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Attorneys for Representative Plaintiffs

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF TULARE**

In re HAPY BEAR SURGERY CENTER
DATA SECURITY INCIDENT
LITIGATION

This Document Relates To: All Actions

Case No. VCU307987
(Assigned for all purposes to Hon. Gary M.
Johnson, Dept. 7)

**STIPULATION AND ~~PROPOSED~~ ORDER
TO ADVANCE DATE OF HEARING ON
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

COMPLAINT FILED: APRIL 15, 2024

1 WHEREAS, the Court held a hearing on Plaintiffs' unopposed motion for preliminary
2 approval of class action settlement on October 7, 2024;

3 WHEREAS, at the hearing, counsel for Plaintiffs requested a hearing for Plaintiffs'
4 motion for final approval in mid to late February 2025, which seemed acceptable to the Court;

5 WHEREAS, the Court granted Plaintiffs' unopposed motion on October 7, 2024, and set
6 a hearing for Plaintiffs' motion for final approval of class action settlement on April 8, 2025;

7 WHEREAS, Plaintiffs' counsel believes that the Court set the April date inadvertently
8 and forgetting Plaintiffs' request for a hearing date in mid to late February;

9 WHEREAS, after receiving the order, counsel for Plaintiffs contacted the calendar clerk
10 to inquire about advancing the hearing to late February;

11 WHEREAS, the calendar clerk indicated that the Court could hear Plaintiffs' motion for
12 final approval on February 24, 2025, but the parties would need to submit a stipulation and
13 proposed order to move the date;

14 WHEREAS, notice has not yet gone out to the class and no class member will be
15 prejudiced by advancing this hearing date; and

16 WHEREAS, if the Court grants the request, all notice documents will indicate the motion
17 for final approval will take place on February 24, 2025, and this stipulation and proposed order
18 will be posted on the settlement website.

19 ACCORDINGLY, the parties hereby stipulate that Plaintiffs' motion for final approval of
20 class action settlement be advanced from April 8, 2025 to February 24, 2025 in Department 7 of
21 the Tulare County Superior Court, the Honorable Gary M. Johnson presiding.

22 **IT IS SO STIPULATED.**

23
24
25 Date: October 14, 2024

SROURIAN LAW FIRM, P.C.

26 By: /s/ Daniel Srourian

Daniel Srourian, Esq.

27 *Attorney for Plaintiff David Underwood*
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WUCETICH & KOROVILAS, LLP

By: /s/ Jason Wucetich
Jason M. Wucetich, Esq.
Counsel for Plaintiff Duncan Meadows

DATED: October 14, 2024

WILSON ELSER LLP

By: /s/ David Ross
David Ross, Esq.
*Counsel for Defendant
Happy Bear Surgery Center, LLC*


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~~PROPOSED~~ ORDER

Having considered the stipulation filed by Plaintiffs David Underwood, Duncan Meadows and Defendant Hapy Bear Surgery Center, LLC, and for good cause shown, the hearing on Plaintiffs' motion for final approval of class action settlement shall be advanced from April 8, 2025 to February 24, 2025 at 8:30 am in Department 7 of the Tulare County Superior Court. Plaintiffs shall give notice, and post this order on the settlement website.

IT IS SO ORDERED.

Dated: 10/17/2024 ~~2024~~



THE HON. GARY M. JOHNSON
JUDGE OF THE SUPERIOR COURT

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PROOF OF SERVICE

I am more than eighteen years old and not a party to this action. My business address is WUCETICH & KOROVILAS LLP, 222 N. Sepulveda Blvd., Suite 2000, El Segundo, CA 90245.

On October 14, 2024, I served the following document(s) on the interested parties in this action:

STIPULATION AND [PROPOSED] ORDER TO ADVANCE DATE OF HEARING ON PLAINTIFFS’ MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

- By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at El Segundo, California addressed as set forth below.

David Ross
Attorney at Law
Wilson Elser LLP
1500 K Street, NW, Suite 330
Washington, D.C. 20005
Counsel for Defendant

I am employed in the county from which the mailing occurred. On the date indicated above, I placed the sealed envelope(s) for collection and mailing at this firm’s office business address indicated above. I am readily familiar with this firm’s practice for the collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the firm’s correspondence would be deposited with the United States Postal Service on this same date with postage thereon fully prepaid in the ordinary course of business.

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

Executed on October 14, 2024, at El Segundo, California.

Jason M. Wucetich