

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 07/17/2026

TIME: 10:30 AM

DEPT: C-64

JUDICIAL OFFICER: LOREN FREESTONE

CLERK: Jenitta Virissimo

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: H. Hirsch

CASE NO: **37-2024-00024339-CU-NP-CTL** CASE INIT.DATE: 05/28/2024

CASE TITLE: **Castro vs Arch Health Partners Inc [E-FILE]**

CASE CATEGORY: Civil CASE TYPE: (U)Other Non-PI/PD/WD Tort

HEARING TYPE: Motion Hearing

MOVING PARTY:

APPEARANCES

Danielle L Perry, Attorney for Plaintiff Nyree Zapata, present via remote video appearance.

Alexander Tang, attorney for Arch Health Partners Inc, DBA PALOMAR HEALTH MEDICAL GROUP, Defendant, present in person.

All parties submit(s) on the Court's tentative ruling.

The Court CONFIRMS the tentative ruling as follows:

Plaintiffs Clarissa Castro, Amber Friedrich, Duncan Meadows, John South, and Nyree Zapata's unopposed motion (ROA # 34) for an order granting preliminary approval of class action settlement is GRANTED.

This motion and the attached agreement states that the gross settlement fund (non-revisionary) is \$3,100,000.00, and the eventual attorney fee award will not exceed \$1,033,230 (one-third). It also states the class representative plaintiffs will each receive an incentive award of \$2,500.

This motion and the attached settlement agreement demonstrate there are approximately 1,132,116 class members (individuals whose private information was accessed, acquired, disclosed, or compromised in the data incident). Class members who submit a valid claim may elect the following: (a) cash payment A – documented losses not to exceed \$5,000; (b) cash payment B – alternative cash payment in the estimated amount of \$60.00; or (c) credit monitoring - two years of credit monitoring, including \$1,000.000 in identity theft fraud insurance and dark web notification. Any settlement funds remaining 240 days after the settlement class members receive an email from the Settlement

Administrator to select a form will be distributed to a *cy pres* recipient - the parties have proposed the Electronic Privacy Information Center (www.epic.org).

Plaintiffs have established that the proposed settlement represents a reasonable resolution of this action based on comparable settlements in other data breach actions, and given the risks inherent in protracted class action litigation. Therefore, the Court approves the preliminary settlement as those terms are set forth above. See Wershba v. Apple Computer, Inc. (2001) 91 Cal.App.4th 224, 230 (necessary court review for preliminary class settlement and provisional certification -- disapproved on other grounds in Hernandez v. Restoration Hardware, Inc. (2018) 4 Cal.5th 260).

The Court finds that this action satisfies the prerequisites for class certification. See Richmond v. Dart Industries, Inc. (1981) 29 Cal.3d 462. Provisional certification of the class is appropriate and will be ordered. The named Plaintiffs are determined to be both typical and adequate class representatives. Plaintiffs' present counsel (Kristen Lake Cardoso, Bart D. Cohen, Danielle L. Perry, and Jason M. Wucetich) are determined to be adequate class counsel. Finally, Angeion Group, LLC will be appointed as the settlement administrator.

A final approval hearing date of November 6, 2026 at 10:30 a.m. The Court will make a final determination regarding the reasonable amount of attorney fees to be awarded class counsel, not to exceed one-third of the gross settlement fund, at the final approval hearing.

The Court will execute the proposed order (ROA # 35, pages 81-89) at the hearing.

Parties waive notice of the ruling.

Loren Freestone

Judge Loren Freestone