

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOHN DOE, JOHN DOE II, JOHN DOE III,
JANE DOE, JANE DOE II, JANE DOE III,
JANE DOE IV, JANE DOE V, and ALEXIS
SUTTER, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., KAISER FOUNDATION HOSPITALS,
and KAISER FOUNDATION HEALTH PLAN
OF WASHINGTON,

Defendants.

Case No. 3:23-cv-02865-EMC

~~PROPOSED~~ ORDER AWARDING
ATTORNEYS' FEES, LITIGATION
EXPENSES, AND SERVICE AWARDS

On July 14, 2026, the Court issued its Order Granting Plaintiffs' Motion for Final Approval; Granting in Part Plaintiffs' Motion for Attorneys' Fees; and Denying Objectors' Fee Application. *See* ECF No. 454 ("Final Settlement Approval Order"). The Final Settlement Approval Order grants Plaintiffs' Motion for Final Approval, and also grants in part Plaintiffs' Motion for Attorneys' Fees, Litigation Expenses, and Service Awards. *Id.* at 19. Specifically, Plaintiffs' request for service awards and litigation expenses is granted in its entirety and Class Counsel is awarded attorneys' fees of \$13 million. *Id.*

The Final Settlement Approval Order directed Plaintiffs to file a proposed order on final approval and fees, costs, and service awards consistent with the rulings made by the Court in this Order. *Id.* Pursuant to the Final Settlement Approval Order, Class Counsel submitted a proposed (1) Final Order and Judgment Approving Settlement and Dismissing the Action with Prejudice, and (2) Order Awarding Attorneys' Fees, Litigation Expenses, and Service Awards.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. This Order incorporates by reference the definitions in the Amended Stipulation of Settlement dated December 1, 2025 (ECF No. 390-1) (the “Stipulation”) and all terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

2. This Order incorporates by reference the Final Settlement Approval Order dated July 14, 2026 (ECF No. 454).

3. The Court has jurisdiction to enter this Order and over the subject matter of the Action and all Parties to the Action, including all Settlement Class Members.

4. Notice of Class Counsel’s Motion for Attorneys’ Fees, Litigation Expenses, and Service Awards and the date for the hearings on such motion was provided to Settlement Class Members. The forms and methods of notifying the Settlement Class of Class Counsel’s Motion for Attorneys’ Fees, Litigation Expenses, and Service Awards satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, due process, and all other applicable law and rules, constituted the best notice practicable under the circumstances, and constituted due and sufficient notice to all persons entitled thereto.

5. Pursuant to the Court’s July 14, 2026 Order, Class Counsel are hereby awarded attorneys’ fees in the amount of \$13 million (\$13,000,000.00) from the Settlement Fund and \$598,431.00 for payment of counsel’s litigation expenses. These attorneys’ fees and expenses shall be paid from the Settlement Fund and the Court finds these sums to be fair and reasonable for the reasons set forth in the July 14, 2026 Order. In accordance with the Stipulation, Class Counsel shall allocate the attorneys’ fees awarded among counsel in a manner in which they, in good faith, believe reflects the contributions of each counsel to the institution, prosecution, and settlement of the Action.

6. Pursuant to the Court’s July 14, 2026 Order, Plaintiff John Doe is hereby awarded a service award in the amount of \$5,000 from the Settlement Fund for the time and effort he devoted in prosecuting the Settlement Class’s claims and achieving the substantial Settlement for the Settlement Class.

1 7. Pursuant to the Court's July 14, 2026 Order, Plaintiff John Doe II is hereby awarded
2 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort he devoted
3 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
4 Settlement Class.

5 8. Pursuant to the Court's July 14, 2026 Order, Plaintiff Jane Doe is hereby awarded a
6 service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
7 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
8 Settlement Class.

9 9. Pursuant to the Court's July 14, 2026 Order, Plaintiff Jane Doe II is hereby awarded
10 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
11 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
12 Settlement Class.

13 10. Pursuant to the Court's July 14, 2026 Order, Plaintiff Jane Doe III is hereby awarded
14 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
15 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
16 Settlement Class.

17 11. Pursuant to the Court's July 14, 2026 Order, Plaintiff Jane Doe IV is hereby awarded
18 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
19 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
20 Settlement Class.

21 12. Pursuant to the Court's July 14, 2026 Order, Plaintiff Jane Doe V is hereby awarded
22 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
23 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
24 Settlement Class.

25 13. Pursuant to the Court's July 14, 2026 Order, Plaintiff Alexis Sutter is hereby awarded
26 a service award in the amount of \$5,000 from the Settlement Fund for the time and effort she devoted
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1 in prosecuting the Settlement Class's claims and achieving the substantial Settlement for the
2 Settlement Class.

3 14. Any appeal or any challenge affecting this Court's approval regarding any attorneys'
4 fees, expenses or service award application shall in no way disturb or affect the finality of the
5 Judgment.

6 15. Exclusive jurisdiction is hereby retained over the Parties and the Settlement Class
7 Members for all matters relating to this Action, including the administration, interpretation,
8 effectuation or enforcement of the Stipulation and this Order.

9 16. In the event that the Settlement is terminated or the Effective Date of the Settlement
10 otherwise fails to occur, this Order shall be rendered null and void to the extent provided by the
11 Stipulation.

12 17. There is no just reason for delay in the entry of this Order, and immediate entry by
13 the Clerk of the Court is expressly directed.

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16 IT IS SO ORDERED.

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19 DATED: July 22, 2026


HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE