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Superior Court of California,
County of Tulare
02/13/2025
By: Janie Corona,
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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF TULARE**

13 DAVID UNDERWOOD and DUNCAN MEADOWS,
14 individually and on behalf of all others similarly
15 situated,
16 **Plaintiffs,**
17 v.
18 HAPY BEAR SURGERY CENTER, LLC
19 **Defendant.**

Case No. VCU307987

**SUPPLEMENTAL DECLARATION OF
ELENA MACFARLAND REGARDING
THE STATUS OF SETTLEMENT
ADMINISTRATION**

1 I, Elena MacFarland, hereby declare and state as follows:

2 **INTRODUCTION**

3 1. I am a Project Manager for the Court-appointed Claims Administrator, EAG Gulf Coast, LLC
4 (“EAG” or “EisnerAmper”), a full-service administration firm providing legal administration services,
5 including the design, development, and implementation of unbiased complex legal notification programs. As
6 the Project Manager, I am personally familiar with the facts set forth in this Declaration.

7 2. I am over the age of 21. Except as otherwise noted, the matters set forth in this Declaration
8 are based upon my personal knowledge, information received from the parties in this proceeding, and the
9 information provided by other experienced employees working under my supervision.

10 3. The *Declaration of Elena MacFarland Regarding the Status of Notice and Settlement*
11 *Administration* (the “Status Declaration”), submitted to the Court on January 29, 2025, detailed the status of
12 the Notice Program and reported on claims received as of January 29, 2025. This Declaration provides an
13 update on claims received and their disposition as of February 12, 2025, and should be read in conjunction
14 with the Status Declaration that describes the notice efforts taken by EisnerAmper.

15 **CLAIM ACTIVITY**

16 4. The deadline for Settlement Class Members to submit a Claim Form was February 4, 2025.
17 As of February 12, 2025, EisnerAmper received 2,827 claim submissions, of which 2,688 submissions have
18 been determined to be non-duplicative and from Settlement Class Members.

19 5. Table 1 below provides the summary statistics of claim submissions received. Table 2 below
20 provides a summary of the approved claims and estimated awards by category as of February 12, 2025. If
21 Attorneys’ Fees, Costs, and Service Awards are approved as requested in the Plaintiffs’ Motion for Fees,
22 Costs and Enhancement Award, factoring in the costs of notice and administration, and the number of claims
23 approved to date, EisnerAmper anticipates for payments to Settlement Class Members to be reduced pro rata.
24 EisnerAmper will continue to intake and analyze claims submitted to the Settlement P.O. Box, postmarked
25 by the claims filing deadline of February 4, 2025.

Table 1: Claims Statistics	
Description	Volume (#)
Total Claims Received	2,827
(-) Duplicate Claims Identified	72
(-) Invalid Claims – Not a Class Member	67
(=) Net Claims Received	2,688

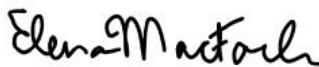
Table 2: Approved Claims Summary	
Claim Form Category	Approved
Number of Lost Time Claims	2,288
Total Number of Hours Claimed	8,189
Total Hours Claimed (\$)	\$204,725.00
Number of Claims with Ordinary Expenses	28
Total Ordinary Expenses (\$)	\$340.50
Number of Claims with Extraordinary Expenses	13
Total Extraordinary Expenses (\$)	\$69.90
Number of California Subclass Claims	2,287
Total California Subclass Claims (\$)	\$114,350.00
Number of Credit Monitoring Claims	1,549
Total Credit Monitoring Claims (\$)	\$14,126.88
Total (\$)	\$333,612.28

EXCLUSIONS AND OBJECTIONS

6. The deadline for Settlement Class Members to request to be excluded from the Settlement or to object to the Settlement was January 6, 2025. EisnerAmper has not received any exclusion requests or objections from Settlement Class Members as of February 12, 2025.

CERTIFICATION

I, Elena MacFarland, declare under the penalty of perjury that the foregoing is true and correct. Executed on this 12th day of February, 2025, in Baton Rouge, Louisiana.



Elena MacFarland