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20 Attorneys for Petitioners and Class

21 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
22 COUNTY OF ALAMEDA

23 Donna Ventura, Gregory M. Bianchini, Alan Hindmarsh,  
24 Calvin Wood and Sharon Wood, on behalf of Themselves  
25 and Others Similarly Situated,<sup>1</sup>

26 Petitioners,

27 v.

28 Regents of University of California,

Respondents.

**FILED**  
Superior Court of California  
County of Alameda

06/11/2024

Clad Flake, Executive Officer / Clerk of the Court

By: Nicole Hall Deputy  
N. Hall

No. RG 10530492

**EX PARTE APPLICATION AND  
STIPULATION RE 2023 ANNUAL  
REPORT OF SETTLEMENT  
ADMINISTRATOR RE  
IMPLEMENTATION OF FINAL  
APPROVAL ORDER & ORDER  
SETTING DATE FOR HEARING**

**Reservation ID: 439207405419  
Date: 7/16/24  
Time: 1:30 PM  
Dept: 21**

**Hon. Noel Wise**

<sup>1</sup> This case was filed as Requa v. Regents of UC on August 11, 2020. After Joe Requa withdrew on December 23, 2013, the case then proceeded as Wendell Moen v. Regents of Univ. of Cal. Moen withdrew on October 19, 2022, after which the case proceeded as Donna Ventura v. Regents of Univ. of Cal. These are all the same case: Alameda Superior Court Case No. RG 10530492.

1 WHEREAS, the Final Approval Order and Judgment incorporates the Stipulation of Class Action  
2 Settlement and Release (Settlement Agreement) and provides: “each and every term and provision  
3 thereof, shall be deemed incorporated herein as if explicitly set forth herein and shall have the full force  
4 and effect of an order of this Court,” Final Approval Order and Judgment (4/10/20) (“Final Approval  
5 Order”), ¶ 10; and

6 WHEREAS, this Court has continuing jurisdiction over the implementation of the Final Approval  
7 Order, see Final Approval Order, ¶ 30; and

8 WHEREAS, the Settlement Agreement provides for Annual Reports by the Court Monitor (first  
9 three years) and then by the Settlement Administrator (next four years), Settlement Agreement, ¶ V-E-2,  
10 p. 26; and

11 WHEREAS, on February 29, 2024, this Court appointed Hon. James R. Lambden (Ret.) to act as  
12 Court Monitor after Hon. Maria-Elena James (Ret.) was unable to continue; and

13 WHEREAS, Blake Deady, on behalf of the Settlement Administrator ARCHER Systems, LLC, has completed  
14 the 2023 Annual Report, and Court Monitor James R. Lambden has approved the Report, a copy of which is  
15 attached as **Exhibit A**; and

16 WHEREAS, Class Counsel and the Court Monitor wish to present the 2023 Annual Report to the  
17 Court for approval,

18 IT IS STIPULATED that the Court may set a date and time for the Court to receive and approve the  
19 2023 Annual Report.

20 **Counsel for Parties**

21  
22  
23 Date: 6/6/24



Andrew Thomas Sinclair  
Class Counsel

24  
25 Date: 6/6/24



Kathleen V. Fisher  
Class Counsel

1 Date: June 5, 2024

  
Dov M. Grunschlag  
Class Counsel

2  
3 Date: \_\_\_\_\_

4 \_\_\_\_\_  
5 Jennifer Romano  
6 Attorney for The Regents of  
7 the University of California

8 **Settlement Administrator**

9 I concur with the above stipulation and request to set a hearing date.

10 Date: \_\_\_\_\_

11 \_\_\_\_\_  
12 Blake Deady  
13 Settlement Administrator  
14 ARCHER Systems

15 **Court Monitor**

16 I concur with the above stipulation and request to set a hearing date.

17 Date: \_\_\_\_\_

18 \_\_\_\_\_  
19 Hon. James R. Lambden  
20 Court Monitor

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Dov M. Grunschlag  
Class Counsel

Date: 6-5-24



\_\_\_\_\_  
Jennifer Romano  
Attorney for The Regents of  
the University of California

**Settlement Administrator**

I concur with the above stipulation and request to set a hearing date.

Date: \_\_\_\_\_

\_\_\_\_\_  
Blake Deady  
Settlement Administrator  
ARCHER Systems

**Court Monitor**

I concur with the above stipulation and request to set a hearing date.

Date: \_\_\_\_\_

\_\_\_\_\_  
Hon. James R. Lambden  
Court Monitor

1 Date: \_\_\_\_\_

\_\_\_\_\_  
Dov M. Grunschlag  
Class Counsel

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3 Date: \_\_\_\_\_

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5 \_\_\_\_\_  
Jennifer Romano  
Attorney for The Regents of  
6 the University of California

7 **Settlement Administrator**

8 I concur with the above stipulation and request to set a hearing date.

9 Date: June 5, 2024

10 

11 \_\_\_\_\_  
Blake Deady  
Settlement Administrator  
12 ARCHER Systems

13  
14 **Court Monitor**

15 I concur with the above stipulation and request to set a hearing date.

16 Date: June 7, 2024

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18 \_\_\_\_\_  
Hon. James R. Lambden  
19 Court Monitor

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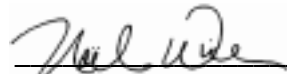
**ORDER**

Pursuant to the above Stipulation,

IT IS ORDERED that:

1. The Court will hold a hearing on the 2023 Annual Report on CE \* EGCo@ at FKK ~~AM~~ / PM in Department 21, 1221 Oak Street., Oakland, California. Counsel, the parties and the Court Monitor may attend in person or electronically.
2. The Court will review the Annual Report, and subject to questions and comments by the Court, the Court Monitor, Class Counsel, counsel for The Regents, and the Settlement Administrator, and any changes approved by the Court, the Court will accept and approve the 2023 Annual Report.

Date: 06/11/2024

  
\_\_\_\_\_  
Hon. Noel Wise  
Judge of the Superior Court  
**Noel Wise / Judge**

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF ALAMEDA**

Donna Ventura, Gregory M. Bianchini, Alan Hindmarsh,  
Calvin Wood and Sharon Wood, on behalf of Themselves  
and Others Similarly Situated,

Petitioners,

v.

Regents of University of California,

Respondents.

\_\_\_\_\_ /

No. RG 10530492

ANNUAL REPORT OF  
SETTLEMENT  
ADMINISTRATOR ARCHER  
SYSTEMS

Hon. Noel Wise

Date:  
Time:  
Dept: 21

**Exhibit A**

1 Pursuant to the Parties’ Stipulation of Class Action Settlement and Release (“Settlement  
2 Agreement”), and in particular, V.E.3. Reporting by the Settlement Administrator (Year Four to Seven),

3 Starting year four following the Effective Date, the Settlement Administrator will  
4 take over the role of providing an annual report to the Court by March 1. The  
5 reports by the Settlement Administrator shall address the same matters and follow  
6 the same procedures as those by the Court Monitor. The cost of the annual reports  
7 by the Settlement Administrator shall come out of the Settlement Fund.

8 As required, the Settlement Administrator, ARCHER Systems, LLC (“ARCHER”), provided a  
9 draft copy of this report for comment to The Regents, Class Counsel, who forwarded the same to  
10 Petitioners / Class Representatives, and the Court Monitor, the Honorable James Lambden. Those  
11 comments are incorporated herein. *See infra* Sections IV, V, and VII, respectively.

12 **I. STATUS OF BENEFITS PROVIDED BY LLNS (OR SUCCESSOR CONTRACTOR)**

13 For calendar year 2023, Lawrence Livermore National Security, LLC (“LLNS”), provided health  
14 and welfare benefits to Eligible Class Members who timely enrolled. Similarly, LLNS commenced  
15 Open Enrollment for Eligible Class Members on October 15, 2023 (Via Benefits) and October 23, 2023  
16 (Empyrean), for health and welfare benefits, coverages, and options for 2024. The 2024 Open  
17 Enrollment Retiree Guide was confidentially provided by counsel for The Regents to ARCHER on  
18 October 13, 2023, by secure electronic mail. On or about December 27, 2023, counsel for The Regents  
19 produced spreadsheets identifying health plan elections by living Class Members for 2024, in addition  
20 to, information identifying Class Members who passed away in 2023. These spreadsheets were  
21 delivered by secure electronic mail to ARCHER.

22 Subsequent thereto, ARCHER included a five (5) page informational guide regarding the  
23 Settlement Supplement on the settlement website. This guide provided Class Members with information  
24 related to Settlement Supplement eligibility by enrolling in a LLNS-sponsored medical plan, help with  
25 questions, considerations for Medicare-eligible and non-Medicare eligible Class Members alike, and  
26 Settlement Supplement availability. Additionally, the informational guide announced that the 2024  
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1 Settlement Supplement increased 7.00% over the 2023 Supplement and included the amount of the  
2 Settlement Supplement by plan option for 2024.

3 **II. STATUS OF UC’S CONTRIBUTIONS TO THE SETTLEMENT FUND**<sup>1</sup>

4 Per Section V.A.1, The Regents will pay \$80,000,000 to create the Settlement Fund. Section  
5 V.A.2. sets forth The Regents’ Payment Schedule.

- 6 • *Fourth Payment:* Three years after the Effective Date, The Regents will make a  
7 further payment of \$10 million. **The Regents satisfied this obligation on April**  
8 **10, 2023**, by wire to the 26 C.F.R. 1.468B-1 LLNL Retiree QSF.

9 Attorneys’ Fees and Costs were addressed in Section XII of the Parties’ Settlement Agreement.  
10 The Regents elected to pay Attorneys’ Fees and Expenses over time. At the request of Class Counsel,  
11 ARCHER established a sub-account under the LLNL Retiree Qualified Settlement Fund, entitled LLNL  
12 Retiree Settlement Attorneys’ Fees. The Fund Administrator, ARCHER, segregated the Fee and  
13 Expense payment into the sub-account. **The Regents previously satisfied all Fee and Expense**  
14 **obligations as of July 8, 2022.**

15 A summary table of The Regent’s current contributions to the LLNL Retiree QSF can be found  
16 in Table 1 below.

17

TABLE 1 - UC’S CONTRIBUTIONS TO THE SETTLEMENT FUND		
DATE	DIRECTION	AMOUNT
January 3, 2020	LLNL Retiree QSF	\$500,000.00
May 11, 2020	LLNL Retiree QSF	\$19,000,000.00
July 9, 2020	LLNL Retiree Settlement Attorneys’ Fees Sub-Account	\$5,000,000.00
April 9, 2021	LLNL Retiree QSF	\$15,000,000.00
July 8, 2021	LLNL Retiree Settlement Attorneys’ Fees Sub-Account	\$5,000,000.00
April 8, 2022	LLNL Retiree QSF	\$15,000,000.00
July 8, 2022	LLNL Retiree Settlement Attorneys’ Fees Sub-Account	\$2,000,000.00
April 10, 2023	LLNL Retiree QSF	\$10,000,000.00
April 10, 2024	LLNL Retiree QSF	\$10,000,000.00

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27 <sup>1</sup> Settlement Funds are subsequently transferred to a Voluntary Employees Beneficiary Association (“VEBA”) designated as the “University of California Livermore Retirees Health Insurance Trust.”  
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1 Pursuant to the payment schedule set forth in Sections V.A.1.2. of the Parties' Settlement  
2 Agreement, The Regents have fully and timely funded \$65 million of \$80 million to create the  
3 Settlement Fund. In accordance with the Parties' Settlement Agreement, five years after the Effective  
4 Date, The Regents will make a further payment of \$10 million. The "Sixth Payment" will become due  
5 on Thursday, April 10, 2025. Six years after the Effective Date, The Regents will make a further  
6 payment of \$5 million. The "Seventh Payment" will become due on Friday, April 10, 2026.

### 7 **III. STATUS OF PAYMENTS TO CLASS MEMBERS**

8 *See infra* Table 2 for a summary of Class participation and payments to Class Members.

#### 9 **A. \$1,000 Initial Payments**

10 As of March 12, 2024, ARCHER has received 7,815 Class Member Data Forms from the  
11 approximate 8,904 potential Class Members or their successors-in-interest or personal representatives  
12 (excluding those individuals who previously opted out of the class during the pendency of the litigation  
13 or those who have declined to participate in the settlement program subsequent to the Effective Date).  
14 This reflects a participation rate of **87.8%**. Now and then, ARCHER will receive a Class Member Data  
15 Form from previously nonresponsive Class Members or their personal representative(s). ARCHER has  
16 mailed \$1,000 Initial Payment checks to **7,769** Class Members or their successors-in-interest / personal  
17 representatives.

18 The inconsistency between the sum of Class Member Data Forms received by the Settlement  
19 Administrator (7,815) and the number of \$1,000 Initial Payments made to Class Members or their  
20 successors-in-interest / personal representatives (7,769) is the result of two principal issues: (1) the Class  
21 Member or successor-in-interest / personal representative has elected to forego receiving the payment,  
22 thus declining to participate and opting out of the settlement process; or (2) the Class Member's  
23 successor-in-interest / personal representative has failed to provide ARCHER with additional  
24 documentary information to confirm the personal representative's qualification to receive the payment  
25 (e.g., death certificate identifying next-of-kin, birth certificate demonstrating familial relationship, or  
26 estate documents satisfying the terms and conditions of the Stipulation of Class Action Settlement and  
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1 Release—the Settlement Administrator will take reasonable steps to verify the identity of the personal  
2 representative or successor-in-interest before sending any payment.<sup>2</sup>

3 **B. Past Damage Payments**

4 Approximately \$11,000,000 will be paid in Past Damages Payments to eligible  
5 Class Members and/or their heirs, such that the Past Damages Payments plus the  
6 Initial \$1,000 Payment will equal \$20,000,000.

7 See ¶ 3, Schedule A of Stipulation of Class Action Settlement Agreement and Release.

8 ARCHER has tendered Past Damages Payments to **2,368** eligible Class Members or their  
9 successors-in-interest / personal representatives.

10 As of February 28, 2024, ARCHER has distributed **\$18,010,290.57** in Damages Payments  
11 (Initial \$1,000 Payments and Past Damages Payments) to eligible Class Members or their personal  
12 representatives / successors-in-interest.

13 As to the balance of unclaimed funds from the \$1,000 Initial Payment(s) and Past Damages  
14 Payment(s), the Settlement Administrator shall cause to be transferred to the Supplemental Payment for  
15 the benefit of living class members upon the conclusion of ARCHER’s efforts to reissue stale checks  
16 and complete all outstanding payments. See Ex Parte Application re Closing Class, Disposition of  
17 Unclaimed Settlement Funds, Release of Attorneys’ Fees, and Order, July 20, 2021. After the entry of  
18 the Court’s Order of July 20, 2021, ARCHER held discussions with Petitioners and Class Counsel  
19 regarding Class Members who submitted a Class Member Data Form *after* April 10, 2022. Upon  
20 recommendations and directions of Petitioners, the Livermore Class Action Settlement Administration  
21 and Education Fund, Inc. (“LCASE”) Board of Directors, Class Counsel, and counsel to LCASE, with  
22 agreement by the Settlement Administrator, Class Members who submitted a Class Member Data Form  
23 after April 10, 2022, would remain eligible to receive their \$1,000 Initial Payment(s) and Past Damages  
24 Payment(s) (*if applicable*) for good cause shown.

25 ARCHER has tendered 348 \$1,000 Initial Payment(s) and 254 Past Damages Payment(s) post  
26 April 10, 2022. However, many of these payments were issued to Class Members or their personal

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27 <sup>2</sup> See Stipulation of Class Action Settlement and Release, V.A.12 (i.—vi).  
28

representatives / successors-in-interest who had submitted a Class Member Data Form prior to April 10, 2022, but payment was delayed as personal representatives gathered the necessary documentation to satisfy the Settlement Administrator’s verification standards. Moreover, many payments were reissued for stale checks that had been voided or cancelled by ARCHER because previous payments returned as undeliverable, the check was simply never negotiated, or the check payment was lost. While not necessarily atypical in a settlement program of this size, the payment reissue process for the Settlement Administrator has been a bit ambitious. This is likely the result of several factors including the number of deceased Class Members and the age of the Class.

TABLE 2 - CLASS PARTICIPATION & DAMAGES PAYMENTS TO CLASS MEMBERS OR PERSONAL REPRESENTATIVES	
PROSPECTIVE CLASS MEMBERS	8,904
CLASS MEMBER DATA FORMS RECEIVED BY SETTLEMENT ADMINISTRATOR	7,815
CLASS PARTICIPATION RATE	87.8%
TOTAL DAMAGES PAYMENTS AVAILABLE TO CLASS	\$20,000,000.00
TOTAL \$1,000 INITIAL PAYMENTS (7,769)	\$7,769,000.00
TOTAL PAST DAMAGES PAYMENTS	\$10,241,290.57
TOTAL DAMAGES PAYMENTS MADE TO CLASS	\$18,010,290.57
BALANCE OF DAMAGES PAYMENTS TO CLASS	\$1,989,709.43
\$1,000 INITIAL PAYMENTS MADE AFTER APRIL 10, 2022	\$348,000.00
PAST DAMAGES PAYMENTS MADE AFTER APRIL 10, 2022	\$690,943.71

Despite a near four-year effort to issue damages payments to Class Members or their personal representatives / successors-in-interest, alas, there remains work to be done. Current outstanding damages checks total \$29,922.99. In addition, damages payments in the amount of \$163,379.87 associated with 72 Class Members require further attempts by the Settlement Administrator to reissue previous distributions that have since been voided by ARCHER because the check disbursements have become exceedingly stale-dated. ARCHER is pending receipt of qualifying personal representative documentation for seven (7) deceased Class Members for which the Settlement Administrator has received a completed Class Member Data Form.

1 Subject to further discussions with the Court Monitor, Petitioners, LCASE, and Counsel,  
2 ARCHER shall propose reserving known outstanding \$1,000 Initial and Past Damages payments and  
3 thereupon “allocate unclaimed funds from the \$1,000 Initial Payment(s) and Past Damages Payment(s)  
4 to the Supplemental Payment for the benefit of living class members” by July 31, 2024, in accordance  
5 with the Ex Parte Application re Closing Class, Disposition of Unclaimed Settlement Funds, Release of  
6 Attorney’s Fees, and Order entered July 20, 2021. It should be emphasized, while on deposit in the  
7 QSF, these funds are accruing interest at a current annual percentage yield of 4.6025%.

### 8 C. Supplemental Payments

9 As characterized in the Parties’ Settlement Agreement, section V.A.3, in addition to costs of  
10 administration, the Initial \$1,000 Payments, and Past Damages, “Settlement Funds will be used to  
11 provide annual payments through the VEBA to Policy Holders going forward to provide a supplement to  
12 benefits provided by LLNS (or a Successor Contractor) for health care coverage or any benefit  
13 permissible under IRC§ 501(c)(9) ("Supplemental Payments").”

14 Livermore Class Action Settlement Administration and Education Fund, Inc., the employee  
15 organization which formed the VEBA, serves as the Plan Sponsor and Plan Administrator for the  
16 Livermore Class Action Settlement Administration and Education Fund, Inc., Retiree Health  
17 Reimbursement Arrangement (“LCASE HRA”).

18 Unlike the Initial \$1,000 Initial and Past Damages Payments, the Supplemental Payment is  
19 available *only to living, eligible* Class Members who submit requests for reimbursement to Via Benefits  
20 Insurance Services. Eligibility is determined by those Class Members who elect medical coverage as of  
21 the start of the plan year under one of the LLNS-sponsored plans.

22 For calendar year 2023, the LCASE HRA Settlement Supplement for participating, eligible Class  
23 Members equaled **\$3,285,491**. Over the course of the year, **\$1,660,526** was reimbursed to Class  
24 members for premium costs and eligible expenses as defined by §213(d) of the Internal Revenue Code.  
25 Since inception, the LCASE HRA has reimbursed more than **\$5,221,751** to Class Members and that  
26 number continues to increase daily. While reimbursements paid to Class Members or plan participants  
27 between years one and two of the LCASE HRA were approximately fifty percent (50%) of allocated  
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1 funds, the *participation* of eligible Class Members with access to the LCASE HRA is **92.0%**.<sup>3</sup> It is  
2 expected that as premiums continue to rise, Class Members will utilize plan reimbursements at a higher  
3 rate.

4 To summarize, at least **3,384** Class members have utilized the LCASE HRA Settlement  
5 Supplement, which has reimbursed more than **\$5,221,751** in eligible expenses to plan participants.

6 To remind and encourage plan participants to access their HRA funds for eligible expenses,  
7 twice yearly in the spring and fall, typically February and September, Via Benefits mails a “Balance  
8 Reminder” letter to any plan participant who has had no payment activity in the preceding 90 days.

9 Together with the Settlement Administrator’s retained actuarial and employee benefits experts,  
10 Phillips Consulting Partners, LLC (“Phillips”), ARCHER determined that Extend Health, LLC, d/b/a  
11 Via Benefits Insurance Services, remains best positioned to provide recordkeeping and administrative  
12 services for the Livermore Class Action Settlement Administration and Education Fund, Inc., Retiree  
13 Health Reimbursement Arrangement for calendar year 2024. The company is owned by human  
14 resources consulting firm Willis Towers Watson (“WTW”).

15 Via Benefits has been and continues to be promptly responsive engaging a large interdisciplinary  
16 team to address the needs and requests of the Settlement Administrator and its benefits experts. In  
17 conjunction with their experience in delivery with LLNS and the Class Member retiree population,  
18 WTW/Via Benefits continues to be the Settlement Administrator’s preferred partner with a team of  
19 implementation experts, data analysts, retiree plan specialists, operations staff, and in-house legal  
20 counsel.

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21  
22 <sup>3</sup> The Settlement Administrator’s Operative Class List (“OCL”) identifies 9,046 Class Members.  
23 Of that group, 3,921 have died, and 1,227 have never submitted a Class Member Data Form (and of this  
24 group, only 358 appear to be alive). An estimate of the eligible class for 2021 was 5,006 Members with  
25 4,464 Members participating (89.2%). In 2022, there were 4,912 Members eligible with 4,256  
26 participating (86.6%). For 2023 there are 4,794 eligible Members with 4,493 participating (93.7%). For  
27 2024 there are 4,696 eligible Members with 4,320 participating (92.0%). Eligible Members were  
28 estimated by taking the total OCL, excluding Members who have not returned a CMDF, Members who  
died, and Member dependents over the age of 26 (ineligible). It should be noted that if a plan participant  
does not submit claims for reimbursement, any remaining HRA Supplement rolls over into the following  
year and is available along with any future Supplement allocations.

1 Working with Phillips, the Settlement Administrator will continue to evaluate the performance of  
2 WTW/Via Benefits in its delivery of services and administration of the HRA, which was funded  
3 February 21, 2024. For calendar year 2024, the LCASE HRA Settlement Supplement for participating,  
4 eligible Class Members amounts to **\$3,136,495**. Since inception, the LCASE HRA has provided Class  
5 Members with **\$12,562,414** in available Supplemental Payments. Additional comments related to plan  
6 participant experience follows:

- 7       ▪ The LCASE HRA provides an option to allow plan participants to request  
8 recurring reimbursements by submitting documentation at the beginning of each  
9 year. Via Benefits will reimburse the premium shown each month until funds are  
10 exhausted. The claim form has a barcode, *which is specific to each member*.  
11 Class Members may download their individual form from the LCASE HRA  
12 website or call Via Benefits and have a representative send it by mail.
- 13       ▪ The Via Benefits Reimbursement Guide provides the details for how to submit  
14 claims, including by phone and by mail—  
15 ([https://app.viabenefits.com/static/cdn/documents/website/lcase/991009-200526-  
16 FundingGuide-LCASE-1.pdf](https://app.viabenefits.com/static/cdn/documents/website/lcase/991009-200526-FundingGuide-LCASE-1.pdf)). Anticipating the common need for assistance, this  
17 guide also advises that Class Members may assign an authorized representative to  
18 manage issues, claims, and related matters. This assignment can be completed by  
19 telephone or mail. Funds also remain available for reimbursement for six (6)  
20 months following a participant's death.
- 21       ▪ Remaining individual Class Member HRA funds from prior years will roll forward  
22 to pay expenses if current plan year contributions are exhausted. Funds remain in  
23 the allocated year unless needed to pay expenses in future years. There is no plan  
24 year expense submission deadline. The plan year is determined by the date of  
25 service not the date paid. *Reimbursement for prior year expenses is permitted if  
26 funds for that year remain available.*
- 27       ▪ Via Benefits determines reimbursement amounts based upon the Class Member's  
28 documentation to avoid duplicate payments for the same expense. A Class  
Member may *not* request a reimbursement for more or less than the amount  
indicated in Class Member's submitted documentation.

24 In conjunction with ARCHER, Phillips is currently in discussions with LCASE to conduct in-  
25 person meetings with LCASE HRA plan participants in Livermore, California in the coming weeks to  
26 survey plan participant experience and challenges with utilization and navigating reimbursement  
27 requirements through the LCASE HRA. Upon the conclusion of these meetings, Phillips will prepare an  
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1 executive summary and proposal for the Settlement Administrator and LCASE to engage a full-time  
2 benefits manager to perform Class Member outreach, counseling, and support to LCASE HRA plan  
3 participants to ensure the forward-looking objectives of this class settlement.

4 **D. VEBA Trust (University of California Livermore Retirees Health Insurance Trust)**

5 At December 31, 2023, the VEBA's investments included equity mutual funds diversified  
6 between domestic and foreign securities and among companies with small, mid, and large capitalization.  
7 At December 31, 2023, the VEBA also held fixed income mutual funds diversified by credit type and  
8 maturity and individual bonds diversified by maturity and issuer. At December 31, 2023, the VEBA's  
9 investments were allocated 4.34% to money market mutual funds, 45.52% to equities, and 50.14% to  
10 fixed income. In 2023 the VEBA received dividends and interest on VEBA investments of \$900,592.48  
11 and additionally earned \$144,088.66 of accrued income. During 2023, the VEBA's investment portfolio  
12 gained 8.45% net of investment management fees.

13 Stated above, the 2023 investment gains are calculated as net of investment management fees.  
14 Argent Trust Company was hired to invest VEBA assets and has charged a modest fee for that particular  
15 service. That fee for 2023 was \$44,028.22. But at the start of Argent's service as trustee, it was hired to  
16 perform a wide variety of other services for the VEBA completely unrelated to the investment of VEBA  
17 assets, and Argent has charged a fixed annual fee for those unrelated services. They have included  
18 holding VEBA assets in trust; making monthly distributions from the VEBA; maintaining records for  
19 recording contributions to the VEBA, investment gains and losses and distributions from the VEBA;  
20 preparing detailed VEBA trust statements, three quarterly and one annually; consulting with the  
21 VEBA's actuary throughout the year on actual assumptions to use in determining VEBA funding and  
22 the amount of distributions from the VEBA; consulting with the VEBA's outside legal counsel and  
23 others on various legal issues, including those dealing with government reporting and disclosure issues  
24 for the health reimbursement account (HRA) and the VEBA; preparing financial reports for the  
25 Settlement Administrator upon request; assisting and overseeing the VEBA auditor's filings with the  
26 Internal Revenue Service; and making monthly distributions to Willis Towers Watson which is the  
27 paying agent for the HRA. Because all of these services have nothing to do with Argent's investment of  
28



1 VEBA assets, Argent has not included the separate fixed fee paid to Argent for performing them in the  
2 calculation of the VEBA's investment performance net of investment management fees.

3 The VEBA balance as of December 31, 2022, was \$19,965,649.43. The VEBA balance as of  
4 December 31, 2023, was \$26,443,060.88. The difference between the two amounts is attributable to: (1)  
5 contributions to the VEBA from the LLNL Retiree QSF of \$7,250,000; (2) payments made to or for the  
6 benefit of the VEBA beneficiaries for retiree health care in the amount of \$2,262,301.25 (LCASE HRA  
7 contributions); (3) the VEBA's payment of Argent's trustee management fees in the aggregate amount  
8 of \$344,028.22; and (4) net gains and income on the investments as described in Table 5 below. Gains  
9 were caused by increases in equity valuations as fears of a recession caused by inflation and the  
10 increases in short term interest rates by the Federal Reserve subsided. Income on investments was  
11 earned from interest payments on bonds and dividend payments on equities. During 2023, \$2,000,000  
12 was transferred to a sub-account within the VEBA to facilitate investment in an individual equity  
13 strategy.

14 The VEBA's investment portfolio continues to benefit from higher interest rates as short-term  
15 cash investments earn yields in excess of 5% and additional investments in fixed income securities were  
16 made during the year at yields in excess of those originally projected. The VEBA benefited from  
17 continued weakness in equity prices through the first three quarters of the year as approximately half of  
18 the \$7,250,000 contributions to the VEBA during the year were invested in equity securities at lower  
19 attractive prices.

21 **TABLE 3 - VEBA TRUST LCASE HRA CONTRIBUTIONS**

22 DATE	DIRECTION	AMOUNT
23 March 2, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$817,383.67
24 April 4, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$285,838.25
25 May 2, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$134,458.16
26 June 2, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$140,064.66
27 July 5, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$135,984.41
28 August 2, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$94,561.87
September 5, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$117,533.21
October 4, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$125,435.04

November 2, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$244,418.67
December 4, 2023	PAID VIA WIRE ACCLARIS INC HRA	\$166,623.31
<b>TOTAL</b>		<b>\$2,262,301.25</b>

**TABLE 4 - VEBA TRUSTEE FEES 2023**

DATE	AMOUNT
December 2022	\$28,311.38
January 2023	\$28,421.51
February 2023	\$28,366.77
March 2023	\$28,232.18
April 2023	\$28,177.40
May 2023	\$28,093.14
June 2023	\$28,132.13
July 2023	\$29,379.13
August 2023	\$29,323.81
September 2023	\$29,222.31
October 2023	\$29,123.31
November 2023	\$29,245.15
<b>TOTAL</b>	<b>\$344,028.22</b>

**TABLE 5 - VEBA TRUST 2023 ANNUAL SUMMARY**

DATE	AMOUNT
MARKET VALUE AS OF JANUARY 1, 2023	\$19,965,649.43
OTHER CONTRIBUTIONS	\$7,250,000.00
DIVIDENDS	\$431,159.88
INTEREST	\$469,432.60
LESS BEGINNING ACCRUED INCOME	(\$82,775.07)
ACCRUED INCOME	\$144,088.66
TRANSFERS WITHIN TRUST	\$2,000,000.00
REALIZED GAIN OR LOSS	(\$274,335.08)
UNREALIZED GAIN OR LOSS	\$1,206,698.33
TRUSTEE/CUSTODIAN FEES (See infra Table 6 for historical)	(\$344,028.22)
SCHEDULE OF WIRE TRANSFERS	(\$2,262,301.25)
MISC. DISBURSEMENTS & REDUCTIONS (See infra Table 7)	(\$60,339.50)
TRANSFERS WITHIN TRUST	(\$2,000,000.00)
OTHER DISBURSEMENTS AND REDUCTIONS	(\$188.90)
<b>TOTAL</b>	<b>\$26,443,060.88</b>

TABLE 6 - VEBA TRUSTEE / CUSTODIAN FEES - HISTORICAL			
FEE TYPE	2021	2022	2023
Argent Fixed Monthly Trustee Fee (\$25,000/month/year)	\$100,000.00	\$300,000.00	\$300,000.00
Argent Variable Monthly Investment Fee (Total Per Annum)	\$5,509.48	\$32,417.58	\$44,028.22

TABLE 7 - VEBA TRUST MISC. DISBURSEMENTS & REDUCTIONS		
DATE	DIRECTION	AMOUNT
April 10, 2023	PAID VIA CHECK WITHUM SMITH+BROWN PC CLIENT #9109235 INV 1031646,1024735,1012935 INV 1000501, 988223, 977396	\$36,082.00
September 21, 2023	PAID VIA CHECK WITHUM SMITH+BROWN PC CLIENT #9109235 INV 1137762	\$4,981.00
October 16, 2023	PAID VIA CHECK WITHUM SMITH+BROWN PC	\$3,406.00
October 19, 2023	PAID VIA CHECK WITHUM SMITH+BROWN PC	\$8,783.00
November 20, 2023	PAID VIA CHECK WITHUM SMITH+BROWN PC CLIENT #9109235 INV 1166419	\$7,087.50
<b>TOTAL</b>		<b>\$60,339.50</b>

Subject to the limited investment opportunities available to the QSF Administrator, the VEBA Trustee, Settlement Administrator, and Phillips will continue to review the VEBA’s investment performance and broader market conditions to determine if future settlement fund contributions should remain within the QSF.

**IV. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA COMMENTS**

The Regents were provided with a draft of this Annual Report and provided no additions or comments since the contents of this Annual Report are outside of The Regents’ purview.

**V. CLASS COUNSEL COMMENTS**

Class Counsel (“Counsel”) circulated a draft Annual Report provided by ARCHER and made suggestions and comments on the draft.

**A. Class Member Participation in Supplemental Payments.**

1 Based on comments from the LCASE Board members (which includes Class Representatives),  
 2 Counsel notes that the primary focus of the Board and Counsel over the last several months has been to  
 3 increase the participation rate in the Supplemental Payment. Available data from Phillips Consulting  
 4 indicates the following as of 12/31/23:

Summary of Living Class Members & Supplement Payment			
1	Initial class size after opt-outs (living & deceased) as of settlement (12/20/19)	9,046	
2	Living class members (12/31/23)	5,125	
3	Living class members who returned CMDF (12/31/23)	4,767	93%
4	Living class members who have not returned CMDF (12/31/23)	358	7%
5	Living class members who returned CMDF and have access to the Supplemental Payment (12/31/23)	4,320	91%
6	Living class members who returned CMDF and have access to but are not accessing the Supp. Payment (12/31/23)	447	9%
7	Living class members who have not returned CMDF and are not accessing Supplement Payment (12/31/23)	805	17%

12 For the Living class members who *have* returned a CMDF and are accessing the Supplemental  
 13 Payment, all have elected a valid LLNS health care plan. Living class members who have not returned a  
 14 CMDF and/or have *not* elected coverage under an LLNS health care plan, are not receiving the  
 15 Supplemental Payment. Electing a LLNS health care plan is required to access the Supplemental  
 16 Payment. Living class members who submit a CMDF and elect coverage under a valid LLNS health  
 17 plan in the future will qualify for the Supplemental Payment on a going forward basis. (There are class  
 18 members who have not submitted a CMDF but do have an LLNS health care plan; these class members  
 19 do not have access to the Supplemental Payment.)

20 LCASE and Counsel suggest focusing on living class members who have not returned a Class  
 21 Member Data Form (358) and those who have returned a CMDF but are not accessing the Supplement  
 22 Payment (447).

23 Although it is possible that, as “premiums continue to rise, Class Members will utilize plan  
 24 reimbursements at a higher rate,” Report, p. 7, it is also possible that Class Members are not requesting  
 25 reimbursement due to frustration with the reimbursement process; or that both are occurring. LCASE  
 26 and Counsel are hopeful that ARCHER and Phillips Consulting will be able to provide more  
 27  
 28

1 information, *and* that more class members can be encouraged to fully participate in the Supplemental  
2 Payment.

3 **B. Improving Customer Service.**

4 Counsel and LCASE are encourage by reports from the Settlement Administrator that “Via  
5 Benefits has been and continues to be promptly responsive engaging a large interdisciplinary team to  
6 address the needs and requests of the Settlement Administrator and its benefits experts,” Report, p. 6, as  
7 well as reports of biweekly meeting between ARCHER and Via Benefits to address problem areas.  
8 LCASE board members have received anecdotal reports from class members about frustrations with the  
9 reimbursement process which Via Benefits administers and are hopeful that increased Benefit Counselor  
10 services will also address any ongoing concerns. (LCASE plans to forward a summary of their own  
11 experience and that of other class members to ARCHER and Phillips Consulting.).

12 LCASE and Counsel understand Phillips Consulting is working on a proposal to arrange in-  
13 person meetings with class members in Livermore, California “to survey plan participant experience and  
14 challenges with utilization and navigating reimbursement requirements through the LCASE HRA.”  
15 LCASE also looks forward to more discussion of an idea already discussed with ARCHER and Phillips  
16 Consulting -- hiring one or more professionals along the lines of “patient advocates” – before  
17 proceeding with in-person interviews.

18 Counsel notes that, although LCASE board members continue to receive anecdotal reports of  
19 frustration with the reimbursement process, all reports to Counsel regarding services provided by  
20 ARCHER and Phillips Consulting have been satisfactory or better.

21 Counsel and LCASE would like to see a proposal to create a “safe place” where class members  
22 can seek and receive prompt and competent assistance *at any time* they are experiencing difficulties or  
23 frustrations with Via Benefits, Empyrean or LLNS. Counsel appreciate ARCHER and Phillips  
24 Consulting pointing out that it is not realistic to expect frustrations inherent in the health care system –  
25 especially those over which Via Benefits, Empyrean and LLNS have no control – to solved. However,  
26 LCASE and Counsel are hopeful that improvements can be made in providing full and prompt access to  
27 the (tax-deductible) Supplement Payment for all eligible class members.

1           **C. Information re Health Care Plans (Open Enrollment).**

2           Counsel and LCASE want to ensure that the rates for health care plans are available from Via  
3 Benefits, Emyprean and LLNS *prior to* Open Enrollment. There were complaints from class  
4 representatives and others that rates were not readily available prior to Open Enrollment in the fall of  
5 2023. Counsel and LCASE are aware that ARCHER and Phillips Consulting do not have control over  
6 when Via Benefits, Emyprean or LLNS make rates available but encourage ARCHER to continue its  
7 efforts to make plan rates available in advance of Open Enrollment.

8 **VI. QUALIFIED SETTLEMENT FUND BALANCE REPORT**

9           As of February 7, 2024, the LLNL Retiree Qualified Settlement Fund Balance Report reflects  
10 **\$6,935,044.33**, excluding undistributed attorneys' fees in the LLNL Retiree Settlement Attorneys' Fees  
11 Sub-Account. The Regents Payment for Benefits Counseling Services reflects a balance of  
12 **\$3,983,961.25**. The QSF Balance Report is reconciled monthly upon delivery of the custodial bank  
13 statements reflecting monthly debit (i.e., Class Member distributions, fees and expense remuneration in  
14 the form of administrative costs) and credit history (i.e., contributions, interest income). Full backing  
15 support, including detailed invoices, bank statements, and the QSF Balance Report will be made  
16 available for review upon request.

17

18 **TABLE 8 - LLNL RETIREE QSF BALANCE REPORT DECEMBER 31, 2023**

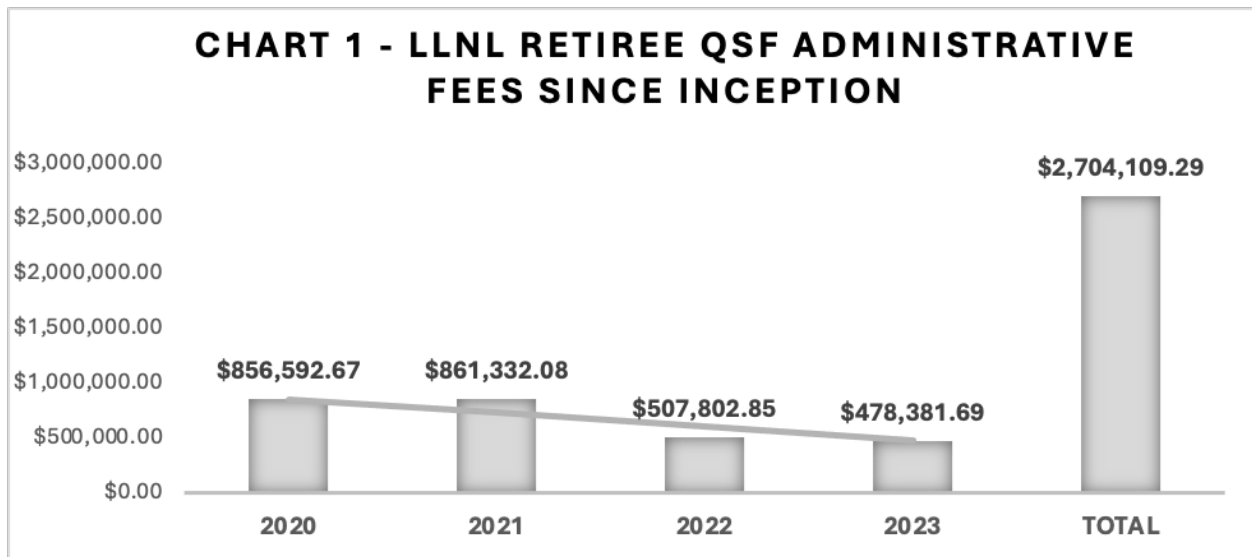
TRANCHE	AMOUNT
ADMINISTRATIVE (ACCRUED INTEREST)	\$157,956.08
BENEFITS (COUNSELING SERVICES)	\$3,983,961.25
CLAIMANT (REGENT PAYMENTS EXCLUDING DAMAGES)	\$767,650.77
CLAIMANT DAMAGES (REGENT PAYMENTS RESERVED FOR DAMAGES PAYMENTS)	\$2,025,476.23
<b>TOTAL</b>	<b>\$6,935,044.33</b>

23

24           Annual administrative and benefits counseling costs for 2023 (January 1—December 31) are  
25 provided in Table 9 immediately below.

<b>TABLE 9 - LLNL RETIREE QSF 2023 ANNUAL ADMINISTRATIVE &amp; BENEFITS COUNSELING COSTS</b>	
<b>VENDOR</b>	<b>AMOUNT</b>
ARCHER SYSTEMS, LLC	\$56,857.90
PHILLIPS CONSULTING PARTNERS, LLC	\$66,057.50
EXTEND HEALTH LLC (LCASE HRA SERVICE)	\$145,392.00
LCASE EXPENSE REIMBURSEMENTS	\$208,769.29
CA FIDUCIARY INCOME TAX RETURN FORM 541	\$725.00
SETTLEMENT WEBSITE MAINTENANCE AND UPDATES	\$580.00
<b>TOTAL</b>	<b>\$478,381.69</b>
PHILLIPS CONSULTING PARTNERS, LLC (BENEFITS COUNSELING) TOTAL	\$16,038.75

Chart 1 reflects both the declining cost burden and administrative fees summary related to the settlement program, and the implementation and coordination of the LCASE HRA.



**VII. COURT MONITOR COMMENTS**

I encourage the effort to conduct interviews of class members. I also approve of the discussion of creating a “safe place” (perhaps a hotline) where class members can report their experiences in accessing benefits, with the understanding that Via Benefits, Empyrean and LLNS may have no control or ability to solve problems endemic to the healthcare system. In view of the aging class membership, a

1 record of the anecdotal experiences of class members would undoubtedly inform efficient class member  
2 access to benefits.

3 Date: May 22, 2024



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Blake A. Deady  
President & General Counsel  
ARCHER Systems, LLC

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15 Attorneys for Petitioners and Class

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
18 COUNTY OF ALAMEDA

19 Donna Ventura, Gregory M. Bianchini, Alan Hindmarsh,  
Calvin Wood and Sharon Wood, on behalf of Themselves  
20 and Others Similarly Situated,

21 Petitioners,

22 v.

23 Regents of University of California,

24 Respondents.

No. RG 10530492

**SUPPLEMENTAL FILING RE UP-  
DATED DATA OF CLASS MEMBERS'  
USE OF SUPPLEMENTAL PAYMENT**

Reservation ID: 439207405419

25 \_\_\_\_\_ /  
Date: 8/20/24  
Time: 1:30 PM  
26 Dept: 21

Hon. Noel Wise

1 A hearing regarding the 2023 Annual Report of Settlement Administrator ARCHER  
2 Systems is scheduled for August 20, 2024, at 1:30 PM. The Annual Report contains data relating  
3 to class members' use of the Supplemental Benefit that was accurate through December 31,  
4 2023. Attached hereto as **Exhibit A** is a Memorandum to Court Monitor Justice James Lambden  
5 which updates data in a table that appears on page 13 of the Annual Report. The updated data  
6 may be helpful to the Court for the hearing.

7 Dated: 8/16/24

8 

9 Andrew Thomas Sinclair  
10 Counsel for Petitioners and Class  
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**MEMORANDUM**

To: Hon. James Lambden  
Court Monitor  
*Requa v. Regents of UC*  
Alameda Superior Court No. RG 10530492

Fr: Andrew Thomas Sinclair  
Kathleen V. Fisher  
Dov M. Grunschlag

cc: Jennifer Romano  
Norman Hamill  
Blake Deady

Date: August 16, 2024

We have an update regarding data including with the Class Counsel Comments in the 2023 Annual Report (pp. 12-14). This may be helpful for the hearing with Judge Noel Wise on August 20, 2024.

Class Members’ Use of Supplemental Payment

We asked Phillips Consulting Partners (PCP) for an update of the data in the table on p. 13 of the Report (“Summary of Living Class Members & Supplement Payment”). The data in the Report was accurate through December 31, 2023. We asked PCP for updated data through June 30, 2024.

PCP recommended a slight revision to the description of the data in the table and approved the following table comparing the data in the Annual Report with data through June 30, 2024:

<b>Summary of Living Class Members &amp; Supplemental Payment</b>			
		<b>12/31/23</b>	<b>6/30/24</b>
1	Initial class size after opt-outs (living & deceased) as of settlement (12/20/19)	9,046	9,047
2	Living class members	5,125	5,070
3	Living class members who returned CMDF	4,767	4,713
4	Living class members who have not returned CMDF so do not have access to Supplemental Payments	358	357
5	Living class members who returned CMDF and have access to Supplemental Payments	4,320	4,426

We also asked PCP for a breakdown of the extent to which living class members *who have access* to the Supplemental Payment are actually *using* this benefit. (Please note that 357 class members have not returned a Class Member Data Form (CMDF) and so do not have access the Supplemental Payment.)

The data for class members who are receiving supplements is shown in quartiles below and indicates that almost 40% of the recipients use 25% or less of the supplements.

Summary of 4,426 Living Class Members and their Supplement Payment Utilization			
1	Class members who have used 100% of their Supplement allocation	680	15%
2	Class members who have used between 75% and 99% of their Supplement allocation	621	14%
3	Class members who have used between 50% and 75% of their Supplement allocation	986	22%
4	Class members who have used between 25% and 50% of their Supplement allocation	395	9%
5	Class members who have used between 1% and 25% of their Supplement allocation	680	15%
6	Class members who have not used any (0%) of their Supplement allocation	1,064	24%

Supplemental Payments that are not accessed in one calendar year roll over the next calendar year and may be used for approved health care expenses that occur in that year (and for an expense in which there are funds remaining *for that year*).

Thus, it is possible that class members are “storing up” Supplemental Payment funds to use after using their LLNS Supplement; or are saving it for *future* health care costs. It is also possible that class members are not making full use of their Supplemental Payment due to frustration with the reimbursement process.

This is a question that we plan to begin answering with enhanced class member services through the Benefit Counselor Fund.

#### Benefit Counselor Fund

Phillips Consulting reports encouraging discussions with a third-part provider that can provide “a ‘safe place’ where class members can seek and receive prompt and competent assistance at any time they are experiencing difficulties or frustrations with Via Benefits, Empyrean or LLNS.” Annual Report, p. 14.

It has been challenging to find a third-party provider. Typically, such companies operate on a commission rather than a fee-for-service basis. PCP has had encouraging discussions with at least one company that may be willing to take on the task of assisting class members. We are hopeful that this will lead to an agreement as soon as it is feasible to do so.

If an agreement can be worked out, the next step will be to develop a plan to inform class members of this service in a way that reaches as many people as possible. This will likely involve a multifaceted approach. We will likely ask for your guidance and support once a plan is developed.

#### Providing Update to Judge Wise

We will submit this Memorandum to Judge Wise so that it is available for the hearing on August 20, 2024.

Electronically Received 09/24/2024 03:24 PM

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20 Tel: (415) 874-3008  
21 Kfisher@kvflo.com

22 Attorneys for Petitioners and Class

23 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
24 COUNTY OF ALAMEDA

25 Donna Ventura, Gregory M. Bianchini, Alan Hindmarsh,  
26 Calvin Wood and Sharon Wood, on behalf of Themselves  
27 and Others Similarly Situated,

28 Petitioners,

v.

Regents of University of California,

Respondents.

**FILED**  
Superior Court of California  
County of Alameda  
09/27/2024

Clerk of the Court  
By: Nicole Hall Deputy  
N. Hall

No. RG 10530492

**Stipulation and Order After Hearing  
on 2023 Annual Report of  
Settlement Administrator**

**Class Action**

**Hon. Noel Wise**

Ventura, et al. v. Regents of Univ. of Cal. et al., No. RG 10530492

Stipulation and Order After Hearing on Annual Report

1 This matter came on for hearing in Department 21 of the Alameda County Superior  
2 Court on August 20, 2024, the Hon. Noel Wise presiding. Andrew Thomas Sinclair, Kathleen V.  
3 Fisher and Dov M. Grunschlag appeared for Petitioners and the Class. Jennifer Romano and  
4 Norman Hamill appeared for The Regents. Blake Deady appeared for Settlement Administrator  
5 ARCHER Systems. The hearing was also attended by Court Monitor Hon. James Lambden.

6 Pursuant to the Stipulation and Order filed June 11, 2024, the Court reviewed the 2023  
7 Annual Report of Settlement Administrator ARCHER Systems dated May 22, 2024. A draft of the  
8 report was provided to the Court Monitor, Class Counsel and Counsel for The Regents before it  
9 was finalized. Comments if any were incorporated into the Report before it was provided to the  
10 Court for review.

11 The Court finds that the parties, the Settlement Administrator and the Court Monitor  
12 are proceeding in the manner contemplated by the Final Approval Order, which incorporates  
13 the parties' Settlement Agreement (Stipulation of Class Action Settlement and Release) "as if  
14 explicitly set forth herein and shall have the full force and effect of an order of this Court." Final  
15 Approval Order (4/10/24), ¶ 10.

16 All parties agree, and the Court finds, that significant progress has been made in  
17 implementing the Final Approval Order.

18 The Court notes and approves comments by the Court Monitor "encourage[ing] the  
19 effort to conduct interviews of class members" and approving efforts to create "a 'safe place'  
20 (perhaps a hotline) where class members can report their experiences in accessing benefits,  
21 ~~with the understanding that Via Benefits, Emphyrean and LLNS may have no control or ability to~~  
22 ~~solve problems endemic to the healthcare system.~~ In view of the aging class membership, a  
23 record of the anecdotal experiences of class members would undoubtedly inform efficient class  
24 member access to benefits." See Court Monitor Comments, Report, pp. 16-17.

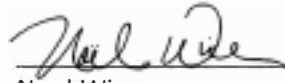
25 A hearing with regard to the 2024 Annual Report is set for April 28, 2025, at 2:30 PM. A  
26 Case Management Statement updating the Court shall be filed on or before 15 calendar days in  
27 advance.

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The Court is available to resolve any issues that may arise before that time.

Date: 09/27/2024

  
\_\_\_\_\_  
Noel Wise  
Judge of the Superior Court  
**Noel Wise / Judge**

Approved as to form.

Date: 8/26/24

  
\_\_\_\_\_  
Andrew Thomas Sinclair  
Attorney for Petitioners and Class

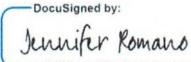
Date: 8/26/24

  
\_\_\_\_\_  
Kathleen V. Fisher  
Attorney for Petitioners and Class


Date: 8/26/24

  
\_\_\_\_\_  
Dov M. Grunschlag  
Attorney for Petitioners and Class

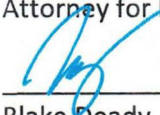
Date: 8/26/2024

DocuSigned by:  
  
\_\_\_\_\_  
Jennifer Romano  
Attorney for Regents of Univ. of California


Date: 8/26/2024

DocuSigned by:  
  
\_\_\_\_\_  
Norman Hamill  
Attorney for Regents of Univ. of California

Date: 8/22/2024

  
\_\_\_\_\_  
Blake Deady  
President & General Counsel  
ARCHER Systems, LLC

Date: 8/22/24

  
\_\_\_\_\_  
Hon. James Lambden  
Court Monitor

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</b>	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<b>FILED</b> Superior Court of California County of Alameda 10/03/2024
PLAINTIFF/PETITIONER: Joe Requa et al	Chad Finke, Executive Officer / Clerk of the Court By: <u>Nicole Hall</u> Deputy N. Hall
DEFENDANT/RESPONDENT: The Regents of the University of California	
<b>CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6</b>	CASE NUMBER: RG10530492

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Stipulation and Order Stipulation and Order after Hearing on 2023 Annual Report of Settlement Administrator (revised) entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

Andrew Thomas Sinclair  
Sinclair Law Office  
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FISHER V. KATHLEEN  
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Dated: 10/03/2024

Chad Finke, Executive Officer / Clerk of the Court

By:

*Nicole Hall*

N. Hall, Deputy Clerk



<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</b>	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<b>FILED</b> Superior Court of California County of Alameda 10/03/2024
PLAINTIFF/PETITIONER: Joe Requa et al	Chad Finke, Executive Officer / Clerk of the Court By: <u><i>Nicole Hall</i></u> Deputy N. Hall
DEFENDANT/RESPONDENT: The Regents of the University of California	
<b>CERTIFICATE OF MAILING</b>	CASE NUMBER: RG10530492

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the attached document upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Oakland, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

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**CERTIFICATE OF MAILING**