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

JACKIE STONE, NERYS JONES, DAVINA
KIM, JEAN DEFOND, and SHANE
COZWITH, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

ACCELLION USA LLC, a Washington
limited liability company; and THE OFFICE
OF THE WASHINGTON STATE
AUDITOR,

Defendants.

NO. 21-2-01439-5 SEA

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

Plaintiffs, by their Motion for Preliminary Approval, have submitted a proposed Class
Action Settlement Agreement (“Settlement Agreement”) to the Court for review. Having
reviewed the Settlement Agreement and Plaintiffs’ motion and supporting declaration, the Court
FINDS, CONCLUDES, and ORDERS as follows:

1. The Court concludes that the Settlement Agreement is the result of arms-length
negotiations between the parties after contested litigation. The Settlement Agreement has no
obvious defects and is within the range of possible settlement approval, such that the terms are
reasonable and notice to the Class is appropriate. Capitalized terms appearing in this Order
have the same meaning as used in the Settlement Agreement.

1 2. The proposed notices to be sent to the Class and posted on the internet at a
2 settlement website to be established by the Settlement Administrator, examples of which are
3 attached to the Settlement Agreement, are sufficient in detail to provide sufficient notice of the
4 Settlement Agreement to the Settlement Class. The proposed plan of distribution of the notice
5 through mail and/or email and establishment of a website are likewise sufficient.

6 3. The forms of Notice fairly, plainly, accurately, and reasonably inform
7 Settlement Class members of: (1) appropriate information about the nature of this litigation, the
8 Settlement, the Settlement Class definition, the identity of Class Counsel, and the essential
9 terms of the Settlement; (2) appropriate information about Class Counsel's forthcoming
10 application for attorneys' fees and the proposed service awards to the Settlement Class
11 Representatives; (3) appropriate information about how to participate in the Settlement; (4)
12 appropriate information about this Court's procedures for final approval of the Settlement, and
13 about Settlement Class Members' right to appear through counsel if they desire; (5) appropriate
14 information about how to challenge or opt-out of the Settlement, if they wish to do so; and (6)
15 appropriate instructions as to how to obtain additional information regarding this litigation and
16 the Settlement. In addition, pursuant to CR 23(c)(2)(B), the Notice informs Settlement Class
17 Members that any Settlement Class Member who fails to opt-out will be prohibited from
18 bringing a lawsuit against Defendant the Office of the Washington State Auditor ("Defendant"
19 or "SAO") and certain entities related to Defendant based on or related to any of the claims
20 asserted by Plaintiffs.
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24 4. The Court finds that the factors of CR 23(a) are satisfied here. The proposed
25 class consists of over one million people, and joinder is therefore impracticable. The claims
26 asserted by the Plaintiffs are both common and typical of the claims of the class members. The

1 Court finds no conflict of interest presented among Class Counsel or Plaintiffs with the
2 Settlement Class. In addition, the Court finds that the factors of CR 23(b) are also satisfied. The
3 Court finds both factual questions and legal issues that are common to the Plaintiffs' claims and
4 the Settlement Class that predominate over any individualized issues. Certification of the
5 Settlement Class for settlement purposes is superior to piecemeal litigation of the Plaintiffs'
6 and Settlement Class Members' claims. The Court therefore certifies as the Settlement Class
7 the following:
8

9 All individuals residing in the United States to whom SAO or its authorized
10 representative provided a notice concerning the December 2020 Data Security
11 Incident.

12 5. The Court appoints Jason T. Dennett, Cecily C. Jordan, and Kaleigh N. Boyd of
13 Tousley Brain Stephens and David M. Berger of Gibbs Mura LLP as Class Counsel.

14 6. The Court appoints Jackie Stone, Nerys Jones, Davina Kim, Jean DeFond, and
15 Shane Cozwith as Settlement Class Representatives.

16 7. The Court appoints EisnerAmper Gulf Coast, LLC as the Settlement
17 Administrator in accordance with the terms of the Settlement Agreement, and finds that it has
18 sufficient knowledge, skill and expertise to effectively distribute the Notice and to handle the
19 administration of claims to be submitted by the Settlement Class. The Settlement Administrator
20 shall distribute Notice to the Settlement Class as provided by the Settlement Agreement.
21

22 9. Before disseminating the Settlement Class Notice, the Settlement Administrator
23 shall establish a settlement website for the posting of Notices and the Claim Form as provided
24 in the Settlement Agreement. A copy of this Order; the operative complaint; Class Counsel's
25 motion for attorneys' fees, costs, and service awards (when filed); and motion for final
26

1 approval (when filed) shall also be posted on the settlement website. Additional filings in the
2 case may be posted on the site at the request of one or more of the parties.

3 10. Within 30 days of the date of entry of this Order, the Settlement Administrator
4 shall have commenced the Notice Program as provided for in the Settlement Agreement using
5 the Notice and Claim Form substantially in the form specified in the Settlement Agreement.

6 11. Class Counsel shall file their motions for Final Approval and for attorneys' fees,
7 costs, and class representative service awards at least 14 days before the Opt-Out and Objection
8 Deadlines.

9 13. The Final Approval Hearing is scheduled for, **October 28, 2025 at 1:00 p.m.**, at
10 the King County Superior Courthouse, Maleng Regional Justice Center, 401 4th Avenue N,
11 Courtroom 3C, Kent, Washington 98032. Class Counsel and/or Defendant may file a reply to
12 any objections to the Settlement Agreement or opposition to Class Counsel's fee request no
13 later than seven days before the Final Approval Hearing.

14 14. **All Notice required by this Order and the Settlement Agreement shall**
15 **notify the Class of the Objection/Opt-Out Deadline, which shall be the date which is the**
16 **60th day after the first date the Settlement Administrator has sent Notice.**

17 15. **All Notice required by this Order and the Settlement Agreement, as well as**
18 **the Claim Form, shall notify the Class of the Claims Deadline, which shall be a date that**
19 **is 90 days after the first date Notice is sent to the class as specified in paragraph 10 of this**
20 **Order.**

1 DATED this 26th day of June, 2025.

2
3 Electronic Signature Attached
4 The Honorable Josephine Wiggs

5 Presented by:

6 /s/Kaleigh N. Boyd

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**King County Superior Court
Judicial Electronic Signature Page**

Case Number: 21-2-01439-5 SEA
Case Title: STAHL ET AL VS ACCELLION ET ANO USA
Document Title: Order
Date Signed: 06/26/2025



Judge: Josephine Wiggs

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