

DOUGLAS HAN (SBN 232858)
SHUNT TATAVOS-GHARAJEH (SBN 272164)
HAIG HOGDANIAN (SBN 334699)
JUSTICE LAW CORPORATION
751 N. Fair Oaks Avenue, Suite 101
Pasadena, California 91103
Telephone: (818) 230-7502
Facsimile: (818) 230-7259

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

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

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

Hearing Date: September 3, 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 tentative ruling regarding the Motion for Preliminary Approval originally scheduled for August 20, 2024 at 3:00 p.m. At the original Preliminary Approval Hearing, the Court continued the Preliminary Approval Hearing to September 3, 2024 at 3:00 p.m. to give the Parties time to modify the settlement documents and to file the Third Amended Complaint pursuant to the tentative ruling.

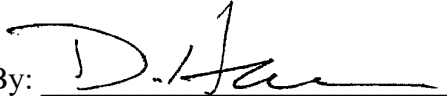
The chart below lists each of the Court’s issues and the revisions/submissions made to address each issue.

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.”), ¶¶ 3, 4; Exhibit 2, §§ A(29), B(7), E(3).) The Class Notice was modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 6; Exhibit 4, § 3(11)(a).)
(2) Escalator Clause Flows Better and More Accurately.	The Settlement Agreement has been amended accordingly.

(Supp Han Decl., *supra*, at ¶ 5; Exhibit 2, §
H.)

Dated: September 3, 2024

JUSTICE LAW CORPORATION

By: 
Douglas Han
Attorney for Plaintiff

**PROOF OF SERVICE
1013A(3) CCP**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 751 N. Fair Oaks Avenue, Suite 101, Pasadena, CA 91103 and my electronic service address is mluna@justicelawcorp.com

On September 3, 2024, I served the foregoing document described as

SUPPLEMENTAL BRIEF IN SUPPORT OF PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

for the following case: **Phillips v. Penumbra, Inc.**
LWDA/Court Case No.: **LWDA Case No.: CM-932949-23**
Court Case No.: 23CV030740
Alameda County Superior Court

on interested parties in this action by electronically submitting as follows:

State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

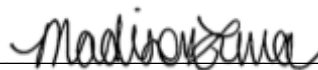
[X] BY ELECTRONIC SUBMISSION

Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[X] STATE

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 3, 2024, at Pasadena, California.



Madison Luna