(Counsel listed on the next page)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

EUGENE DELA PENA, an individual; on behalf of himself and all others similarly situated and the general public,

Plaintiffs,

v.

RENAL ADVANTAGE, INC., a Delaware corporation; and DOES 1 to 100, inclusive,

Defendants.

Case No. 3:24-cv-8649-JD

[PROPOSED] ORDER:

(1) PRELIMINARILY APPROVING PROPOSED SETTLEMENT;

(2) CONDITIONALLY CERTIFYING SETTLEMENT CLASS;

(3) APPOINTING CLASS REPRESENTATIVE, CLASS COUNSEL, AND SETTLEMENT ADMINISTRATOR;

(4) APPROVING CLASS NOTICE AND RELATED MATERIALS; AND

(5) SETTING HEARING FOR FINAL APPROVAL OF SETTLEMENT

Date:	June 11, 2026
Time:	11:00 a.m.
Location:	Courtroom 11, 19th Floor
Removal Filed:	December 2, 2024
Trial Date:	January 25, 2027
Judge:	Hon. James Donato

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RENAL ADVANTAGE, INC.

The joint motion of plaintiff Eugene Dela Pena ("Plaintiff") and defendant Renal Advantage, Inc. ("Defendant" or "RAI") (together, the "Parties") for Preliminary Approval of Class Action Settlement (the "Motion") came on regularly for hearing before this Court on June 11, 2026 at 11:00 a.m. The Court, having considered the proposed Settlement Agreement (the "Settlement"), attached as Exhibit A to the Declaration of Aaron A. Bartz filed concurrently with the Motion; having considered the Motion, Memorandum of Points and Authorities in support thereof, and supporting declarations filed therewith, and any argument presented at the hearing on the Motion; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Approval Hearing. For purposes of the Settlement only, the Court finds that the proposed Class meets the prerequisites of Rule 23 of the Federal Rule of Civil Procedure, in that (a) the Class certified herein consists of approximately 1,963 individuals, and joinder of all such persons would be impracticable, (b) there are questions of law and fact that are common to the Class, and those questions of law and fact common to the Class predominate over any questions affecting any individual Class Member; (c) the claims of Plaintiff are typical of the claims of the Class he seeks to represent for purposes of settlement; (d) a class action on behalf of the Class is superior to other available means of adjudicating this dispute; and (e) Plaintiff and Class Counsel are adequate representatives of the Class. Therefore, for settlement purposes only, the Court grants conditional certification of the Class, which is defined as follows:

> All current and former employees who worked for RAI in a non-exempt position in California at any time from October 15, 2020 through the date of preliminary approval.

2. For purposes of the Settlement, the Court designates plaintiff Eugene Dela Pena as Class Representative, and designates Aaron A. Bartz of Bartz Law Group, APC and Walter L. Haines and Peggy J. Reali of United Employees Law Group, PC as Class Counsel.

3. The Court approves, as to form and content, the Court Approved Notice of Class Action Settlement and Hearing Date for Final Approval ("Class Notice"), attached as Exhibit D to the Declaration of Aaron A. Bartz filed concurrently with the Motion Settlement.

4. The Court finds that the form of notice to the Class Members regarding the pendency of the action and of the Settlement, and the methods of giving notice to Class Members, constitute the best notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all Settlement Class members. The form and method of giving notice complies fully with the requirements of Rule 23(c)(2) of the Federal Rule of Civil Procedure, the United States Constitution, and other applicable law.

5. The Court further approves the procedures for Class Members to opt out of or object to the Settlement, as set forth in the Class Notice.

6. The procedures and requirements for filing objections in connection with the Final Approval Hearing are intended to ensure the efficient administration of justice and the orderly presentation of any Class Member's objection to the Settlement, in accordance with the due process rights of all Settlement Class members.

7. The Court designates Apex Class Action Administration as the third-party Settlement Administrator for mailing notices.

8. The Court directs the Settlement Administrator to mail the Class Notice Packet to the Class Members in accordance with the terms of the Settlement.

9. The Notice shall provide at least 45 calendar days' notice from the date of initial mailing for Class Members to object to the Settlement, opt out of the Settlement, or submit disputes regarding the information shown on their Class Notices.

10. The Final Approval Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Courtroom 11, 19th Floor, of this Court, located at 450 Golden Gate Avenue, San Francisco, CA 94102, on _____, 2027 at ____:____ a.m. / p.m.

11. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment

granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, representative payment to Plaintiff, and settlement administration costs should be granted.

12. Counsel for the Parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's service award, and settlement administration costs prior to the Final Approval Hearing according to the time limits set forth below.

13. An implementation schedule is below:

Event	**Date**
Defendant to provide Class Data to Settlement Administrator no later than [15 days after preliminary approval]:	_____
Settlement Administrator to mail Class Notice to Class Members no later than [14 days after receiving Class Data]:	_____
Deadline for Class Counsel to File Motion for Attorneys' Fees, Costs, Expenses and Service Award [At least 14 days before objection/exclusion deadline]	
Deadline for Class Members to object to the Settlement, opt out of the Settlement, or submit disputes to the Settlement Administrator regarding information shown on Class Notices [45 days after mailing of Class Notice Packets]:	_____
Deadline for Parties to file Motion for Final Approval of Class Action Settlement:	_____
Final Approval Hearing:	_____

14. Pending the Final Approval Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

15. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

IT IS SO ORDERED.

Dated: _____.

_____
The Honorable James Donato
United States District Judge