IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

ALLY STONEHAM, CHRISTINE DUMM, and JOSEPH KELLEY, each individually and on behalf of all others similarly situated, *Plaintiffs*, v. INTERACTIVE MEMORIES, INC., d/b/a MIXBOOK, *Defendant*.	Case No. 26CV06317 **ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND NOTICE PLAN** Hon. Chanpone Sinlapasai

Before the Court is Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement and Notice Plan ("Motion for Preliminary Approval" or "Motion"). The Parties have informed the Court that they have mediated the case and reached a Settlement Agreement, which is filed as Exhibit 1 to Plaintiffs' Motion.

The Motion is also accompanied by declarations from proposed Class Counsel, the proposed Class Representatives, and the proposed Settlement Administrator. The Court has reviewed the Motion and its accompanying materials and finds the Settlement to be fair, reasonable, and adequate, and consistent with Oregon law and relevant precedent. Accordingly, after careful review of the record, the Court **GRANTS** Plaintiffs' Motion and **ORDERS** as follows:

1. **Fair, Reasonable, and Adequate**: The Court preliminarily approves the Settlement as fair, reasonable, and adequate, and consistent with Oregon law and precedent concerning class settlements. The Court finds that the Settlement resulted from arm's-length negotiations between the Parties and their well-informed and experienced counsel. These negotiations were assisted by an experienced and neutral mediator. The Settlement itself provides direct relief to each Class Member, and Class Members can choose whether to receive relief in the form of credit, usable for any product on Defendant's website, or cash. In short, the Settlement appears fair, reasonable, adequate, and within the range of possible final approval, and thus, notice to members of the Settlement Class should issue as directed below.
2. **Conditional Settlement Class**: Under ORCP 32, the Court conditionally certifies the following Settlement Class: All persons who, while in the states of California, Oregon, or Washington, and during the Class Period, purchased one or more products advertised at a discount on Defendant's website, mixbook.com, from June 1, 2022 to March 1, 2026. The

Court finds that the Settlement Class meets all requirements to be certified for the purposes of settlement:

- ORCP 32 A(1): The Settlement Class consists of at least tens of thousands of Class Members, and so, joinder would be impracticable.
- ORCP 32 A(2): There are questions of law and fact common to the Settlement Class.
- ORCP 32 A(3): Plaintiffs' claims are typical of all Settlement Class Members.
- ORCP 32 A(4): Plaintiffs and Class Counsel have fairly and adequately represented the Settlement Class's interests.
- ORCP 32 A(5): Plaintiffs gave notice.
- ORCP 32 B: Common questions of law and fact appear to predominate over individual inquiries, and because of the nature of the claims alleged, a class action is a superior mechanism for adjudication.

3. **Class Counsel and Class Representatives**: The Court appoints Plaintiffs Ally Stoneham, Christine Dumm, and Joseph Kelley as representative parties ("Class Representatives") under ORCP 32. The Court finds that the Class Representatives have and will continue to adequately and fairly serve the interests of the Settlement Class. The Court appoints the attorneys of Dovel & Luner, LLP as Class Counsel for the purposes of settlement, and finds them competent to serve the interests of the Settlement Class.

4. **Settlement Administrator**: The Angeion Group ("Angeion") is appointed as the Settlement Administrator to implement the terms of the Settlement. Angeion is authorized to implement the Notice Plan as outlined in the Motion, including in the Declaration of Michael Lynch on behalf of Angeion. The Court also authorizes the Settlement Administrator to carry out other

such responsibilities as are provided for in the Settlement Agreement. The Settlement Administrator is directed to establish the Settlement Website and to issue notice pursuant to the Settlement Agreement.

5. **Class Notice**: The Court approves the form and content of the notice attached to the Motion for Preliminary Approval. The Court finds that the proposed Notice Plan constitutes the best practicable notice under the circumstances and is reasonably calculated to apprise Settlement Class Members of this Action, the terms of the Settlement, and their rights to object to or opt out of the Settlement. The Court additionally finds that the Notice Plan is reasonable, that it constitutes due, adequate, and sufficient notice, and that it meets the requirements of due process, ORCP 32, and any other applicable laws. The Settlement Administrator shall carry out the Notice Plan as laid out in the Settlement in accordance with the Notice Deadline.

6. **Claims Period, Objections, and Requests for Exclusion**: The Court approves the content of the Claim Form and the claims procedures set forth in the Settlement. Class Members who do not submit a Claim Form will still receive relief in the form of credit. The deadline for timely submissions of claims is 60 calendar days after the Notice Deadline. The Court also approves the objection and exclusion procedures laid out in the Settlement Agreement. Class Members may object to or opt out of the Settlement by the Objection/Exclusion Deadline by following the procedures laid out in the Settlement and the notice. Class Members who do not opt out will receive relief under the Settlement and will release certain rights to sue Defendant (or any released party), as laid out in the Settlement Agreement. After the Objection/Exclusion Deadline, no one shall be allowed to object to the Settlement or exclude himself or herself from the Settlement Class or seek to intervene.

7. **Final Approval Hearing**: The Court will conduct a Final Approval Hearing on:

December 11, 2026 at 1:30 pm. At this Hearing, the Court will consider whether to grant final approval to the Settlement, and consider any motion filed by Plaintiffs seeking attorneys' fees, costs, and incentive awards. The Court may postpone, adjourn, or continue the Hearing without further notice to the Settlement Class.

8. **Stay of Proceedings**: All proceedings in this Action are stayed pending Final Approval of the Settlement, except as may be necessary to effectuate the Settlement or comply with its terms.

9. **Other Provisions**: Pending Final Approval of the Settlement, all Class Members are prohibited from commencing any action or other proceeding against Defendant (or any released party) that asserts the same claims regarding Defendant's sales and advertising practices as asserted in this action. If for any reason the Court does not execute and file an order of Final Approval, or in the event that this Agreement becomes null and void pursuant to its terms, the Parties will be restored to the status quo ante as set forth in the Settlement. All orders entered in connection with this Settlement, including this Order conditionally certifying the Settlement Class, will become null and void. And the Settlement Agreement, and all proceedings related to it, will be deemed to be without prejudice to the rights of any Parties.

10. **Continued Jurisdiction**: The Court exerts exclusive and continuing jurisdiction over the claims and issues in this litigation and specifically over all aspects related to the proposed Settlement.

IT IS SO ORDERED.



Submitted by:

DOVEL & LUNER LLP

/s/ *Jonas Jacobson*
Simon Franzini (Cal. Bar No. 287631)*
simon@dovel.com
Jonas Jacobson (OSB No. 231106)
jonas@dovel.com
Grace Bennett (Cal. Bar No. 345948)*
grace@dovel.com
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
Tel: (310) 656-7066
Facsimile: +1 (310) 656-7069

BARG SINGER HOESLY PC

/s/ *Cody Hoesly*
Cody Hoesly (OSB No. 058260)
choesly@bargsinger.com
121 SW Morrison St., Suite 600
Portland, OR 97204
Tel: (503) 241-3311

Attorneys for Plaintiffs

* *Pro Hac Vice* application forthcoming

CERTIFICATION OF COMPLIANCE WITH UTCR 5.100

Pursuant to UTCR 5.100, the undersigned certifies that:

1. The manner of compliance with any applicable service requirement under the rule is:

    1. ☐ No service requirement applies because box 4 is checked below.

    2. ☒ The order or judgment is accompanied by a stipulation by each counsel that no objection exists as to the order or judgment.

    3. ☐ The order or judgment was served on each counsel not less than three days, and on each self-represented party not less than seven days (along with notice of the time period to object), prior to submission to the court.

2. The submission is ready for judicial signature because:

    1. ☐ Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.

    2. ☒ Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.

    3. ☐ I have served a copy of this order or judgment on each party entitled to service and:

        a. ☐ No objection has been served on me.

        b. ☐ I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

        c. ☐ After conferring about objections, all objecting parties agreed to independently file any remaining objections.

    4. ☐ Service is not required pursuant to UTCR 5.100(3), or by statute, rule, or otherwise.

    5. ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section under UTCR 5.100(5).

DATED: September 9, 2026.

s/ Cody Hoesly
Cody Hoesly

CERTIFICATE OF SERVICE

I am over the age of 18 and am not a party to the within action. I am employed in Multnomah County, State of Oregon, and my business address is 1000 SW Broadway, Suite 900, Portland, Oregon 97205.

On September 9, 2026, I served the following document(s):

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND NOTICE PLAN

on the party or parties listed on the following page(s) in the following manner(s):

☐ **BY HAND DELIVERY:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by messenger to the street address(es) indicated on the attached service list.

☐ **BY FEDERAL EXPRESS:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by Federal Express to the street address(es) indicated on the attached service list.

☐ **BY FIRST-CLASS MAIL:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be deposited in the United States mail at Portland, Oregon, with first-class postage thereon fully prepaid and addressed to the street address(es) indicated on the attached service list.

☐ **BY FACSIMILE:** For each party, I caused a copy of the document(s) to be sent by facsimile to the facsimile number(s) indicated on the attached service list. If this action is pending in Oregon state court, then printed confirmation of receipt of the facsimile generated by the transmitting machine is attached hereto.

☒ **BY E-MAIL:** For each party, I caused a copy of the document(s) to be sent by electronic mail to the e-mail address(es) indicated on the attached service list.

☐ **BY E-FILING:** For each party, I caused a copy of the document(s) to be sent by electronic mail via the court's efiling system to the e-mail address(es) on file with that system.

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

s/ Cody Hoesly
Cody Hoesly

Román D. Hernández
Cable Huston LLP
1455 SW Broadway, Suite 1500
Portland, OR 97201-3412
rhernandez@cablehuston.com

Counsel for Defendant

Simon Franzini
Grace Bennett
Dovel & Luner, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
simon@dovel.com
grace@dovel.com

Counsel for Plaintiffs