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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

TAMMY HALLORAN and KENNETH ATIENZA, individually, and on behalf of other similarly situated employees,

Plaintiffs,

vs.

GENOMIC HEALTH, INC.; EXACT SCIENCES CORPORATION; and DOES 1 through 25, inclusive,

Defendants.

Case No.: 26-CIV-03130

Assigned for all purposes to the Honorable Mark A. McCannon, Dept. 2

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

Date:	June 17, 2027
Time:	2:00 p.m.
Dept.:	2
Complaint Filed:	April 22, 2026
Trial Date:	Not Set

[PROPOSED] ORDER

On June 17, 2027 at 2:00 p.m. in Department 2, Courtroom K, of the above-captioned Court located at 1050 Mission Road, South San Francisco, California 94080, Plaintiffs Tammy Halloran and Kenneth Atienza's ("Plaintiffs") Motion for Preliminary Approval of Class Action and PAGA Settlement came on for hearing before the Honorable Mark A. McCannon. Blackstone Law, APC appeared on behalf of Plaintiffs, and Morgan, Lewis & Bockius LLP appeared on behalf of Defendants Genomic Health, Inc. and Exact Sciences Corporation ("Defendants").

The Court, having carefully considered the papers, argument of counsel, and all matters presented to the Court, and good cause appearing, hereby **GRANTS** Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.

IT IS HEREBY ORDERED THAT:

1. The Court preliminarily approves the Stipulation of Class and PAGA Representative Action Settlement ("Settlement" or "Settlement Agreement") attached as Exhibit 3 to the Declaration of Annabel Blanchard in Support of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement. This preliminary approval is based on the Court's determination that the Settlement falls within the range of possible approval as fair, adequate, and reasonable.

2. This Order incorporates by reference the definitions in the Settlement Agreement, and all capitalized terms defined therein shall have the same meaning in this Order as set forth in the Settlement Agreement.

3. It appears to the Court on a preliminary basis that the Settlement is fair, adequate, and reasonable. It appears to the Court that sufficient investigation, discovery, analysis, and research have been conducted such that counsel for the Parties are able to reasonably evaluate their respective positions. It further appears to the Court that the Settlement will avoid substantial additional costs to all Parties, as well as the delay and risks that would be presented by further prosecution of the Action. It also appears that the Settlement was reached as the result of serious, informed, non-collusive, arm's-length negotiations, and was entered into in good faith.

4. The Court preliminarily finds that the Settlement, including the allocations for attorneys' fees and costs, Enhancement Awards, the LWDA PAGA Payment, Settlement Administration Costs, Individual Settlement Payments to Participating Class Members, and Individual

PAGA Payments to PAGA Members provided for in the Settlement Agreement, appears to be within the range of reasonableness of a settlement that could ultimately be given final approval by this Court. The Court has reviewed the monetary recovery being made available through the Settlement and preliminarily finds that the monetary settlement awards made available to Participating Class Members and PAGA Members are fair, adequate, and reasonable when balanced against the probable outcome of further litigation relating to certification, manageability, liability, damages, penalties, and appellate risks, and are consistent with the requirements of California Labor Code section § 2699(e)(1).

5. The Court concludes that, for settlement purposes only, the proposed Settlement Class meets the requirements for certification under section 382 of the California Code of Civil Procedure in that: (a) the Settlement Class is ascertainable and so numerous that joinder of all members of the Settlement Class is impracticable; (b) common questions of law and fact predominate, and there is a well-defined community of interest among the members of the Settlement Class with respect to the subject matter of the litigation; (c) Plaintiffs' claims are typical of the claims of the members of the Settlement Class; (d) Plaintiffs will fairly and adequately protect the interests of the members of the Settlement Class; (e) a class action is superior to other available methods for the efficient adjudication of the controversy; and (f) Class Counsel is qualified to act as counsel for Plaintiffs in their individual capacities and as representatives of the Settlement Class.

6. The Court conditionally certifies, for settlement purposes only, the Settlement Class, defined as follows:

> All current and former hourly-paid and/or non-exempt employees who worked for either Genomic Health, Inc. or Exact Sciences Corporation in the State of California during the Class Settlement Period.
>
> (The Class Period is defined as the period from May 14, 2021 through April 20, 2026.)

7. The Court provisionally appoints Jonathan M. Genish, Sage S. Stone, Zach T. Gershman, Annabel Blanchard and Alexandra Rose of Blackstone Law, APC as counsel for the Class ("Class Counsel").

8. The Court provisionally appoints Plaintiffs Tammy Halloran and Kenneth Atienza as the representatives of the Settlement Class ("Class Representatives").

9. The Court provisionally appoints Apex Class Action LLC to handle the administration of the Settlement ("Settlement Administrator").

10. Within fourteen (14) calendar days after Plaintiffs serve Defendants with a signed copy of this Order, Defendants will provide the Settlement Administrator with the Class Data for each Settlement Class Member, including each Settlement Class Member's name, last known mailing address, Social Security number, and number of Eligible Workweeks and Eligible Pay Periods, or data sufficient for the Settlement Administrator to determine Eligible Workweeks and Eligible Pay Periods, in conformity with the Settlement Agreement.

11. The Court approves, both as to form and content, the Notice of Settlement ("Class Notice") attached to the Settlement Agreement as Exhibit 1. The Class Notice shall be provided to Settlement Class Members in the manner set forth in the Settlement Agreement. The Court finds that the Class Notice appears to fully and accurately inform Settlement Class Members of all material elements of the Settlement, their right to be excluded from the class portion of the Settlement by submitting an Opt-Out Request, their right to dispute the Eligible Workweeks and/or Eligible Pay Periods credited to them by submitting a dispute, and each Participating Class Member's right and opportunity to object to the Settlement. The Court further finds that distribution of the Class Notice substantially in the manner and form set forth in the Settlement Agreement and this Order, and all other dates set forth in the Settlement Agreement and this Order, meet the requirements of due process and constitute due and sufficient notice to all persons entitled thereto. The Court further orders the Settlement Administrator to mail the Class Notice in English by First-Class U.S. Mail to all Settlement Class Members within fourteen (14) calendar days of receipt of the Class Data, pursuant to the terms set forth in the Settlement Agreement.

12. The Court hereby preliminarily approves the proposed procedure, set forth in the Settlement Agreement, for seeking exclusion from the class portion of the Settlement. Any Settlement Class Member, except the Class Representatives, may choose to be excluded from the class portion of the Settlement by submitting an Opt-Out Request in conformity with the requirements set forth in the Class Notice to the Settlement Administrator, postmarked on or before the date that is forty-five (45) calendar days from the initial mailing of the Class Notice by the Settlement Administrator to

Settlement Class Members ("Response Deadline"). For any Settlement Class Member whose Class Notice is re-mailed after being returned as undeliverable, the Response Deadline shall be extended by fourteen (14) calendar days. Any person who timely and validly opts out of, and is excluded from, the class portion of the Settlement will not be entitled to receive an Individual Settlement Payment, will not be bound by the Participating Class Member Release, and will not have any right to object to the Settlement. Nevertheless, all PAGA Members will be bound by the PAGA portion of the Settlement and will be issued their Individual PAGA Payments, irrespective of whether they submit an Opt-Out Request. Settlement Class Members who do not submit a timely and valid Opt-Out Request shall become Participating Class Members and shall be bound by the Settlement Agreement and any final judgment based thereon.

13. A Final Approval Hearing shall be held before this Court on _____ at _____ a.m./p.m. in Department 2, Courtroom K, of the San Mateo County Superior Court, located at 1050 Mission Road, South San Francisco, California 94080, to determine all necessary matters concerning the Settlement, including whether: the proposed settlement of the Action on the terms and conditions provided for in the Settlement is fair, adequate, and reasonable and should be finally approved by the Court; judgment should be entered as provided in the Settlement; the allocation and distribution plan contained in the Settlement should be approved as fair, adequate, and reasonable to Participating Class Members and PAGA Members; and the requests for attorneys' fees and costs, Enhancement Awards, Settlement Administration Costs, and the PAGA Payment should be approved.

14. Class Counsel shall file a motion for final approval of the Settlement and for attorneys' fees and costs, Enhancement Awards, Settlement Administration Costs, and approval of the PAGA Payment, along with the appropriate declarations and supporting evidence, including the Settlement Administrator's declaration, by _____, to be heard at the Final Approval Hearing.

15. To object to the Settlement, a Participating Class Member must submit any written objection to the Settlement Administrator on or before the Response Deadline. The written objection should include the case name and number, the Participating Class Member's name and address, the

reason or reasons for the objection, and any documents upon which the objection is based, as set forth in the Class Notice. Participating Class Members, individually or through counsel, may also present objections orally at the Final Approval Hearing, regardless of whether they submitted a written objection.

16. In the event the Settlement does not become effective in accordance with the terms of the Settlement Agreement, is not finally approved, is terminated, is canceled, or fails to become effective for any reason, this Order shall be rendered null and void and vacated, and the Parties shall revert to their respective positions as of immediately before entering into the Settlement Agreement. The fact that the Court certified the Settlement Class for settlement purposes shall not be admissible or have any bearing on whether any class should be certified in a non-settlement context.

17. The Court reserves the right to adjourn or continue the date of the Final Approval Hearing and any dates provided for in the Settlement Agreement without further notice to Settlement Class Members and retains jurisdiction to consider all further applications arising out of or connected with the Settlement.

IT IS SO ORDERED.

Dated: _____

_____
Honorable Mark A. McCannon
Judge of the Superior Court