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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CHARLES DES ROCHES, on his own behalf  
and on behalf of his beneficiary son, R.D., and  
all others similarly situated, and SYLVIA  
MEYER, on her own behalf and all others  
similarly situated, and GAYLE TAMLER  
GRECO, on her own behalf and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

CALIFORNIA PHYSICIANS' SERVICE d/b/a  
BLUE SHIELD OF CALIFORNIA; BLUE  
SHIELD OF CALIFORNIA LIFE & HEALTH  
INSURANCE COMPANY; HUMAN  
AFFAIRS INTERNATIONAL OF  
CALIFORNIA; and MAGELLAN HEALTH  
SERVICES OF CALIFORNIA, INC.-  
EMPLOYER SERVICES,

Defendants.

Case No. 16-cv-02848-LHK  
Hon. Lucy H. Koh

**PLAINTIFFS' MOTION FOR ORDER**  
**AUTHORIZING FURTHER**  
**INVESTIGATION, DISTRIBUTION OF THE**  
**REMAINING SETTLEMENT FUNDS AS A**  
**FURTHER DISTRIBUTION, AND PAYMENT**  
**OF OUTSTANDING ADMINISTRATION**  
**COSTS OF SETTLEMENT**

1 Pursuant to Civil Local Rules 7-11 and 79-5, and paragraph 17 of the Court’s Order of July  
 2 5, 2018 (ECF No. 271) (the “Final Approval Order”), Plaintiffs respectfully move for an Order  
 3 authorizing further investigative efforts to obtain updated contact information for certain Class  
 4 members, authorizing the distribution of the remaining settlement funds (net of expenses  
 5 associated with the distribution) to Class members, and directing payment of outstanding  
 6 administration costs to the Settlement Administrator.<sup>1</sup> Defendants do not oppose this motion.

7 **I. THE COURT’S APPROVAL OF THE SETTLEMENT**

8 On July 5, 2018, the Court entered the Final Approval Order approving the Settlement  
 9 (ECF No. 271), and an Order granting Plaintiffs’ Motion for Attorney Fees, Expenses, and  
 10 Incentive Awards (ECF No. 272). In the Final Approval Order, the Court also approved the Plan  
 11 of Allocation of the settlement proceeds to Class members (ECF No. 271 at 6, ¶10), and ordered  
 12 that the \$7,000,000 Settlement payment, after deduction of approved fees and expenses, be  
 13 allocated “in accordance with the Plan of Allocation.” ECF No. 271 at 4, ¶5. The Court also  
 14 ordered Class Counsel to “file a proposed administrative order for approval for distribution of  
 15 the Settlement Fund to the Class members,” *id.* at 9, ¶16, which Plaintiffs did on September 12,  
 16 2018 (ECF No. 274) (“Distribution Motion”). The Court issued an Order Granting Plaintiffs’  
 17 motion for Order Approving Distribution of Settlement Funds to Class Members on October 3,  
 18 2018. ECF No. 282 (“Distribution Order”).

19 In the Final Approval Order, the Court ordered that it would “retain exclusive continuing  
 20 jurisdiction over all Parties and Class members with respect to implementation of the Stipulation,  
 21 disposition of the Settlement Amount, and enforcement and administration of the Stipulation,  
 22 including the release provisions thereof.” ECF No. 271 at ¶17. The Court also provided that it  
 23 “may order any appropriate legal or equitable remedy necessary to enforce the terms of this  
 24 Judgment and/or the Settlement.”

25  
 26 \_\_\_\_\_  
 27 <sup>1</sup> Unless otherwise indicated, all capitalized terms have the definition provided in the Stipulation  
 of Settlement. ECF No. 225-1.

1 Class Counsel has overseen the distribution of the bulk of the Settlement fund to Class  
2 members in accordance with the Plan of Allocation. Because certain Class members were  
3 unreachable (e.g., their checks were returned as undeliverable), the Settlement fund contains a  
4 balance. Class Counsel now seeks leave to engage an investigative consultant to locate Class  
5 members who have not cashed their Settlement Checks and, to the extent that effort results in  
6 fewer than all remaining Class members receiving and cashing their Settlement checks, to  
7 redistribute the remaining funds, equally divided, to Class members for whom the Settlement  
8 Administrator has known current addresses.

9 **II. THE ADMINISTRATION OF THE SETTLEMENT**

10 In previous submissions, including in filings on May 15, 2018 (ECF No. 240), June 18,  
11 2018 (ECF No. 256), June 21, 2018 (ECF No. 257), and September 12, 2018 (ECF No. 275), the  
12 Settlement Administrator described the work it had performed to effectuate the settlement. The  
13 Settlement Administrator has now filed an additional declaration, which sets forth what it has  
14 done since the Court's Distribution Order with respect to distributing funds and making  
15 additional efforts to contact Class Members to whom checks were issued but not cashed.  
16 Declaration of Brian Devery, dated October 9, 2020 (the "Devery Decl."), filed concurrently with  
17 this Motion.

18 **A. Initial Efforts to Distribute Funds to Class Members**

19 The Distribution Order authorized the Settlement Administrator to distribute—pursuant  
20 to the Plan of Allocation—the Net Settlement Fund of \$4,056,209.60 to the 1,361 persons who  
21 remained in the Class at that time. ECF No. 282 at 3. The Plan of Allocation sets forth the  
22 methodology the Settlement Administrator was to use to calculate the amounts due to each Class  
23 Member. ECF No. 225-1 at 56-58 (sections D & E). The Plan of Allocation also provides that  
24 the Settlement Administrator will issue Settlement Checks to each Class Member. *Id.* at Section  
25 F. According to the Plan of Allocation,

26 Each Settlement Check issued pursuant to this Settlement shall be void if not  
27 negotiated within one hundred twenty (120) calendar days after its date of issue  
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1 (“Void Date”), and shall contain a legend to such effect. Settlement Checks that  
2 are not negotiated by the Void Date shall not be reissued unless otherwise directed  
3 by Class Counsel or ordered by the Court.

4 *Id.* at Section F at ¶2.

5 Consistent with the Plan of Allocation, the Settlement Administrator distributed checks  
6 to all Class members. A total of \$3,687,719.38 (or 90.9% of the Net Settlement Fund) was cashed  
7 by 1,131 Class Members.

8 Regrettably, there were Settlement Checks issued to 248 Class Members that were never  
9 cashed. Of these, 35 were not cashed because they were returned to the Settlement Administrator  
10 as undeliverable and additional efforts by the Settlement Administrator to locate revised  
11 addresses for those Class Members have been unsuccessful.

12 In 213 cases, though, the checks were delivered but were nevertheless not cashed by the  
13 Class member. In fact, following the Settlement Administrator’s initial efforts to distribute the  
14 checks, the Settlement Administrator advised Class Counsel that 213 checks (totaling  
15 \$364,345.60) were sent to Class members and were not returned undeliverable, and yet they were  
16 not cashed within the one-hundred-twenty-day deadline set forth in the Plan of Allocation. *Id.* at  
17 Section F at ¶2.

18 Pursuant to Section G of the Plan of Allocation, the Settlement Administrator sought  
19 guidance from Class Counsel concerning what steps, if any, to take with respect to the 248 checks  
20 that were never negotiated.

21 **B. Class Counsel’s Efforts to Locate Class Members Whose Checks Were Not  
22 Negotiated and Had Become Void**

23 Because a portion of the Class failed to negotiate their checks by the deadline, Class  
24 Counsel determined that the approach that would best effectuate the purposes of the Settlement  
25 while preserving the corpus of the Settlement Fund for Class members<sup>2</sup> would be for Class

26 <sup>2</sup> The Stipulation of Settlement provides that, “[e]xcept as provided in Paragraph 2.11 [relating to  
27 Defendants’ termination rights], under no circumstances shall any portion of the Settlement Fund  
28 revert to any Defendant.” ECF No. 225-1 at 14 (Section 2.20).

1 Counsel to use in-house firm resources to attempt to locate and contact those individuals. Class  
2 Counsel took this approach to avoid, to the extent possible, additional costs that might diminish  
3 the Settlement Fund.

4 To that end, six employees of Grant & Eisenhofer P.A. took part in the effort to locate  
5 Class Members and advise them of their entitlement to a portion of the Settlement Fund. These  
6 employees included four paralegals, an administrative assistant, and Senior Counsel (“G&E  
7 Team”). As set forth in the Declaration of Rebecca A. Musarra (“Musarra Decl.”)—filed  
8 concurrently with this Motion—the G&E Team used a variety of resources to attempt to locate  
9 the Class Members whose checks remained unnegotiated. The resources the team used to attempt  
10 to locate or confirm current phone numbers and addresses included free and subscription  
11 databases (e.g., LexisNexis), internet searches, and social media. Once the G&E Team member  
12 was able to confirm that the individual on the phone line was a Class Member, the G&E Team  
13 member would seek to either confirm the existing address or obtain a new, current address. In  
14 both cases, the Class Member was reminded that he or she would need to cash any re-issued  
15 checks within one hundred twenty days of issuance.

16 The G&E Team expended a significant amount of time attempting to locate these Class  
17 Members. In some cases, Class Members had moved to new homes or moved in with friends or  
18 family. In most cases, the initial phone numbers located for the Class Members had been  
19 disconnected. As stated in the Musarra Declaration, the G&E Team spent in excess of 150 hours  
20 engaged in this process.

21 During this period—from September 2019 to the present—the Settlement Administrator  
22 has continued to maintain a post office box for this matter and to keep the settlement website and  
23 e-mail account active.

24 The G&E Team was able to make contact with—and confirm addresses for—26 of the  
25 248 Class Members who had not cashed their checks. All 26 were reissued checks, and 15 of  
26 those Class Members cashed their checks. Some of the individuals received checks in the  
27 thousands of dollars. One Class Member who was located after more than two dozen hours of  
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1 investigation received a check in the amount of \$27,792.51. Ultimately, based on these  
2 investigative efforts as well as additional research by the Settlement Administrator, the  
3 Settlement Administrator was able to re-issue checks totaling \$52,206.95.

4 Of the 248 Class members whose checks were not negotiated, Class Counsel was  
5 informed that there were seven Class members who are, unfortunately, deceased. The total value  
6 of the checks for these persons is \$8,535.13. Class Counsel seeks the Court's approval to issue  
7 the checks for those Class Members to the executor or administrator of the estate of such person  
8 or the closest living relative of such person ("Survivor"), upon satisfactory production of a death  
9 certificate for such Class member and sufficient evidence of the legal relationship between the  
10 Survivor and the Class member. Class Counsel intends to take the steps necessary to locate those  
11 Survivors, if possible, and obtain such evidence, within the 90-day period provided for in the  
12 proposed Order.

13 Accounting for the Class members who have now negotiated their checks, there are 230  
14 remaining Class members for whom, as discussed in the next section, Plaintiffs seek approval to  
15 retain an investigative consultant to endeavor to locate current and reliable contact information  
16 so that the Settlement Administrator can attempt to reissue Settlement Checks.

### 17 **C. Proposal for Distribution of Remaining Settlement Fund**

#### 18 1. Engage the Services of an Investigative Consultant; Re-Issue Checks

19 Despite Class Counsel's efforts, some Class members were unable to be located. Because  
20 there remain a number of Class members who have not cashed their checks, and because many  
21 of the uncashed checks are for substantial amounts of money representing out-of-pocket  
22 expenditures for behavioral health services that were never reimbursed, Class Counsel believes  
23 it would be appropriate for Class Counsel to make one final attempt to locate these individuals.  
24 Class Counsel proposes that they retain an investigative consultant to assist in locating the  
25 remaining Class members whose checks have not yet been cashed. To that end, Class Counsel  
26 has included the attached declaration ("Torres Decl.") from Desiree Torres at Gryphon Strategies  
27 ("Gryphon"), a well-respected investigations and due diligence firm. As set forth in that  
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1 declaration, Gryphon has indicated that it could take steps identified in the Torres Decl. to locate  
2 current and reliable contact information for the 230 individuals (or next-of-kin) on the Uncashed  
3 Check List for whom checks have still not been negotiated.

4 As stated in the Torres Decl., Gryphon represents that it would attempt to locate these  
5 230 individuals for a flat rate of \$30,000. This flat fee represents a locate fee of approximately  
6 \$150 per person, which is a significant discount to Gryphon's standard fee of \$250 per person.  
7 Gryphon has a number of resources at its hands for this project, as stated in the Torres Decl.  
8 Gryphon also has the benefit of location: team members working on this project for Gryphon  
9 are located in Southern California, where many of the Class members live. Gryphon will not,  
10 therefore, be burdened with the time zone disadvantage with which the G&E Team working at  
11 the time zone disadvantage that the G&E Team had to manage. In addition, because most people  
12 in the country are currently spending nearly all their time at home due to the COVID-19  
13 pandemic, there is an increased likelihood that Gryphon will be able to confirm current contact  
14 information for Class Members.

15 Should Gryphon obtain more current or more reliable addresses or phone numbers for  
16 any of the Class members, Class Counsel would then attempt to make contact with the Class  
17 member. If such efforts are successful, Class Counsel will provide the Class member with the  
18 information necessary to receive and negotiate a newly re-issued settlement check. Class  
19 Counsel would provide a list of confirmed Class member addresses to the Settlement  
20 Administrator, which would reissue Settlement checks directed to such Class members, affording  
21 a period of sixty (60) days for these Class members to negotiate their reissued checks.

22 Because Gryphon will provide updated contact information for Class members to Class  
23 Counsel, who will then contact Class members to confirm the information, no member of the  
24 Gryphon team will speak with any Class member. Gryphon will also execute the undertaking  
25 attached as Exhibit A to the Protective Order, as well as Defendants' Business Associate  
26 Agreements, as the Settlement Administrator has done. Gryphon will take all steps necessary to  
27 preserve the confidentiality of the Class List and shall not share the personally identifiable  
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1 information with anyone, other than members of the Gryphon team performing the  
 2 investigations. Class Counsel propose that the \$30,000 fee will be paid to Gryphon upon  
 3 completion of the project. The funds will be paid to Gryphon by the Settlement Administrator  
 4 out of the Net Settlement Fund.

## 5 **2. Redistribute Left Over Monies to Remaining Class Members**

6 It is possible that, even if Gryphon is engaged to locate the individuals on the Uncashed  
 7 Check List and Settlement checks are reissued to such individuals, there may remain Class  
 8 members who cannot be located or who, for other reasons, do not negotiate their checks within 60  
 9 days. In such a circumstance, Class Counsel requests that the Court grant Class Counsel leave to  
 10 direct the Settlement Administrator to redistribute any remaining monies to all Class Members  
 11 who did negotiate their checks, equally divided.<sup>3</sup> This approach is consistent with Section F, ¶3,  
 12 of the Plan of Allocation, which provides that unclaimed payments shall revert to the Settlement  
 13 Fund.<sup>4</sup>

## 14 **D. Proposal to Pay Additional Administrative Costs**

### 15 **1. Remaining Administration Fees**

16 In the Final Approval Order, the Court allowed \$150,000 to be allocated to settlement  
 17 administrator costs. On September 11, 2018, the Settlement Administrator agreed to charge  
 18 \$69,322.03. That figure represented its total costs incurred through September 2018 as well as  
 19 any additional anticipated costs. However, because the efforts on behalf of the Class members  
 20 to locate them and reissue checks has required more time and effort from the Settlement  
 21 Administrator, and has caused it to continue to maintain the Class website, post-office box, e-

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23 <sup>3</sup> If no additional Class members from the Uncashed Checks List are located, each member on the  
 24 Class List who has negotiated their initial check will receive an additional check in the amount of  
 25 approximately in excess of \$300, after deducting the \$30,000 fee for Gryphon and payment to the  
 Settlement Administrator for the remaining costs of administering the settlement.

26 <sup>4</sup> This approach is also consistent with the Distribution Order, in which the Court directed that the  
 27 settlement payments returned as undeliverable for 15 individuals—after extensive efforts by the  
 Settlement Administrator to locate them—should revert to the Settlement Fund and be  
 28 redistributed to the remaining members of the Class, equally divided. ECF 282 at 3.



1 mail address, and other features, the Settlement Administrator has incurred more costs than it had  
2 anticipated in September 2018.

3 Class Counsel requests that it permit the Settlement Administrator to be paid an additional  
4 \$9,870.16 for its efforts since September 2019 to locate individuals and reissue Settlement  
5 Checks. In addition, if the Court agrees that Gryphon may be engaged to locate additional Class  
6 members, the Settlement Administrator expects that it will incur approximately \$12,658.00 for  
7 its efforts over the next four months to reissue checks to any individuals for whom Gryphon or  
8 Class Counsel are able to find current or more reliable contact information. To avoid any need  
9 to return to the Court for further authorizations of this kind, Class Counsel seeks authorization to  
10 establish a reserve of \$15,000 to be set aside for administrative expenses incurred in the  
11 reissuance of checks and the second distribution. This reserve would be utilized solely for  
12 payment of administrative expenses that are yet to be incurred, and any excess would return to  
13 the Settlement Fund.

#### 14 2. Investigative Consultant Fee

15 As noted above, Gryphon has agreed that it could complete the project of attempting to  
16 locate current and reliable contact information for the 230 individuals who have not cashed any  
17 Settlement Checks for a flat fee of \$30,000. Should the Court grant Class Counsel's request that  
18 Gryphon be engaged for this task, Class Counsel also requests that the Court direct the Settlement  
19 Administrator to pay Gryphon \$30,000 for this undertaking out of the Net Settlement Fund.  
20 According to the terms of the proposed order submitted herewith, Gryphon would provide  
21 weekly reports to Class Counsel concerning the results of its efforts. It would complete its  
22 engagement within thirty days of the issuance of the Court's order ("Gryphon Report"). Gryphon  
23 would notify Class Counsel and the Settlement Administrator of the results of its efforts. At  
24 Class Counsel's direction, the Settlement Administrator would then pay the \$30,000 fee to  
25 Gryphon within thirty days of the Gryphon Report.

26 As noted, some of the checks to which Class members are entitled are substantial and  
27 could make a significant difference in their lives. Class Counsel is not seeking compensation for  
28

1 time or reimbursement of expenses incurred since the Settlement received final approval. Class  
2 Counsel is committed to overseeing this project to locate Class members and will supervise the  
3 Court-appointed investigative consultant and Settlement Administrator at no cost to the Class.

4 **CONCLUSION**

5 For the foregoing reasons, Plaintiffs respectfully request that the Court enter an Order  
6 approving redistribution of the Settlement Fund and payment of remaining administrative costs.

7 .  
8 Dated: October 9, 2020

By: /s/ Daniel L. Berger

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10 Kyle J. McGee (admitted *pro hac vice*)  
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27 *Greco, and the Class*

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CHARLES DES ROCHES, on his own behalf  
and on behalf of his beneficiary son, R.D., and  
all others similarly situated, and SYLVIA  
MEYER, on her own behalf and all others  
similarly situated, and GAYLE TAMLER  
GRECO, on her own behalf and on behalf of  
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Plaintiffs,

vs.

CALIFORNIA PHYSICIANS' SERVICE  
d/b/a BLUE SHIELD OF CALIFORNIA;  
BLUE SHIELD OF CALIFORNIA LIFE &  
HEALTH INSURANCE COMPANY;  
HUMAN AFFAIRS INTERNATIONAL OF  
CALIFORNIA; and MAGELLAN HEALTH  
SERVICES OF CALIFORNIA, INC.-  
EMPLOYER SERVICES,

Defendants.

Case No. 16-cv-02848-LHK

Hon. Lucy H. Koh

~~PROPOSED~~ ORDER GRANTING  
PLAINTIFFS' MOTION FOR ORDER  
DIRECTING DISTRIBUTION OF  
REMAINING SETTLEMENT FUNDS AS A  
FURTHER DISTRIBUTION TO CLASS  
MEMBERS AND PAYMENT OF  
OUTSTANDING ADMINISTRATION  
COSTS OF SETTLEMENT

1           WHEREAS, on July 5, 2018, the Court granted Final Approval for the above-captioned  
2 class action settlement. ECF No. 271;

3           WHEREAS, the Court issued an Order on October 3, 2018, ECF No. 282, (“Distribution  
4 Order”) granting Plaintiffs’ Motion for an Order Approving Distribution of Settlement Funds to  
5 Class Members. ECF No. 274 (the “Distribution Motion”);

6           WHEREAS, the Settlement Administrator has made the efforts set forth in the Devery  
7 Declaration filed in connection with Plaintiffs’ Motion for Order Directing Distribution of the  
8 Remaining Settlement Funds as a Further Distribution and Payment of Outstanding  
9 Administration Costs of Settlement (“Redistribution Motion”);

10           WHEREAS, there remain 230 Class members who have not cashed their checks;

11           WHEREAS, the Settlement Administrator has incurred further costs in the amount of  
12 \$9,870.16 associated with Class Counsel’s additional efforts to locate Class members and reissue  
13 Settlement Checks to them;

14           WHEREAS, the Settlement Administrator anticipates incurring an additional \$12,658.00  
15 in costs associated with reissuing checks to any Class members who heretofore have not cashed  
16 their Settlement Checks;

17           WHEREAS, Plaintiffs seek an order appointing Gryphon Strategies to conduct an  
18 investigation to locate such individuals, which investigation is expected to last no longer than 30  
19 days and shall cost no more than \$30,000;

20           WHEREAS, Plaintiffs have proposed that any funds remaining after Gryphon Strategies’  
21 efforts to locate Class members and the Settlement Administrator’s efforts to reissue Settlement  
22 Checks shall be redistributed to the members of the Class for whom addresses have been located,  
23 equally divided among them;

24           Having considered the papers submitted, and finding good cause, the Court hereby  
25 GRANTS Plaintiffs’ Motion for Order Directing Distribution of the Remaining Settlement Funds  
26 as a Further Distribution and Payment of Outstanding Administration Costs of Settlement, and  
27 HEREBY ORDERS:

28

- 1                   1. The Settlement Administrator shall deduct \$22,528.16 to be paid to the  
2                   Settlement Administrator for costs incurred to date in efforts to locate certain  
3                   Class members and to cover anticipated costs that will be incurred after the  
4                   date of issuance of this Order in connection with reissuing checks to Class  
5                   members who have not yet negotiated those checks;
- 6                   2. The Court hereby appoints Gryphon Strategies to conduct an investigation to  
7                   locate and obtain more current or reliable contact information for the  
8                   individuals on the Uncashed Checks List, so that the Settlement Administrator  
9                   may attempt to reissue checks to those Class members;
- 10                  3. Gryphon Strategies shall provide weekly reports to Class Counsel concerning  
11                  its efforts to locate Class members, and shall provide a Final Report to Class  
12                  Counsel and the Settlement Administrator within 28 days of issuance of this  
13                  Order;
- 14                  4. Before receiving the Uncashed Checks List or any private or confidential  
15                  information, or personal health information (“PHI”), or personally identifiable  
16                  information (“PII”), concerning members of the Class, Gryphon Strategies—  
17                  including any employees or agents who access such information—must  
18                  execute Exhibit A to the Protective Order in this matter. Gryphon Strategies  
19                  will also execute a Business Associates Agreement with Defendant California  
20                  Physicians’ Service dba Blue Shield California, and will execute a Business  
21                  Associates Agreement with any other defendant if requested. Gryphon shall  
22                  treat all PHI or PII as strictly confidential, and shall not use any information in  
23                  the Uncashed Check List—including but not limited to the PHI or PII—for any  
24                  purpose other than to carry out its duties and obligations set forth in the  
25                  Court’s order, nor will it share such information with the any person or entity  
26                  other than Class Counsel or the Settlement Administrator. Also, in accordance  
27                  with HIPAA Privacy Rule, 45 C.F.R. §164.512(e)(1)(v)(B), Gryphon shall  
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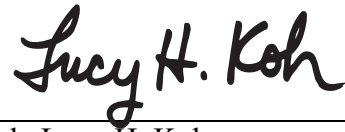
destroy in a secure manner, within six months of the issuance of the Court's order, the Class List, any PII or PHI, and any copies thereof. Neither the Settlement Administrator nor Class Counsel may provide to Gryphon, and Gryphon shall not have access to, any Class Claims Data nor any other information about Class members other than their names, addresses, phone numbers, and check amounts;

5. Following the issuance to Class Counsel of a Final Report that Class Counsel believes reflects satisfactory efforts by Gryphon, the Settlement Administrator shall issue payment to Gryphon in the amount of \$30,000. Such payment shall be made within thirty days of issuance of such Final Report.
6. With respect to any funds left in the Settlement Fund following the reissuance of checks by the Settlement Administrator to any members of the Class for whom Gryphon or Class Counsel were able to locate updated contact information, the Settlement Administrator shall redistribute those funds, in equal shares, to any Class members who have cashed any Settlement Checks or for whom there is verifiable contact information;
7. The Final Approval Order is amended to the extent necessary to carry out the terms of this Order; and
8. Class Counsel shall report back to the Court within ninety days of issuance of this Order with respect to the conclusion of the efforts to locate Class members and reissue Settlement Checks, as well as the payment of administrative costs consistent with this Order.

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**IT IS SO ORDERED.**

Dated: January 28, 2021



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The Honorable Lucy H. Koh  
United States District Judge