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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

DELAINE PHILLIPS, individually, and on
behalf of other members of the general public
similarly situated;

Plaintiff,

v.

PENUMBRA, INC., a Delaware corporation;
and DOES 1 through 100, inclusive;

Defendants.

Case No.: 23CV030740

Assigned for All Purposes to:
Honorable Brad Seligman
Department 22

CLASS ACTION

**SECOND SUPPLEMENTAL BRIEF IN
SUPPORT OF PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Second Supplemental Declaration of
Proposed Class Counsel (Douglas Han); and
[Proposed] Further Amended Order filed
concurrently herewith]

Hearing Date: October 15, 2024
Hearing Time: 3:00 p.m.
Hearing Place: Department 22

Complaint Filed: April 7, 2023
FAC Filed: November 6, 2023
SAC Filed: May 7, 2024
TAC Filed: August 20, 2024
Trial Date: None Set

Plaintiff Delane Phillips (“Plaintiff”) provide this supplemental submission in response to the Court’s ruling regarding the Motion for Preliminary Approval originally scheduled for September 3, 2024 at 3:00 p.m. At the original Preliminary Approval Hearing, the Court continued the Preliminary Approval Hearing to October 15, 2024 at 3:00 p.m. to give the Parties time to modify the settlement documents.

The chart below lists each of the Court’s issues and the revisions/submissions made to address each issue.

Ruling	Revisions/Submissions
(1) The Scope of the Released PAGA Claims.	The Settlement Agreement has been amended accordingly. (Supplemental Declaration of Douglas Han in Support of Motion for Preliminary Approval of Class Action Settlement (“Supp. Han Decl.”), ¶ 4; Exhibit 1, § E(3).) The Class Notice was modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 5; Exhibit 3, § 3(11)(a).)
(2) Class Period and PAGA Period.	The Settlement Agreement has been amended accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 6; Exhibit 1, §§ A(12), A(34).)

The Class Notice was modified accordingly.

(Supp Han Decl., *supra*, at ¶ 7; Exhibit 3, p. 1.)

Dated: September 24, 2024

JUSTICE LAW CORPORATION

By: 
Douglas Han

Attorney for Plaintiff

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