated with Case Nos. RG21107152,
RG21107777

[Assigned for all purposes to:
Judge: Hon. Somnath Raj Chatterjee]

**DECLARATION OF M. ANDERSON
BERRY IN SUPPORT OF MOTIONS FOR
FINAL APPROVAL AND AWARD OF
ATTORNEYS' FEES AND EXPENSES**

Date: December 9, 2025
Time: 2:30 p.m.
Dept.: 21
Reservation ID Nos. 561047834633 and
908232200371

Action Filed: April 27, 2021

1 I, M. Anderson Berry, declare as follows:

2 1. I am the head of the Complex Litigation Department of the firm Clayeo C. Arnold, A
3 Professional Corporation (“Arnold Law Firm” or the “Firm”). I submit this declaration, based on my
4 personal knowledge and my review of the books and records of my Firm, in support of Plaintiffs’
5 motions for final approval and for an award of attorneys’ fees and expenses in connection with
6 services rendered in the above-captioned action (the “Action”). If called upon, I could and would
7 competently testify to the contents of this Declaration.

8 2. I am counsel of record to Plaintiff and Class Representative Rose Becker and am a
9 Court-appointed member of the Executive Committee for the proposed Class.

10 3. The information in this declaration regarding my Firm’s time and expenses derives
11 from contemporaneous time and expense reports and supporting documentation prepared and/or
12 maintained by the Firm in the ordinary course of business. I am the head of the Complex Litigation
13 Department at Arnold Law Firm who oversaw and conducted the day-to-day litigation activities in
14 this Action, and I reviewed these reports (and backup documentation where necessary or appropriate)
15 in connection with preparing this declaration. The purpose of this review was to confirm both the
16 accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses
17 committed to the Action. Through my periodic review, I exercised billing judgment, and where
18 necessary, reduced both time and expenses. Based on this review, I believe that the time reflected in
19 the Firm’s lodestar calculation and the expenses for which reimbursement is sought are reasonable
20 and were necessary for the effective and efficient prosecution and resolution of the Action.

21 4. The Firm’s professionals dedicated a total of 284.2 hours to the Action. A breakdown
22 of the lodestar is provided in the attached **Exhibit A**, and detailed time records are available at the
23 Court’s request. The lodestar amount for attorney and paraprofessional time based on the Firm’s 2025
24 rates is \$191,448.80.

25 5. The hourly rates shown in **Exhibit A** are the Firm’s current rates set by the Firm for
26 each professional. For personnel who are no longer employed by the Firm, the rate used for the
27 lodestar calculation corresponds to the rate for that person in his or her final year of employment.

These hourly rates are consistent with hourly rates recently submitted by the Firm to other courts supervising class action litigation. In addition, the Firm currently has hourly paying clients who also pay these rates. Courts have consistently approved Arnold Law Firm's rates.

CASE NAME	CASE NUMBER
<i>Geoff Hasbrook et al. v. EP Global Production Solutions</i>	No. 23STCV19711 (Cal. Super. Ct., Los Angeles)
<i>Timothy Ware v. San Geronio Memorial Hospital</i>	No. CVRI2301216 (Consolidated with: CVRI2301326, CVRI2301502, and CVRI2301677) (Cal. Super. Ct., Riverside)
<i>In Re: Fred Hutchinson Cancer Center Data Breach Litigation</i>	No. 23-2-24266-1 SEA (Wash. Super. Ct., King Cnty.)
<i>Sally McAuley, et al. v. Pierce College District</i>	No. 23-2-11064-7 (Wash. Super. Ct., King Cnty.)
<i>Eric Skinner v. United of Omaha Life Insurance Company</i>	No. D01CI240006396 (Neb. Dist. Ct., Douglas Cnty.)

6. The Firm's rates are set based on periodic analysis of rates charged by law firms performing comparable work both on the plaintiff and defense side.

7. The Firm requests an award of \$3,068.62 in reimbursement of expenses and charges reasonably advanced in furtherance of the prosecution of the Action. These expenses and charges are summarized by category in the attached **Exhibit B**.

8. The expenses pertaining to this case are reflected in the books and records of this Firm and will be provided at the Court's request. These books and records are contemporaneously prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

9. Additional information on my Firm and the background of its attorneys appears in the Arnold Law Firm Resumé attached hereto as **Exhibit C**.

///

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. Executed this 5th day of September, 2025, in Sacramento, California.

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4 /s/ M. Anderson Berry
M. Anderson Berry
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EXHIBIT A

UC Regents Data Breach Litigation, MAT-21073011988
Arnold Law Firm - Attorneys' Hours and Rates

Fees: Inception to August 28, 2025			
Timekeeper	Rate	Hours	Total Slip Values
Anderson Berry, Attorney	950	89.6	\$85,120.00
Gregory Haroutunian, Attorney	825	51.1	\$42,157.50
Brandon P. Jack, Attorney	625	58	\$36,250.00
Leslie Guillon, Attorney	625	2.0	\$800.00
Alex Sauerwein, Attorney	550	8.9	\$3,560.00
Michelle Zhu, Attorney	475	3.5	\$1,662.5
Lori Martin, Paralegal	308	16.1	\$4,958.80
Bianca Marentes, Paralegal	308	34.9	\$10,749.20
Olya Velichko, Paralegal	308	20.1	\$6,190.80
Total:		281.9	\$191,448.80

EXHIBIT B

UC Regents Data Breach Litigation, MAT-21073011988
Arnold Law Firm - Attorneys' Fees and Costs

Costs: Inception to August 28, 2025		
Category	Description	Cost
Court Costs	Filing Fees, Court copies	\$2,286.99
Postage	Postage, Federal Express	\$76.02
Research	Westlaw	\$705.61
	Total:	\$3,068.62

EXHIBIT C



Arnold Law Firm Biography

Sacramento Office

865 Howe Avenue
Sacramento, CA 95825
916-777-7777
916.239.4778 (d)
415.595.3302 (c)

Los Angeles Office

12100 Wilshire Boulevard
Suite 800
Los Angeles, CA 90025
Phone: 747.777.7748

justice4you.com



Founded in 1975 by Clayeo C. Arnold, the Arnold Law Firm is a litigation-oriented practice with locations in Sacramento and Los Angeles, California. In keeping with its founding principles, our firm consciously works for the interests of individual people and small businesses — not for large corporations or insurance companies.

The Arnold Law Firm prosecutes class action, mass tort, *qui tam*, product defect, employment, and personal injury cases. We pride ourselves on being a practice of trial lawyers, typically trying a minimum of ten cases per year to verdict. In addition to our practice throughout the state of California in both state and federal courts, we also pursue class action, *qui tam* and multi-district litigation claims on a nationwide basis.

Our team of ten attorneys collectively encompass a broad and diverse professional background, including plaintiff contingency work, public entity representation, criminal defense, and civil defense. We have current and past board members of Capital City Trial Lawyers Association, as well as members of numerous prestigious professional organizations, including the American Board of Trial Advocates, American Association for Justice, Association of Trial Lawyers of America, Sacramento County Bar Association, and Consumer Attorneys of California.

Our firm's operating structure is comprised of multiple teams directed towards specific practice areas. These teams regularly and intentionally collaborate and exchange information between their practice areas to improve the quality of representation for all of our clients.



Arnold Law Firm Biography

(continued)

For over four decades the Arnold Law Firm has developed a respected and extensive network of co-counsel and experienced contract counsel to rapidly expand our capabilities as necessary on an *ad hoc* basis (e.g., document review). We employ a robust staff of highly qualified and experienced legal staff including assistants and paralegals to ensure that attorney time is spent in the most efficient manner possible.

The Arnold Law Firm employs technology to increase productivity thereby resulting in more efficient and effective legal representation and driving excellent results on behalf of its clients. Specifically, the firm increases its efficiency by using numerous forms of legal and practice management software including template software, client management software, and secure internet-based client management for mass tort or multi-plaintiff litigation. We also invest in appropriate billing and tracking software for contemporaneous hourly record keeping.

The Arnold Law Firm places substantial value on representing clients in a manner that is both effective and courteous. Integrity with clients, the courts, and adverse counsel are all considered to be as indispensable as successful results.

Our highly accomplished counsel has a long history of successfully handling class actions across a range of industries, including data breach cases.



M. Anderson Berry Biography



The Arnold Law Firm has a proven track record of success and the ability to work efficiently and cooperatively with others. In addition, our firm has the availability and resources necessary to litigate complex class actions.

M. Anderson Berry

M. Anderson Berry heads the data breach complex litigation and *qui tam* practices for the Arnold Law Firm. He brings substantial experience in complex litigation matters with a history of litigating in an efficient and practical manner, including as Lead Class Counsel, Co-Lead Class Counsel, and as a member of numerous Plaintiffs' Executive Committees.

Mr. Berry has an extensive background in privacy and consumer/government fraud litigation, actively participating in a currently sealed False Claims Act case involving widespread cybersecurity fraud upon the United States, and the class action litigations filed in federal and state courts across the nation, set out below.

Before joining the Arnold Law Firm in 2017, Mr. Berry worked as an Assistant United States Attorney for the Eastern District of California. As part of the Affirmative Civil Enforcement unit, Mr. Berry handled a wide variety of complex cases and recovered millions of dollars for the United States.

Before working for the Department of Justice, Mr. Berry practiced at one of the world's largest law firms, Jones Day, where he represented clients in international arbitration and complex commercial litigation, including defending class action allegations.

Mr. Berry was first selected as the Northern California Super Lawyers Rising Star in 2015 in the field of complex civil litigation.



M. Anderson Berry Biography

(continued)

Mr. Berry attended the University of California, Berkeley, where he majored in English and graduated with highest honors. Mr. Berry was inducted into the Phi Beta Kappa Honor Society and served as President of the English Undergraduate Associate.

After working as a private investigator for both criminal and civil investigations in the San Francisco Bay Area, Anderson graduated from U.C. Berkeley School of Law, where he was a Senior Editor for both the *Berkeley Journal of Criminal Law* and *Berkeley Journal of International Law*.

He was admitted to the California Bar in 2009 and is admitted to practice in the Northern, Eastern, Southern and Central Districts of California. Mr. Berry is also admitted to practice in the Northern District of Illinois, the Eastern District of Michigan, the Northern and Southern Districts of Indiana, the Districts of Colorado and Nebraska, and the Fourth and Ninth Circuit Courts of Appeals.

Mr. Berry was raised in Moraga, California and now lives in Fair Oaks, California, with his wife and three young sons.

Select Data Breach Cases

In re: Fred Hutchinson Cancer Center Data Breach Litig., 23-2-24266-1 SEA (Wash Super, King) (**Co-Lead Counsel**)
Hasbrook v. EP Global Production Solutions, LLC, No. 23STCV19711 (Sup. Crt of CA, Los Angeles) (**Co-lead Counsel**)

In Re: Snap Finance Data Breach, 2:22-cv-00761-TS-JCB (D.UT.) (**Co-Lead Counsel**)

Ware v. San Geronio Memorial Hosp., CVRI2301216 (Sup. Crt of CA, Riverside) (**Co-Lead Counsel**)

In Re: Overby-Seawell Co. Customer Data Security Breach Lit., 1:23-md-03056-SDG (N.D. Ga.) (**Co-Lead Counsel**)
Holmes v. Elephant Insurance Company, et al., 3:22-cv-00487-JAG (E.D. VA.) (**Co-Lead Counsel**)

In Re: Arthur J. Gallagher Data Breach Litigation, 1:21-cv-04056 (N.D.Ill.) (**Co-Lead Counsel**)



M. Anderson Berry Biography

(continued)

In Re: CaptureRx Data Breach Litigation, 5:21-cv-00523
(W.D.TX.) (**Co-Lead Counsel**)

Rossi v. Claire's Stores, 1:20-cv-05090 (N.D. Ill.) (**Co-Lead Counsel**)

Desue v. 20/20 Eye Care Network, Inc. et al., 0:21-cv-61275 (S.D. Fla.) (**Executive Comm.**)

In re: Mednax Services, Inc. Customer Data Security Breach Litigation, 21-MD-02994 (S.D. Fl.) (**Executive Comm.**)

In re Lakeview Loan Servicing Data Breach Litigation,
Case No. 1:22-cv-20955-DPG (S.D. Fla.) (**Executive Comm.**)

Swan v. North American Breaker Company, LLC, Case No. 2:25-cv-02002-HDV-KES (C.D. Ca.) (**Co-Lead Counsel**)

Margul v. Evolve Bank & trust, Case No. 1:24-cv-03259-DDD (D. Co.) (**Co-Lead Counsel**)

Pace v. Omni Family Health, Case No. 1:24-cv-01277-JLT
(E.D. Cal.) (**Co-Lead Counsel**)

In re Avis Rent A Car System, LLC Security Incident Litigation, Case No. 2:24-cv-09243-JXN (D. N.J.) (**Co-Lead Counsel**)

Kersey v. Therapeutic Health Services, Case No. 24-2-17679-9 (Wash. Super., King Cty) (**Lead Counsel**)

Cordell v. Patelco Credit Union, Case No. 24CV082095
(Sup. Ct. Of CA, Alameda) (**Co-Lead Counsel**)

In re: Panera Data Security Litigation, Case No. 4:24-cv-847-HEA (E.D. Mo.) (**Co-Lead Counsel**)

In Re: CaptureRx Data Breach Litigation, Case No. 5:21-cv-00523 (W.D. Tx.) (**Co-Lead Counsel**)

Garcia v. Washington State Department of Licensing, Case No. 22-2-05635-5 (Wash. Super., King Cty) (**Co-Lead Counsel**)



M. Anderson Berry Biography

(continued)

Burgin et al. v. Housing Authority of the City of Los Angeles, No. 23STCV06494 (Super. Ct. of CA, Los Angeles)
(Co-Lead Counsel)

In re: Signature Performance Data Breach Litig., No. 8:24-cv-00230-BBCB-MDN (D. Neb.) **(Co-Lead Counsel)**

In re: Prospect Medical Holdings, Inc. Data Breach, No. 2:23-cv-03216-WB (E.D. Pa.) **(Co-Lead Counsel)**

In Re: Eureka Casino Breach Litig., No. 2:23-cv-00276-CDS-DJA (D. Nev.) **(Co-Lead Counsel)**

In re: Cerebral, Inc. Privacy Practices, No. 2:23-cv-01803-FMO (C.D. Ca.) **(Liaison Counsel)**

In re: Sequoia Benefits and Insurance Data Breach Litig., No. 3:22-cv-08217-RFL (N.D. Cal.) **(Executive Comm.)**

Smith v. Apria Healthcare, LLC, No. 1:23-cv-01003-JPH-KMB (S.D. Ind.) **(Executive Comm.)**

Dudurkaewa et al. v. Midfirst Bank, et al., 5:23-cv-00817-R (W.D. Ok.) **(Executive Comm.)**

Mcauley, et al. v. Pierce College District, No. 23-2-11064-7 (Wash Super., Pierce) **(Executive Comm.)**

In Re: Proliance Surgeons Data Breach Litig., No. 23-2-23579-7 SEA (Wash Super., King) **(Executive Comm.)**

Gates v. Western Washington Medical Group, No. 23-2-08498-31 (Wash Super., Snohomish) **(Executive Comm.)**

Hulse v. Acadian Ambulance Service, Inc., Case No. 6:24-cv-01011-DCJ (W.D. La.) **(Executive Comm.)**

In re Lakeview Loan Servicing Data Breach Litigation, Case No. 1:22-cv-20955-DPG (S.D. Fla.) **(Executive Comm.)**

In re Landmark Admin LLC Data Incident Litigation, Case No. 6:24-cv-082-H (N.D. Tx.) **(Executive Comm.)**

Garcia v. Set Forth, Inc., Case No. 24-CV-11688 (N.D. Ill.) **(Executive Comm.)**



Gregory Haroutunian Biography



Gregory Haroutunian

Gregory Haroutunian is the Senior Associate of the data breach complex litigation and *qui tam* practices for the Arnold Law Firm. He brings substantial experience in complex litigation matters with a history of litigating in an efficient and practical manner.

Mr. Haroutunian has an extensive background in complex litigation, privacy and consumer/government fraud litigation, actively participating in a currently sealed False Claims Act case involving widespread cybersecurity fraud upon the United States, and the class action litigations filed in federal courts across the nation, set out below.

Before joining the Arnold Law Firm in 2021, Mr. Haroutunian worked in diverse practices across the nation including litigating dozens of products liability medical device cases in state and federal courts throughout the country and employment and construction related complex class-action and surety bond litigations involving multi-million dollar settlements throughout New York and New Jersey.

Mr. Haroutunian attended Columbia College, Columbia University, where he majored in Political Science and served with the New York State Senate Minority Leader's Office.

After working as a paralegal for a small general litigation and elder law firm in New York City, Gregory attended the Georgetown University Law Center where he graduated *cum laude*. While at Georgetown Gregory held a year-long judicial internship under Chief Administrative Law Judge Ronnie A. Yoder of the United States Department of Transportation and served as a legal intern at the National Whistleblowers' Center and the firm Kohn, Kohn, & Colapinto where he had his first experiences in *qui tam* and fraud cases.

Work that Mr. Haroutunian did at Georgetown comparing and analyzing aviation regulations was subsequently published in the Law Journal of the Pacific.



Gregory Haroutunian
Biography (cont.)

He was admitted to the New Jersey and New York Bars in 2013 and the California Bar in 2020 and is admitted to practice in the Northern, Eastern, Southern, and Central Districts of California, the Southern and Northern Districts of New York, and the District of New Jersey. Mr. Haroutunian is also admitted to practice in the Southern and Northern Districts of Indiana and the District of Colorado.

Mr. Haroutunian has been separately appointed Lead Counsel or Liaison Counsel in the following matters:

In re F21 OPCO, LLC Data Breach Litigation, No. 2:23-cv-07390-MEMF-AGR (C.D. Cal.) (**Co-Lead Counsel**)

Benavides v. HopSkipDrive, Inc., No. 23STCV31729 (Cal. Super. LA County) (**Co-Lead Counsel**)

In re Avis Rent a Car System, LLC Security Incident Litigation, No. 2:24-cv-09243 (D.N.J.) (**Co-Lead Counsel**)

In re SAG Health Data Breach Litig., No. 2:24-cv-10503-MEMF-JPR (C.D. Cal.) (**Co-Lead Counsel**)

Accurso v. Western Electrical Contractors Assoc., No. 24CV017855 (Cal. Super. Sacramento County) (**Liaison Counsel**)

Mr. Haroutunian was raised in Montvale, New Jersey.



Brandon P. Jack Biography



Brandon P. Jack

Brandon P. Jack is a Senior Associate in the Data Breach, Complex Litigation, and *qui tam* practice at the Arnold Law Firm. He brings a wealth of experience in high-stakes litigation and is known for his strategic, efficient, and results-driven approach.

Mr. Jack has an extensive background in complex litigation, privacy and consumer/government fraud litigation, actively participating in numerous data privacy and cybersecurity matters in federal courts across the nation.

Before joining the Arnold Law Firm in 2023, Mr. Jack served as a civil defense attorney representing clients in a wide range of business, construction, contract, and employment disputes—consistently securing favorable outcomes. His strong litigation background has made him an essential asset to the firm's complex litigation and *qui tam* practices .

Mr. Jack attended the University of California Santa Barbara where he majored in philosophy and minored in technology business management. After receiving his bachelor's degree, Mr. Jack attended the McGeorge School of Law, where he received his juris doctorate with concentrations in business and tax law.

Mr. Jack was admitted to the California Bar in 2019 and is admitted to practice in the Northern, Eastern, and Central Districts of California. He is also admitted to practice in the District of Colorado and the Southern District of Indiana.

Mr. Jack specializes in consumer protection, data breach, cybersecurity, and privacy class action and complex litigation on behalf of plaintiffs and has been involved in several high-profile data breach cases.

Mr. Jack was raised in El Dorado Hills, California.

EXHIBIT 2

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF RACHELE R. BYRD
IN SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES AND EXPENSES**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID Nos.: 561047834633;
908232200371

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

1 I, Rachele R. Byrd, declare as follows:

2 1. I am a partner of the firm Wolf Haldenstein Adler Freeman & Herz LLP (“Wolf
3 Haldenstein” or the “Firm”). I submit this declaration, based on my personal knowledge and my
4 review of the books and records of my Firm, in support of Plaintiffs’ motions for final approval and
5 for an award of attorneys’ fees and expenses in connection with services rendered in the above-
6 captioned action (the “Action”). If called upon, I could and would competently testify to the contents
7 of this Declaration.

8 2. Wolf Haldenstein is counsel of record for plaintiff Alvaro Galvis and a member of
9 Plaintiffs’ Executive Committee.

10 3. The information in this declaration regarding my Firm’s time and expenses derives
11 from contemporaneous time and expense reports and supporting documentation prepared and/or
12 maintained by the Firm in the ordinary course of business. I am the partner at Wolf Haldenstein who
13 oversaw and conducted the day-to-day litigation activities in this Action, and I reviewed these reports
14 (and backup documentation where necessary or appropriate) in connection with preparing this
15 declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the
16 necessity for, and reasonableness of, the time and expenses committed to the Action. Through my
17 periodic review, I exercised billing judgment, and where necessary, reduced both time and expenses.
18 Based on this review, I believe that the time reflected in the Firm’s lodestar calculation and the
19 expenses for which reimbursement is sought are reasonable and were necessary for the effective and
20 efficient prosecution and resolution of the Action.

21 4. The Firm’s professionals dedicated a total of 357.2 hours to the Action. A breakdown
22 of the lodestar is provided in the attached Exhibit A, and detailed time records are available at the
23 Court’s request. The lodestar amount for attorney and paraprofessional time based on the Firm’s 2025
24 rates is \$266,660.00.

25 5. The hourly rates shown in Exhibit A are the Firm’s current rates set by the Firm for
26 each professional. These hourly rates are consistent with hourly rates recently submitted by the Firm
27

1 to other courts supervising class action litigation. Courts have consistently approved Wolf
2 Haldenstein's rates, including, for example, in the following cases:

- 3 • *In re: California Pizza Kitchen Data Breach Litig.*, No. 8:21-cv-01928-DOC-KES (C.D.
4 Cal. Feb. 22, 2023), ECF No. 87, ¶¶ 12-13;
- 5 • *Carrera Aguallo v. Kemper Corp.*, No. 1:21-cv-01883 (N.D. Ill. Mar. 18, 2022), ECF No.
6 53, ¶ 18;
- 7 • *Riggs v. Kroto, Inc., D/B/A iCanvas*, No. 1:30-cv-05822 (N.D. Ill. Oct. 29, 2021), ECF
8 No. 61, ¶ 13;
- 9 • *In re Hanna Andersson & Salesforce.com Data Breach Litig.*, No. 3:20-cv-00812-EMC
10 (N.D. Cal. Jun. 25, 2021), ECF No. 75, ¶ 12;
- 11 • *Gaston v. FabFitFun, Inc.*, No. 2:20-cv-09534-RGK-E (C.D. Cal. Dec. 9, 2021), ECF No.
12 52 at 5-6;
- 13 • *Enquist v. City of Los Angeles*, No. BC591331 (L.A. Cty. Super. Ct. Mar. 17, 2021);
- 14 • *Granados v. County of Los Angeles*, No. BC361470 (L.A. Cty. Super. Ct. Oct. 30, 2018);
- 15 • *McWilliams v. City of Long Beach*, No. BC361469 (L.A. Cty. Super. Ct. Oct. 30, 2018);
- 16 • *Ardon v. City of Los Angeles*, No. BC363959 (L.A. Cty. Super Ct. Oct. 26, 2016);
- 17 • *DeFrees v. Kirkland*, No. CV 11-4272-JLS (SPx), ECF No. 400 (C.D. Cal. Apr. 11, 2016);
- 18 • *DeFrees v. Kirkland*, No. CV 11-4272 GAF (SPx), 2014 U.S. Dist. LEXIS 157320, at *2
19 (C.D. Cal. Nov. 4, 2014); and
- 20 • *DeFrees v. Kirkland*, No. CV 11-4272 GAF (SPx), ECF No. 226 (C.D. Cal. Sept. 5, 2012).

21 The Firm's rates are set based on periodic analysis of rates charged by law firms performing
22 comparable work both on the plaintiff and defense side.

23 6. The Firm requests an award of \$4,864.13 in reimbursement of expenses and charges
24 reasonably advanced in furtherance of the prosecution of the Action. These expenses and charges are
25 summarized by category in the attached Exhibit B.

26 7. The expenses pertaining to this case are reflected in the books and records of this Firm
27 and will be provided at the Court's request. These books and records are contemporaneously prepared

1 from receipts, expense vouchers, check records and other documents and are an accurate record of
2 the expenses.

3 8. Additional information on my Firm and the background of its attorneys appears in the
4 Wolf Haldenstein Resumé attached hereto as Exhibit C.

5 * * *

6 I declare under penalty of perjury under the laws of the State of California that the foregoing
7 is true and correct. Executed this 4th day of September, 2025, at San Diego, CA.

8 
9 RACHELE R. BYRD

EXHIBIT A

Erazo v. The Regents of the University of California ,

Case No. RG21097796

Wolf Haldenstein Adler Freeman & Herz LLP

Lodestar Inception to August 27, 2025

Biller	Hours	Rate	Lodestar
Rachele R. Byrd (P)	84.7	\$925.00	\$78,347.50
Kate M. McGuire (C)	50.1	\$650.00	\$32,565.00
Marisa Livesay (A)	9.2	\$550.00	\$5,060.00
Brittany DeJong (A)	13.2	\$485.00	\$6,402.00
Alex Tramontano (A)	179.6	\$550.00	\$98,780.00
Ferdeza Zekiri (A)	0.6	\$385.00	\$231.00
Alexandra Loutsenhizer (P)	16.1	\$260.00	\$4,186.00
Amanda Salas (P)	1.8	\$230.00	\$414.00
Elle Chaseton (P)	1.9	\$355.00	\$674.50
Totals	357.2		\$226,660.00

P=Partner; C=Counsel; A=Associate; P=Paralegal

EXHIBIT B

Erazo v. The Regents of the University of California ,
Case No. RG21097796

Wolf Haldenstein Adler Freeman & Herz LLP

Costs Incurred Inception Through August 27, 2025 to
the Present

Cost Category	Amount
Secretarial Overtime	\$27.81
Legal Research	\$3,059.82
Reproduction	\$18.95
Postage	\$13.13
Trip Expenses	\$30.00
Service of Process	\$1,714.42
	\$4,864.13

EXHIBIT C



PROVIDING EXEMPLARY LEGAL SERVICES SINCE 1888

FIRM RESUME

Founded in 1888, Wolf Haldenstein Adler Freeman & Herz LLP is a full service law firm specializing in complex litigation in federal and state courts nationwide. The firm's practice includes litigation, both hourly and contingent, in securities, antitrust, wage & hour, consumer fraud, false marketing, ERISA, and general and commercial matters, whistleblower, false claim, trust & estate, corporate investigation, and white collar matters, and FINRA arbitration. The Firm has a particular specialty in complex class action and other representative litigation – including investor, shareholder, antitrust, ERISA, consumer, employee, and biotechnology matters – under both federal and state law.

Wolf Haldenstein's total practice approach distinguishes it from other firms. Our longstanding tradition of a close attorney/client relationship ensures that each one of our clients receives prompt, individual attention and does not become lost in an institutional bureaucracy. Our team approach is at the very heart of Wolf Haldenstein's practice. All of our lawyers are readily available to all of our clients and to each other. The result of this approach is that we provide our clients with an efficient legal team having the broad perspective, expertise and experience required for any matter at hand. We are thus able to provide our clients with cost effective and thorough counsel focused on our clients' overall goals.

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THE FIRM

Wolf Haldenstein has been recognized by state and federal courts throughout the country as being highly experienced in complex litigation, particularly with respect to securities, consumer, ERISA, FLSA and state overtime and expense deductions, and antitrust class actions and shareholder rights litigation.

Among its colleagues in the plaintiffs' bar, as well as among its adversaries in the defense bar, Wolf Haldenstein is known for the high ability of its attorneys, and the exceptionally high quality of its written and oral advocacy.

The nature of the Firm's activities in both individual and representative litigation is extremely broad. In addition to a large case load of securities fraud and other investor class actions, Wolf Haldenstein has represented classes of corn and rice farmers in connection with the devaluation of their crops; canned tuna consumers for tuna companies' violations of antitrust laws; merchants compelled to accept certain types of debit cards; insurance policyholders for insurance companies' deceptive sales practices; victims of unlawful strip searches under the civil rights laws; and various cases involving violations of Internet users' on-line privacy rights.

The Firm's experience in class action securities litigation, in particular public shareholder rights under state law and securities fraud claims arising under the federal securities laws and regulations is particularly extensive. The Firm was one of the lead or other primary counsel in securities class action cases that have recouped billions of dollars on behalf of investor classes, in stockholder rights class actions that have resulted in billions of dollars in increased merger consideration to shareholder classes, and in derivative litigation that has recovered billions of dollars for corporations.

Its pioneering efforts in difficult or unusual areas of securities or investor protection laws include: groundbreaking claims that have been successfully brought under the Investment Company Act of 1940 regarding fiduciary responsibilities of investment companies and their advisors toward their shareholders; claims under ERISA involving fiduciary duties of ERISA trustees who are also insiders in possession of adverse information regarding their fund's primary stockholdings; the fiduciary duties of the directors of Delaware corporations in connection with change of control transactions; the early application of the fraud-on-the-market theory to claims against public accounting firms in connection with their audits of publicly traded corporations; and the application of federal securities class certification standards to state law claims often thought to be beyond the reach of class action treatment.



JUDICIAL COMMENDATIONS

Wolf Haldenstein has repeatedly received favorable judicial recognition. The following representative judicial comments over the past decade indicate the high regard in which the Firm is held:

- *In re Empire State Realty Trust, Inc. Investor Litig.*, No. 650607/2012 (Sup. Ct. N.Y. Co.) – On May 2, 2013, Justice O. Peter Sherwood praised the Firm in its role as chair of the committee of co-lead counsel as follows: "It is apparent to me, having presided over this case, that class counsel has performed in an excellent manner, and you have represented your clients quite well. You should be complimented for that." In awarding attorneys' fees, the Court stated that the fee was "intended to reward class counsel handsomely for the very good result achieved for the Class, assumption of the high risk of Plaintiffs prevailing and the efficiency of effort that resulted in the settlement of the case at an early stage without protracted motion practice." May 17, 2013 slip. op. at 5 (citations omitted).
- *Roberts v. Tishman Speyer*, 13 N.Y.3d 270 (N.Y. 2009) – On April 9, 2013, Justice Richard B. Lowe III praised the Firm's efforts as follows: "[W]hen you have challenging cases, the one thing you like to ask for is that the legal representation on both sides rise to that level. Because when you have lawyers who are professionals, who are confident, who are experienced, each of you know that each side has a job to do [. . .] I want to tell you that I am very satisfied with your performance and with your, quite frankly, tenacity on both sides. And it took six years, but look at the history of the litigation. There were two appeals all of the way to the Court of Appeals [. . .] And then look at the results. I mean, there are dissents in the Court of Appeals, so that shows you the complexity of the issues that were presented in this litigation [. . .] [I]t shows you effort that went into this and the professionalism that was exhibited [. . .] So let me just again express my appreciation to both sides."
- *K.J. Egleston L.P. v. Heartland Industrial Partners, et al.*, 2:06-13555 (E.D. Mich.) – where the Firm was Lead Counsel, Judge Rosen, at the June 7, 2010 final approval hearing, praised the Firm for doing "an outstanding job of representing [its] clients," and further commented that "the conduct of all counsel in this case and the result they have achieved for all of the parties confirms that they deserve the national recognition they enjoy."



- *Klein, et al. v. Ryan Beck Holdings, Inc., et al.*, 06-cv-3460 (DAB) (S.D.N.Y. 2010) – where the Firm was Lead Counsel, Judge Deborah A. Batts described the Firm’s successful establishment of a settlement fund as follows: “[a] miracle that there is a settlement fund at all.” Judge Batts continued: “As I said earlier, there is no question that the litigation is complex and of a large and, if you will, *pioneering magnitude* ...” (Emphasis added).
- *Parker Friedland v. Iridium World Communications, Ltd.*, 99-1002 (D.D.C.) – where the Firm was co-lead counsel, Judge Laughrey said (on October 16, 2008), “[a]ll of the attorneys in this case have done an outstanding job, and I really appreciate the quality of work that we had in our chambers as a result of this case.”
- *In re Dynamic Random Access Memory Antitrust Litigation*, MDL-02-1486 (N.D. Cal.) – where the Firm was co-lead counsel, Judge Hamilton said (on August 15, 2007), “I think I can conclude on the basis with my five years with you all, watching this litigation progress and seeing it wind to a conclusion, that the results are exceptional. The percentages, as you have outlined them, do put this [case] in one of the upper categories of results of this kind of [antitrust] class action. I am aware of the complexity . . . I thought that you all did an exceptionally good job of bringing to me only those matters that really required the Court’s attention. You did an exceptionally good job at organizing and managing the case, assisting me in management of the case. There was excellent coordination between all the various different plaintiffs’ counsel with your group and the other groups that are part of this litigation. . . . So my conclusion is the case was well litigated by both sides, well managed as well by both sides.”
- *In re Comdisco Sec. Litigation*, 01 C 2110 (N.D. Ill. July 14, 2005) – Judge Milton Shadur observed: “It has to be said . . . that the efforts that have been extended [by Wolf Haldenstein] on behalf of the plaintiff class in the face of these obstacles have been exemplary. And in my view [Wolf Haldenstein] reflected the kind of professionalism that the critics of class actions . . . are never willing to recognize. . . . I really cannot speak too highly of the services rendered by class counsel in an extraordinary difficult situation.”
- *Good Morning to You Productions Corp. v. Warner/Chappell Music, Inc.*, No. CV 13-04460-GHK (MRWx) (C.D. Cal., Aug. 16, 2016) – Judge George H. King



stated: "Not all, or perhaps even most, plaintiffs' class counsel could have litigated this case as successfully as did class counsel against such a fierce and exceptionally accomplished opponent."

- *Bokelman et al. v. FCH Enterprises, Inc.*, (Case No. 1:18-cv-209, D. Haw., May 3, 2019): Judge Robert J. Bryan said, "I've been impressed by the quality of the work you've done throughout here, and that is reflected, I think, in the fact that no one has objected to the settlement."

RECENT NOTEWORTHY RESULTS

Wolf Haldenstein's performance in representative litigation has repeatedly resulted in favorable results for its clients. The Firm has helped recover ***billions of dollars*** on behalf of its clients in the cases listed below. Recent examples include the following:

- On May 13, 2019, in *Apple Inc. v. Pepper*, No. 17-204, the Supreme Court affirmed a decision by the Ninth Circuit Court of Appeals holding that iPhone purchasers have standing to sue Apple for monopolizing the market for iPhone apps in this longstanding antitrust class action. Wolf Haldenstein has been Lead Counsel for the plaintiffs since 2007. The case was commenced in federal district court in Oakland. The Supreme Court's decision clears the way for the plaintiffs to proceed on the merits of their claim.
- On June 11, 2018, the United States Supreme Court issued a highly anticipated decision in *China Agritech, Inc. v. Michael H. Resh, et al.* Wolf Haldenstein represented the plaintiffs/respondents, having commenced the action on behalf of aggrieved shareholders of *China Agritech* after two prior cases had failed at the class certification stage.
- *In re Genetically Modified Rice Litigation*, MDL 1811 (E.D. Mo.) - Wolf Haldenstein represented U.S. rice farmers in this landmark action against Bayer A.G. and its global affiliates, achieving a global recovery of \$750 million. The case arose from the contamination of the nation's long grain rice crop by Bayer's experimental and unapproved genetically modified Liberty Link rice.
- *Roberts v. Tishman Speyer*, 13 N.Y.3d 270 (N.Y. 2009) - a class action brought on behalf of over 27,500 current and former tenants of New York City's iconic Stuyvesant Town and Peter Cooper Village housing complexes. On April 9, 2013, Justice Richard B. Lowe III of the New York Supreme Court finally



approved settlement of the action, which totals over \$173 million, sets aside \$68.75 million in damages, re-regulates the apartments at issue, and sets preferential rents for the units that will save tenants significant monies in the future. The settlement also enables the tenants to retain an estimated \$105 million in rent savings they enjoyed between 2009 and 2012. **The settlement is by many magnitudes the largest tenant settlement in United States history.**

- *In re Empire State Realty Trust, Inc. Investor Litig.*, Index No. 650607/2012 – The firm served as Chair of the Executive Committee of Co-Lead Counsel for the Plaintiffs in a class action settlement finally approved on May 2, 2013 that provides for the establishment of a \$55 million settlement fund for investors, in addition to substantial tax deferral benefits estimated to be in excess of \$100 million.
- *American International Group Consolidated Derivative Litigation*, Civil Action No. 769-VCS (Del. Ch.) The Firm acted as co-lead counsel and the settlement addressed claims alleging that the D&O Defendants breached their fiduciary duties to the Company and otherwise committed wrongdoing to the detriment of AIG in connection with various allegedly fraudulent schemes during the 1999-2005 time period.
- *In re Bank of America Corp. Securities, Derivative, and Employee Retirement Income Security Act (ERISA) Litigation*, Master File No. 09 MD 2058 (S.D.N.Y.) (firm was co-lead counsel in parallel derivative action pending in Delaware (*In Re Bank of America Stockholder Derivative Litigation*, C.A. No. 4307-CS (Del. Ch.)) (increase of settlement cash recovery from \$20 million to \$62.5 million).
- *The Investment Committee of the Manhattan and Bronx Service Transit Operating Authority Pension Plan v. JPMorgan Chase Bank, N.A.*, 1:09-cv-04408-SAS (S.D.N.Y.) (class recovered \$150 million).
- *In re Tremont Sec. Law, State Law and Insurance Litig.*, No. 08-civ-11117 (TPG) (SDNY) (class recovered \$100 million). The firm was court-appointed co-lead counsel in the Insurance Action, 08 Civ. 557, and represented a class of persons who purchased or otherwise acquired Variable Universal Life (“VUL”) insurance policies or Deferred Variable Annuity (“DVA”) policies issued by Tremont International Insurance Limited or Argus International Life Bermuda Limited from May 10, 1994 - December 11, 2008 to the extent the investment



accounts of those policies were exposed to the massive Ponzi scheme orchestrated by Bernard L. Madoff through one or more Rye funds.

- *In re Initial Public Offering Securities Litigation*, 21 MC 92 (SAS) (S.D.N.Y.) (class recovered \$586 million). Wolf Haldenstein served as Co-Lead Counsel of one of the largest securities fraud cases in history. Despite the United States Court of Appeals for the Second Circuit's decision to vacate the district court's class certification decision, on remand, counsel for plaintiffs were able to press on to a settlement on April 1, 2009, ultimately recovering in excess of a half-billion dollars.



FIRM PRACTICE AREAS

CLASS ACTION LITIGATION

Wolf Haldenstein is a leader in class and derivative action litigation and is currently or has been the court-appointed lead counsel, co-lead counsel, or executive committee member in some of the largest and most significant class action and derivative action lawsuits in the United States. For example, the class action *Roberts v. Tishman Speyer*, 13 N.Y.3d 270 (N.Y. 2009) was recently described by a sitting member of the U.S. House of Representatives as the greatest legal victory for tenants in her lifetime. In *Roberts*, the Firm obtained a victory in the New York Court of Appeals requiring the reregulation of thousands of apartment units in the Stuyvesant Town complex in Manhattan, New York. Many of the firm's other successful results are summarized within.

PRIVATE ACTIONS FOR INSTITUTIONAL INVESTORS

In addition to its vast class action practice, the Firm also regularly represents institutional clients such as public funds, investment funds, limited partnerships, and qualified institutional buyers in private actions. The Firm has represented institutional clients in non-class federal and state actions concerning a variety of matters, including private placements, disputes with investment advisors, and disputes with corporate management.

The Firm has also acted as special counsel to investors' committees in efforts to assert and advance the investors' interests without resorting to litigation. For example, the Firm served as Counsel to the Courtyard by Marriott Limited Partners Committee for several years in its dealings with Host Marriott Corporation, and as Special Counsel to the Windsor Park Properties 7 and 8 limited partners to insure the fairness of their liquidation transactions.

ANTITRUST LITIGATION

Wolf Haldenstein is a leader in antitrust and competition litigation. The Firm actively seeks to enforce the federal and state antitrust laws to protect and strengthen the rights and claims of businesses, organizations, Taft-Hartley funds, and consumers throughout the United States. To that end, Wolf Haldenstein commences large, often complex, antitrust and trade regulation class actions and other cases that target some of the most powerful and well-funded corporate interests in the world. Many of these interests exert strong influence over enforcement policy that is in the hands of elected officials, so that private enforcement provides the only true assurance that unfair and



anticompetitive conduct will be duly scrutinized for compliance with the law. These cases frequently bring to light concealed, unlawful behavior such as price fixing, monopolization, market allocation, monopoly leveraging, essential facilities, tying arrangements, vertical restraints, exclusive dealing, and refusals to deal. Wolf Haldenstein's Antitrust Practice Group has successfully prosecuted numerous antitrust cases and aggressively advocates remedies and restitution for businesses and investors wronged by violations of the antitrust laws. For example, in *In re DRAM Antitrust Litigation*, No. 02-cv-1486 (PJH) (N.D. Cal.) the firm successfully prosecuted an antitrust case resulting in a \$315 million recovery. Many of the firm's successful results are summarized within.

Wolf Haldenstein attorneys currently serve as lead counsel, co-lead counsel, or as executive committee members in some of the largest and most significant antitrust class action lawsuits. The firm was most recently appointed lead counsel in the Salmon Antitrust Indirect Litigation pending in the U.S. District Court for the Southern District of Florida.

OVERTIME AND COMPENSATION CLASS ACTIONS

Wolf Haldenstein is a leader class action litigation on behalf of employees who have not been paid overtime or other compensation they are entitled to receive, or have had improper deductions taken from their compensation. These claims under the federal Fair Labor Standards Act and state labor laws allege improper failure to pay overtime and other wages, and improper deductions from compensation for various company expenses. Wolf Haldenstein has served as lead or co-lead counsel, or other similar lead role, in some of the most significant overtime class actions pending in the United States, and has recovered hundreds of millions of dollars in recovered wages for its clients. For example, in *LaVoice v. Citigroup Global Markets, Inc.*, Case No. C 07-801 (CW) (N.D. Cal.) a \$108 million settlement was secured for the class. Many of the firm's other successful wage and hour results are summarized within.

SUBSTANTIAL RECOVERIES IN CLASS ACTION AND DERIVATIVE CASES IN WHICH WOLF HALDENSTEIN WAS LEAD COUNSEL OR HAD ANOTHER SIGNIFICANT ROLE

- *In re Beacon Associates Litigation*, Master File No. 09 Civ. 0777 (LBS) (S.D.N.Y.) (**\$219 million** settlement in this and related action).
- *Roberts v. Tishman Speyer*, No. 100956/2007 (Sup. Ct. N.Y. Cty.) (**\$173 Million** settlement).



- *In re Mutual Fund Investment Litigation*, MDL No. 1586 (D. Md.) (derivative counsel in consolidated cases against numerous mutual fund companies involved in market timing resulting in class/derivative settlements totaling more than **\$300 million**).
- *Inland Western Securities Litigation*, Case No. 07 C 6174 (N.D. Ill.) (settlement value of shares valued between **\$61.5 million** and **\$90 million**).
- *In re Direxion Shares ETF Trust*, No. 09-Civ-8011 (KBF) (S.D.N.Y.) (class recovered **\$8 million**).
- *In re BankAmerica Corp. Securities Litigation*, MDL Docket No. 1264 (JFN) (E.D. Mo.) (class recovered **\$490 million**).
- *In re Dynamic Random Access Memory Antitrust Litigation*, (MD-02 1486 (N.D. Cal.) (class recovered **\$325 million**).
- *In re MicroStrategy, Inc. Securities Litigation*, Civ. No. 00-473-A (E.D. Va.) (class recovered **\$160 million** in cash and securities).
- *Kurzweil v. Philip Morris Cos.*, 94 Civ. 2373, 94 Civ. 2546 (S.D.N.Y.) (securities fraud) (class recovered **\$116.5 million** in cash).
- *In re Starlink Corn Products Liability Litigation*, (N.D. Ill.) (class recovered **\$110 million**).
- *In Computer Associates 2002 Class Action Sec. Litigation*, 2:02-CV-1226 (E.D.N.Y.) (**\$130 million** settlement in this and two related actions).
- *In re Sepracor Inc. Securities Litigation*, Civ. No. 02-12338 (MEL) (D. Mass.) (classes recovered **\$52.5 million**).
- *In re Transkaryotic Therapies, Inc., Securities Litigation*, C.A. No. 03-10165-RWZ (D. Mass) (class recovered **\$50 million**).
- *In re Iridium Securities Litigation*, C.A. No. 99-1002 (D.D.C.) (class recovered **\$43 million**).



- *In re J.P. Morgan Chase Securities Litigation*, MDL No. 1783 (N.D. Ill.) (settlement providing for adoption of corporate governance principles relating to potential corporate transactions requiring shareholder approval).
- *LaVoice v. Citigroup Global Markets, Inc.*, Case No. C 07-801 (CW) (N.D. Cal.) (**\$108 million** settlement).
- *Steinberg v. Morgan Stanley & Co., Inc.*, Case No. 06-cv-2628 (BEN) (S.D. Cal.) (**\$50 million** settlement).
- *Poole v. Merrill Lynch, Pierce, Fenner & Smith Inc.*, Case No. CV-06-1657 (D. Or.) (**\$43.5 million** settlement).
- *In re Wachovia Securities, LLC Wage and Hour Litigation*, MDL No. 07-1807 DOC (C.D. Cal.) (**\$39 million** settlement).
- *In re Wachovia Securities, LLC Wage and Hour Litigation (Prudential)*, MDL No. 07-1807 DOC (C.D. Cal.) (**\$11 million** settlement).
- *Basile v. A.G. Edwards, Inc.*, 08-CV-00338-JAH-RBB (S.D. Cal.) (**\$12 million** settlement).
- *Miguel Garcia, et al. v. Lowe's Home Center, Inc. et al.* – Case No. GIC 841120 (Barton) (Cal. Sup. Ct, San Diego) (co-lead, **\$1.65 million** settlement w/ average class member recovery of \$5,500, attorney fees and cost awarded separately).
- *Neil Weinstein, et al. v. MetLife, Inc., et al.* – Case No. 3:06-cv-04444-SI (N.D.Cal) (co-lead, **\$7.4 million** settlement).
- *Creighton v. Oppenheimer*, Index No. 1:06 - cv - 04607 - BSJ - DCF (S.D.N.Y.) (**\$2.3 million** settlement).
- *Klein v. Ryan Beck*, 06-CV-3460 (DAB)(S.D.N.Y.) (**\$1.3 million** settlement).
- *In re American Pharmaceutical Partners, Inc. Shareholder Litigation*, Consolidated C.A. No. 1823-N (Del. Ch. Ct.) (**\$14.3 million** settlement).
- *Egleston v. Collins and Aikman Corp.*, 06-cv-13555 (E.D. Mich.) (class recovered **\$12 million**).



- *In re Merrill Lynch & Co., Inc. Global Technology Fund Securities Litigation*, 02 CV 7854 (JFK) (SDNY); and *In re Merrill Lynch & Co., Inc. Focus Twenty Fund Securities Litigation*, 02 CV 10221 (JFK) (SDNY) (class recovered **\$39 million** in combined cases).
- *In re CNL Hotels & Resorts, Inc. Securities Litigation*, No. 6:04-cv-1231 (Orl-31) (class recovered **\$35 million**, and lawsuit also instrumental in **\$225 million** benefit to corporation).
- *In re Cablevision Systems Corp. Shareholder Derivative Litigation*, Master File No. 06-CV-4130-DGT-AKT (**\$34.4 million** recovery).
- *In re Monster Worldwide, Inc. Stock Option Derivative Litigation*, Master File No. 06cv4622 (S.D.N.Y.) (**\$32 million** recovery and corporate governance reforms).
- *Berger v. Compaq Computer Corp.*, Docket No. 98-1148 (S.D. Tex.) (class recovered **\$29 million**).
- *In re Arakis Energy Corporation Securities Litigation*, 95 CV 3431 (E.D.N.Y.) (class recovered **\$24 million**).
- *In re E.W. Blanche Holdings, Inc. Securities Litigation*, Civ. No. 01-258 (D. Minn.) (class recovered **\$20 million**).
- *In re Globalstar Securities Litigation*, Case No. 01-CV-1748 (SHS) (S.D.N.Y.) (class recovered **\$20 million**).
- *In re Luxottica Group S.p.A. Securities Litigation*, No. CV 01-3285 (E.D.N.Y.) (class recovered **\$18.25 million**).
- *In re Musicmaker.com Securities Litigation*, CV-00-2018 (C.D. Cal.) (class recovered **\$13.75 million**).
- *In re Comdisco Securities Litigation*, No. 01 C 2110 (MIS) (N.D. Ill.) (class recovered **\$13.75 million**).
- *In re Acclaim Entertainment, Inc., Securities Litigation*, C.A. No. 03-CV-1270 (E.D.N.Y.) (class recovered **\$13.65 million**).



- *In re Concord EFS, Inc. Securities Litigation*, No. 02-2097 (MA) (W.D. Tenn) (class recovered **\$13.25 million**).
- *In re Bausch & Lomb, Inc. Securities Litigation*, 01 Civ. 6190 (CJS) (W.D.N.Y.) (class recovered **\$12.5 million**).
- *In re Allaire Corp. Securities Litigation*, 00-11972 (D. Mass.) (class recovered **\$12 million**).
- *Bamboo Partners LLC v. Robert Mondavi Corp.*, No. 26-27170 (Cal. Sup. Ct.) (class recovered **\$10.8 million**).
- *Curative Health Services Securities Litigation*, 99-2074 (E.D.N.Y.) (class recovered **\$10.5 million**).
- *City Partnership Co. v. Jones Intercable*, 99 WM-1051 (D. Colo.) (class recovered **\$10.5 million**).
- *In re Aquila, Inc.*, (ERISA Litigation), 04-865 (W.D. Mo.) (**\$10.5 million** recovery for the class).
- *In re Tenfold Corporation Securities Litigation*, 2:00-CV-652 (D. Utah) (class recovered **\$5.9 million**).
- *In re Industrial Gas Antitrust Litigation*, 80 C 3479 and related cases (N.D. Ill.) (class recovered **\$50 million**).
- *In re Chor-Alkalai and Caustic Soda Antitrust Litigation*, 86-5428 and related cases (E.D. Pa.) (class recovered **\$55 million**).
- *In re Infant Formula Antitrust Litigation*, MDL No. 878 (N.D. Fla.) (class recovered **\$126 million**).
- *In re Brand Name Prescription Drugs Antitrust Litigation*, No. 1:94-cv-00897, M.D.L. 997 (N.D. Ill.) (class recovered **\$715 million**).
- *Landon v. Freel*, M.D.L. No. 592 (S.D. Tex.) (class recovered **\$12 million**).
- *Holloway v. Peat, Marwick, Mitchell & Co.*, No. 84 C 814 EU (N.D. Okla.) (class recovered **\$38 million**).



- *In re The Chubb Corp. Drought Insurance Litigation*, C-1-88-644 (S.D. Ohio) (class recovered **\$100 million**).
- *Wong v. Megafoods*, Civ-94-1702 (D. Ariz.) (securities fraud) (class recovered **\$12.25 million**).
- *In re Del Val Financial Corp. Securities Litigation*, 92 Civ 4854 (S.D.N.Y.) (class recovered **\$11.5 million**).
- *In re Home Shopping Network Shareholders Litigation*, Consolidated Civil Action No. 12868, (Del. Ch. 1995) (class recovered **\$13 million**).
- *In re Paine Webber Limited Partnerships Litigation*, 94 Civ 8547 (S.D.N.Y.) (class recovered **\$200 million**).
- *In re Bristol-Meyers Squibb Co. Securities Litigation*, 92 Civ 4007 (S.D.N.Y.) (class recovered **\$19 million**).
- *In re Spectrum Information Technologies Securities Litigation*, CV 93-2245 (E.D.N.Y.) (class recovered **\$13 million**).
- *In re Chase Manhattan Securities Litigation*, 90 Civ. 6092 (LJF) (S.D.N.Y.) (class recovered **\$17.5 million**).
- *Prostic v. Xerox Corp.*, No. B-90-113 (EBB) (D. Conn.) (class recovered **\$9 million**).
- *Steiner v. Hercules*, Civil Action No. 90-442-RRM (D. Del.) (class recovered **\$18 million**).
- *In re Ambase Securities Litigation*, 90 Civ 2011 (S.D.N.Y.) (class recovered **\$14.6 million**).
- *In re Southmark Securities Litigation*, CA No. 3-89-1402-D (N.D. Tex.) (class recovered **\$70 million**).
- *Steiner v. Ideal Basic Industries, Inc.*, No. 86-M 456 (D. Colo. 1989) (securities fraud) (class recovered **\$18 million**).
- *Tucson Electric Power Derivative Litigation*, 2:89 Civ. 01274 TUC. ACM (corporation recovered **\$30 million**).



- *Alleco Stockholders Litigation*, (Md. Cir. Ct. Pr. Georges County) (class recovered **\$16 million**).
- *In re Revlon Group, Inc. Shareholders Litigation*, No. 8362 (Del. Ch.) (class recovered **\$30 million**).
- *In re Taft Broadcasting Company Shareholders Litigation*, No. 8897 (Del. Ch.) (class recovered **\$20 million**).
- *In re Southland Corp. Securities Litigation*, No. 87-8834-K (N.D.Tex.) (class recovered **\$20 million**).
- *In re Crocker Bank Securities Litigation*, CA No. 7405 (Del. Ch.) (class recovered **\$30 million**).
- *In re Warner Communications Securities Litigation*, No. 82 Civ. 8288 (JFK) (S.D.N.Y.) (class recovered **\$17.5 million**).
- *Joseph v. Shell Oil*, CA No. 7450 (Del. Ch.) (securities fraud) (class recovered **\$200 million**).
- *In re Flight Transportation Corp. Securities Litigation*, Master Docket No. 4-82-874, MDL No. 517 (D. Minn.) (recovery of over **\$50 million**).
- *In re Whittaker Corporation Securities Litigation*, CA000817 (Cal. Super. Ct., Los Angeles County) (class recovered **\$18 million**).
- *Naevus International, Inc. v. AT&T Corp.*, C.A. No. 602191/99 (N.Y. Sup. Ct.) (consumer fraud) (class recovered **\$40 million**).
- *Sewell v. Sprint PCS Limited Partnership*, C.A. No. 97-188027/CC 3879 (Cir. Ct. for Baltimore City) (consumer fraud) (class recovered **\$45.2 million**).
- *In re Vytarin/Zetia Marketing, Sales Practices and Products Liability Litigation*, 2:08-cv-285 (D.N.J.) (class recovered **\$41.5 million**).
- *Egleston v. Verizon*, No. 104784/2011 (N.Y. Sup. Ct.) – Wolf Haldenstein represented a class of New York Verizon Centrex customers in an action against Verizon stemming from overbilling of certain charges. The Firm secured a settlement with a total value to the Class of over **\$5 million**, which



provided, among other things, each class member with full refunds of certain disputed charges, plus interest.

- *Zelouf Int'l Corp. v. Nahal Zelouf*, Index No. 653652/2014 (Sup. Ct. N.Y. Co. 2015). In an important trial decision following an appraisal proceeding triggered by the freeze-out merger of a closely-held corporation, which also included shareholder derivative claims, Justice Kornreich of the New York Supreme Court refused to apply a discount for lack of marketability to the minority interest in the former corporation and found that the insiders stole more than \$14 million dollars; the minority shareholder recovered over **\$9 million**.
- *Zelouf Int'l Corp. v. Zelouf*, 45 Misc.3d 1205(A) (Sup. Ct. N.Y. Co., 2014). The Court rejected application of a discount for lack of marketability and awarded a **\$10,031,438.28** judgment following an eleven day bench trial in the Commercial Division of the Supreme Court of the State of New York (New York County) on the value of a minority interest in a closely held corporation.
- *Thompson et al. v. Bethpage Federal Credit Union et al.*, No. 2:17-cv-00921-GRB (E.D.N.Y.) (**\$3.6 million** settlement)



REPRESENTATIVE REPORTED OPINIONS SINCE 1990 IN WHICH WOLF
HALDENSTEIN WAS LEAD COUNSEL OR HAD ANOTHER SIGNIFICANT ROLE

FEDERAL APPELLATE AND DISTRICT COURT OPINIONS

- *Apple Inc. v. Pepper*, 139 S. Ct. 1514 (2019)
- *Hymes v. Bank of America*, 408 F. Supp. 3d 171 (E.D.N.Y. 2019)
- *In re Packaged Seafood Prods. Antitrust Litig.*, 332 F.R.D. 308 (S.D. Cal. 2019)
- *China Agritech, Inc. v. Resh*, 138 S. Ct. 1800 (2018)
- *In re Packaged Seafood Prods. Antitrust Litig.*, 242 F. Supp. 3d 1033 (S.D. Cal. 2017)
- *DeFrees v. Kirkland*, 2012 U.S. Dist. LEXIS 52780 (C.D. Cal. Apr. 11, 2012).
- *In re Beacon Associates Litig.*, 282 F.R.D. 315 (S.D.N.Y. 2012).
- *Messner v. Northshore University HealthSystem*, 669 F.3d 802, No. 10-2514 (7th Cir. Jan. 13, 2012).
- *In re Text Message Antitrust Litigation*, 630 F.3d, 622 (7th Cir. 2010).
- *In re Apple & ATTM Antitrust Litig.*, 2010 U.S. Dist. LEXIS 98270 (N.D. Cal. July 8, 2010).
- *In re Beacon Associates Litig.*, 745 F. Supp. 2d 386 (S.D.N.Y. 2010)
- *Freeland v. Iridium World Communications Ltd.*, 545 F. Supp. 2d 59 (D.D.C. 2008).
- *In re Apple & AT&TM Antitrust Litig.*, 596 F. Supp. 2d 1288 (N.D. Cal. 2008).
- *Harzewski v. Guidant Corp.*, 489 F.3d 799 (7th Cir. 2007).
- *In re JP Morgan Chase & Co. Securities Litigation*, No. 06 C 4674, 2007 U.S. Dist. LEXIS 93877 (N.D. Ill. Dec. 18, 2007).
- *Schoenbaum v. E.I. Dupont De Nemours and Co.*, 2007 WL 2768383 (E.D. Mo. Sept. 20, 2007).



- *Jeffries v. Pension Trust Fund*, 99 Civ. 4174 (LMM), 2007 U.S. Dist. LEXIS 61454 (S.D.N.Y. Aug. 20, 2007).
- *Klein v. Ryan Beck*, 06-Civ. 3460 (WCC), 2007 U.S. Dist. LEXIS 51465 (S.D.N.Y. July 13, 2007).
- *Cannon v. MBNA Corp.* No. 05-429 GMS, 2007 U.S. Dist. LEXIS 48901 (D. Del. 2007).
- *In re Aquila ERISA Litig.*, 237 F.R.D. 202 (W.D. Mo. 2006).
- *Smith v. Aon Corp.*, 238 F.R.D. 609 (N.D. Ill. 2006).
- *In re Sepracor Inc. Securities Litigation*, 233 F.R.D. 52 (D. Mass. 2005).
- *In re Transkaryotic Therapies, Inc. Securities Litigation*, No. 03-10165, 2005 U.S. Dist. LEXIS 29656 (D. Mass. Nov. 28, 2005).
- *In re Luxottica Group, S.p.A. Securities Litigation*, 2005 U.S. Dist. LEXIS 9071 (E.D.N.Y. May 12, 2005).
- *In re CNL Hotels & Resorts, Inc. Securities Litigation*, 2005 U.S. Dist. LEXIS 38876, No. 6:04-cv-1231-Orl-31KRS (M.D. Fla. May 9, 2005).
- *Johnson v. Aegon USA, Inc.*, 355 F. Supp. 2d 1337 (N.D. Ga. 2004).
- *Freeland v. Iridium World Communications, Ltd.*, 99-1002, 2004 U.S. Dist. LEXIS 33018 (D.D.C. Aug. 31, 2004).
- *In re Acclaim Entertainment, Inc. Securities Litigation*, 03-CV-1270 (E.D.N.Y. June 22, 2004).
- *In re Sepracor Inc. Securities Litigation*, 308 F. Supp. 2d 20 (D. Mass. 2004).
- *In re Concord EFS, Inc. Securities Litigation*, No. 02-2697 (W.D. Tenn. Jan. 7, 2004).
- *In re Pharmatrak, Inc. Privacy Litig.*, 2003 U.S. App. LEXIS 8758 (1st Cir. May 9, 2003).
- *In re PerkinElmer, Inc. Securities Litigation*, 286 F. Supp. 2d 46 (D. Mass. 2003).



- *In re Initial Public Offering Securities Litigation*, 241 F. Supp. 2d 281 (S.D.N.Y. 2003).
- *In re Comdisco Securities Litigation*, No. 01 C 2110, 2003 U.S. Dist. LEXIS 5047 (N.D. Ill. Mar. 31, 2003).
- *Berger v. Compaq Computer Corp.*, 257 F.3d 475 (2001), clarified, 279 F.3d 313 (5th Cir. 2002).
- *City Partnership Co. v. Cable TV Fund 14-B*, 213 F.R.D. 576 (D. Colo. 2002).
- *In re Allaire Corporation Securities Litigation*, Docket No. 00-11972 - WGY, 2002 U.S. Dist. LEXIS 18143 (D. Mass., Sept. 27, 2002).
- *In re StarLink Corn Products Liability Litigation*, 212 F.Supp.2d 828 (N.D. Ill. 2002).
- *In re Bankamerica Corp. Securities Litigation*, 263 F.3d 795 (8th Cir. 2001).
- *In re Comdisco Securities Litigation*, 166 F.Supp.2d 1260 (N.D. Ill. 2001).
- *In re Crossroads Systems, Inc. Securities Litigation*, Master File No. A-00-CA-457 JN, 2001 U.S. Dist. LEXIS 14780 (W.D. Tx. Aug. 15, 2001).
- *In re MicroStrategy, Inc. Securities Litigation*, 150 F. Supp. 2d 896 (E.D. Va. 2001).
- *Lindelov v. Hill*, No. 00 C 3727, 2001 U.S. Dist. LEXIS 10301 (N.D. Ill. July 19, 2001).
- *In re MicroStrategy, Inc. Securities Litigation*, 148 F. Supp. 2d 654 (E.D. Va. 2001).
- *Jeffries v. Pension Trust Fund of the Pension, Hospitalization & Benefit Plan of the Electrical Industry*, 172 F. Supp. 2d 389 (S.D.N.Y. 2001).
- *Carney v. Cambridge Technology Partners, Inc.*, 135 F. Supp. 2d 235 (D. Mass. 2001).
- *Weltz v. Lee*, 199 F.R.D. 129 (S.D.N.Y. 2001).
- *Schoers v. Pfizer, Inc.*, 00 Civ. 6121, 2001 U.S. Dist. LEXIS 511 (S.D.N.Y. Jan. 23, 2001).



- *Kurzweil v. Philip Morris Cos.*, 94 Civ. 2373 (MBM), 2001 U.S. Dist. LEXIS 83 (S.D.N.Y. Jan. 9, 2001).
- *Goldberger v. Bear, Stearns & Co.*, 98 Civ. 8677 (JSM), 2000 U.S. Dist. LEXIS 18714 (S.D.N.Y. Dec. 28, 2000).
- *In re Newell Rubbermaid, Inc., Securities Litigation*, Case No. 99 C 6853, 2000 U.S. Dist. LEXIS 15190 (N.D. Ill. Oct. 2, 2000).
- *Stanley v. Safeskin Corp.*, Case No. 99 CV 454 BTM (LSP), 2000 U.S. Dist. LEXIS 14100, Fed. Sec. L. Rep. (CCH) P91, 221 (S.D. Cal. Sept. 18, 2000).
- *In re MicroStrategy, Inc. Securities Litigation*, 115 F. Supp. 2d 620 (E.D. Va. 2000).
- *In re USA Talks.com, Inc. Securities Litigation*, 2000 U.S. Dist. LEXIS 14823, Fed. Sec. L. Rep. (CCH) P91, 231 (S.D. Cal. Sept. 14, 2000).
- *In re Sotheby's Holdings, Inc. Securities Litigation*, 00 CIV. 1041 (DLC), 2000 U.S. Dist. LEXIS 12504, Fed. Sec. L. Rep. (CCH) P91, 059 (S.D.N.Y. Aug. 31, 2000).
- *Dumont v. Charles Schwab & Co., Inc.*, Civil Action No. 99-2840 2000 U.S. Dist. LEXIS 10906 (E.D. La. July 21, 2000).
- *Berger v. Compaq Computer Corp.*, Civil Action No. H-98-1148, 2000 U.S. Dist. LEXIS 21424 (S.D. Tex. July 17, 2000).
- *In re BankAmerica Corp. Securities Litigation*, 95 F. Supp. 2d 1044 (E.D. Mo. 2000).
- *In re Carnegie International Corp. Securities Litigation*, 107 F. Supp. 2d 676 (D. Md. 2000).
- *Berger v. Compaq Computer Corp.*, Civil Action No. H-98-1148, 2000 U.S. Dist. LEXIS 21423 (S.D. Tex. Mar. 13, 2000).
- *In re Imperial Credit Industries Securities Litigation*, CV 98-8842 SVW, 2000 U.S. Dist. LEXIS 2340 (C.D. Cal. Feb. 23, 2000).
- *Sturm v. Marriott Marquis Corp.*, 85 F. Supp. 2d 1356 (N.D. Ga. 2000).
- *In re Health Management Systems Securities Litigation*, 82 F. Supp. 2d 227 (S.D.N.Y. 2000).



- *Dumont v. Charles Schwab & Co., Inc.*, Civil Action No. 99-2840, 2000 U.S. Dist. LEXIS 619 (E.D. La. Jan. 19, 2000).
- *In re MicroStrategy, Inc. Securities Litigation*, 110 F. Supp. 2d 427 (E.D. Va. 2000).
- *In re BankAmerica Corp. Securities Litigation*, 78 F. Supp. 2d 976 (E.D. Mo. 1999).
- *Kurzweil v. Philip Morris Cos.*, 94 Civ. 2373 (MBM), 1999 U.S. Dist. LEXIS 18378 (S.D.N.Y. Nov. 24, 1999).
- *In re Nanophase Technologies Corp. Litigation*, 98 C 3450, 1999 U.S. Dist. LEXIS 16171 (N.D. Ill. Sept. 27, 1999).
- *In re Clearly Canadian Securities Litigation*, File No. C-93-1037-VRW, 1999 U.S. Dist. LEXIS 14273 Cal. Sept. 7, 1999).
- *Yuan v. Bayard Drilling Technologies, Inc.*, 96 F. Supp. 2d 1259 (W.D. Okla. 1999).
- *In re Spyglass, Inc. Securities Litigation*, No. 99 C 512, 1999 U.S. Dist. LEXIS 11382 (N.D. Ill. July 20, 1999).
- *Carley Capital Group v. Deloitte & Touche, L.L.P.*, 1:97-CV-3183-TWT, 1999 U.S. Dist. LEXIS 11595 (N.D. Ga. June 30, 1999).
- *Blue Cross & Blue Shield of N.J., Inc. v. Philip Morris, Inc.*, 98 CV 3287, 1999 U.S. Dist. LEXIS 11363 (E.D.N.Y. June 1, 1999).
- *Carley Capital Group v. Deloitte & Touche, L.L.P.*, 1:97-CV-3183-TWT, 1999 U.S. Dist. LEXIS 1368, Fed. Sec. L. Rep. (CCH) P90, 429 (N.D. Ga. Jan. 19, 1999).
- *Longman v. Food Lion, Inc.*, 186 F.R.D. 331 (M.D.N.C. 1999).
- *Wright v. Ernst & Young LLP*, 152 F.3d 169 (2d Cir. 1998).
- *Romine v. Compuserve Corp.*, 160 F.3d 337 (6th Cir. 1998).
- *Felzen v. Andreas*, 134 F.3d 873 (7th Cir. 1998).
- *Walsingham v. Biocontrol Technology, Inc.*, 66 F. Supp. 2d 669 (W.D. Pa. 1998).
- *Sturm v. Marriott Marquis Corp.*, 26 F. Supp. 2d 1358 (N.D. Ga. 1998).



- *Carley Capital Group v. Deloitte & Touche, L.L.P.*, 27 F. Supp. 2d 1324 (N.D. Ga. 1998).
- *In re MobileMedia Securities Litigation*, 28 F.Supp.2d 901 (D.N.J. 1998).
- *Weikel v. Tower Semiconductor, Ltd.*, 183 F.R.D. 377 (D.N.J. 1998).
- *In re Health Management Systems Securities Litigation*, 97 Civ. 1865 (HB), 1998 U.S. Dist. LEXIS 8061 (S.D.N.Y. May 27, 1998).
- *In re Painewebber Ltd. Partnership Litigation*, 999 F. Supp. 719 (S.D.N.Y. 1998).
- *Carley Capital Group v. Deloitte & Touche, L.L.P.*, 1:97-cv-3183-TWT, 1998 U.S. Dist. LEXIS 23222 (N.D. Ga. Feb. 10, 1998).
- *Brown v. Radica Games (In re Radica Games Securities Litigation)*, No. 96-17274, 1997 U.S. App. LEXIS 32775 (9th Cir. Nov. 14, 1997).
- *Robbins v. Koger Properties*, 116 F.3d 1441 (11th Cir. 1997).
- *In re TCW/DW North American Government Income Trust Securities Litigation*, 95 Civ. 0167 (PKL), 1997 U.S. Dist. LEXIS 18485 (S.D.N.Y. Nov. 20, 1997).
- *Wright v. Ernst & Young, LLP*, 97 Civ. 2189 (SAS), 1997 U.S. Dist. LEXIS 13630 (S.D.N.Y. Sept. 9, 1997).
- *Felzen v. Andreas*, No. 95-2279, 1997 U.S. Dist. LEXIS 23646 (C.D. Ill. July 7, 1997).
- *Felzen v. Andreas*, No. 95-2279, 1997 U.S. Dist. LEXIS 23647 (C.D. Ill. July 7, 1997).
- *A. Ronald Sirna, Jr., P.C. Profit Sharing Plan v. Prudential Securities, Inc.*, 964 F. Supp. 147 (S.D.N.Y. 1997).
- *Kurzweil v. Philip Morris Companies*, 94 Civ. 2373 (MBM), 1997 U.S. Dist. LEXIS 4451 (S.D.N.Y. April 8, 1997).
- *Bobrow v. Mobilmedia, Inc.*, Civil Action No. 96-4715, 1997 U.S. Dist. LEXIS 23806 (D.N.J. March 31, 1997).



- *Kalodner v. Michaels Stores, Inc.*, 172 F.R.D. 200 (N.D.Tex. 1997).
- *In re Painewebber Ltd. Partnerships Litigation*, 171 F.R.D. 104 (S.D.N.Y. 1997).
- *A. Ronald Sirna, Jr., P.C. Profit Sharing Plan v. Prudential Securities, Inc.*, 95 Civ. 8422 (LAK), 1997 U.S. Dist. LEXIS 1226 (S.D.N.Y. Feb. 7, 1997).
- *In re Painewebber Inc. Limited Partnerships Litigation*, 94 F.3d 49 (2d Cir. 1996).
- *Glassman v. Computervision Corp.*, 90 F.3d 617 (1st Cir. 1996).
- *Alpern v. Utilicorp United, Inc.*, 84 F.3d 1525 (8th Cir. 1996).
- *Shaw v. Digital Equipment Corp.*, 82 F.3d 1194 (1st Cir. 1996).
- *Dresner Co. Profit Sharing Plan v. First Fidelity Bank, N.A.*, 95 Civ. 1924 (MBM), 1996 U.S. Dist. LEXIS 17913 (S.D.N.Y. Dec. 3, 1996).
- *Simon v. American Power Conversion Corp.*, 945 F. Supp. 416 (D.R.I. 1996).
- *TII Industries, Inc.*, 96 Civ. 4412 (SAS), 1996 U.S. Dist. LEXIS 14466 (S.D.N.Y. Oct. 1, 1996).
- *In re TCW/DW North American Government Income Trust Securities Litigation*, 941 F. Supp. 326 (S.D.N.Y. Oct. 1, 1996).
- *In re Painewebber Ltd. Partnership Litigation*, 94 Civ. 8547 (SHS), 1996 U.S. Dist. LEXIS 9195 (S.D.N.Y. June 28, 1996).
- *In re Tricord Systems, Inc., Securities Litigation*, Civil No. 3-94-746, 1996 U.S. Dist. LEXIS 20943 (D. Minn. April 5, 1996).
- *In re Painewebber Limited Partnership Litigation*, 94 Civ. 8547 (SHS), 1996 U.S. Dist. LEXIS 1265 (S.D.N.Y. Feb. 6, 1996).
- *Riley v. Simmons*, 45 F.3d 764 (3d Cir. 1995).
- *Stepak v. Addison*, 20 F.3d 398 (11th Cir. 1994).
- *Zitin v. Turley*, [1991 Transfer Binder] Fed. Sec. L. Rep. (CCH) ¶ 96,123 (D. Ariz. June 20, 1994).



- *In re Southeast Hotel Properties Limited Partnership Investor Litigation*, 151 F.R.D. 597 (W.D.N.C. 1993).
- *County of Suffolk v. Long Island Lighting Co.*, 907 F.2d 1295 (2d Cir. 1990).

NOTABLE STATE COURT OPINIONS

- *William Hughes, Jr. v. Xiaoming Hu, et al. [In re Kandi Technologies Group]*, C.A. No. 2019-0112-JTL (Del. Ch. April 27, 2020).
- *Eshaghian v. Roshanzamir*, 179 A.D.3d 596 (N.Y. App. Div. 1st Dep't 2020).
- *Cohen v. Saks, Inc.*, 169 A.D.3d 515 (N.Y. App. Div. 1st Dep't 2019).
- *Bartis v. Harbor Tech, LLC*, 147 A.D.3d 52 (N.Y. App. Div. 2d Dep't 2016).
- *Zelouf Int'l Corp. v. Zelouf*, 47 Misc. 3d 346 (N.Y. Sup. Ct. 2014).
- *McWilliams v. City of Long Beach*, 56 Cal. 4th 613 (2013).
- *Roberts v. Tishman Speyer*, 89 A.D.3d 444 (N.Y. App. Div. 1st Dep't 2011).
- *Ardon v. City of Los Angeles*, 52 Cal. 4th 241 (2011).
- *Roberts v. Tishman Speyer*, 13 N.Y.3d 270 (N.Y. 2009).
- *In re Tyson Foods, Inc., Consolidated Shareholder Litigation*, 919 A.2d 563 (Del. Ch. 2007).
- *Naevus Int'l v. AT&T Corp.*, 283 A.D.2d 171, 724 N.Y.S.2d 721 (2001).
- *In re Western National Corp. Shareholders Litigation*, Consolidated C.A. No. 15927, 2000 Del. Ch. LEXIS 82 (May 22, 2000).
- *In re Cencom Cable Income Partners, L.P. Litigation*, C.A. No. 14634, 2000 Del. Ch. LEXIS 90 (May 5, 2000).
- *In re Cencom Cable Income Partners, L.P. Litigation*, Consolidated C.A. No. 14634, 2000 Del. Ch. LEXIS 10 (Jan. 27, 2000).



- *In re Marriott Hotels Properties II Limited Partnership Unitholders Litigation*, Consolidated C.A. No. 14961, 2000 Del. Ch. LEXIS 17 (Jan. 24, 2000).
- *Romig v. Jefferson-Pilot Life Insurance Company*, 132 N.C. App. 682, 513 S.E.2d 598 (Ct. App. 1999), *aff'd*, 351 N.C. 349, 524 S.E.2d 804 (N.C. 2000).
- *Wallace v. Wood*, 752 A.2d 1175 (Del. Ch. 1999).
- *Greenwald v. Batterson*, C.A. No. 16475, 1999 Del. Ch. LEXIS 158 (July 26, 1999).
- *Brown v. Perrette*, Civil Action No. 13531, 1999 Del. Ch. LEXIS 92 (May 18, 1999).
- *Seinfeld v. Robinson*, 246 A.D.2d 291, 676 N.Y.S.2d 579 (N.Y. 1998).
- *Werner v. Alexander*, 130 N.C. App. 435, 502 S.E.2d 897 (N.C. Ct. App. 1998).
- *In re Cencom Cable Income Partners, L.P. Litigation*, C.A. No. 14634, 1997 Del. Ch. LEXIS 146 (Oct. 15, 1997).
- *In re Marriott Hotel Properties II Limited Partnership Unitholders Litigation*, Consolidated C.A. No. 14961, 1997 Del. Ch. LEXIS 128 (Sept. 17, 1997).
- *In re Cheyenne Software Shareholders Litigation*, Consolidated C.A. No. 14941, 1996 Del. Ch. LEXIS 142 (Nov. 7, 1996).
- *Paramount Communications, Inc. v. QVC Network, Inc.*, 637 A.2d 34 (Del. Super. Ct. 1994).



ATTORNEY BIOGRAPHIES

The qualifications of the attorneys in the Wolf Haldenstein Litigation Group are set forth below and are followed by descriptions of some of the Firm's attorneys who normally practice outside the Litigation Group who contribute significantly to the class action practice from time to time.

PARTNERS

MARK C. RIFKIN: *admitted:* New York; Pennsylvania; New Jersey; U.S. Supreme Court; U.S. Courts of Appeals for the Second, Third, Fifth, and D.C. Circuits; U.S. District Courts for the Southern and Eastern Districts of New York, the Eastern and Western Districts of Pennsylvania, the District of New Jersey, the Eastern District of Wisconsin and the Western District of Michigan. *Education:* Princeton University (A.B. 1982); Villanova University School of Law (J.D. 1985). Contributor, Packel & Poulin, *Pennsylvania Evidence* (1987).

A highly experienced securities class action and shareholder rights litigator, Mr. Rifkin has recovered hundreds of millions of dollars for victims of corporate fraud and abuse in federal and state litigation across the country. Since 1990, Mr. Rifkin has served as lead counsel, co-lead counsel, or trial counsel in many class and derivative actions in securities, intellectual property, antitrust, insurance, consumer and mass tort litigation throughout the country.

Unique among his peers in the class action practice, Mr. Rifkin has extensive trial experience. Over the past thirty years, Mr. Rifkin has tried many complex commercial actions in federal and state courts across the country in class and derivative actions, including *In re National Media Corp. Derivative Litig.*, C.A. 90-7574 (E.D. Pa.), *Upp v. Mellon Bank, N.A.*, C.A. No. 91-5229 (E.D. Pa.), where the verdict awarded more than \$60 million in damages to the Class (later reversed on appeal, 997 F.2d 1039 (3d Cir. 1993)), and *In re AST Research Securities Litigation*, No. 94-1370 SVW (C.D. Cal.), as well as a number of commercial matters for individual clients, including *Zelouf Int'l Corp. v. Zelouf*, Index No. 653652/2013 (N.Y. Sup. Ct. 2015), in which he obtained a \$10 million judgment for his client.

Mr. Rifkin also has extensive appellate experience. Over thirty years, Mr. Rifkin has argued dozens of appeals on behalf of appellants and appellees in several federal appellate courts, and in the highest appellate courts in New York, Pennsylvania, New Jersey, and Delaware.



Mr. Rifkin has earned the AV®-Preeminent rating by Martindale-Hubbell® for more than 20 years, and has been selected for inclusion in the New York Metro SuperLawyers® listing since 2010. In 2014, Mr. Rifkin was named a “Titan of the Plaintiff’s Bar” by Law360®.

In 2015, Mr. Rifkin received worldwide acclaim for his role as lead counsel for the class in *Good Morning To You Productions Corp. v. Warner/Chappell Music, Inc.*, No. CV 13-04460-GHK (MRWx), in federal court in Los Angeles, successfully challenging the copyright to “Happy Birthday to You,” the world’s most famous song. In recognition of his historic victory, Mr. Rifkin was named a Trailblazer in Intellectual Property by the National Law Journal in 2016. In 2018, Mr. Rifkin led a team of lawyers from Wolf Haldenstein who represented the plaintiffs in *We Shall Overcome Foundation, et al. v. The Richmond Organization, Inc., et al.*, No. 16-cv-02725-DLC (S.D.N.Y.), which successfully challenged the copyright to “We Shall Overcome,” called the “most powerful song of the 20th century” by the Librarian of Congress.

Mr. Rifkin lectures frequently to business and professional organizations on a variety of securities, shareholder, intellectual property, and corporate governance matters. Mr. Rifkin is a guest lecturer to graduate and undergraduate economics and finance students on corporate governance and financial disclosure topics. He also serves as a moot court judge for the A.B.A. and New York University Law School. Mr. Rifkin appears frequently in print and broadcast media on diverse law-related topics in corporate, securities, intellectual property, antitrust, regulatory, and enforcement matters.

BETSY C. MANIFOLD: *admitted:* Wisconsin; New York; California; U.S. District Courts for the Western District of Wisconsin, Eastern and Southern Districts of New York, and Northern, Central and Southern Districts of California. *Education:* Elmira College; Middlebury College (B.A., *cum laude*, 1980); Marquette University (J.D., 1986); New York University. Thomas More Scholar. Recipient, American Jurisprudence Award in Agency. Member: The Association of the Bar of the City of New York. Languages: French.

Ms. Manifold served as co-lead counsel in the following cases to recovery on behalf of employees: *Miguel Garcia, et al. v. Lowe’s Home Center, Inc. et al.* – Case No. GIC 841120 (Barton) (Cal. Sup. Ct, San Diego) (\$1.65 million settlement w/ average class member recovery of \$5,500, attorney fees and cost awarded separately) and *Neil Weinstein, et al.*



v. MetLife, Inc., et al. – Case No. 3:06-cv-04444-SI (N.D. Cal.) (\$7.4 million settlement). Ms. Manifold also served as co-lead counsel in the following derivative actions: *In re Atmel Corporation Derivative Litigation*, Master File No. CV 06-4592-JF (N.D. Cal.) (\$9.65 million payment to Atmel) and *In re Silicon Storage Technology Inc. Derivative Litig.*, Case No. C 06-04310 JF (N.D. Cal.) (cash payment and re-pricing of options with a total value of \$5.45 million). Ms. Manifold also worked as lead counsel on the following class action: *Lewis v. American Spectrum Realty*, Case No. 01 CC 00394, Cal. Sup. Ct (Orange County) (\$6.5 million settlement).

BENJAMIN Y. KAUFMAN: *admitted:* New York, United States Supreme Court, United States Court of Appeals for the Fourth Circuit, Southern, Northern and Eastern Districts of New York, District of New Jersey; and District of Colorado. **Education:** Yeshiva University, B.A.; Benjamin N. Cardozo School of Law, Yeshiva University, J.D; New York University, Stern School of Business, M.B.A. Mr. Kaufman focuses on class actions on behalf of defrauded shareholders, investors, and consumers. Mr. Kaufman has extensive experience in complex class actions representing clients including institutional investors such as public and labor pension funds, labor health and welfare benefit funds, as well as private individuals and funds who suffered losses due to corporate fraud. Mr. Kaufman also has extensive experience litigating complex commercial cases in state and federal court.

Mr. Kaufman's successful securities litigations include *In re Deutsche Telekom AG Securities Litigation*, No. 00-9475 (S.D.N.Y.), a complex international securities litigation requiring evidentiary discovery in both the United States and Europe, which settled for \$120 million. Mr. Kaufman was also part of the team that recovered \$46 million for investors in *In re Asia Pulp & Paper Securities Litigation*, No. 01-7351 (S.D.N.Y.); and \$43.1 million in *Freeland v. Iridium World Communications, Ltd.*, No. 99-1002 (D.D.C.).

Mr. Kaufman's outstanding representative results in derivative and transactional litigations include: *In re Trump Hotels Shareholder Derivative Litigation*, No. 96-cv-7820 (S.D.N.Y.) (in settlement Trump personally contributed some of his holdings and the company adopted corporate reforms); *Southwest Airlines Derivative Litigation (Carbon County Employee Retirement System v. Kelly)* (Dist. Ct. Dallas Cnty., Tex.) (derivative matter that resulted in significant reforms to the air carrier's corporate governance and safety and maintenance practices and procedures for the benefit of the company and its shareholders); *Lynn v. Tennessee Commerce Bancorp, Inc., et al.*, No. 3:12-cv-01137 (M.D. Tenn.) (\$2.6 million settlement); *In re ClubCorp Holdings Shareholder Litigation*, No. A-17-758912-B (D. Nev.) (\$5 million settlement and corporate therapeutics). Mr. Kaufman



also argued the appeal in *In re Comverse Technology, Inc. Derivative Litig.*, 56 A.D.3d 49 (1st Dep't 2008) which led to the seminal New York Appellate Division opinion clarifying the standards of demand futility in New York and *In re Topps Company, Inc. Shareholders Litigation* which resulted in a 2007 decision vindicating the rights of shareholders to pursue claims in the most relevant forum notwithstanding the state of incorporation. Mr. Kaufman has also lectured and taught in the subjects of corporate governance as well as transactional and derivative litigation.

In addition, Mr. Kaufman has represented many corporate clients in complex commercial matters, including complex copyright royalty class actions against music companies. *Puckett v. Sony Music Entertainment*, No. 108802/98 (Sup. Ct. N.Y. Cnty.); *Shropshire v. Sony Music Entertainment*, No. 06-3252 (S.D.N.Y.), and *The Youngbloods v. BMG Music*, No. 07-2394 (S.D.N.Y.). In *Mich II Holdings LLC v. Schron*, No. 600736/10 (Sup. Ct. N.Y. Cnty.), Mr. Kaufman represented certain prominent real estate investors and successfully moved to dismiss all claims against those defendants. Mr. Kaufman has also represented clients in arbitrations and litigations involving oppressed minority shareholders in closely held corporations.

Currently, Mr. Kaufman represents clients in a wide array of matters, including shareholders of a large cooperative complex alleging breach of fiduciary duty by the board of directors and property manager; purchasers of New York City taxi medallions in a class action pending in New York Supreme Court, Queens County; a New York art gallery in an action against several European insurers over insurance coverage for paintings seized while on exhibit; and shareholders of Saks, Inc. alleging that the board of directors and its investment advisor sold the company for inadequate consideration. *Cohen v. Saks*, 169 A.D.3d 51 (1st Dep't 2019).

Prior to joining Wolf Haldenstein, and prior to joining Milberg LLP in 1998, Mr. Kaufman was a Court Attorney for the New York State Supreme Court, New York County (1988-1990) and Principal Law Clerk to Justice Herman Cahn of the Commercial Division of the New York State Supreme Court, New York County (1990-1998).

Mr. Kaufman is an active member of the Commercial and Federal Litigation Section of the New York State Bar Association, the International Association of Jewish Lawyers and Jurists and the Jewish Lawyers Guild in which he serves as a Vice President. Mr. Kaufman was the Dinner Chair at the Jewish Lawyers Guild Annual Dinner in 2017, 2018, and 2019. Mr. Kaufman is a member of the Board of Trustees of Congregation



Beth Sholom in Lawrence, NY and was a member of the Board of Trustees of the Hebrew Academy of the Five Towns and Rockaways from 2015-2019.

Mr. Kaufman has been recognized by SuperLawyers® each year since 2012.

THOMAS H. BURT: *admitted:* New York; U.S. District Courts for the Southern and Eastern Districts of New York, Eastern District of Michigan. *Education:* American University (B.A. 1993); New York University (J.D. 1997). Articles Editor with New York University Review of Law and Social Change. Mr. Burt is a litigator with a practice concentrated in securities class actions and complex commercial litigation. After practicing criminal defense with noted defense lawyer Jack T. Litman for three years, he joined Wolf Haldenstein, where he has worked on such notable cases as *In re Initial Public Offering Securities Litigation*, No. 21 MC 92 (SAS) (S.D.N.Y.) (a novel and sweeping amalgamation of over 300 class actions which resulted in a recovery of \$586 million); *In re MicroStrategy Securities Litigation*, No. 00-473-A (E.D. Va.) (recovery of \$192 million); *In re DRAM Antitrust Litigation*, No. 02-cv-1486 (PJH) (N.D. Cal.) (antitrust case resulting in \$315 million recovery); *In re Computer Associates 2002 Class Action Securities Litigation*, No. 02-cv-1226 (TCP) (E.D.N.Y.) (settled, together with a related fraud case, for over \$133 million); *K.J. Egleston L.P. v. Heartland Industrial Partners, et al.*, 2:06-13555 (E.D. Mich.) (recovery included personal assets from former Reagan Administration budget director David A. Stockman); and *Parker Friedland v. Iridium World Communications, Ltd.*, 99-1002 (D.D.C.) (recovery of \$43.1 million). Mr. Burt has spoken on several occasions to investor and activist groups regarding the intersection of litigation and corporate social responsibility. Mr. Burt writes and speaks on both securities and antitrust litigation topics. He has served as a board member and officer of the St. Andrew's Society of the State of New York, New York's oldest charity.

RACHELE R. BYRD: *admitted:* California; U.S. District Courts for the Southern, Northern, Central and Eastern Districts of California, the Northern District of Illinois, and the Eastern District of Michigan; U.S. Court of Appeals for the Ninth Circuit; U.S. Supreme Court. *Education:* Point Loma Nazarene College (B.A., 1994); University of California, Hastings College of the Law (J.D. 1997). Member: State Bar of California. Ms. Byrd is located in the firm's San Diego office and practices corporate derivative and class action litigation including securities, consumer, privacy and security, antitrust, employment and general corporate and business litigation. Ms. Byrd has played a significant role in litigating numerous class and derivative actions, including *Engquist v. City of Los Angeles*, No. BC591331 (Los Angeles Super. Ct.) (gas tax refund action that settled for \$32.5 million and injunctive relief, valued at a minimum of \$24.5 million over



3 years and \$81.8 million over 10 years, following certification of the class and on the eve of a hearing on the parties' cross-motions for summary judgment); *Ardon v. City of Los Angeles*, 52 Cal.4th 241 (2011) (telephone tax refund action against the City of Los Angeles that settled for \$92.5 million after a successful appeal and a groundbreaking opinion from the California Supreme Court); *McWilliams v. City of Long Beach*, Cal. Supreme Ct. No. S202037, 2013 Cal. LEXIS 3510 (April 25, 2013) (telephone tax refund action that settled for \$16.6 million after a successful appeal and another groundbreaking opinion from the California Supreme Court); *Granados v. County of Los Angeles*, BC361470 (Los Angeles Super. Ct.) (telephone tax refund action that settled for \$16.9 million following class certification and a successful appeal); *In re: Zoom Video Communications, Inc. Privacy Litigation*, No. 5:20-cv-0291 (N.D. Cal.) (member of Plaintiffs' Steering Committee; settled for \$85 million); *In re Robinhood Outage Litigation*, No. 20-cv-01626-JD (N.D. Cal.) (member of Plaintiffs' Executive Committee); *In re Apple iPhone Antitrust Litigation*, No. 4:11-cv-06714-YGR (N.D. Cal.) (ongoing antitrust class action on behalf of consumers against Apple over its monopolization of the iOS applications aftermarket that secured a favorable opinion in the U.S. Supreme Court: *Apple Inc. v. Pepper*, 139 S. Ct. 1514 (2019)); *Defrees v. Kirkland, et al.*, 11-04272 (JLS) (C.D. Cal.) (\$12.2 million settlement reached in derivative action on the eve of trial); *Carrera Aguillo, et al. v. Kemper Corp., et al.*, No. 1:21-cv-01883 (N.D. Ill.) (settled data breach class action where Ms. Byrd was Interim Co-Lead Counsel); *In re: Scripps Health Data Incident Litigation*, San Diego Super. Ct. No. 37-2021-00024103-CU-BT-CTL (settled data breach class action where Wolf Haldenstein was co-lead counsel); *Hinds v. Community Medical Centers, Inc.*, No. STK-CV-UNPI-2021-10404 (San Joaquin Super. Ct.) (settled data breach class action where Wolf Haldenstein was co-lead counsel); *Fields v. The Regents of the University of California*, Alameda Superior Court No. RG21107152 (settled data breach class action); *In re Arthur J. Gallagher Data Breach Litigation*, No. 1:21-cv-04056 (N.D. Ill.) (settled data breach class action); *In re: CaptureRx Data Breach Litigation*, No. 5:21-cv-00523-OLG (W.D. Tex.) (settled data breach class action); *Hajny v. Volkswagen group of America, Inc., et al.*, Case No. C22-10841 (Alameda Cnty. Super. Ct.) (settled data breach class action).

MATTHEW M. GUINEY: *admitted:* New York State; United States Supreme Court; United States Courts of Appeals for the Second, Third and Ninth Circuits; U.S. District Courts for the Southern and Eastern District of New York and numerous others. **Education:** The College of William & Mary (B.A. in Government and Economics 1998); Georgetown University Law Center (J.D. 2002). Mr. Guiney's primary areas of practice are securities class actions under the Securities Act of 1933 and the Exchange Act of



1934, complex commercial litigation, Employee Retirement Income Security Act (ERISA) actions on behalf of plan participants, Fair Labor Standards Act of 1938 actions concerning overtime payment, and fiduciary duty actions under various state laws. Mr. Guiney has helped recover hundreds of millions of dollars for victims of corporate fraud and abuse in federal and state litigation across the country. Mr. Guiney was on the merits briefs at the United States Supreme Court on behalf of the plaintiffs/respondents in *Apple Inc. v. Pepper*, No. 17-204, 587 U.S. ____ (2019) where the Court affirmed plaintiffs' antitrust standing under *Illinois Brick*. Mr. Guiney also represented plaintiffs/respondents at the United States Supreme Court in *China Agritech v. Resh*, 584 U.S. ____ (2018), where the Court addressed tolling in the class action context. Mr. Guiney also initially served as counsel of record and briefed opposition to petition for writ of certiorari, and argued and achieved a precedential reversal of motion to dismiss in a published opinion at the United States Court of Appeals for the Ninth Circuit in *Resh v. China Agritech*, No. 15-5543, 2017 U.S. App. LEXIS 9029 (9th Cir. May 24, 2017).

Some of Mr. Guiney's notable results on behalf of investors include: *Mallozzi v. Industrial Enterprises of America, Inc., et al.*, 1:07-cv-10321-DLC (S.D.N.Y.) (\$3.4 million settlement on behalf of shareholders); *In re Luxottica Group S.p.A. Securities Litigation*, No. CV 01-3285 (JBW) (MDG) (E.D.N.Y.) (\$18.5 million settlement on behalf of shareholders); *In re MBNA Corp. ERISA Litigation*, Master Docket No. 05-429 (GMS), (D. Del) (\$4.5 million settlement on behalf of plan participants).

MALCOLM T. BROWN: *admitted:* United States District Courts for the Southern and Eastern Districts of New York, District of New Jersey and Eastern District of Pennsylvania; United States Court of Appeals for the Second Circuit. **Education:** University of Pennsylvania (B.A., Political Science 1988) and Rutgers University School of Law (J.D. 1994). Mr. Brown's primary areas of practice are securities, derivative, M&A litigation and consumer class actions. Recent notable decisions include: *Johnson v. Ford Motor Co.*, 309 F.R.D. 226 (S.D. W. Va. 2015); *Thomas v. Ford Motor Co.*, 2014 U.S. Dist. LEXIS 43268 (D.S.C. Mar. 31, 2014); *In re Merkin Sec. Litig.*, 2015 U.S. Dist. LEXIS 178084 (S.D.N.Y. Aug. 24, 2015). Prior to joining Wolf Haldenstein, Mr. Brown was a business litigation attorney who represented financial institutions, corporations and partnerships and advised clients on business disputes, reorganizations, dissolutions and insurance coverage matters. Notable decisions include: *Garment v. Zoeller*, 2001 U.S. Dist. LEXIS 20736 (S.D.N.Y. June 19, 2001), *aff'd* 2002 U.S. App. LEXIS 9966 (2d Cir. May 24, 2002); *Bainton v. Baran*, 731 N.Y.S.2d 161 (1st Dep't 2001).



SPECIAL COUNSEL

JUSTICE HERMAN CAHN: *admitted:* New York. *Education:* Harvard Law School and a B.A. from City College of the City University of New York. Justice Herman Cahn was first elected as Judge of the Civil Court of the City of New York in 1976. He subsequently served as an Acting Justice of the Supreme Court from 1980 until 1992, when he was elected to the Supreme Court. Throughout his decades on the bench, he principally handled civil cases, with the exception of 1981 until 1987, when he presided over criminal matters. Justice Cahn was instrumental in the creation of, and a founding Justice in, the Commercial Division within the New York State Supreme Court. He served as a Justice of the Commercial Division from its inception in 1993.

Among his most notable recent cases are the consolidated cases stemming from the Bear Stearns merger with JP Morgan (*In re Bear Stearns Litigation*); litigation regarding the America's Cup Yacht Race (*Golden Gate Yacht Club v. Société Nautique de Genève*); litigation stemming from the attempt to enjoin the construction of the new Yankee Stadium (*Save Our Parks v. City of New York*); and the consolidated state cases regarding the rebuilding of the World Trade Center site (*World Trade Center Properties v. Alliance Insurance*; *Port Authority v. Alliance Insurance*).

Justice Cahn is a member of the Council on Judicial Administration of the Association of the Bar of the City of New York. He has also recently been appointed to the Character and Fitness Committee of the Appellate Division, First Department. He is on the Register of Mediators for the United States Bankruptcy Court, Southern and Eastern Districts of New York.

Before ascending the bench, Justice Cahn practiced law in Manhattan. He was first admitted to the New York bar in 1956. He is admitted to practice in numerous courts, including the New York State courts, the Southern District of New York and the United States Supreme Court.

OF COUNSEL

DANIEL W. KRASNER: *admitted:* New York; Supreme Court of the United States; U.S. Courts of Appeals for the Second, Third, Fourth, Sixth, Eighth, Ninth, Tenth, and Eleventh Circuits; U.S. District Courts for the Southern and Eastern Districts of New York, Central District of Illinois, and Northern District of Michigan. *Education:* Yale Law School (LL.B., 1965); Yeshiva College (B.A., 1962). Mr. Krasner is of counsel at Wolf Haldenstein. He began practicing law with Abraham L. Pomerantz, generally



credited as the "Dean of the Class Action Bar." He founded the Class Litigation Group at Wolf Haldenstein in 1976.

Mr. Krasner received judicial praise for his class action acumen as early as 1978. *See, e.g., Shapiro v. Consolidated Edison Co.*, [1978 Transfer Binder] Fed. Sec. L. Rep. (CCH) & 96,364 at 93,252 (S.D.N.Y. 1978) ("in the Court's opinion the reputation, skill and expertise of . . . [Mr.] Krasner, considerably enhanced the probability of obtaining as large a cash settlement as was obtained"); *Steiner v. BOC Financial Corp.*, [1980 Transfer Binder] Fed. Sec. L. Rep. (CCH) & 97,656, at 98,491.4, (S.D.N.Y. 1980) ("This Court has previously recognized the high quality of work of plaintiffs' lead counsel, Mr. Krasner"). The New York Law Journal referred to Mr. Krasner as one of the "top rank plaintiffs' counsel" in the securities and class action fields. In connection with a failed 1989 management buyout of United Airlines, Mr. Krasner testified before Congress.

More recently, Mr. Krasner has been one of the lead attorneys for plaintiffs in some of the leading Federal multidistrict cases in the United States, including the IPO Litigation in the Southern District of New York, the Mutual Fund Market Timing Litigation in the District of Maryland, and several Madoff-related litigations pending in the Southern District of New York. Mr. Krasner has also been lead attorney in several precedent-setting shareholder actions in Delaware Chancery Court and the New York Court of Appeals, including *American International Group, Inc. v. Greenberg*, 965 A.2d 763 (Del. Ch. 2009) and the companion certified appeal, *Kirschner v. KPMG LLP*, Nos. 151, 152, 2010 N.Y. LEXIS 2959 (N.Y. Oct. 21, 2010); *Teachers' Retirement System of Louisiana and City of New Orleans Employees' Retirement System, derivatively on behalf of nominal defendant American International Group, Inc., v. PricewaterhouseCoopers LLP*, No. 152 (New York, October 21, 2010); *In re CNX Gas Corp. S'holders Litig.*, C.A. No. 5377-VCL, 2010 Del. Ch. LEXIS 119 (Del. Ch., May 25, 2010); *In re CNX Gas Corp. S'holders Litig.*, C.A. No. 5377-VCL, 2010 Del. Ch. LEXIS 139, (Del. Ch. July 5, 2010), appeal refused, 2010 Del. LEXIS 324, 2010 WL 2690402 (Del. 2010).

Mr. Krasner has lectured at the Practicing Law Institute; Rutgers Graduate School of Business; Federal Bar Council; Association of the Bar of the City of New York; Rockland County, New York State, and American Bar Associations; Federal Bar Council, and before numerous other bar, industry, and investor groups.

PETER C. HARRAR: *admitted; New York*; United States Court of Appeals for the Fourth Circuit and the United States District Courts for the Southern and Eastern Districts of New York. **Education:** Columbia Law School (J.D. 1984); Princeton University, Phi Beta Kappa, *magna cum laude*. Mr. Harrar is of counsel at the firm and



has extensive experience in complex securities and commercial litigation on behalf of individual and institutional clients.

He has represented investment funds, hedge funds, insurance companies and other institutional investors in a variety of individual actions, class actions and disputes involving mortgage-backed securities and derivative instruments. Examples include *In re EMAC Securities Litigation*, a fraud case concerning private placements of securitized loan pools, and *Steed Finance LDC v. LASER Advisors, Inc.*, a hybrid individual and class action concerning the mispricing of swaptions.

Over the years, Mr. Harrar has also served as lead or co-lead counsel in numerous securities class and derivative actions throughout the country, recovering hundreds of millions of dollars on behalf of aggrieved investors and corporations. Recent examples are some of the largest recoveries achieved in resolution of derivative actions, including *American International Group Consolidated Derivative Litigation* (\$90 million), and *Bank of America/Merrill Derivative Litigation* (\$62.5 million).

JEFFREY G. SMITH: *admitted:* New York; California; Supreme Court of the United States; U.S. Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Circuits; U.S. Tax Court; U.S. District Courts for the Southern and Eastern Districts of New York, Southern, Central and Northern Districts of California and the Districts of Colorado and Nebraska. *Education:* Woodrow Wilson School of Public and International Affairs, Princeton University (M.P.A., 1977); Yale Law School (J.D., 1978); Vassar College (A.B., *cum laude generali*, 1974). At Yale Law School, Mr. Smith was a teaching assistant for the Trial Practice course and a student supervisor in the Legal Services Organization, a clinical program. Member: The Association of the Bar of the City of New York; New York State and American (Section on Litigation) Bar Associations; State Bar of California (Member: Litigation Section); American Association for Justice. Mr. Smith has frequently lectured on corporate governance issues to professional groups of Fund trustees and investment advisors as well as to graduate and undergraduate business student groups, and has regularly served as a moot court judge for the A.B.A. and at New York University Law School. Mr. Smith has substantial experience in complex civil litigation, including class and derivative actions, tender offer, merger, and takeover litigation. Mr. Smith is rated “AV” by Martindale Hubble and, since its inception in 2006, has been selected as among the top 5% of attorneys in the New York City metropolitan area chosen to be included in the Super Lawyers Magazine.



ROBERT ALTCHILER: *Education:* State University of New York at Albany (B.S., Finance/Marketing, 1985); The George Washington University (JD, 1988).

Robert's practice focuses primarily in the areas of White Collar criminal investigations, corporate investigations, entertainment, litigation, and general corporate counseling. Robert's diverse practice had developed as a result of his extensive international business contacts and relationships in the entertainment world, in the United States and the United Kingdom. Robert had successfully defended cases and resolved matters spanning the most complex entertainment controversies, to virtually any imaginable complex criminal or corporate matter.

Robert has successfully defended individuals and corporations in a wide array of multifaceted investigations in areas such as mortgage fraud, securities fraud, tax fraud, prevailing wage, money laundering, Bank Secrecy Act, embezzlement, bank and wire fraud, theft of trade secrets, criminal copyright infringement, criminal anti-counterfeiting, Foreign Corrupt Practices Act (FCPA), International Traffic In Arms Regulations (ITAR), racketeering, continuing criminal enterprises, and circumvention of trade restrictions, among many others. Robert also specializes in non-criminal investigations relating to various topics, including finding money allegedly being hidden by individuals, ascertaining the identities of individuals actually involved in corporate matters (when a client believes those identities are being concealed), and running undercover "sting" operations as part of civil and commercial litigation support.

Because of Robert's significant business contacts in the United Kingdom, and the United States, he is frequently called upon to assist clients in various forms of complex business matters, both domestic and international. Robert's clients look to him as a trusted, experienced, creative, fearless hand who has demonstrated an ability to navigate even the most difficult and desperate situations. Robert prides himself on his ability to develop aggressive creative winning strategies for his clients even when the clients believe their circumstances are hopeless.

In 1988, Robert started his legal career as a prosecutor in New York City, where he prosecuted a wide array of cases and headed up a variety of different investigations. As a prosecutor, he presented hundreds of cases to grand juries, and ran numerous investigations. In addition to trying several dozen serious cases, ranging from murder to fraud to narcotics violations, he also ran wiretap and grand jury investigations



involving money laundering and other financial crimes, as well as a wiretap and investigation concerning a plot to assassinate a prominent NYC judge. Upon leaving the government, Robert began focusing on defending individuals and entities under government investigation and/or indictment. Early in private practice he defended numerous law enforcement officers under administrative and criminal scrutiny, in courts and administrative proceedings. His particular area of practice permitted Robert to further develop and strengthen his already close ties to law enforcement.

In addition to his practice, Robert has been an adjunct law professor at Pace University Law School since 1998, where he teaches trial advocacy, a course designed to teach law students how to be trial lawyers via a curriculum including the mock trial of a murder case. Robert is also a faculty member of the EATS Program run by Stetson Law School, an acclaimed program designed to teach law school trial advocacy professors creative and innovative pedagogical methods. Robert has also been a featured participant and lecturer at Cardozo Law School's acclaimed Intensive Trial Advocacy Program in New York City, and has also taught at Yale Law School. Robert's trial advocacy teaching requires him to constantly integrate new developments in communication theory and trial techniques into his teaching methods. Given the changing way students (and prospective jurors) communicate and digest information (via Twitter, Instagram and Snapchat, for example) Robert is a recognized leader at integrating neuroscientific principles into his teaching. By actively participating in the weekly trials his students conduct in class, and by frequently demonstrating methods, he is able to continually adapt his own communication skills and integrate cutting-edge developments into his own practice.

Robert is Special Advisor to the Dean of the Mt. Sinai School of Nursing, an adjunct professor at the school, a member of the Board of Trustees and the Chair of the Board of Trustees Nominations Committee. In his role as Special Advisor, Robert is tasked with counselling the Dean on innovative pedagogical methods designed to facilitate teaching Narrative Care and other topics. Robert instructs faculty on various topics, and will be teaching courses at the school in the immediate future.

Robert graduated from the George Washington University Law School (formerly, The National Law Center), where he began his career as an advocate by conducting administrative hearings and trials during his second and third year. Prior to GW, Robert graduated with honors from the Business School at the State University of New York at Albany in 1985. He is also a 1996 graduate of the National Criminal Defense College and a 1997 graduate of the National Institute for Trial Advocacy's Harvard



Teacher Training Program. Robert has also made dozens of television appearances on Fox, Court TV, and Tru TV, providing legal commentary on televised trials, and participating in discussions related to pertinent issues.

JENNY YOUNG DU PONT: *admitted:* New York; Massachusetts; District of Columbia; U.S. Supreme Court. *Education:* Princeton University (A.B. *cum laude*); Georgetown University Law Center/School of Foreign Service (J.D./M.S.F.S. *magna cum laude*); Order of the Coif; *Georgetown Law Journal*, Notes and Comments Editor.

Ms. du Pont has extensive experience representing domestic and international companies ranging in size from small privately-held firms to large public companies in a variety of corporate, investment, banking, insurance, finance, and employment matters. Ms. du Pont began her legal career at two AmLaw 100 firms in Washington, D.C. and London, U.K. and a decade later moved into in-house counsel roles, first with Plymouth Rock Assurance Corporation in Boston, MA, and later with Millennium Management, LLC in New York. Ms. du Pont also advises and presents on issues related to family businesses, family offices, and managing wealth transfer across generations.

In addition to her legal experience, Ms. du Pont has significant experience in the non-profit sector. Ms. du Pont was President and CEO of The Garden Conservancy in Cold Spring, New York and Executive Director of Miracle House of New York, Inc., and has acted a legal and strategic advisor to a variety of for profit and non-profit entities in New York. For more than 20 years, Ms. du Pont also has been a director, trustee, and officer for a broad range of educational, cultural, scientific, and service non-profit entities. Ms. du Pont served for a number of years as a Trustee of Phillips Exeter Academy, in Exeter, NH, and as a member and Vice Chair of the Warrant Committee for the Town of Dover in Massachusetts. She is currently a Director of the American Friends of the British Museum and of the American Patrons of the National Galleries and Library of Scotland, serves as an Advisory Council member for the Untermyer Gardens Conservancy in Yonkers, NY and the Sing Sing Prison Museum Master Narrative Project, in Ossining, NY, and is chair of the Advisory Council for the Conservation Law Foundation in Boston, MA.

KATE MCGUIRE: *admitted:* New York; U.S. District Courts for the Southern and Eastern Districts of New York. *Education:* University of California at Santa Cruz (B.A. 1995), Georgetown University Law Center (J.D., 1998); Member: *Georgetown Immigration Law Journal*.



Ms. McGuire has extensive experience prosecuting complex litigation. Her work encompasses consumer and data protection class actions, securities class and derivative shareholder cases and nationwide antitrust suits.

She is a member of the Firm's Consumer Protection practice group and, in that context, has worked intensively to protect classes of consumers under a range of state and federal laws. Recently, she served as a member of the co-lead counsel team in *Simerlein et al. v. Toyota Motor Corporation et al.*, 3:17-CV-01021-VAB (D. Conn.), representing more than a million owners of Sienna minivans in litigation that settled for class-wide benefits valued at between \$30 and \$40 million. Presently, she serves on a team representing plaintiffs in multi-district litigation against Fisher-Price and Mattel, relating to Rock 'n Play infant sleepers which are alleged to be dangerous and misleadingly marketed. She has also served as a member of the firm's lead or co-counsel teams in other consumer protection cases, including litigation based upon allegations of misrepresentations and omissions concerning the purported safety of electronic cigarettes.

Ms. McGuire has also represented plaintiffs with respect to the protection of their civil rights. For example, she represented a blind plaintiff in a suit under the Americans with Disability Act against a major trading online trading company, and represented a group of minority business owners in federal civil rights litigation concerning disparate treatment which settled for significant governance therapeutics.

CARL MALMSTROM: *admitted:* Illinois; Minnesota; United States Court of Appeals for the Seventh Circuit; Northern and Southern Districts of Illinois; Northern District of Indiana; District of Minnesota; Eastern District of Missouri; Western District of New York. *Education:* University of Chicago (A.B., Biological Sciences, 1999; A.M., Social Sciences, 2001); The University of Hawai'i at Manoa (M.A., Anthropology, 2004); Loyola University Chicago School of Law (J.D., 2007). Prior to joining the firm, Mr. Malmstrom worked for the City of Chicago Department of Law in the Municipal Prosecutions Division; he is a member of the Chicago Bar Association. Mr. Malmstrom has substantial experience litigating complex class actions in several practice areas, including antitrust, consumer fraud, and data security. Representative cases in which he has represented plaintiffs include *Bokelman et al. v. FCH Enterprises, Inc.*, Case No. 1:18-cv-209 (D. Haw.), involving customers of Zippy's Restaurants in Hawaii whose personal data was stolen by hackers, *In re: Experian Data Breach Litigation*, Case No. 8:15-cv-1592 (C.D. Cal.); *Freeman-Hargis v. Taxi Affiliation Services, LLC*, Case No. 2016-CH-



02519 (Cir. Ct. Cook Cty.), involving customers of several taxi services in Chicago who were unlawfully charged fees for using credit cards in taxis.

PATRICK DONOVAN: *admitted:* New York; U.S. District Courts for the Southern and Eastern Districts of New York; United States Court of Appeals for the Second and Fourth Circuits. *Education:* Iona College (B.A., Business Management, 2007); St. John's University School of Law (J.D. 2011). Mr. Donovan's primary areas of focus are securities, derivative and M&A litigation.

ASSOCIATES

LILLIAN GRINNELL: *admitted:* New York; United States District Courts for the Southern and Eastern Districts of New York; United States Court of Appeals for the Federal Circuit. *Education:* Bryn Mawr College (A.B., Philosophy and Political Science, 2016); New York University Law School (J.D. 2019). Prior to joining Wolf Haldenstein, Ms. Grinnell served as an Excelsior Service Fellow with the Consumer Protection and Financial Enforcement Division of the NYS Department of Financial Services.

ROURKE DONAHUE: *admitted:* New York. *Education:* University of North Carolina at Chapel Hill (B.A., Philosophy, 2017), Honors Program; Georgetown University Law Center (J.D. 2020). Prior to joining the firm, Mr. Donahue clerked for the Hon. Timothy P. Lydon, Presiding Judge of Equity, at the New Jersey Superior Court in Trenton, New Jersey. In law school, Mr. Donahue interned at the Department of Justice's Civil Division, Christie's Auction House, and Manhattan Legal Services and served as the Administrative Editor of the *Georgetown Environmental Law Review*.

ALEX J. TRAMONTANO: *admitted:* California; U.S. District Courts for the Southern, Central and Eastern Districts of California; United States Court of Appeals for the Ninth Circuit. *Education:* University of Massachusetts, Amherst (B.A., Political Science and Legal Studies, *cum laude*, 2008); California Western School of Law (J.D., 2011). Mr. Tramontano's primary areas of focus are securities, anti-trust, unfair and deceptive practices, civil rights and data breach related class actions. Prior to joining Wolf Haldenstein, Mr. Tramontano worked as an associate at an AmLaw 100 firm, as well as other regional law firms in southern California. Mr. Tramontano has over a decade of litigation experience defending and prosecuting complex actions on behalf of individuals and businesses in both Federal and State courts. Mr. Tramontano began his legal career as a Police Cadet at the University of Massachusetts Amherst. He went on



to law school and joined the San Diego District Attorney's Office as a Certified Legal Intern before transitioning to private practice.

STEPHANIE AVILES: *admitted:* California; U.S. District Courts for the Central and Northern Districts of California. *Education:* Point Loma Nazarene University (B.A., International Studies, *summa cum laude*, 2017); American University Washington College of Law (J.D., *cum laude*, 2022). Prior to joining the firm, Ms. Aviles clerked for two years for the Hon. Chief Judge Christopher B. Latham at the United States Bankruptcy Court of the Southern District of California. Along with her experience in bankruptcy and complex civil litigation, Ms. Aviles further brings a diverse background to the firm from her internships with the Federal Labor Relations Authority; the Department of Labor; and the Hon. Carlos F. Acosta in the District Court of Maryland, District 6, Montgomery County.

PARAPROFESSIONALS

GREGORY STONE: *Education:* University of Pennsylvania (B.S., Economics, 1979); University of California, Los Angeles (MBA, 1983). Mr. Stone is the Firm's Director of Case and Financial Analysis. He assists partners and associates in identifying and researching potential federal class action securities, derivative litigation and merger & acquisition (M&A) litigation. Mr. Stone has worked with leading securities class action firms in an analytical and investigative role for over 18 year throughout the United States, and has an extensive professional background in the accounting and investment professions. He plays a key role in new case development, including performing investigations into potential securities fraud class actions, derivative and other corporate governance related actions. By using a broad spectrum of financial news and legal industry research tools, Mr. Stone analyzes information that helps identify and support the theories behind the firm's litigation efforts.



NON-DISCRIMINATION POLICIES

Wolf Haldenstein does not discriminate or tolerate harassment against any employee or applicant because of race, creed, color, national origin, sex, age, disability, marital status, or sexual orientation. The Firm complies with all applicable Federal, State, County, and City equal employment opportunity laws.

Wolf Haldenstein is proud of its long history of support for the rights of the disadvantaged and disenfranchised including the participation in civil rights and voter registration activities in the South in the early 1960s by partners of the Firm and the varied *pro bono* activities performed by many of the Firm's lawyers.

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EXHIBIT 3

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF JEFF WESTERMAN
IN SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES AND EXPENSES**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID Nos.: 561047834633;
908232200371

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

1 I, Jeff Westerman, declare as follows:

2 1. I am currently Of Counsel with the firm Zimmerman Reed LLP, and when I first
3 started working on this case, I was the owner of Westerman Law Corp. (“WLC/Zimmerman” or the
4 “Firms”). This Declaration is submitted on behalf of both firms. I submit this declaration, based on
5 my personal knowledge and my review of the books and records of the Firms, in support of Plaintiffs’
6 motions for final approval and for an award of attorneys’ fees and expenses in connection with
7 services rendered in the above-captioned action (the “Action”). If called upon, I could and would
8 competently testify to the contents of this Declaration.

9 2. Through WLC I was, and through Zimmerman Reed I am currently counsel of record
10 to Plaintiff and Class Representative Karlina Chavez. I have been working closely with the Executive
11 Committee for the proposed Class due to my 34 years of experience in the complex class action
12 practice and work with the members of the Executive Committee in this and other cases over the
13 years.

14 3. The information in this declaration regarding my Firms’ time and expenses derives
15 from contemporaneous time and expense reports and supporting documentation prepared and/or
16 maintained by the Firms in the ordinary course of business. I am the senior attorney at both
17 Westerman Law and Zimmerman Reed who oversaw and conducted the day-to-day litigation
18 activities in this Action, and I reviewed these reports (and backup documentation where necessary or
19 appropriate) in connection with preparing this declaration. The purpose of this review was to confirm
20 both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and
21 expenses committed to the Action. Through my periodic review, I exercised billing judgment, and
22 where necessary, reduced both time and expenses. Based on this review, I believe that the time
23 reflected in the Firm’s lodestar calculation and the expenses for which reimbursement is sought are
24 reasonable and were necessary for the effective and efficient prosecution and resolution of the Action.

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4. The total number of submitted hours spent by Westerman Law and Zimmerman prosecuting this litigation through May 29, 2025, is 250.45, with a corresponding lodestar of \$213,514.00.

5. The following summary chart identifies the individuals at Westerman Law who worked on this matter, their titles (Partner, Of Counsel, Associate, Paralegal, Litigation Staff), the total number of hours they worked, their current hourly billing rates, and their total lodestar. The work performed by each of these individuals at Westerman Law is set forth below.

Attorney	Title	Hours	Rate(s)	Lodestar
Jeff Westerman	Owner	65.8	\$1,100	\$72,380.00
Guido Toscano	Associate	38.3	\$680	\$26,044.00

6. The following summary chart identifies the individuals at Zimmerman who worked on this matter, their titles (Partner, Of Counsel, Associate, Paralegal, Litigation Staff), the total number of hours they worked, their current hourly billing rates, and their total lodestar. The detail concerning the work performed by each of these individuals at Zimmerman is set forth below.

Attorney	Title	Hours	Rate(s)	Lodestar
J. Gordon Rudd Jr.	Owner/Partner	0.2	\$1,100	\$220.00
Jeff Westerman	Of Counsel	25.7	\$1,100	\$28,270.00
C. Richard Hansen	Associate	105	\$745	\$78,225.00
Nare Kupelian	Associate	8.75	\$670	\$5,862.50
Josephine Lu	Paralegal	6.7	\$375	\$2,512.50

7. The Firms' professionals dedicated a total of 250.45 hours to the Action. Detailed time records are available at the Court's request. The total lodestar amount for attorney and paraprofessional time based on the Firms' 2025 rates is \$213,514.00. The hourly rates shown above are the current rates set for each professional. For personnel who are no longer employed by the Firms, the rate used for the lodestar calculation corresponds to the rate for that person in his or her final year of employment. These hourly rates are consistent with hourly rates recently submitted by the Firms to other courts supervising class action litigation. Courts have approved these rates or approximate rates.

As to Westerman Law:

See *In Re Woodridge Investments Litigation*, Case 2:18-cv-00103-DMG-MRW, Document 207, filed 12/17/21.

As to Zimmerman:

See Class Counsel's Motion For Attorneys' Fees, Reimbursement of Costs And Expenses, and Service Awards And Memorandum In Support Thereof, in *Wilson et al. v FCA US LLC*, Case 4:22-cv-00447-ALM, Document 64-4, filed 03/06/25, page 1 of 5, page ID #:1111, et seq.; and Order Granting Motion for Attorneys' Fees Reimbursement of Costs and Expenses, and Service Awards, 4:22-cv-00447-ALM, Document 68, filed 04/11/25, page 1 of 3, page ID #: 1348.

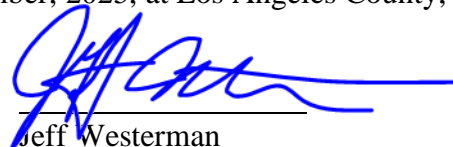
8. The Firms' rates are set based on periodic analysis of rates charged by law firms performing comparable work both on the plaintiff and defense side.

9. The Firms request an award of \$0 in reimbursement of expenses. Due to the efficiencies in the relationship with Lead Counsel, Westerman Law and Zimmerman Reed did not have any requested expenses.

10. Additional information on my Firm and the background of its attorneys appears in the Zimmerman Reed Resumé attached hereto as Exhibit A along with my summary biography at the end.

* * *

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 5th day of September, 2025, at Los Angeles County, California.



Jeff Westerman

EXHIBIT 4

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

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kquackenbush@girardsharp.com

Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF MIGUEL OCHOA IN
SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES, LITIGATION
EXPENSES, AND SERVICE AWARDS**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID Nos.: 561047834633;
908232200371

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

I, Miguel Ochoa, hereby declare under penalty of perjury:

1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion for Final Approval and Motion for Attorneys' Fees, Expenses, and Service Awards. I have personal knowledge of the facts in this declaration, and I could and would testify to these facts.

2. I agreed to serve as a class representative in this action. I understand that in my role as a class representative, I have a duty to make decisions in the best interests of all people whose information was in University of California Office of the President's ("UCOP") electronic information systems and was compromised as a result of the 2020-21 breach of UCOP's instance of Accellion's FTA. Throughout this case, I believe that I have served as an adequate class representative for the affected group of consumers.

3. I believe that I have contributed immensely to this litigation and that my contributions were a significant part of the results achieved in this action.

4. I worked with my attorneys to prepare the First Amended Class Action Complaint filed on June 30, 2021, and the Consolidated Class Action Complaint filed on October 7, 2021, among other case documents. I reviewed and approved a draft of this complaint before it was filed with the Court and have been closely involved and continuously attentive to this litigation since becoming involved in the case.

5. Prior to the filing of the Consolidated Class Action Complaint, I was interviewed by my attorneys several times, and I searched for documents relating to the data breach at issue in this action.

6. I continued to stay in contact with Class Counsel regarding developments in the litigation. I have had numerous telephone calls and email exchanges with Class Counsel and worked with my attorneys to discuss the facts of this case, frame the issues, and to assist them in every other aspect they needed.

7. I also worked extensively with my attorneys to prepare discovery responses, including responses to multiple requests for production and interrogatories. As part of this process, I spent

significant time speaking with my attorney over the phone, email, and through Zoom meetings, and searched for and collected critical documents and information.

8. In total, I spent approximately 90 hours on the above-described tasks.

9. I was prepared to appear and testify at trial, if necessary.

10. To date, I have not received any compensation whatsoever for my efforts related to this case. I have made my contributions of time and effort at my own expense, in the hope of eventually addressing Defendant's alleged wrongdoing, and at the risk of losing the case, eventually receiving nothing, and/or the possibility of negative publicity or notoriety. I agreed to lend my name to the litigation as a named plaintiff and to do whatever was needed of me to pursue this case.

11. By serving as one of the class representatives in this action, I bore a certain amount of risk that other class members did not bear. In addition to the time I spent participating in the prosecution of this case, I took a risk by coming forward and filing this class action. As a result of my stepping forward and conducting a pre-suit investigation, however, class members will receive the benefits of the Settlement.

12. No promises have been made to me in any way about the result of this case or payment of a service award, which I understand to be completely at the Court's discretion.

13. I am not related to anyone associated with my attorneys' offices.

14. I do not believe my interests are in any way adverse to the other class members' interests, and throughout this case I have done my best to act as a representative of all class members and do what is best for everyone.

15. I believe the settlement represents an outstanding result considering the potential risks of going forward with this litigation, particularly in light of the UC Regents' defenses. My attorneys advised me of the risk of not prevailing on the anticipated motion to certify the case, or at trial, and the delay associated with a possible appeal. Given these considerations, I believe that the settlement is fair, reasonable, and a successful outcome for the class.

16. I have devoted substantial time and attention to working on this case, always with the best interests of the general public and class in mind. I am therefore respectfully asking the Court to

1 approve a service award of \$2,500 for me, even though I will support the settlement regardless of
2 whether the Court awards any service award. I understand that my attorneys took this case on a
3 contingency basis, and neither they nor I have received any compensation from anyone for the work
4 we performed on this matter.

5
6 I declare under penalty of perjury under the laws of the State of California that the foregoing
7 is true and correct to the best of my knowledge, information, and belief.

8
9 Dated: 9/8/2025

Signed by:

368B15F4CEC64AB...
Miguel Ochoa

EXHIBIT 5

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF ALVARO GALVIS IN
SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES, LITIGATION
EXPENSES, AND SERVICE AWARDS**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID Nos.: 561047834633;
908232200371

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

I, Alvaro Galvis, hereby declare under penalty of perjury:

1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion for Final Approval and Motion for Attorneys' Fees, Litigation Expenses, and Service Awards. I have personal knowledge of the facts in this declaration, and I could and would testify to these facts.

2. I agreed to serve as a class representative in this action. I understand that in my role as a class representative, I have a duty to make decisions in the best interests of all people whose information was in the University of California Office of the President's ("UCOP") electronic information systems and was compromised as a result of the 2020-21 breach of UCOP's instance of Accellion's FTA. Throughout this case, I believe that I have served as an adequate class representative for the affected group of consumers.

3. I believe that I have contributed immensely to this litigation and that my contributions were a significant part of the results achieved in this action.

4. I worked with my attorneys to prepare my original Complaint, filed on July 20, 2021, and the Consolidated Class Action Complaint filed on October 7, 2021, among other case documents. I reviewed and approved drafts of these complaints as well as subsequent amendments before they were filed with the Court and have been closely involved and continuously attentive to this litigation since becoming involved in the case.

5. Prior to the filing of the Consolidated Class Action Complaint, I was interviewed by my attorneys several times, and I searched for documents relating to the data breach at issue in this action.

6. I continued to stay in contact with my attorneys, including Class Counsel, regarding developments in the litigation. I have had numerous telephone calls and email exchanges with my attorneys and worked with them to discuss the facts of this case, frame the issues, and to assist them in every other aspect they needed.

7. I also worked extensively with my attorneys to prepare discovery responses, including responses to multiple requests for production of documents and interrogatories. As part of this

process, I spent significant time speaking with my attorneys over the phone, via email, and through Zoom meetings, and searched for and collected critical documents and information.

8. In total, I spent approximately 30 hours on the above-described tasks.

9. I was prepared to appear and testify at trial, if necessary.

10. To date, I have not received any compensation whatsoever for my efforts related to this case. I have made contributions of my time and effort at my own expense, in the hope of eventually addressing Defendant's alleged wrongdoing, and at the risk of losing the case, eventually receiving nothing, and/or the possibility of negative publicity or notoriety. I agreed to lend my name to the litigation as a named plaintiff and to do whatever was needed of me to pursue this case.

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12. No promises have been made to me in any way about the result of this case or payment of a service award, which I understand to be completely at the Court's discretion.

13. I am not related to anyone associated with my attorneys' offices.

14. I do not believe my interests are in any way adverse to the other class members' interests, and throughout this case I have done my best to act as a representative of all class members and do what is best for everyone.

15. I believe the settlement represents an outstanding result considering the potential risks of going forward with this litigation, particularly in light of the UC Regents' defenses. My attorneys advised me of the risk of not prevailing on the anticipated motion to certify the case, or at trial, and the delay associated with a possible appeal. Given these considerations, I believe that the settlement is fair and reasonable, and a successful outcome for the class.

16. I have devoted substantial time and attention to working on this case, always with the best interests of the general public and class in mind. I am therefore respectfully asking the Court to approve a service award of \$2,500 for me, even though I will support the settlement regardless of whether the Court awards any service award. I understand that my attorneys took this case on a contingency basis, and neither they nor I have received any compensation from anyone for the work we performed on this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: 9/11/2025

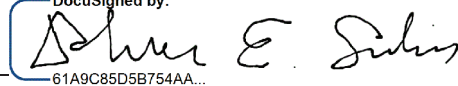
DocuSigned by:

 61A9C85D5B754AA...
 Alvaro Galvis

EXHIBIT 6

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

GIRARD SHARP LLP

601 California Street, Suite 1400
San Francisco, California 94108
Telephone: (415) 981-4800
Facsimile: (415) 981-4846
sgrille@girardsharp.com
ttan@girardsharp.com
kquackenbush@girardsharp.com

Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF ROSE BECKER IN
SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES AND EXPENSES**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID No.: 561047834633

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

1 I, Rose Becker, hereby declare under penalty of perjury:

2 1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion
3 for Final Approval and Motion for Attorneys' Fees, Expenses, and Service Awards. I have personal
4 knowledge of the facts in this declaration, and I could and would testify to these facts.

5 2. I agreed to serve as a class representative in this action. I understand that in my role
6 as a class representative, I have a duty to make decisions in the best interests of all people whose
7 information was in UCOP's electronic information systems and was compromised as a result of the
8 2020-21 breach of UCOP's instance of Accellion's FTA. Throughout this case, I believe that I have
9 served as an adequate class representative for the affected group of consumers.

10 3. I believe that I have contributed immensely to this litigation and that my contributions
11 were a significant part of the results achieved in this action.

12 4. I worked with my attorneys to prepare the Consolidated Class Action Complaint filed
13 on October 7, 2021, among other case documents. I reviewed and approved a draft of this complaint
14 before it was filed with the Court and have been closely involved and continuously attentive to this
15 litigation since becoming involved in the case.

16 5. Prior to the filing of the Consolidated Class Action Complaint, I was interviewed by
17 my attorneys several times, and I searched for documents relating to the data breach at issue in this
18 action.

19 6. I continued to stay in contact with Class Counsel regarding developments in the
20 litigation. I have had numerous telephone calls and email exchanges with Class Counsel and worked
21 with my attorneys to discuss the facts of this case, frame the issues, and to assist them in every other
22 aspect they needed.

23 7. I also worked extensively with my attorneys to prepare discovery responses, including
24 responses to multiple requests for production and interrogatories. As part of this process, I spent
25 significant time speaking with my attorney over the phone, email, and through Zoom meetings, and
26 searched for and collected critical documents and information.

1 whether the Court awards any service award. I understand that my attorneys took this case on a
2 contingency basis, and neither they nor I have received any compensation from anyone for the work
3 we performed on this matter.

4
5 I declare under penalty of perjury under the laws of the United States that the foregoing is true
6 and correct to the best of my knowledge, information, and belief.

7
8 Dated: 11-Sep-2025

Rose Becker

Rose Becker (Sep 11, 2025 20:04:17 PDT)

Rose Becker

2025-09-09-UC REGENTS-Declaration of Rose Becker iso Motions for Final Approval and Fees. FINAL

Final Audit Report

2025-09-12

Created:	2025-09-09
By:	Bianca Marentes (bianca@justice4you.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-00ggVgzVMlzkmnQhz24yMX2GZ6KstXr

"2025-09-09-UC REGENTS-Declaration of Rose Becker iso Motions for Final Approval and Fees. FINAL" History






-  Document created by Bianca Marentes (bianca@justice4you.com)
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-  Document emailed to Rose Becker (rosebecker99@gmail.com) for signature
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-  Document e-signed by Rose Becker (rosebecker99@gmail.com)
Signature Date: 2025-09-12 - 3:04:17 AM GMT - Time Source: server
-  Agreement completed.
2025-09-12 - 3:04:17 AM GMT

EXHIBIT 7

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

GIRARD SHARP LLP

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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF KARLINA CHAVEZ
IN SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES AND EXPENSES**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID No.: 561047834633

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

1 I, Karlina Chavez, hereby declare under penalty of perjury:

2 1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion
3 for Final Approval and Motion for Attorneys' Fees, Expenses, and Service Awards. I have personal
4 knowledge of the facts in this declaration, and I could and would testify to these facts.

5 2. I agreed to serve as a class representative in this action. I understand that in my role
6 as a class representative, I have a duty to make decisions in the best interests of all people whose
7 information was in UCOP's electronic information systems and was compromised as a result of the
8 2020-21 breach of UCOP's instance of Accellion's FTA. Throughout this case, I believe that I have
9 served as an adequate class representative for the affected group of consumers.

10 3. I believe that I have contributed immensely to this litigation and that my contributions
11 were a significant part of the results achieved in this action.

12 4. I worked with my attorneys to review and prepare the Consolidated Class Action
13 Complaint filed on October 7, 2021, among other subsequent case documents. I reviewed and
14 approved a draft of this complaint before it was filed with the Court and have been closely involved
15 and continuously attentive to this litigation with numerous calls and emails with since becoming
16 involved in the case.

17 5. Prior to the filing of the Consolidated Class Action Complaint, I was interviewed by
18 my attorneys several times, and I searched for documents relating to the data breach at issue in this
19 action.

20 6. I continued to stay in contact with Class Counsel regarding developments in the
21 litigation. I have had numerous telephone calls and email exchanges with Class Counsel and worked
22 with my attorneys to discuss the facts of this case, frame the issues, and to assist them in every other
23 aspect they needed.

24 7. I also worked extensively with my attorneys to prepare discovery responses, including
25 responses to multiple requests for production and interrogatories. As part of this process, I spent
26 significant time speaking with my attorney over the phone, email, and through Zoom meetings, and
27

1 searched for and collected critical documents and information.

2 8. In total, I believe I spent approximately 15-20 hours, or more, on the above-described
3 tasks.

4 9. I was prepared to appear and testify at trial, if necessary.

5 10. To date, I have not received any compensation whatsoever for my efforts related to
6 this case. I have made my contributions of time and effort at my own expense, in the hope of
7 eventually addressing Defendant's alleged wrongdoing, and at the risk of losing the case, eventually
8 receiving nothing, and/or the possibility of negative publicity or notoriety. I agreed to lend my name
9 to the litigation as a named plaintiff and to do whatever was needed of me to pursue this case because
10 I feel that it was important to stand up to correct something that was wrong and help the affected
11 people.

12 11. By serving as one of the class representatives in this action, I bore a certain amount of
13 risk that other class members did not bear. In addition to the time I spent participating in the
14 prosecution of this case, I took a risk by coming forward and filing this class action. As a result of
15 my stepping forward after I was notified I was harmed by the breach and working on the prosecution
16 of this case, class members will receive the benefits of the Settlement.

17 12. No promises have been made to me in any way about the result of this case or payment
18 of a service award, which I understand to be completely at the Court's discretion.

19 13. I am not related to anyone associated with my attorneys' offices.

20 14. I do not believe my interests are in any way adverse to the other class members'
21 interests, and throughout this case I have done my best to act as a representative of all class members
22 and do what is best for everyone.

23 15. I believe the settlement represents an outstanding result considering the potential risks
24 of going forward with this litigation, particularly in light of the UC Regents' defenses. My attorneys
25 advised me of the risk of not prevailing on the anticipated motion to certify the case, or at trial, and
26
27

1 the delay associated with a possible appeal. Given these considerations, I believe that the settlement
2 is fair, reasonable, and a successful outcome for the class.

3 16. I have devoted substantial time and attention to working on this case, always with the
4 best interests of the class in mind. I am therefore respectfully asking the Court to approve a service
5 award of \$2,500 for me, even though I will support the settlement regardless of whether the Court
6 awards any service award. I understand that my attorneys took this case on a contingency basis, and
7 neither they nor I have received any compensation from anyone for the work we performed on this
8 matter.

9
10 I declare under penalty of perjury under the laws of the State of California that the foregoing
11 is true and correct to the best of my knowledge, information, and belief. Executed at Los Angeles
12 County, California.

13
14 Dated: September 5, 2025


Karlina Chavez

EXHIBIT 8

Simon Grille (State Bar No. 294914)
Trevor T. Tan (State Bar No. 281045)
Kyle P. Quackenbush (State Bar No. 322401)

GIRARD SHARP LLP

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Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
BECKER, and KARLINA CHAVEZ, on behalf) RG21107152, RG21107777
of themselves and all others similarly situated,)

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Defendant.

**DECLARATION OF JAMIE MCDOLE IN
SUPPORT OF MOTIONS FOR FINAL
APPROVAL AND AWARD OF
ATTORNEYS' FEES, LITIGATION
EXPENSES, AND SERVICE AWARDS**

Date: December 9, 2025

Time: 2:30 p.m.

Dept.: 21

Reservation ID Nos.: 561047834633;
908232200371

Action Filed: April 27, 2021

Judge: Hon. Somnath Raj Chatterjee

1 I, Jamie McDole, hereby declare under penalty of perjury:

2 1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion
3 for Final Approval and Motion for Attorneys' Fees, Expenses, and Service Awards. I have personal
4 knowledge of the facts in this declaration, and I could and would testify to these facts.

5 2. I agreed to serve as a class representative in this action. I understand that in my role
6 as a class representative, I have a duty to make decisions in the best interests of all people whose
7 information was in the University of California Office of the President's ("UCOP") electronic
8 information systems and was compromised as a result of the 2020-21 breach of UCOP's instance of
9 Accellion's FTA. Throughout this case, I believe that I have served as an adequate class representative
10 for the affected group of consumers.

11 3. I believe that I have contributed immensely to this litigation and that my contributions
12 were a significant part of the results achieved in this action.

13 4. I worked with my attorneys to prepare the First Amended Class Action Complaint
14 filed on June 30, 2021, and the Consolidated Class Action Complaint filed on October 7, 2021, among
15 other case documents. I reviewed and approved a draft of this complaint before it was filed with the
16 Court and have been closely involved and continuously attentive to this litigation since becoming
17 involved in the case.

18 5. Prior to the filing of the Consolidated Class Action Complaint, I was interviewed by
19 my attorneys several times, and I searched for documents relating to the data breach at issue in this
20 action.

21 6. I continued to stay in contact with Class Counsel regarding developments in the
22 litigation. I have had numerous telephone calls and email exchanges with Class Counsel and worked
23 with my attorneys to discuss the facts of this case, frame the issues, and to assist them in every other
24 aspect they needed.

25 7. I also worked extensively with my attorneys to prepare discovery responses, including
26 responses to multiple requests for production and interrogatories. As part of this process, I spent
27

significant time speaking with my attorney over the phone, email, and through Zoom meetings, and searched for and collected critical documents and information.

8. In total, I spent approximately 78 hours on the above-described tasks.

9. I was prepared to appear and testify at trial, if necessary.

10. To date, I have not received any compensation whatsoever for my efforts related to this case. I have made my contributions of time and effort at my own expense, in the hope of eventually addressing Defendant's alleged wrongdoing, and at the risk of losing the case, eventually receiving nothing, and/or the possibility of negative publicity or notoriety. I agreed to lend my name to the litigation as a named plaintiff and to do whatever was needed of me to pursue this case.

11. By serving as one of the class representatives in this action, I bore a certain amount of risk that other class members did not bear. In addition to the time I spent participating in the prosecution of this case, I took a risk by coming forward and filing this class action. As a result of my stepping forward and conducting a pre-suit investigation, however, class members will receive the benefits of the Settlement.

12. No promises have been made to me in any way about the result of this case or payment of a service award, which I understand to be completely at the Court's discretion.

13. I am not related to anyone associated with my attorneys' offices.

14. I do not believe my interests are in any way adverse to the other class members' interests, and throughout this case I have done my best to act as a representative of all class members and do what is best for everyone.

15. I believe the settlement represents an outstanding result considering the potential risks of going forward with this litigation, particularly in light of the UC Regents' defenses. My attorneys advised me of the risk of not prevailing on the anticipated motion to certify the case, or at trial, and the delay associated with a possible appeal. Given these considerations, I believe that the settlement is fair, reasonable, and a successful outcome for the class.

16. I have devoted substantial time and attention to working on this case, always with the best interests of the general public and class in mind. I am therefore respectfully asking the Court to

1 approve a service award of \$2,500 for me, even though I will support the settlement regardless of
2 whether the Court awards any service award. I understand that my attorneys took this case on a
3 contingency basis, and neither they nor I have received any compensation from anyone for the work
4 we performed on this matter.

5
6 I declare under penalty of perjury under the laws of the State of California that the foregoing
7 is true and correct to the best of my knowledge, information, and belief.

8
9 Dated: 9/8/2025

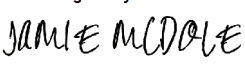
DocuSigned by:

D5364BE51DD74C5...
Jamie McDole

EXHIBIT 9

Simon Grille (State Bar No. 294914)
 Trevor T. Tan (State Bar No. 281045)
 Kyle P. Quackenbush (State Bar No. 322401)

GIRARD SHARP LLP

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 kquackenbush@girardsharp.com

Counsel for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

MICHAEL ERAZO, MIGUEL OCHOA,) Lead Case No. RG21097796
 JAMIE MCDOLE, ALVARO GALVIS, ROSE) Consolidated and Related to: Case Nos.
 BECKER, KARLINA CHAVEZ, and) RG21107152, RG21107777
 ELIZABETH MONTOYA on behalf of)
 themselves and all others similarly situated,)

Plaintiffs,) **DECLARATION OF ELIZABETH**
) **MONTOYA IN SUPPORT OF MOTIONS**
 v.) **FOR FINAL APPROVAL AND AWARD OF**
) **ATTORNEYS' FEES, LITIGATION**
) **EXPENSES, AND SERVICE AWARDS**

THE REGENTS OF THE UNIVERSITY OF)
 CALIFORNIA,) Date: December 9, 2025
) Time: 2:30 p.m.
 Defendant.) Dept.: 21
) Reservation ID Nos.: 561047834633;
) 908232200371

) Action Filed: April 27, 2021
) Judge: Hon. Somnath Raj Chatterjee

1 I, Elizabeth Montoya, hereby declare under penalty of perjury:

2 1. I am a Plaintiff in this case. I submit this declaration in support of Plaintiffs' Motion
3 for Final Approval and Motion for Attorneys' Fees, Expenses, and Service Awards. I have personal
4 knowledge of the facts in this declaration, and I could and would testify to these facts.

5 2. I agreed to serve as a class representative in this action. I understand that in my role
6 as a class representative, I have a duty to make decisions in the best interests of all people whose
7 information was in the University of California Office of the President's ("UCOP") electronic
8 information systems and was compromised as a result of the 2020-21 breach of UCOP's instance of
9 Accellion's FTA. Throughout this case, I believe that I have served as an adequate class representative
10 for the affected group of consumers.

11 3. I believe that I have contributed immensely to this litigation and that my contributions
12 were a significant part of the results achieved in this action.

13 4. I worked with my attorneys to prepare the Second Amended Consolidated Class
14 Action Complaint filed on July 16, 2024, among other case documents. I reviewed and approved a
15 draft of this complaint before it was filed with the Court and have been closely involved and
16 continuously attentive to this litigation since becoming involved in the case.

17 5. Prior to the filing of the Second Amended Consolidated Class Action Complaint, I
18 was interviewed by my attorneys several times, and I searched for documents relating to the data
19 breach at issue in this action.

20 6. I continued to stay in contact with Class Counsel regarding developments in the
21 litigation. I have had numerous telephone calls and email exchanges with Class Counsel and worked
22 with my attorneys to discuss the facts of this case, frame the issues, and to assist them in every other
23 aspect they needed.

24 7. I also worked extensively with my attorneys to prepare discovery responses, including
25 responses to multiple requests for production and interrogatories. As part of this process, I spent
26 significant time speaking with my attorney over the phone, email, and through Zoom meetings, and
27

1 searched for and collected critical documents and information.

2 8. In total, I spent approximately 60 hours on the above-described tasks.

3 9. I was prepared to appear and testify at trial, if necessary.

4 10. To date, I have not received any compensation whatsoever for my efforts related to
5 this case. I have made my contributions of time and effort at my own expense, in the hope of
6 eventually addressing Defendant's alleged wrongdoing, and at the risk of losing the case, eventually
7 receiving nothing, and/or the possibility of negative publicity or notoriety. I agreed to lend my name
8 to the litigation as a named plaintiff and to do whatever was needed of me to pursue this case.

9 11. By serving as one of the class representatives in this action, I bore a certain amount of
10 risk that other class members did not bear. In addition to the time I spent participating in the
11 prosecution of this case, I took a risk by coming forward and filing this class action. As a result of
12 my stepping forward and conducting a pre-suit investigation, however, class members will receive
13 the benefits of the Settlement.

14 12. No promises have been made to me in any way about the result of this case or payment
15 of a service award, which I understand to be completely at the Court's discretion.

16 13. I am not related to anyone associated with my attorneys' offices.

17 14. I do not believe my interests are in any way adverse to the other class members'
18 interests, and throughout this case I have done my best to act as a representative of all class members
19 and do what is best for everyone.

20 15. I believe the settlement represents an outstanding result considering the potential risks
21 of going forward with this litigation, particularly in light of the UC Regents' defenses. My attorneys
22 advised me of the risk of not prevailing on the anticipated motion to certify the case, or at trial, and
23 the delay associated with a possible appeal. Given these considerations, I believe that the settlement
24 is fair, reasonable, and a successful outcome for the class.

25 16. I have devoted substantial time and attention to working on this case, always with the
26 best interests of the general public and class in mind. I am therefore respectfully asking the Court to
27

1 approve a service award of \$2,500 for me, even though I will support the settlement regardless of
2 whether the Court awards any service award. I understand that my attorneys took this case on a
3 contingency basis, and neither they nor I have received any compensation from anyone for the work
4 we performed on this matter.

5
6 I declare under penalty of perjury under the laws of the State of California that the foregoing
7 is true and correct to the best of my knowledge, information, and belief.

8
9 Dated: 9/8/2025

Signed by:

439870A6FBE04CF...
Elizabeth Montoya

EXHIBIT 10

GIRARD

SHARP

Firm Resume

GIRARD SHARP LLP

About the Firm

Girard Sharp is a San-Francisco based law firm representing plaintiffs nationwide in class actions, multidistrict litigation, arbitrations, and other complex litigation. We take on the most complicated, high-stakes cases, with proven results across a variety of practice areas including antitrust, securities, financial fraud, consumer privacy, defective products, sexual abuse, women's health, fertility, catastrophic injury, and environmental law.

Since our founding in 1995, we have recovered billions in settlements and trial judgments, leveling the playing field for our clients ranging from individual consumers and small businesses to Fortune 100 companies and public retirement systems. Our experienced trial attorneys thrive on solving the toughest legal challenges through innovation, collaboration, and deep subject-matter expertise.

The firm's commitment to excellence is reflected in its consistent recognition by industry peers and legal publications. In the Chambers USA Guide, the firm earned a prestigious Band 2 ranking in Antitrust: Mainly Plaintiff in California, highlighting its leadership in complex antitrust litigation. Girard Sharp has also been nationally ranked in the U.S. News Best Lawyers "Best Law Firms" list, achieving Tier 1 status for Mass Tort Litigation/Class Actions, as well as Plaintiffs and Tier 2 rankings in Antitrust and Securities Litigation. In addition, the firm's attorneys are frequently recognized in The Best Lawyers in America and Law360's "Rising Stars," underscoring their skill, integrity, and commitment to justice. This ongoing recognition reinforces Girard Sharp's reputation as a trusted and effective advocate for clients across the country.

TABLE OF CONTENTS

ATTORNEYS

PARTNERS

Dena Sharp
Adam Polk
Sarah London
Jordan Elias
Scott Grzenczyk
Simon Grille
Trevor Tan
Andrew Kaufman

SENIOR ADVISOR AND OF COUNSEL

Daniel Girard

ASSOCIATES

Mikaela Bock
Samhita Collur
Reid Gaa
Erika Garcia
Nina Gliozzo
Sean Greene
Jordan Isern
Maya Kalonia
Kristen Palumbo
Kyle Quackenbush
Tony Rogari
Peter Touschner
Isabel Velez

PRACTICE AREAS

Antitrust
Securities and Financial Fraud
Consumer Protection

Women's Advocacy & Fertility
Sexual Abuse
Catastrophic Injury
Government Reform

ATTORNEY BIOS

PARTNERS



DENA SHARP

Dena Sharp is dedicated to finding common-sense solutions in even the most complex litigation. She recently served as co-lead counsel in the Juul Labs Inc. multidistrict litigation, which resulted in recoveries of nearly \$2 billion for individual consumers, school districts, municipalities, and Native

American tribes. The final \$235 million settlement with Altria was reached after she rested the plaintiff's case in a bellwether jury trial, underscoring her skill in high-stakes litigation. Dena currently holds leadership roles as co-lead counsel in major antitrust and class action matters, including the *In re Xyrem Antitrust Litigation*, *In re Google Digital Advertising Antitrust Litigation*, and the *In re Generic Pharmaceuticals Pricing Antitrust Litigation*. She also led a team to a \$104.75 million recovery in the Lidoderm "pay-for-delay" antitrust case, the largest of its kind for end-payers in more than a decade. Dena is known for trying precedent-setting cases, including a first-of-its-kind jury trial that secured a \$15 million verdict for plaintiffs in the Pacific Fertility Center litigation involving the loss of frozen eggs and embryos. Outside the courtroom, she chairs the board of the Impact Fund, a public interest nonprofit, and serves on multiple legal advisory boards, including the American Law Institute. She has contributed to influential legal publications such as the ABA's Class Action Strategy and Practice Guide and the Sedona Principles for electronic discovery. A first-generation American fluent in Spanish and German, Dena graduated magna cum laude from Brown University and cum laude from UC Law San Francisco. Her peers have recognized her with numerous honors, including multiple "Lawyer of the Year" awards from Best Lawyers, designation as a "Titan of the Plaintiffs' Bar" by Law360, and inclusion in the National Law Journal's Elite Women of the Plaintiffs' Bar. Dena is also regularly named among the Top 50 Women Attorneys in Northern California and one of the Top 100 Super Lawyers in the region.

Notable work includes:

- Co-lead counsel in Xyrem, resulting in \$198.4 million in settlements—one of the largest reverse-payment case recoveries in history.
- Co-lead counsel in Google Digital Advertising
- Co-lead counsel in Passenger Vehicle Replacement Tires
- Co-lead in California Gasoline Spot Market.
- \$104.75 million in a "pay-for-delay" case over the drug Lidoderm.
- \$15 million verdict in Pacific Fertility Center

Select Honors:

- Chambers USA –Antitrust: Mainly Plaintiff – California, Band 1; Antitrust: Mainly Plaintiff – USA Nationwide, Band 2
- Top 100 Super Lawyers in Northern California
- Best Lawyers "Lawyer of the Year" in San Francisco (2023, 2025)
- Law360 "Titan of the Plaintiffs Bar" (2023)
- NLJ Elite Women of the Plaintiffs' Bar (3x honoree)
- Top 50 Women Attorneys in Northern California (San Francisco Magazine)



ADAM POLK

Adam Polk handles all phases of complex civil litigation and currently serves as co-lead counsel in several high-profile class actions, including shareholder, consumer privacy, data breach, and product liability cases. He has played a pivotal role in securing significant

recoveries in cases involving major corporations such as Hewlett Packard, Huntington Bancshares, Accellion, and Google. Adam is known for his leadership in technologically complex consumer litigation, including data breach cases representing millions of affected individuals, as well as high-stakes securities and financial fraud matters. His experience extends to

catastrophic injury and product liability litigation, exemplified by his work in the Pacific Fertility Center case, where he helped secure a landmark \$15 million jury verdict. Adam is also active in shaping class action policy and practice through his leadership as co-chair of the American Bar Association's National Institute on Class Actions and the American Association for Justice's Class Action Litigation Section. His broad practice encompasses securities & financial fraud, consumer privacy & defective products, sexual abuse, and catastrophic injury litigation, demonstrating a commitment to protecting consumers and investors alike.

Notable work includes:

- \$15 million trial verdict in Pacific Fertility Center
- \$36.5 million in Maxar Technologies Shareholder Litigation
- \$17 million in phone defect cases against Google
- \$40 million in Sears Holdings Derivative Litigation

Select Honors:

- Adam is co-chair of the ABA's National Institute on Class Actions and was named:
- Top 40 Under 40 by National Trial Lawyers (since 2019)
- Rising Star of the Plaintiffs Bar by National Law Journal (2022)
- Lawdragon 500 Leading Consumer Plaintiff Lawyers (2023)



SARAH LONDON

Sarah is a relentless advocate known for her leadership in high-profile, socially significant cases. She is currently Co-Lead and Liaison Counsel in the multidistrict litigation against Uber, representing passengers who were sexually assaulted by drivers and holding the company accountable for failing to ensure passenger safety. Sarah also leads groundbreaking fertility-related litigation, including cases against genetic testing companies and IVF product manufacturers, notably securing a historic trial verdict in litigation involving a cryopreservation tank failure at a San Francisco fertility clinic.

Her advocacy extends to consumer protection and public health, having managed over 3,000 tobacco-related cases culminating in a landmark \$100 million settlement. More recently, she served as Co-Lead and Liaison Counsel in the Juul Labs multidistrict litigation, coordinating a team of more than 65 law firms and over 7,000 lawsuits, which resolved for nearly \$2 billion in claims tied to the youth vaping epidemic. Sarah also represents families in novel product liability claims against Stiiizy, Inc., addressing youth-targeted marketing and dangerously high-potency THC cannabis products.

Sarah's expertise further spans pharmaceutical and medical device litigation, including her role on the Plaintiffs' Executive Committee in the Gilead HIV Drug Kidney & Bone Injuries Litigation and successfully resolving hundreds of cases involving defective transvaginal mesh and problematic birth control products. A sought-after speaker and lecturer, she has appeared at numerous prestigious legal conferences and panels hosted by organizations such as the Federal Bar Association, American Bar Association, American Association for Justice, and the Judicial Panel on Multidistrict Litigation.

Committed to advancing women in law and systemic reform, Sarah holds leadership roles with the Consumer Attorneys of California, serving as Treasurer on its Executive Committee, and was appointed Chair of the Resource Board of the National Association of Women Judges in 2019. Her courtroom tenacity and dedication to social justice have earned her numerous honors, including the California Consumer Attorney of the Year Award (CAOC), California Lawyer of the Year

(CLAW), and the Mattie Bell Davis Award from the National Association of Women Judges.

Notable work includes:

- Over 3,000 tobacco cases resulting in a \$100 million settlement
- Juul MDL, coordinating over 7,000 lawsuits to a \$2 billion resolution
- Groundbreaking cannabis and pharmaceutical claims

Select Honors:

- California Consumer Attorney of the Year, Consumer Attorneys of California (CAOC), 2024
- California Lawyer of the Year (CLAW) Award, California Lawyer, 2024
- Mattie Bell Davis Award, National Association of Woman Judges, 2024



JORDAN ELIAS

Jordan Elias is a strategic appellate and trial lawyer. Jordan clerked for Ninth Circuit Judge Cynthia Holcomb Hall and holds degrees from Yale (Field Prize for best humanities thesis) and Stanford Law. He is a prolific legal writer with articles in the Harvard Law & Policy Review

and Baylor Law Review, and co-authorship credits in ABA and California antitrust publications. Jordan is a member of the American Law Institute and has been selected by his peers for inclusion in The Best Lawyers in America.

Notable work includes:

- Arguing key motions in the Google Ad Tech MDL
- Leading a successful appeal in the OPM Data Breach Litigation
- Helping write the plaintiffs' briefs in the landmark Cipro pay-for-delay case



SCOTT GRZENCZYK

Scott Grzenczyk has helped recover billions in class action settlements, especially in the pharmaceutical space. He played major roles in the JUUL MDL, Google Ad Tech, and class actions involving the government of Guam and disability rights. Scott brings creative strategy and relentless preparation to every case.

Notable work includes:

- \$198.4 million in Xyrem
- \$104.75 million in Lidoderm
- \$117.5 million for insurance policyholders

Select Honors:

- California's Top Antitrust Lawyers (2023)
- Lawdragon 500 Leading Plaintiff Financial Lawyer (2024)
- Chambers USA –Antitrust: Mainly Plaintiff – California, “Up and Coming”



SIMON GRILLE

Simon Grille is a leading trial attorney in class and privacy litigation. He's lead counsel in a data breach case against the University of California and privacy lawsuits against companies like Patreon, Rakuten Viki, and Prudential. Simon is also a frequent speaker and contributor to panels concerning

emerging issues in class action litigation.

Notable work includes:

- \$50 million in MacBook Keyboard Litigation
- \$17 million in phone defect cases
- \$63 million in OPM Data Breach

Select Honors:

- Top 40 Under 40 by Daily Journal
- Super Lawyers Rising Star



TREVOR TAN

Trevor Tan specializes in complex research and writing, supporting consumer protection, data privacy, and financial fraud litigation. He clerked for multiple federal judges and served immigrant children as an advocate during law school. Trevor is a key strategist behind several

major privacy and consumer rights cases.

Notable work includes:

- Lead briefing in Woodbridge Investment litigation, which settled for \$54.2 million
- \$50 million in MacBook Keyboard Litigation
- Lead briefing in PFA Insurance Marketing Litigation

Select Honors:

- A Best Lawyers: Ones to Watch honoree
- Super Lawyers Rising Star Class Actions (2024)
- Northern California Super Lawyers (2023-2025)
- Lawdragon 500 Leading Plaintiff Consumer Lawyers (2025)



ANDREW KAUFMAN

Andrew Kaufman brings deep appellate and trial briefing experience. He's a former partner at a national plaintiffs' firm and clerked on both the Sixth Circuit and D.C. Court of Appeals.

Notable work includes:

- Co-led briefing for the Juul bellwether trial, which settled for \$235 million
- Led appeals in Florida Engle tobacco litigation
- Represented clients in the McKinsey opioid and Kona coffee cases

SENIOR ADVISOR AND OF COUNSEL



DANIEL GIRARD

Dan Girard founded Girard Sharp in 1995 with a mission to offer top-tier representation to consumers and investors. Under his leadership, the firm has become one of the nation's most respected plaintiffs' litigation firms.

Dan has served on multiple federal rulemaking committees and is a Council member of the American Law Institute. He's been named in Best Lawyers since 2012, was Best Lawyer of the Year in

2013, and is a Northern California Super Lawyer. As a member of the American Law Institute, he has been selected by his peers for inclusion in The Best Lawyers in America.

He's recovered hundreds of millions in securities, financial fraud, and class action cases and helped influence Federal Rule 34 amendments through his legal scholarship.

ASSOCIATES



MIKAELA BOCK

Mikaela Bock advocates for injured consumers and purchasers in major antitrust and consumer protection litigation, including:

- California Gasoline Spot Market Antitrust Litigation
- Online advertising monopoly cases against Google
- Credit reporting litigation against Equifax
- Prenatal screening fraud litigation against Natera

During law school, she externed in the Northern District of California and won a national moot court competition. Prior to law school, Mikaela taught middle school as a Teach for America corps member.



ERIKA GARCIA

Erika Garcia focuses her practice on complex electronic discovery. Prior to joining Girard Sharp, she worked at an international firm on:

- Commercial litigation
- Class actions
- Regulatory investigations

She is fluent in Spanish and previously served as a refugee advocate in Ecuador. Erika holds a J.D. from UC Law SF and is admitted in both California and New York.



SAMHITA COLLUR

Samhita Collur focuses on class actions and complex litigation. She earned her J.D. cum laude from the University of Wisconsin Law School, where she:

- Interned for a Wisconsin Supreme Court Justice
- Was named Best Oral Advocate in a First Amendment competition
- Advocated for immigrants seeking humanitarian relief through her law school clinic

Before law school, she worked as a program manager for a San Francisco nonprofit providing financial services to underserved communities.



NINA GLIOZZO

Nina Gliozzo has been central to several of Girard Sharp's biggest trial wins:

- Directly examined plaintiffs in the Pacific Fertility Center trial that led to a \$15 million verdict
- Helped develop and litigate claims in the Juul MDL, leading to a nearly \$2 billion settlement
- Key strategist in Altria bellwether case, which settled after the plaintiff rested

Nina clerked for Judge Marsha Berzon on the Ninth Circuit and externed for Judge Charles Breyer in the Northern District of California.



REID GAA

Reid Gaa works on class action, securities, and digital privacy litigation. He has experience with:

- Pleading and motion drafting
- Discovery and deposition prep
- Large-scale document review in class actions



SEAN GREENE

Sean Greene represents investors and policyholders in securities and insurance fraud litigation, including:

- GWG Holdings Securities Litigation
- PFA Insurance Marketing Litigation

He previously worked in insurance defense and public health, with a background in expanding school-based care programs. Sean earned his J.D. at UC Law SF.



JORDAN ISERN

Jordan Isern focuses on antitrust and class action litigation. She is a Harvard Law graduate, where she served as Executive Technical Editor of the Civil Rights–Civil Liberties Law Review.

Prior experience includes work with:

- DOJ Antitrust Division
- The Eastern District of Pennsylvania (externship)
- Nonprofits including AALDEF and the Innocence Project

Outside of law, Jordan enjoys long-distance backpacking and rock climbing.



MAYA KALONIA

Maya Kalonia advocates for consumers and investors in complex class actions. She earned her J.D. from UC Berkeley School of Law, where she:

- Interned with the California AG's Consumer Protection Section and the FTC
- Participated in the East Bay Community Law Center's Consumer Justice Clinic

Before law school, Maya worked in D.C. as a policy advisor to Senator Richard Blumenthal.



KRISTEN PALUMBO

Kristen Palumbo focuses on antitrust and high-stakes commercial litigation. She has represented clients across:

- Tech, accounting, and software industries
- Enterprise hardware and biometric authentication systems

Kristen previously practiced at two international firms, where she also led pro bono and diversity initiatives. She has represented numerous incarcerated clients pro bono in civil rights matters.



KYLE QUACKENBUSH

Kyle Quackenbush prosecutes antitrust and consumer protection class actions. Key work includes:

- Passenger Vehicle Replacement Tires Antitrust Litigation
- California Gasoline Spot Market
- JUUL Labs Litigation
- Natera Prenatal Testing Litigation

He's received the 2024 Consumer Attorney of the Year award and was named to Lawdragon's 500 X: The Next Generation and Best Lawyers: Ones to Watch.



TONY ROGARI

Tony Rogari litigates digital privacy and complex consumer protection cases. He earned his J.D. from UC Davis School of Law, where he:

- Published a note on the California Voter Participation Rights Act
- Led trial advocacy programs and mock trial competitions
- Participated in the Civil Rights Clinic handling prisoner cases



PETER TOUSCHNER

Peter Touschner manages complex class action discovery. His past experience includes:

- Representing victims of the Volkswagen emissions scandal
- Suing a hospital conglomerate for inflated premiums
- Investigating deceptive

advertising at the Center for Democracy & Technology

He externed for Judge Charles Breyer and was a senior editor at Hastings Science and Technology Law Journal.



ISABEL VELEZ

Isabel Velez litigates class actions involving consumer protection and worker advocacy. Her past experiences include:

- Concentrated in Social Justice Lawyering

- Worked in two workers' rights clinics
- Represented a client in a wage-and-hour claim

She earned her J.D. magna cum laude from UC Law SF.

PRACTICE AREAS

ANTITRUST

Girard Sharp is a nationally recognized leader in antitrust litigation. We represent individuals, businesses, and public entities injured by anticompetitive conduct. Our attorneys currently hold leadership positions in some of the most significant antitrust cases in the country.

Key cases include:

- Google Digital Advertising Antitrust Litigation
- Xyrem (Sodium Oxybate) Antitrust Litigation
- Lidoderm Antitrust Litigation
- Passenger Vehicle Replacement Tires Antitrust Litigation

We have recovered hundreds of millions for clients harmed by price-fixing, pay-for-delay schemes, and monopolistic conduct in industries ranging from pharmaceuticals to digital advertising.

SECURITIES AND FINANCIAL FRAUD

We represent investors—both individuals and institutions—who suffer losses due to securities fraud, market manipulation, and breaches of fiduciary duty.

Key cases include:

- Maxar Technologies Securities Litigation – \$36.5 million recovery
- Sears Holdings Derivative Litigation – \$40 million settlement
- GWG Holdings Securities Litigation
- PayPal Securities Litigation

SEXUAL ABUSE

Girard Sharp represents survivors of sexual abuse and assault with compassion, discretion, and a deep commitment to justice. We offer trauma-informed legal representation to help survivors seek accountability, restitution, and meaningful change.

- PFA Insurance Marketing Litigation

We litigate securities fraud, ERISA, and insurance bad faith cases in federal and state courts nationwide, pursuing corporate accountability and financial justice for our clients.

CONSUMER PROTECTION

Girard Sharp focuses on holding powerful entities accountable for fraud, defective products, privacy violations, and unfair insurance practices. We represent individuals harmed by deceptive business conduct, dangerous products, misuse of personal data, and bad faith denials of insurance coverage, seeking justice across a broad range of industries and legal issues. We pursue cases involving false advertising and product mislabeling. We also challenge unlawful fees and billing practices. Additionally, we fight against unfair contract terms and consumer scams.

Key cases include:

- Stiiizy Cannabis Litigation
- Deceptive marketing by JUUL Labs
- MacBook Keyboard Defect Litigation – \$50 million recovery
- Google Pixel & Nexus Defect Litigation – \$17 million recovery
- Insurance bad faith claims and unfair denial of coverage (including PFA Insurance Marketing Litigation and talcum powder product liability coverage disputes)

Our attorneys combine trial experience with a consumer-first lens, aiming to restore fairness and transparency in consumer markets.

We represent clients in cases involving sexual abuse and institutional cover-ups. We also handle sexual abuse claims related to religious institutions and schools.

Key cases include:

- Uber Passenger Sexual Assault Litigation

Our legal team is committed to helping survivors pursue justice in a way that centers their needs and protects their dignity.

WOMEN'S ADVOCACY & FERTILITY

We are deeply committed to representing women in high-impact litigation involving reproductive healthcare failures, IVF and embryo destruction, and the misleading marketing of prenatal and women's health services.

Key cases include:

- Pacific Fertility Center
- University of California and other fertility-related class action
- Our approach combines fierce legal advocacy with trauma-informed client care.

CATASTROPHIC INJURY

We represent individuals in complex mass torts involving dangerous pharmaceuticals, harmful medical devices, and widespread toxic exposure.

Key cases include:

- Opioid addiction accountability
- McKinsey pharmaceutical consulting
- JUUL's targeting of youth through flavored nicotine products

These cases often involve multi-district litigation (MDLs), and our team is experienced in both leading and coordinating such efforts.

GOVERNMENT REFORM

Girard Sharp has brought successful lawsuits against government agencies for data breaches, institutions that violate civil rights, and regulatory failures that lead to public harm.

Key cases include:

- OPM Data Breach

We have represented veterans, public servants, and everyday Americans in constitutional and administrative law cases, with a commitment to public interest litigation and long-term changes

VERDICTS & SETTLEMENTS

PACIFIC FERTILITY CENTER TRIAL

\$14.975 million jury verdict for five plaintiffs whose frozen eggs and embryos were destroyed when a storage tank failed at Pacific Fertility Center. Girard Sharp served as trial counsel in the three-week trial, which resulted in one of the first jury verdicts in a fertility loss case. This landmark result helped set a national precedent for recognizing and valuing reproductive harm and has influenced related litigation across the country.

JUUL LABS MULTIDISTRICT LITIGATION

Nearly \$2 billion in global settlements were secured from JUUL and Altria in litigation involving over 7,000 cases. Girard Sharp served as co-lead counsel and helped coordinate the JUUL multidistrict litigation (MDL), which addressed youth nicotine addiction, false advertising, and product design defects. The firm played a critical role in securing these settlements, including a

MACBOOK KEYBOARD DEFECT LITIGATION

\$50 million settlement was secured for users of defective “butterfly” keyboards in Apple MacBook models, providing direct payments to class members. Girard Sharp served as co-lead counsel in the nationwide class action against Apple. After years of litigation and expert work, the case resolved with significant compensation for affected customers.

GOOGLE PIXEL & NEXUS PHONE DEFECT LITIGATION

\$17 million settlement was secured for consumers affected by defective smartphones. Girard Sharp helped

MAXAR TECHNOLOGIES SECURITIES LITIGATION

\$36.5 million recovery for shareholders who alleged false and misleading statements regarding company performance.

\$235 million settlement reached after a bellwether trial began.

XYREM ANTITRUST LITIGATION

\$198.4 million in total settlements recovered in one of the largest reverse-payment antitrust cases in history. Girard Sharp represented plaintiffs alleging a pay-for-delay scheme involving the sleep drug Xyrem, the firm led the case to the eve of trial before achieving a favorable resolution.

LIDODERM ANTITRUST LITIGATION

\$104.75 million settlement was secured by Girard Sharp for indirect purchasers affected by anticompetitive practices involving the pain-relief patch Lidoderm. The firm played a lead role in discovery and briefing in the Lidoderm “pay-for-delay” antitrust case, contributing to a significant victory for consumers and pharmacies.

expose and resolve hardware defect claims on behalf of Google phone users experiencing audio defects and connectivity issues in Pixel and Nexus models. The case involved allegations of concealment and warranty violations.

U.S. OFFICE OF PERSONNEL MANAGEMENT DATA BREACH

\$63 million class settlement was secured after hackers stole personal data from federal workers and contractors. Girard Sharp represented the affected individuals and played a lead role in resolving the litigation. In one of the largest federal data breach settlements, the firm helped secure significant relief for those impacted by the OPM data breach.

SEARS HOLDINGS DERIVATIVE LITIGATION

\$40 million recovered in one of the largest derivative settlements approved in the Northern District of Illinois.

ONGOING CASE HIGHLIGHTS

INSURANCE OVERCHARGE & MARKETING FRAUD LITIGATION

- Girard Sharp represents clients in the ongoing PFA Life Insurance Litigation.

TALCUM POWDER COVERAGE DISPUTES

- We represent policyholders denied fair coverage or misled into purchasing overpriced or unsuitable products.

STIIIZY CANNABIS LITIGATION

- The firm currently leads claims against cannabis brand Stiiizy for misleading THC labeling and defective cartridges. This case represents one of the first large-scale consumer fraud class actions in the cannabis space.

GOOGLE AD TECH ANTITRUST LITIGATION

- Girard Sharp serves in a key leadership role in this major antitrust case, which alleges Google monopolized digital advertising markets through exclusionary conduct. The firm leads briefing and discovery efforts across multiple parallel cases.

GWG HOLDINGS SECURITIES LITIGATION

- Girard Sharp represents investors in GWG L Bonds, alleging securities fraud, misrepresentation, and breach of fiduciary duty following GWG's bankruptcy and failure to honor investments.

AWARDS

Chambers
AND PARTNERS



Daily Journal
Established 1888



Best Lawyers



THE NATIONAL
LAW JOURNAL



GIRARD --- SHARP

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TAB 3

1 Simon Grille (State Bar No. 294914)
2 Trevor T. Tan (State Bar No. 281045)
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12 *Counsel for Plaintiffs*

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF ALAMEDA**

15 MICHAEL ERAZO, MIGUEL OCHOA,
16 JAMIE MCDOLE, ALVARO GALVIS,
17 ROSE BECKER, and KARLINA CHAVEZ,
18 on behalf of themselves and all others similarly
19 situated,

20 Plaintiffs,

21 v.

22 THE REGENTS OF THE UNIVERSITY OF
23 CALIFORNIA,

24 Defendant.

Lead Case No. RG21097796
Consolidated and Related to:
Case Nos. RG21107152, RG21107777

**DECLARATION OF JENNIFER FORST
ON BEHALF OF CPT GROUP, INC.
REGARDING SETTLEMENT
ADMINISTRATION AND IN SUPPORT
OF PLAINTIFFS' UNOPPOSED
MOTION FOR FINAL APPROVAL OF
SETTLEMENT**

1 I, Jennifer Forst, declare as follows:

2 1. I am a Supervising Case Manager for CPT Group, Inc. ("CPT"), the Settlement
3 Administrator jointly agreed upon by the Parties and approved by the Court for *Erazo v The*
4 *Regents of the University of California*. The following statements are based on my personal
5 knowledge, information provided to me by counsel for the Parties, by other CPT employees
6 working on this matter, and records of CPT generated and maintained in the usual course of its
7 business. If called on to do so, I could and would testify competently thereto. I submit this
8 declaration in support of the Parties' Motion for Final Approval of Class Action Settlement.

9 2. CPT has extensive experience in providing notice of class actions and
10 administering class action settlements. In the past 30-plus years, we have provided notification
11 and/or settlement administration services in thousands of class action cases.

12 **SUMMARY OF NOTICE PLAN AND ADMINISTRATIVE DUTIES**

13 3. As the Settlement Administrator in this matter, CPT was tasked with providing
14 notice and claims administration services as outlined in the Parties' Class Action Settlement
15 Agreement and Release ("Settlement Agreement"). These responsibilities include, but are not
16 limited to, the following: (a) Obtaining Class Members' contact information from Defendants
17 and updating addresses using the National Change of Address (NCOA) database; (b) Preparing
18 and disseminating the Summary Class Notice via mail and/ or email; (c) Establishing and
19 maintaining a dedicated Settlement Website, which includes links to the Court-approved
20 documents, allows online submission of claims, and provides up-to-date information regarding
21 the case; (d) Establishing and maintaining a dedicated 24-hour toll-free support line with
22 Interactive Voice Response (IVR) capabilities and live representatives; (e) Receiving and
23 processing communications about the Settlement such as Requests for Exclusion and
24 Objections; (f) Reviewing and determining the validity of submitted Claim Forms; (g)
25 Notifying claimants who submit deficient claims, providing them with clear instructions to
26 correct deficiencies; (h) Preparing reports and summaries regarding the notice and claims
27 process for the Parties and the Court; (i) Establishing and maintaining the Qualified Settlement
28

1 Fund; (j) Calculating and distributing Settlement Class Benefits to Class Members, Class
2 Representatives and Attorneys, while ensuring compliance with tax obligations; (k) Handling
3 any uncashed payments as directed by the court; (l) Performing other tasks as set forth in the
4 Preliminary Approval Order, the Settlement Agreement, or as the Parties mutually agree to or
5 that the Court orders.

6 **SETTLEMENT FUND**

7 4. On June 23, 2025, CPT established an interest-bearing Qualified Settlement
8 Account. On July 7, 2025, a \$500,000 check from Defendant for initial funding was deposited
9 into the account. Subsequently, on July 14, 2025, CPT reimbursed itself \$30,306.68 for initial
10 mailing postage costs.

11 **PROVISION OF CLASS LIST**

12 5. On June 25, 2025, CPT received two Excel files, one each for the Settlement
13 Class and CMIA Subclass. Each file contained names, mailing addresses and email addresses
14 (as available) of Class Members. Between both files, CPT received a total of 360,613 records.

15 6. CPT scrubbed the data for anomalies and duplicates. A total of 2,072 duplicate
16 records were identified and removed. As a result, CPT compiled a refined ‘Class List’ of
17 358,541 records, including 8,089 CMIA Subclass individuals. CPT assigned a unique ID to
18 each record to be used for tracking purposes throughout the course of the administration.

19 **SETTLEMENT WEBSITE**

20 7. CPT launched a dedicated Settlement Website ([www.regents-
21 accelliondatabreachsettlement.com](http://www.regents-accelliondatabreachsettlement.com)) prior to July 25, 2025. The site includes a Court
22 Documents page with downloadable case materials, including the Settlement Agreement,
23 Preliminary Approval Order, Long Form Notice, and Claim Form. True and correct copies of
24 the Long Form Notice and Claim Form are attached as **Exhibits A and B**, respectively.

25 8. The Settlement Website includes an Important Dates page listing key deadlines
26 for submitting a Claim Form, Request for Exclusion, or Objection, as well as the Final
27
28

1 Approval Hearing date. During the response period (July 25–October 20, 2025), Class
2 Members can submit Claim Forms or Requests for Exclusion electronically via the site.

3 9. As of the date of this declaration, the website has received approximately 6,500
4 page views and 1,900 unique visitors. CPT will continue to update the site with relevant
5 documents, including the Final Approval Order and Judgment if issued by the Court.

6 **TOLL-FREE NUMBER**

7 10. CPT established a 24-hour toll-free number (1-888-317-2945) prior to July 25,
8 2025, featuring interactive voice recognition (“IVR”) Frequently Asked Questions (“FAQs”)
9 and live representative access during business hours (9:00 a.m.–5:30 p.m. PST, Mon–Fri).
10 After hours, callers receive FAQs and can leave a voicemail. The number is listed on the
11 Notice Postcard, Email Notice, and throughout the Settlement Website. As of this declaration,
12 the line has received 291 calls with approximately 647 talking minutes with CPT support
13 representatives.

14 **CASE-SPECIFIC EMAIL ADDRESS**

15 11. CPT established a dedicated case email (Regents
16 AccellionDataBreachSettlement@cptgroup.com), listed on the Notice Postcard, Email Notice,
17 and throughout the Settlement Website. The email address was used to communicate with
18 Class Members on case-related requests. As of this declaration, the inbox has received 761
19 email inquiries.

20 **DIRECT NOTICE**

21 12. On July 25, 2025, CPT disseminated the Email Notice to 331,153 Class
22 Members for whom the Class List contained email address information. Attached hereto as
23 **Exhibit C** and **Exhibit D** are true and correct copies of the Settlement Class and CMIA
24 Subclass Email Notice, respectively.

25 13. There were 27,388 Class Members for whom the Class List did not include a
26 valid email address. For those individuals, on July 25, 2025, CPT mailed the Postcard Notice
27 (double-sided format and printed in color) by First Class Mail. Prior to mailing, CPT checked
28

1 all mailing addresses against the National Change of Address (NCOA) database to ensure
2 mailing to the best address available. Attached hereto as **Exhibit E** and **Exhibit F** are true and
3 correct copies of the Settlement Class and CMIA Subclass Postcard Notice, respectively.

4 14. A total of 70,031 Email Notices were returned as bounced or undeliverable. On
5 August 22, 2025, CPT completed a Postcard Notice mailing to 65,770 individuals with a
6 bounced/undeliverable email that also had a mailing address. Prior to mailing, these addresses
7 were also checked against the National Change of Address (NCOA) database to ensure mailing
8 to the best address available.

9 15. A reminder Email Notice was sent to those with a deliverable email address who
10 had not submitted a claim on August 15, 2025.

11 16. As of this declaration, 85 Postcard Notices have been directly forwarded by the
12 Post Office to a forwarding address, and 2,452 notices have been returned to CPT as
13 undeliverable. For the undeliverable notices, CPT performed skip traces to attempt to locate
14 better addresses. As a result of the forwards and skip traces, a total of 1,407 Notice Postcards
15 were re-mailed to Class Members. No notices have been returned a second time.

16 17. As a result of the foregoing, CPT believes notice was successfully delivered to
17 353,218 Class Members, which equates to a success rate of 98.52% to-date.

18 **CLAIMS ADMINISTRATION**

19 18. The deadline for Class Members to submit a Claim Form is October 20, 2025.

20 19. Upon receipt, CPT reviewed each Claim Form to determine whether it was
21 valid, invalid, or deficient and required follow up. As of this declaration, CPT received a total
22 of 17,419 claims consisting of 172 Statutory Payment claims, 419 Fraud/Out-of-Pocket Costs
23 claims, and 3,432 Documented Time claims. The remaining claims submitted for Pro Rata
24 Payment only.

25 20. **Valid Claims:** Of the 17,419 claims received, 17,002 have been deemed valid
26 through CPT's claims validation process. So far there are 165 valid Statutory Payment claims,
27
28

1 16 valid Fraud/Out-of-Pocket Costs claims, and 3,158 valid Documented Time claims. The
2 remaining claims are Pro Rata claimants.

3 21. The total value of valid Fraud/Out-of-Pocket Costs claims submitted to date is
4 \$12,357.66. The total value of Document Time claims submitted to date is \$480,300.00.

5 22. **Invalid Claims:** Of the 17,419 claims received, 5 are invalid due to being
6 duplicate or rescinded submissions. So far, the invalid claims include 2 invalid Statutory
7 Payment claims, 2 invalid Fraud/Out-of-Pocket Costs claims, and 3 invalid Documented Time
8 claims across the 5 invalid claimants.

9 23. **Under Review Claims:** Of the 17,419 claims received, 412 are currently under
10 review. 360 of the “under review” claims are in queue for the validation process, and 52 claims
11 have been reviewed and flagged as deficient. Notices of Deficiency have been sent in an
12 attempt to cure the deficiencies.

13 24. As of the date of this declaration, the claims rate is 4.74%.

14 25. To ensure the integrity of the claims-administration process, CPT pre-assigned a
15 unique ID number and passcode that was required to access and file a claim form online. This
16 process prevents online submissions from anyone who did not receive direct notice as well bot
17 or otherwise “fraudulent claims” through enforced ID-passcode requirement.

18 **REQUESTS FOR EXCLUSION & OBJECTIONS**

19 26. The deadline for Class Members to request exclusion or file an Objection is
20 October 20, 2025. As of this declaration, CPT has received 109 valid and timely Requests for
21 Exclusion. Attached as **Exhibit G** is a list identifying Class Members who submitted a Request
22 for Exclusion. As of this declaration, CPT has not received any Objections.

23 **ADMINISTRATION FEES**

24 27. As of the date of this declaration, CPT has incurred \$150,012.45 in expenses
25 associated with notifying Class Members and administration of the Settlement.

26 28. If the Court grants final approval, CPT will proceed with settlement
27 administration in accordance with Settlement Agreement and Court order. CPT anticipates
28

1 incurring \$27,987.55 in additional administration costs if a redistribution is economically
2 viable, or \$13,987.55 in additional costs if redistribution is not required. CPT has agreed to cap
3 the total cost of notice and administration in this case at \$405,600.

4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct.

6 Executed on September 12, 2025, at Irvine, California.

8 
9 Jennifer Forst

EXHIBIT A



Superior Court of California, County of Alameda

Erazo, et al. v. The Regents of the University of California

Lead Case No. RG21097796

Class Action Notice

Authorized by the California Superior Court

Was your information compromised during the 2020-21 Data Breach affecting the University of California?

Did you receive a Notice of Data Breach from the University of California between April 2021 and July 2021?

There is a \$5,800,000 settlement of a lawsuit that may affect your rights.

You may be eligible to receive money.

Please read this entire document carefully.

Your options:

1. Make a claim.

Be eligible for a payment.

2. Do nothing.

You will not receive a payment and you will be bound by the settlement.

3. Opt Out.

You will not receive a payment and you will not be bound by the settlement.

4. Object.

You can let the Court know if you object to the settlement.

Important things to know:

4162-2948-5652.2

- You are not being sued.
- You can learn more at: www.Regents-AccellionDataBreachSettlement.com

Table of Contents

Table of Contents.....	2
About This Notice	4
Why did I get this notice?	4
What do I do next?	4
What are the most important dates I should know?.....	5
What are the most important terms I should know?	5
Learning About the Lawsuit	7
What is this lawsuit about?	7
Who is the Defendant?.....	8
Why is there a settlement in this lawsuit?.....	8
What happens next in this lawsuit?	8
Learning About the Settlement.....	9
What does the Settlement provide?	9
How do I know if I am part of this Settlement?	10
What if I'm still not sure if I'm included in the Settlement Class?	11
Deciding What to Do.....	11
How do I weigh my options?.....	11
Submitting a Claim	13
How do I get a payment if I am a Settlement Class Member?	13
Statutory Payment.....	13
Fraud/Out-of-Pocket Costs or Documented Time Payment	13
Pro Rata Payment.....	14
How much will my payment be?	15
What do I give up by making a Settlement claim?.....	15
Opting Out.....	16

What if I don't want to be part of this Settlement?	16
How do I opt out?	16
Objecting	17
What if I disagree with the Settlement?.....	17
Doing Nothing.....	18
What are the consequences of doing nothing?	18
The Lawyers Representing You	18
Do I have a lawyer in this lawsuit?	18
Do I have to pay the lawyers in this lawsuit?	19
Should I get my own lawyer?	19
Key Resources	20
How do I get more information?.....	20

About This Notice

Why did I get this notice?

This notice provides you information about the settlement of a class action lawsuit, *Erazo, et al. v. The Regents of University of California*, Lead Case No. RG21097796 (Cal. Sup. Ct.), that resolves the claims of all individuals whose personal information, responses to the 2020 University of California Undergraduate Experience Survey (UCUES), or alleged medical records may have been compromised as a result of a December 2020 - January 2021 data breach affecting The Regents of the University of California ("UC Regents"), in which hackers compromised a file transfer software called FTA that the University of California Office of the President ("UCOP") licensed from Accellion, Inc.

You received this notice because you may be a member of this group, called the "Settlement Class," and your rights may be impacted. This notice gives you a summary of the terms of the Settlement Agreement, explains what rights Settlement Class members have, and helps Settlement Class Members make informed decisions about what actions to take.

What do I do next?

Read this notice to understand the Settlement Agreement and to determine if you are a Settlement Class Member. Then, decide if you want to:

Options	More information about each option
Submit a Claim Form	You must submit a claim to be eligible to receive a payment. You will be bound by the Settlement Agreement.
Do Nothing	If you do nothing, you will get no payment and you will be bound by the Settlement Agreement. Read below for more details about what is covered by this Settlement.
Opt Out	If you opt out, you will not be eligible to get a payment but you will not be bound by the Settlement Agreement. You will still have the right to potentially bring another lawsuit against UC Regents about the same issues. If you

	want to opt out, you must notify the Settlement Administrator in writing by following the instructions on page 16 .
Object	You can tell the Court why you don't like the Settlement Agreement. You cannot object if you have opted out. More detail on objecting to this Settlement can be found on page 17 .

Read on to understand the specifics of the Settlement Agreement and what each choice would mean for you.

What are the most important dates I should know?

Your deadline to object or opt out: **October 20, 2025**

Your deadline to submit a claim form: **October 20, 2025**

Settlement approval hearing: **December 9, 2025**

What are the most important terms I should know?

Please review the Settlement Agreement to see a full list of defined terms. Certain defined terms that are used in this notice are listed below.

- **"Data Breach"** refers to the data breach that is the subject of the Action, announced by UC Regents on or around March 31, 2021, whereby unauthorized parties exfiltrated information belonging to current and former UC students and employees, responses to the 2020 University of California Undergraduate Experience Survey (UCUES), and alleged medical records that were stored on the UCOP's instance of a file transfer application ("FTA") licensed from Accellion, Inc.
- **"Defendant" or "UC Regents"** refers collectively to The Regents of the University of California.
- **"Documented Time"** refers to time actually spent by a Settlement Class Member supported by Reasonable Documentation for attempting to remedy or remedying issues fairly traceable to the Data Breach (including time spent on any identity fraud, theft, fraud, bank

fees, card cancellations, credit card fees, late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, placing a freeze or alert on credit reports, and replacing a driver's license, state identification card, or Social Security number) incurred on or after December 24, 2020.

- **"Fraud/Out-of-Pocket Costs"** means out-of-pocket costs or expenditures supported by Reasonable Documentation that a Settlement Class Member actually incurred, including, but not limited to, unreimbursed losses and consequential expenses (including, but not limited to, late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, costs to place a freeze or alert on credit reports, costs to replace a driver's license, state identification card, or Social Security number) that are related to any unauthorized identity theft or fraud fairly traceable to the Data Breach and incurred on or after December 24, 2020.
- **"Participating Settlement Class Member"** means a Settlement Class Member who receives an automatic payment and/or submits a valid Claim approved by the Settlement Administrator.
- **"Reasonable Documentation"** means documentation supporting a claim for Fraud/Out-of-Pocket Costs or Documented Time, including, but not limited to, credit card statements, bank statements, invoices, telephone records, and receipts. Fraud/Out-of-Pocket Costs or Documented Time cannot be documented solely by a personal certification, declaration, or affidavit from the Claimant; a Settlement Class Member must provide reasonable supporting documentation.
- **"Released Parties"** includes UC Regents and its respective predecessors, successors, assigns, parents, subsidiaries, divisions, affiliates, departments, and any and all of their past, present, and future owners, officers, directors, employees, investors, owners, stockholders, partners, servants, agents, successors, attorneys,

representatives, insurers, reinsurers, subrogees, and assigns of any of the foregoing. Each of the Released Parties may be referred to individually as a “Released Party.”

- **“Settlement Class”** means and includes the approximately 353,265 persons, including Settlement Class Representatives, who were notified that their personally identifiable information and/or protected health information may have been disclosed in the Data Breach. Excluded from the Settlement Class are (1) the judge(s) presiding over the Action, and members of their families; (2) the Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant has a controlling interest and its current or former officers and directors; (3) persons who properly execute and submit a Request for Exclusion prior to the expiration of the Opt-Out Period; (4) the successors or assigns of any such excluded Persons; and (5) individuals who settled with the Defendant any and all claims relating to the Data Breach.
- **“Settlement Class Counsel”** means attorney Simon S. Grille of Girard Sharp LLP.
- **“Settlement Class Representatives”** means Miguel Ochoa, Jamie McDole, Alvaro Galvis, Rose Becker, Karlina Chavez, and Elizabeth Montoya.
- **“Statutory Payment”** refers to the \$150.00 payment available to each Participating Settlement Class Member who has been identified as having a potential claim under the California Confidentiality of Medical Information Act, Cal. Civ. Code § 56, *et seq.*

Learning About the Lawsuit

What is this lawsuit about?

Settlement Class Representatives allege that between mid-December 2020 and January 2021, UCOP's version of a file transfer application (“FTA”) licensed from Accellion, Inc. was compromised, leading to the exposure of information, responses to the 2020 University of California

Undergraduate Experience Survey (UCUES), or alleged medical records belonging to current and former UC students and employees.

Settlement Class Representatives alleged the UC Regents (i) violated the California Confidentiality of Medical Information Act, Civ. Code § 56 et seq.; (ii) violated the Information Practices Act, Civ. Code § 1798.1 et seq.; (iii) was negligent; and (iv) committed an invasion of privacy.

The Settlement Agreement resolves the claims of the Settlement Class (defined above) involving the allegations in the lawsuit.

UC Regents denies that it did anything wrong.

Who is the Defendant?

The Defendant is The Regents of The University of California ("UC Regents").

Through this Settlement Agreement, Settlement Class Representatives, on behalf of the Settlement Class, release certain claims against the Released Parties, which include UC Regents and its affiliates.

What does it mean to "release" a claim?

If a claim is released, it is forever resolved and cannot be the basis for a new lawsuit.

Why is there a settlement in this lawsuit?

On **May 29, 2025**, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit (the "Settlement"). Both sides want to avoid the risk and expense of further litigation.

The Court has not decided this case in favor of either side. This notice is not an opinion by the court about whether the Plaintiffs or Defendant are right.

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to settlement class members.

What happens next in this lawsuit?

The Court will hold a final approval hearing to decide whether to approve the Settlement Agreement. The hearing will be held at:

Where: Department 21 of Rene C. Davidson Courthouse, 1225 Fallon Street Oakland, CA 94612.

When: 2:30 p.m. on December 9, 2025

The Court has directed that notice of the Settlement Agreement be sent out. Because the Settlement affects the rights of all members of the Settlement Class (defined above), the Court must give final approval to the Settlement Agreement before it can take effect. Payments will only be made if the Court approves the Settlement Agreement.

You don't have to attend the final approval hearing, but you may at your own expense. You may also ask the Court for permission to speak and express your opinion about the Settlement Agreement. If the Court does not approve the Settlement Agreement or the parties decide to terminate it, it will be void and the lawsuit will continue.

The date of the hearing may change without further notice to members of the Settlement Class. To learn more and get any updates on the hearing date, go to:

www.Regents-AccellionDataBreachSettlement.com

Learning About the Settlement

What does the Settlement provide?

The Settlement Agreement makes money available to pay individuals whose information, responses to the 2020 University of California Undergraduate Experience Survey (UCUES), or alleged medical records were compromised as a result of the December 2020 - January 2021 Data Breach.

Defendant has agreed to pay \$5,800,000.00 into a settlement fund. Eligible Settlement Class members may receive a share of this money and it will also be used to pay for litigation expenses and attorneys' fees approved by the Court, as well as the cost of administering this Settlement. More information about the Settlement Benefits available to eligible Class Members can be found below.

In addition to establishing the Settlement Fund, UC Regents has agreed to maintain and/or implement the following enhanced cybersecurity

measures for at least 2 years:

- Confirmation that UC Regents has fully retired its use of Accellion FTA, and migrated to a new, secure file transfer product for all file transfer applications;
- Implementing measures to secure, encrypt, or securely destroy information that was exposed by the FTA Data Breach in UC Regents' possession;
- Increased monitoring of data systems to detect and act on suspicious activity;
- Confirmation that the file transfer program(s) used by UC Regents is audited and discontinue the use of any software known to be outdated, unsupported, or unsecure;
- Confirmation that the file transfer product(s) used by UC Regents is subject to periodic testing to locate and eliminate security vulnerabilities;
- Developing and maintaining a position or department within the UC system that is responsible for data security and privacy including file transfer processes;
- Providing security awareness training for relevant UC Regents employees, to cover industry best practices for data security and privacy.

How do I know if I am part of this Settlement?

If you are one of the approximately 353,265 persons, including Settlement Class Representatives, who were notified that their information, responses to the 2020 University of California Undergraduate Experience Survey (UCUES), or alleged medical records may have been disclosed in the Data Breach, you are a member of the Settlement Class and eligible to receive money.

What if I'm still not sure if I'm included in the Settlement Class?

If you are not sure whether you are included in the Settlement Class, you may contact the Settlement Administrator by calling **1-888-317-2945** or emailing Regents-AccellionDataBreachSettlement@cptgroup.com. Please do not contact the Defendant or the Court.

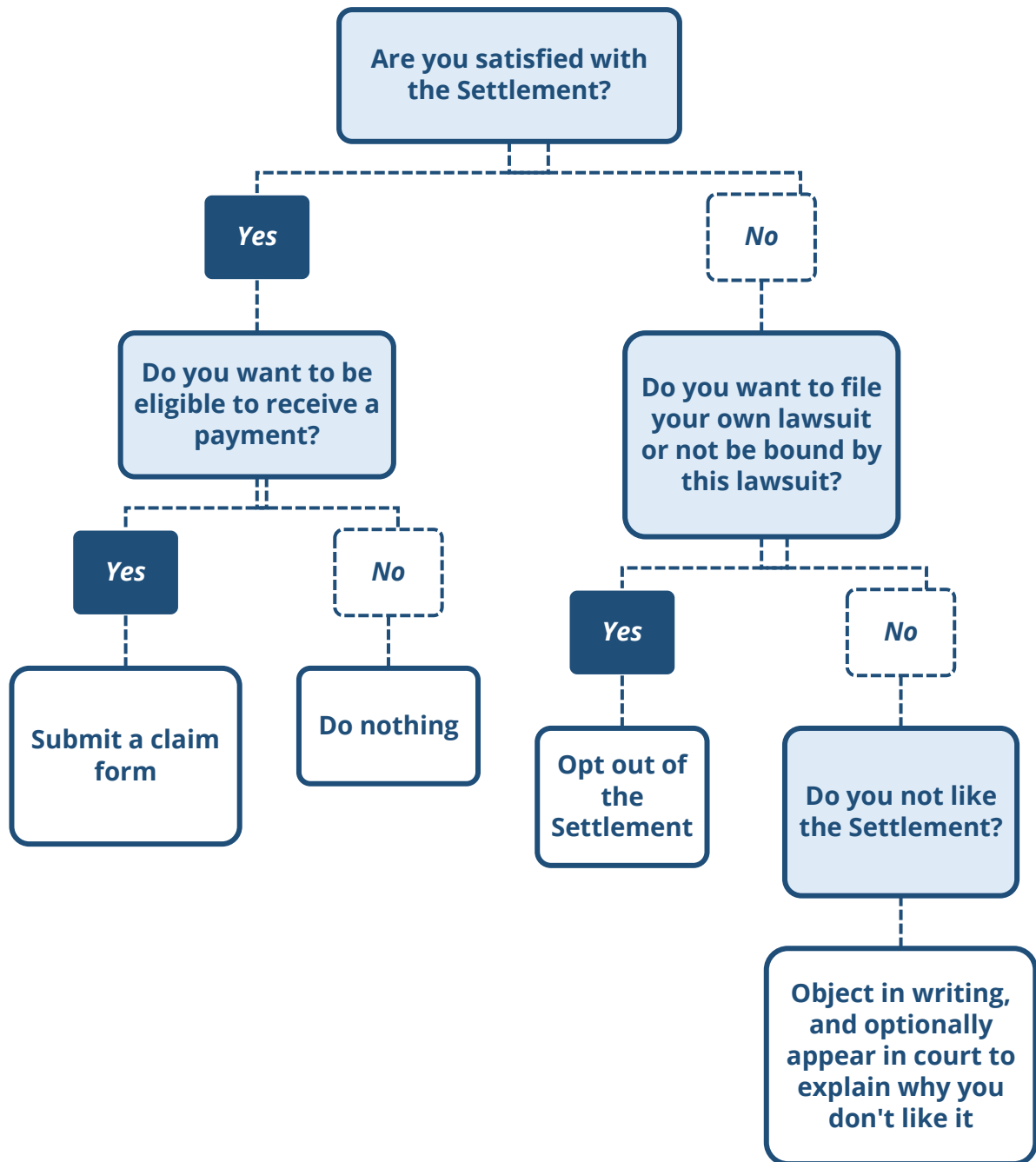
Deciding What to Do

How do I weigh my options?

You have four options. You can stay in the Settlement and submit a claim, you can opt out of the Settlement, you can object to the Settlement, or you can do nothing. Objecting to the Settlement does not stop you from submitting a claim, but opting out does. This chart shows the effects of each option:

	Submit a Claim	Opt Out	Object	Do Nothing
Can I potentially receive settlement money if I . . .	YES	NO	YES	NO
Am I bound by the terms of this Settlement if I . . .	YES	NO	YES	YES
Can I pursue my own case if I . . .	NO	YES	NO	NO

Choose the best path for you:



Submitting a Claim

How do I get a payment if I am a Settlement Class Member?

If you want to receive money, you must submit a completed claim form to the Settlement Administrator.

You can submit a claim form online at www.Regents-AccellionDataBreachSettlement.com or mail the completed form to the Settlement Administrator at:

Regents-Accellion Data Breach
Settlement Administrator
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606

Claims submitted by third-party filers will not be accepted.

The deadline to make a claim for a Settlement payment is October 20, 2025.

Statutory Payment

The parties have identified **approximately 8,600** Settlement Class Members who could potentially assert a claim under the California Confidentiality of Medical Information Act, Cal. Civ. Code § 56, et seq. ("CMIA Claimants"). CMIA Claimants are entitled to a Statutory Payment of \$150. CMIA Claimants will receive email or postcard Notice that informs them they are eligible for this payment. To receive a payment, CMIA Claimants must submit a claim form selecting their preferred payment option and confirm their contact information.

Fraud/Out-of-Pocket Costs or Documented Time Payment

Each Participating Settlement Class Member may submit a claim for up to ten thousand dollars (\$10,000.00) for reimbursement of Fraud/Out-of-Pocket Costs and/or Documented Time ("Fraud/Out-of-Pocket Costs/Time Payment").

If you paid money out-of-pocket to address identity theft, fraudulent activity, or other negative consequences of the Data Breach, you can make a claim for reimbursement. Examples of reimbursable expenses include late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, costs to place a freeze or alert on credit reports, costs to replace a driver's license, state identification card, or Social Security number. To be eligible for reimbursement, the expenses must be related to the Data Breach.

You can also submit a claim for time you spent attempting to remedy negative effects of the Data Breach, such as time spent on identity fraud, theft, fraud, bank fees, card cancellations, credit card fees, late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, placing a freeze or alert on credit reports, and replacing a driver's license, state identification card, or Social Security number. You must demonstrate that you spent at least 5 hours of time, and time claims will be paid at the rate of \$30 per hour.

To receive a Fraud/Out-of-Pocket Costs/Time Payment, a Settlement Class Member must submit to the Settlement Administrator the following: (i) a valid Claim Form electing to receive the Fraud/Out-of-Pocket Costs/Time Payment benefit and which includes an attestation regarding any actual and unreimbursed Fraud/Out-of-Pocket Costs and any Documented Time; and (ii) Reasonable Documentation that demonstrates the Fraud/Out-of-Pocket Costs and/or Documented Time.

Pro Rata Payment

After the Statutory Payments and Fraud/Out-of-Pocket Costs/Time Payments are subtracted from the Net Settlement Fund, if the pro rata payment to each Participating Settlement Class Member is greater than or equal to five dollars (\$5.00), each Participating Settlement Class Member shall additionally receive a pro rata payment of the remaining Net Settlement Fund. If there is not enough money remaining for each pro rata payment to be at least five dollars (\$5.00), the remaining Net Settlement Fund will be equally divided only among the Participating Settlement Class Members receiving a Statutory Payment or a Fraud/Out-

of-Pocket Costs/Time Payment.

How much will my payment be?

Settlement Class Members eligible for the Statutory Payment will receive \$150.

In addition, Settlement Class Members who submit a valid claim for Fraud/Out-of-Pocket Costs/Time expenses, will receive the amount of their claim that the Settlement Administrator determines to be valid, up to ten thousand dollars (\$10,000).

In addition, each Settlement Class Member who submits a valid claim form on time will get a Pro Rata Payment unless the award would amount to less than \$5.00.

The amount of any Pro Rata Payment depends on how many Settlement Class Members qualify for a payment and how large the approved Fraud/Out-of-Pocket Costs/Time Payments are.

We will not know the Pro Rata Payment that each eligible Class Member will receive until all claims are completed.

For more information concerning how payments will be determined, please review Section E of the Settlement Agreement available at www.Regents-AccellionDataBreachSettlement.com.

What do I give up by making a Settlement claim?

If the Settlement becomes final, you will be releasing UC Regents from the claims identified in the Settlement Agreement. This means you will not be able to start another lawsuit, continue another lawsuit, or be part of any other lawsuit against UC Regents about the same issues in this lawsuit.

For more information, please review the Settlement Agreement available at www.Regents-AccellionDataBreachSettlement.com. Section **37** (pages **11-12**) of the Settlement Agreement describes the released claims.

Opting Out

What if I don't want to be part of this Settlement?

You can opt out. If you do, you will not receive a payment and cannot object to the Settlement Agreement. However, you will not be bound or affected by anything that happens in this Settlement and may be able to file your own case.

How do I opt out?

To opt out of the Settlement, you must either (i) fill out and submit the opt out form online, or (ii) either download and print an opt out form at www.Regents-AccellionDataBreachSettlement.com or request a paper copy from the Settlement Administrator, and mail the completed form to the Settlement Administrator or (iii) write a letter that includes the information below, and mail the completed letter to the Settlement Administrator at:

Regents-Accellion Data Breach
Settlement Administrator
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
1-888-317-2945

Opt out forms must be submitted online or postmarked by **October 20, 2025** and must indicate your desire to be excluded from the Settlement Class.

The opt out form or letter **must** include the case name (*Erazo, et al. v. The Regents of University of California*, Lead Case No. RG21097796), your full name, address, and telephone number, email address, and a statement that you wish to opt out of Settlement. The form or letter **must** also include your signature. And you **must** do so individually and separately; **no consolidated or group opt-outs will be accepted.**

Objecting

What if I disagree with the Settlement?

If you disagree with any part of the Settlement Agreement (including the lawyers' fees and expenses discussed below) but don't want to opt out, you may object. You must give reasons why you think the Court should not approve the Settlement and say whether your objection applies to just you, a part of the Settlement Class, or the entire Settlement Class. The Court will consider your views. You may, but don't need to, hire your own lawyer to help you. The Court can only approve or deny the Settlement—it cannot change the terms of the Settlement Agreement.

If the Court denies approval of the Settlement, payments will not be made to Settlement Class members and the lawsuit will continue against the Defendant. If the Court approves the Settlement despite your objection, you will still be bound by the Settlement. If you are eligible for a Statutory Payment or make a claim for Fraud/Out-of-Pocket Costs/Time Payments, you will receive your payment.

To object, you **must** submit your objection to the Court, either by:

- **Mailing to:** Clerk of Court, Superior Court of California, County of Alameda, Rene C. Davidson Alameda County Courthouse, 1225 Fallon Street, Oakland, California 94612, or
- **Filing:** in person at any location of the Superior Court, County of Alameda that includes a facility for civil filings

And mail the objection to:

- Simon S. Grille, c/o Regents-Accellion Data Breach Settlement, GIRARD SHARP LLP, 601 California Street, Suite 1400, San Francisco, CA 94108, and
- Jacob M. Heath, ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94205.

The Objection **must**:

- (1) be postmarked by October 20, 2025;
- (2) include the case name and number (*Erazo, et al. v. The Regents of University of California*, Lead Case No. RG21097796);

- (3) include your full name, address, and telephone number, and, if you have one, email address;
- (4) clearly state the reasons for your objection;
- (5) include the name, address, email address, and telephone number of every attorney representing you;
- (6) say whether either you or your lawyer(s) intend to appear at the final approval hearing; and
- (7) include your signature, and if you are represented by counsel, your counsel's signature.

Doing Nothing

What are the consequences of doing nothing?

If you do nothing, you will not get any money, but you will still be bound by the Settlement Agreement and its “release” provisions. That means you won’t be able to start, continue, or be part of any other lawsuit against the UC Regents about the same issues in this lawsuit. Please see the Settlement Agreement, which can be found at www.Regents-AccellionDataBreachSettlement.com for a full description of the claims and persons who will be released if this Settlement is approved.

The Lawyers Representing You

Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this Settlement, the lawyer below is seeking to be appointed Settlement Class Counsel to represent the Settlement Class.

Simon S. Grille
Girard Sharp LLP
601 California Street, Suite 1400
San Francisco, CA 94108
Telephone: (415) 981-4800
regents-accellion@girardsharp.com

Proposed Settlement Class Counsel will represent you as a member of the Settlement Class. Proposed Settlement Class Counsel **does not** represent you individually. If you want to be represented by your own lawyer, you may hire one at your own expense.

Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and expenses will be paid from the Settlement Fund. **You will not have to pay proposed Settlement Class Counsel directly.**

To date, proposed Settlement Class Counsel have not been paid any money for their work or their expenses to litigate the case. To pay for their expenses and some of their time and risk in bringing this case without any guarantee of payment unless they were successful, proposed Settlement Class Counsel will request, as part of the final approval of this Settlement, that the Court approve a reimbursement of no more than **\$250,000** in litigation expenses incurred, as well as a payment of attorneys' fees of up to 33% of the Settlement Fund.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees and expenses even if you think the Settlement is fair, using the objection procedures described above.

Proposed Settlement Class Counsel will also ask the Court to approve a payment of **\$2,500** to the six Settlement Class Representatives for the time and effort they contributed to the case (i.e., service awards). If approved by the Court, this will be paid from the Settlement Fund.

Should I get my own lawyer?

You are not required to hire your own lawyer to make a Settlement claim. Settlement Class Counsel work on your behalf if you are a member of the Settlement Class, but **do not** represent you individually. You may retain your own lawyer at your own expense. Your own lawyer may appear on your behalf in this lawsuit.

Key Resources

How do I get more information?

This notice is a summary of the Settlement. The complete Settlement Agreement with all its terms can be found on www.Regents-AccellionDataBreachSettlement.com. To get a copy of the Settlement Agreement, access relevant documents, or get answers to your questions:

- contact proposed Settlement Class Counsel (information below)
- contact the Settlement Administrator at 1-888-317-2945 or Regents-AccellionDataBreachSettlement@cptgroup.com
- visit the settlement website at www.Regents-AccellionDataBreachSettlement.com

You may also view the pleadings and other records in this litigation, including the Settlement Agreement online by following the instructions on the Alameda County Superior Court's website at <https://www.alameda.courts.ca.gov/general-information/records> by following the instructions provided on that website.

Images of every document filed in the case may be viewed through the "Register of Actions" at a minimal charge. You may also view images of every document filed in the case free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings.

Resource	Contact Information
Case website	www.Regents-AccellionDataBreachSettlement.com
Settlement Administrator	Regents-Accellion Data Breach Settlement Administrator c/o CPT Group, Inc. 50 Corporate Park Irvine, CA 92606 1-888-317-2945 Regents-AccellionDataBreachSettlement@cptgroup.com
Settlement Class Counsel	Simon S. Grille c/o Regents-Accellion Data Breach Settlement Girard Sharp LLP 601 California Street, Suite 1400 San Francisco, CA 94108 Telephone: (415) 981-4800 regents-accellion@girardsharp.com

EXHIBIT B

Erazo et al., v. The Regents of the University of California,
Lead Case No. RG21097796 (Cal. Sup. Ct.)
Class Action Settlement

CLAIM FORM

Section I. Claimant Information

First Name (required)

Last Name (required)

Street Address (required)

City (required)

State (required)

ZIP Code (required)

Country (required)

Email Address (required) @ _____

(____) ____ - ____
Phone Number (required)

Section II . Statutory Payment **[Only applicable for CMIA Class Members]**

The Regents of the University of California's records indicate that you are a Settlement Class Member and may have had responses to the 2020 University of California Undergraduate Experience Survey (UCUES) or medical information exposed in the Data Breach. **You will receive a minimum payment of \$150.** Please select your payment option below or make sure your contact information above is correct. If you would like to submit a claim for other settlement benefits, you can do so by completing the remaining sections in this Claim Form.

Section III . Fraud/Out-of-Pocket Costs/Time Payment

If you paid money out-of-pocket or spent five hours or more addressing identity theft, fraudulent activity, or other negative consequences of the Data Breach, you can make a claim for reimbursement in this section. Any claim for reimbursement of out-of-pocket costs or time spent addressing the Data Breach may not exceed \$10,000 and must be supported by documentation that demonstrates the amount of the costs or time spent and their relation to the Data Breach. You must also attest below to the amount of the expenses or time spent and that they are related to the Data Breach.

Even if you don't complete this section, you may still be eligible for a *pro rata* payment, as explained in Section IV.

For Fraud/Out-of-Pocket Costs:

Examples of reimbursable expenses include late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, costs to place a freeze or alert on credit reports, costs to replace a driver's license, state identification card, or Social Security number. To be eligible for reimbursement, the expenses must be related to the Data Breach. Please use the following chart to make your claim:

Cost Type (Check all that apply)	Date of Loss (Approximate)	Amount of Loss	Description of Reasonable Documentation (What you are attaching and why)
<input type="checkbox"/> Losses from identity theft or fraud	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Examples: Account statement with unauthorized charges highlighted; Correspondence from financial institution declining to reimburse you for fraudulent charges.</i>
<input type="checkbox"/> Fees or costs incurred in connection with identity theft or fraud	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Examples: Receipt for hiring service to assist you in addressing identity theft; Accountant bill for re-filing tax return.</i>
<input type="checkbox"/> Lost interest or other damages resulting from delayed state and/or federal tax refund resulting from fraudulent tax return	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Examples: Letter from IRS or state taxing authority about tax fraud in your name; Documents reflecting length of time you waited to receive your tax refund and the amount thereof.</i>
<input type="checkbox"/> Credit freeze	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Examples: Notices or account statements reflecting payment for a credit freeze.</i>
<input type="checkbox"/> Credit monitoring that was purchased after December 24, 2020	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Examples: Receipts or account statements reflecting purchases made for identity theft protection and/or credit monitoring services.</i>
<input type="checkbox"/> Miscellaneous expenses such as notary, fax, postage, copying, mileage, and/or long-distance telephone charges	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Example: Phone bills, gas receipts, postage receipts; detailed list of locations to which you traveled (such as police station or IRS office), indication of why you traveled there (i.e. police report or letter from IRS regarding falsified tax return) and number of miles you traveled.</i>
<input type="checkbox"/> Other (provide detailed description)	<div> <div> <div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> <div> <div></div><div></div><div></div><div></div> </div> </div> <div>(mm/dd/yyyy)</div>	<div> <div>\$</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> <div>.</div> <div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div> </div>	<i>Please provide detailed description below or in a separate document submitted with this Claim Form.</i>

Please include proof of your Fraud/Out of Pocket Costs. Visit www.regents-accelliondatabreachsettlement.com to submit your claim online and upload your documentation.

For Documented Time

You can also submit a claim if you spent at least 5 hours of time attempting to remedy negative effects of the Data Breach, such as time spent on identity fraud, theft, fraud, bank fees, card cancellations, credit card fees, late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, card cancellation or replacement fees, credit-related costs related to purchasing credit reports, credit monitoring or identity theft protection, placing a freeze or alert on credit reports, and replacing a driver's license, state identification card, or Social Security number. You must demonstrate that you spent at least 5 hours of time, and eligible time claims will be paid at the rate of \$30 per hour.

Please enter the total number of hours you spent attempting to remedy negative effects of the data breach:

Please include proof of time you spent. The document(s) you provide should reflect both the amount of time that you spent and why you needed to spend this time attempting to remedy negative effects of the Data Breach. Visit www.regents-accelliondatabreachsettlement.com to submit your claim online and upload your documentation.

☐ I attest that all Fraud/Out-of-Pocket/Time expenses I have claimed above were incurred on or after December 24, 2020, and I reasonably believe they were related to the Data Breach.

Section IV . Pro Rata Payment

By completing this Claim Form, you will also be eligible to receive a *pro rata* payment from the Net Settlement Fund, provided that the Fund is not depleted by Statutory Payments and claims for Fraud/Out-of-Pocket Costs/Time Payments. The amount will depend on the participation rate for the Settlement and the amount will be each eligible claimant's *pro rata* share of the remaining Net Settlement Fund, after all Statutory Payments and Fraud/Out-of-Pocket Costs/Time Payments have been made. If there are insufficient funds remaining for each *pro rata* share to be at least five dollars, the remaining Net Settlement Fund will be distributed equally among only those Participating Settlement Class Members that received a Statutory Payment or a Fraud/Out-of-Pocket Costs/Time Payment.

Section IV or V. Payment Method

If your claim is approved and you qualify for a monetary payment, a physical check will be mailed to the address provided on page 1. To receive a digital payment instead, please submit your Claim Form online at www.regents-accelliondatabreachsettlement.com

☐ I agree to permit the Settlement Administrator to contact me through the email address, mailing address, or phone number that I provided for purposes of administering this Settlement.

By submitting my claim, I attest that the information submitted on this Claim Form is true and correct and that I believe I am a Settlement Class Member entitled to the relief requested by submitting this Claim Form.

Date

Signature

EXHIBIT C

This is a Court-Approved Legal Notice about a Class Action Settlement.

CPT ID: <ID>

Online Passcode: <Passcode>

You have been identified as a Settlement Class Member in a class action lawsuit resulting from the compromise of a file transfer application used by the University of California Office of the President between mid-December 2020 and January 2021 (the "Data Breach").

You may be eligible to receive a payment from a \$5,800,000 Settlement Fund. You can submit a claim to be eligible to receive the following types of payments:

Fraud/Out-of-Pocket Costs/Time Payment (Up to \$10,000)	<p>If you paid money out-of-pocket to address identity theft, fraudulent activity, or other negative consequences of the Data Breach, you can make a claim for reimbursement. To be eligible for reimbursement, the expenses must be documented and related to the Data Breach.</p> <p>If you spent time attempting to remedy the negative effects of the Data Breach, you can make a claim for reimbursement provided that the time is documented and that you demonstrate that you spent at least 5 hours of time. Time claims will be paid at the rate of \$30 per hour.</p>
Pro Rata Payment	<p>If you submit a claim, you will also be eligible to receive a <i>pro rata</i> payment from the Net Settlement Fund, provided that the Fund is not depleted by Statutory Payments and valid claims for Fraud/Out-of-Pocket Costs/Time Payments.</p>

The Settlement also provides certain non-monetary relief that is described on the Settlement Website [here](#).

To be eligible **to receive a payment**, you **must** submit a [claim form](#) by October 20, 2025. If you do nothing, you will not receive a payment and you will be bound by the Settlement.

If you would like to **object** to the Settlement, you **must** do so by October 20, 2025, by following the [instructions](#) available on the settlement website.

If you would like to **opt out** of the Settlement, you **must** do so by October 20, 2025, by following the [instructions](#) available on the settlement website. You will not receive a payment and you will not be bound by the Settlement.

What is this lawsuit about?

The lawsuit alleges that between mid-December 2020 and January 2021, the University of California Office of the President used a file transfer application ("FTA") licensed from Accellion, Inc., which was compromised by hackers who exfiltrated information belonging to current and

former University of California students and employees, responses to the 2020 University of California Undergraduate Experience Survey (UCUES) or alleged medical records, and posted this information on the dark web. This Settlement will resolve all claims in this lawsuit. Defendant The Regents of the University of California denies that it did anything wrong.

How do I receive more information?

Go to www.Regents-AccellionDataBreachSettlement.com to file a claim, to learn more about your rights and the deadlines, to find answers to frequently asked questions, and to access important documents related to this Settlement, including the Settlement Agreement.

You may also access pleadings and other records in this litigation online, for a fee, on the Alameda County Superior Court's website, by following the instructions at www.alameda.courts.ca.gov/general-information/records, or free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings. Detailed instructions on how to access court records online and at court locations with facilities for civil filings are available [here](#).

Contact information:

Website: www.Regents-AccellionDataBreachSettlement.com

Email: Regents-AccellionDataBreachSettlement@cptgroup.com

Call Toll-Free: 1-888-317-2945

DO NOT TELEPHONE THE COURT OR DEFENDANT'S COUNSEL FOR INFORMATION REGARDING THE SETTLEMENT OR THE CLAIM PROCESS.

[Click here to unsubscribe](#)

EXHIBIT D

This is a Court-Approved Legal Notice about a Class Action Settlement.

CPT ID: <ID>

Online Passcode: <Passcode>

You have been identified as a Settlement Class Member whose medical information may have been exposed in the compromise of a file transfer application used by the University of California Office of the President between mid-December 2020 and January 2021 (the "Data Breach").

If you would like to receive a \$150.00 Statutory Payment, please provide your contact information and select a payment method by [clicking here](#) to submit a claim form by October 20, 2025.

You may also be entitled to **additional payments** through this \$5,800,000 Settlement, including:

Fraud/Out-of-Pocket Costs/Time Payment (Up to \$10,000)	<p>If you paid money out-of-pocket to address identity theft, fraudulent activity, or other negative consequences of the Data Breach, you can make a claim for reimbursement. To be eligible for reimbursement, the expenses must be documented and related to the Data Breach.</p> <p>If you spent time attempting to remedy the negative effects of the Data Breach, you can make a claim for reimbursement provided that the time is documented and that you demonstrate that you spent at least 5 hours of time. Time claims will be paid at the rate of \$30 per hour.</p>
Pro Rata Payment	<p>If you submit a claim, you will also be eligible to receive a <i>pro rata</i> payment from the Net Settlement Fund, provided that the Fund is not depleted by Statutory Payments and valid claims for Fraud/Out-of-Pocket Costs/Time Payments.</p>

The Settlement also provides certain non-monetary relief that is described on the Settlement Website [here](#).

To make a claim for these additional Settlement Benefits, you must submit a [claim form](#) by October 20, 2025.

If you do nothing, you will not receive a payment and you will be bound by the Settlement.

If you would like to **object** to the Settlement, you **must** do so by October 20, 2025, by following the [instructions](#) available on the settlement website.

If you would like to **opt out** of the Settlement, you **must** do so by October 20, 2025, by following the [instructions](#) available on the settlement website. You will not receive a payment and you will not be bound by the Settlement.

What is this lawsuit about?

The lawsuit alleges that between mid-December 2020 and January 2021, the University of California Office of the President used a file transfer application (“FTA”) licensed from Accellion, Inc., which was compromised by hackers who exfiltrated information belonging to current and former University of California students and employees, responses to the 2020 University of California Undergraduate Experience Survey (UCUES), or alleged medical records, and posted this information on the dark web. This Settlement will resolve all claims in this lawsuit. Defendant The Regents of the University of California denies that it did anything wrong.

How do I receive more information?

Go to www.Regents-AccellionDataBreachSettlement.com to file a claim, to learn more about your rights and the deadlines, to find answers to frequently asked questions, and to access important documents related to this Settlement, including the Settlement Agreement.

You may also access pleadings and other records in this litigation online, for a fee, on the Alameda County Superior Court’s website by following the instructions at www.alameda.courts.ca.gov/general-information/records, or free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings. Detailed instructions on how to access records online and at court locations with facilities for civil filings are available [here](#).

Contact information:

Website: www.Regents-AccellionDataBreachSettlement.com

Email: Regents-AccellionDataBreachSettlement@cptgroup.com

Call Toll-Free: 1-888-317-2945

DO NOT TELEPHONE THE COURT OR DEFENDANT’S COUNSEL FOR INFORMATION REGARDING THE SETTLEMENT OR THE CLAIM PROCESS.

[Click here to unsubscribe](#)

EXHIBIT E



Superior Court of California
Erazo, et al. v. The Regents of the University of California
Lead Case No. RG21097796



Class Action Settlement Notice

Authorized by the California Superior Court

Records Show Your Information May Have Been Exposed in a Data Breach Affecting the University of California.

You may be eligible to receive money from a \$5,800,000 settlement of a lawsuit.

To be eligible for a payment, you must take action by October 20, 2025.

Key things to know:

- This is an important legal document.
- If you take no action, any ruling from the court will apply to you, and you will not be able to sue Defendant The Regents of the University of California about the same issues.
- Visit www.Regents-AccellionDataBreachSettlement.com to learn more. You can also contact Class Counsel at regents-accellion@girardsharp.com. You can access important case documents at <https://www.alameda.courts.ca.gov/general-information/records>.
- Your CPT ID and Passcode are on the front of this postcard

Court-Approved Legal Notice




This is an important notice
about a class action
settlement.

PRESORTED
First Class
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Paid
Atlanta, GA
Permit No. 3016

Erazo v. The Regents of the University of
California
c/o CPT Group, Inc.
50 Corporate Park
Irvine. CA 92606

ELECTRONIC SERVICE REQUESTED

CPT ID: «ID» 

Online Passcode: «Passcode»

«EmployeeName»

«Address1» «Address2»

«City», «State» «Zip»

«IMBarCode»

EXHIBIT F



Superior Court of California
Erazo, et al. v. The Regents of the University of California
Lead Case No. RG21097796



Class Action Settlement Notice

Authorized by the California Superior Court

Records Show Your Medical Information May Have Been Exposed in a Data Breach Affecting the University of California.

You Are Entitled to a \$150 Payment.
You May Also be Eligible to Receive More Money from a \$5,800,000 Settlement.

To Receive Your \$150 Payment and be Eligible to Receive More Money, You Must Submit a Claim by October 20, 2025.

Key things to know:

- This is an important legal document.
- If you take no action, any ruling from the court will apply to you, and you will not be able to sue Defendant The Regents of the University of California about the same issues.
- Visit www.Regents-AccellionDataBreachSettlement.com to learn more. You can also contact Class Counsel at regents-accellion@girardsharp.com. You can access important case documents at <https://www.alameda.courts.ca.gov/general-information/records>.
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Erazo v. The Regents of the University of
California
c/o CPT Group, Inc.
50 Corporate Park
Irvine. CA 92606

ELECTRONIC SERVICE REQUESTED

CPT ID: «ID» 

Online Passcode: «Passcode»

«EmployeeName»

«Address1» «Address2»

«City», «State» «Zip»

«IMBarCode»

EXHIBIT G

List of Exclusion Requests

Erazo v The Regents of the University of California

Case No. RG21097796

Name		
AGRAWAL, ANIMESH	HUANG, MAIA	QUON, MARKUS
ALLOCCO, SHELLY	HULL, WILLIAM	RAM, RIC
ANTZOULATOS, EVANGELOS	KELLY, SUSAN	RAUSCH, JEFF
AQUINO, KHYLA MAE	KETPHANH, KATHY	REDGRAVE, TOM C
ASHOUR, OMAR	KHAN, ABDULLAH	RIBBLETT, ALLEN
ATRIAN, RAMIN	KIM, JOELLE H.	ROMANO, KEVIN
AWOPETU, TINUOLA	KIM, KYUNGHEE	SANCHEZ, KATHLEEN
BROWN, TRACEY	KLIMA, MARYANN	SCAGLIONE, DANICA
BRUER, STEPHEN	KUO, TING	SCHOPE, JANE
BUI, JANET	LAKE, KELLY	SEDAS, RAUL
BURKE, SARA S	LAPLACE, THIBAUT	SHISHEHBOR, MEHDI
CABRERA, INES	LEWIS, SUSAN	SKOROPAD, LUBOMIRA
CAMPBELL, MARTHA	LI, CHI	SMELSER, ERIC
CHAIM, OLGA	LOKE, JOHN	STESNEY, KATHRYN
CHANG, MAX	MACCLELLAND, KATHRYN	TAN, FLORENCE
CHINN, NIRAN	MANUMALEUNA, UISAINA	TERRY, LISA
CHIU, KENNETH	MARTINEZ, SANDI K	THOMPSON, ASHER
CLUFF, JOHN	MASGRAS, GEORGIANA	TORRES, BRIANNA
COVIELLO, RICHARD	MASON, GABRIEL	TUCKER, SKYLER
COYNE, DONNA	MCKINNON, SYMONE	UPPAL, SANDEEP
D'ANNIBALE, ROB	MCMULLIN, JULIET	VALDEZ, EDWAR RIVAS
DEL RIO SALAZAR, GERMAN	METZGER, JOSEPH	VAN DEN REEK, MIEKE
DICKINSON, DARLENE	MILES-DUTTON, DEBBIE	VILLALOBOS, CLARA D
DOGUCU, MINE	MORA, SOFIA ELIZABETH	WALLER, KATHERINE
DRESNEK, DOUGLAS	MORAN, CHRISTOPHER	WARD, RANAE M.
DUNBAR, CHRISTOPHER	MORRIS, SARA	WILLIAMS, JOHN
ERICKSON, MARTHA E	MORTIMER, JOHN FREDRIC	XUAN, MEI
FAN, JIAWEN	NIELSEN, HAILYN	YU, AMANDA QING
FLETES, ISRAEL	O'CONNOR, KEVIN	ZONG, GRACE
GELFAND, JULIA	OLIVAS, RUTH	
GILL, CRAIG	ORTIZ DE MONTELLANO, PAUL	
GONZALEZ, MICHAEL	OWENS, KATHRYN ANN	
GUIRGUIS, MARIAN	PACE, PATRICIA	
GUITRON, DAISY	PAN, ALAN	
HAMMOND, CYNTHIA	PASTORELLE, DOMINIC	
HEGGIE, STACY	PAUL, MARY PACE	
HOLT, KELLY	PHONETHIBSAVADS, ANTHONY	
HORIKOSHI, RYAN	PIERSON, ELIZABETH A	
HORN, ALAN	POLIQVIN, CHRISTOPHER	
HUA, AMY	POTTER, ZACHARY	