

FILED
KING COUNTY, WASHINGTON

AUG 21 2026

SEA
SUPERIOR COURT CLERK

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

LILLIAN DERRY, BOBBI RANGEL, and
LON DEAN, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

CARDINAL SERVICES, INC., an Oregon
corporation,

Defendant.

NO. 26-2-14262-9

~~PROPOSED~~ PRELIMINARY
APPROVAL ORDER

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

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

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

1 WHEREAS, Plaintiffs filed an unopposed Motion for Preliminary Approval requesting
2 entry of an order to: (1) conditionally certify the Settlement Class; (2) appoint Plaintiffs as Class
3 Representatives; (3) appoint Kaleigh N. Boyd, Jeff Ostrow, John Nelson and Leanna Loginov as
4 Class Counsel; (4) preliminarily approve the Settlement; (5) appoint EAG Gulf Coast LLC as the
5 Settlement Administrator; (6) approve the Notice Program and direct that Notice be sent to the
6 Settlement Class; (7) approve the Claim Form and Claims Process; (8) approve the Settlement's
7 opt-out and objection procedures; (8) stay all deadlines in the Action pending Final Approval of
8 the Settlement; (9) enjoin and bar all members of the Settlement Class from initiating or
9 continuing in any litigation or asserting any claims against Defendant and the Released Parties
10 arising out of, relating to, or in connection with the Released Claims prior to the Court's decision
11 to grant Final Approval of the Settlement; and (10) set a date for the Final Approval Hearing; and

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

15 NOW, THEREFORE, IT IS HEREBY ORDERED:

16 1. **Settlement Class Certification:** Pursuant to Washington Rule of Civil Procedure
17 23(a) and (b)(3), and for purposes of settlement only, the Action is hereby preliminarily certified
18 as a class action on behalf of the following Settlement Class:

19 "All individuals residing in the United States who were impacted in the Data
20 Security Incidents."

21 Excluded from the Settlement Class are (i) Defendant (ii) all Settlement Class Members
22 who timely and validly request exclusion from the Settlement Class; and (iii) any judges assigned
23 to this case and their staff and immediate family.

24 2. **Settlement Fund:** The Settlement provides Cash Payments and Credit Monitoring
25 that Defendant is obligated to pay for under the Settlement. The Settlement Fund will be used to
26 pay for the Cash Payments and Credit Monitoring; Settlement Administration Costs; any Court-

1 approved attorneys' fees and costs to Class Counsel; and any Court-approved Service Awards to
2 Plaintiffs for serving as the Class Representatives.

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

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

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

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

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

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

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

11 10. **Settlement Administration:** Class Counsel are authorized to use EAG Gulf Coast
12 LLC as the Settlement Administrator to supervise and administer the Notice Program and Claims
13 Process, as well as to administer the Settlement payments should the Court grant Final Approval.

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

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

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

13 14. **Opt-Outs from the Settlement Class:** The Notice shall provide that any member
14 of the Settlement Class who wishes to opt out from the Settlement Class must request exclusion
15 in writing within the time and manner set forth in the Notice. The Opt-Out requests must strictly
16 and fully comply with the requirements of the Settlement Agreement and Long Form Notice.

17 15. Any Settlement Class member who timely and validly opts-out from the
18 Settlement Class shall, provided the Court grants Final Approval: (a) be excluded from the
19 Settlement Class by Order of the Court; (b) not be a Settlement Class Member; (c) not be bound
20 by the terms of the Settlement; and (d) have no right to the Settlement Class Member Benefits.
21 Any Settlement Class member who does not timely and validly request to opt-out shall be bound
22 by the terms of this Settlement

23 16. **Objections to the Settlement:** The Notice shall also provide that any Settlement
24 Class Member who does not opt-out from the Settlement Class may object to the Settlement
25 and/or the Application for Attorneys' Fees, Costs, and Service Awards. Objections must be filed
26 with the Clerk of the Court and mailed to the Settlement Administrator, Plaintiff's Counsel and
27

1 Defendant's Counsel. Objections must strictly and fully comply with the requirements of the
2 Settlement Agreement and Long Form Notice.

3 17. **Motion for Final Approval and Application for Attorneys' Fees, Costs, and**
4 **Service Awards:** Class Counsel intends to seek an award of up to \$283,333.33 from the
5 Settlement Fund as attorneys' fees, as well as reimbursement of reasonable litigation costs, and a
6 Service Awards of \$3,000.00 each for the Class Representatives to be paid from the Settlement
7 Fund. These amounts appear reasonable, but the Court will defer ruling on those awards until the
8 Final Approval Hearing when considering Class Counsel's Application for Attorneys' Fees, Costs,
9 and Service Awards.

10 18. Class Counsel shall file their Motion for Final Approval and Application for
11 Attorneys' Fees, Costs, and Service Awards no later than 45 days before the initial date set for the
12 Final Approval Hearing. At the Final Approval Hearing, the Court will hear argument on Class
13 Counsel's request for attorneys' fees and costs and Service Awards for the Class Representative.
14 In the Court's discretion, the Court also will hear argument at the Final Approval Hearing from
15 any Settlement Class Members (or their counsel) who object to the Settlement or to the
16 Application for Attorneys' Fees, Costs, and Service Awards, provided the objector(s) submitted
17 timely objections that meet all of the requirements listed in the Settlement and in this order.

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

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

26 21. Upon the entry of this order, with the exception of Class Counsel, Defendant's
27 Counsel, Defendant, and the Class Representatives implementation of the Settlement and the

approval process in this Action, all members of the Settlement Class shall be provisionally enjoined and barred from asserting any claims or continuing any litigation against Defendant and the Released Parties arising out of, relating to, or in connection with the Released Claims prior to the Court's decision as to whether to grant Final Approval of the Settlement.

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

23. **Final Approval Hearing:** The Court will hold a Final Approval Hearing. The Final Approval Hearing will be conducted for the following purposes: (a) to determine whether the proposed Settlement, on the terms and conditions provided for in the Settlement, is fair, reasonable, and adequate, and should be approved by the Court; (b) to determine whether an order of final judgment should be entered dismissing the Action on the merits and with prejudice; (c) to determine whether the proposed plan of allocation and distribution of the Settlement Fund is fair and reasonable and should be approved; (d) to determine whether any requested award of attorneys' fees and costs to Class Counsel and Service Awards to the Class Representatives should be approved; and (e) to consider any other matters that may properly be brought before the Court in connection with the Settlement. The Court may elect to hold the Final Approval Hearing virtually by Zoom or some other application, and if it does, the instructions on how to attend shall be posted by the Settlement Administrator on the Settlement Website.

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

Event	Deadline
Defendant provides the Settlement Class List to the Settlement Administrator	Within ten (10) days of the entry of the Preliminary Approval Order
Notice Deadline	Thirty (30) days after entry of the Preliminary Approval Order

Plaintiffs shall file the Motion for Final Approval	Forty-five (45) days before the initially scheduled Final Approval Hearing
Plaintiffs shall file the motion for Fee Award and Costs, and Service Awards	Forty-five (45) days before the initially scheduled Final Approval Hearing
Objection Deadline	Thirty (30) days before the initially scheduled Final Approval Hearing
Opt-Out Deadline	Thirty (30) days before the initially scheduled Final Approval Hearing
Claims Deadline	Ninety (90) days after the Notice Deadline
Final Approval Hearing	No earlier than one hundred thirty-five (135) days after entry of the Preliminary Approval Order

IT IS SO ORDERED this 21st day of August 2026.


 HONORABLE JASON C. POYDRAS
 KING COUNTY SUPERIOR COURT JUDGE

1 Presented by:

2 **MCNAUL EBEL PLLC**

3 By: s/ Kaleigh N. Boyd

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 7, 2026, I electronically filed and served the foregoing
3 document upon the following counsel of record via King County Superior Court e-Filing Service
4 which will send notification of such filing to the following counsel of record.

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14 *Attorneys for Defendant Cardinal Services, Inc.*

15
16 I declare under penalty of perjury under the law of Washington that the foregoing is true
17 and correct.

18
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