

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 15

24STCV03018

HEATHER HEATH, vs KEENAN & ASSOCIATES

November 14, 2025

10:00 AM

Judge: Honorable Timothy Patrick Dillon

CSR: None

Judicial Assistant: E. Martinez

ERM: None

Courtroom Assistant: C. Gomez

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Yana Hart (via LACC); M. Anderson Berry; Jonathan Shub; Gregory

Haroutunian; Benjamin F. Johns; Theodore W. Maya

For Defendant(s): Matthew Thomas Billeci (via LACC);

NATURE OF PROCEEDINGS: Hearing on Motion for Final Approval of Settlement

The matter is called for hearing, along with the related cases.

The Court has read and considered all documents filed in connection to the above-entitled motion.

There are no objectors present in the courtroom nor appearing remotely this date.

The Court and counsel confer regarding the moving papers, including settlement administration and attorneys' fees.

Counsel to submit a supplemental declaration from the administrator and revised order and judgment containing the name of any class member who requested to opt-out and setting attorneys' fees at 33.33% by no later than 01/14/2026.

A Non-Appearance Case Review Re: Submission of Supplemental Declaration and Revised Order and Judgment for Final Approval is scheduled for 01/16/2026 at 04:00 PM in Department 15 at Spring Street Courthouse.

Upon receipt and review of the declaration and revised order and judgment, the Court shall issue its ruling on the Motion for Final Approval of Settlement.

Ruling on Final Approval Objection

One objection to the Settlement was received from Objector Mark Byrd, attached to the Declaration of Kaylie O'Connor as Exhibit F.

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The Court has reviewed and considered the objection, which may be summarized as generally raising the following point: the Settlement does not confer a great enough benefit to the class members who are minors or families whose children's data was breached.

Objector Mark Byrd who is a class member and parent of two affected minors. He specifically raises three points in his objection: 1) inadequate credit monitoring for minors; 2) insufficient monetary compensation; and 3) need for long-term oversight of Defendant and changes in their business practices. After consideration, the Court overrules the objections.

Regarding the first point, Objector Byrd suggests that minors affected by the breach should have their credit monitoring extended "until they reach age 18 plus three additional years, or require equivalent monetary compensation so parents can obtain such protection independently." As to the second point, Objector also states that the cash compensation is inadequate, and urges the Court to "increase the monetary award proportionate to the number of years remaining until each minor reaches age 18." Regarding the third point about oversight, the Settlement does note that Defendant has agreed to "to implement and maintain certain cyber security, data and privacy protocols, and deploy additional security measures for a period of 2 years from entry of the Final Approval Order." (Settlement, ¶4.1)

Objector's concerns are well-taken, however, the Court overrules the objection for the following reasons.

To the extent the objections are based on a belief that the class should recover some higher amount or greater benefit, settlements "need not obtain 100 percent of the damages sought in order to be fair and reasonable," and even if the relief is substantially less than what would be available after a successful outcome, "this is no bar to a class settlement because 'the public interest may indeed be served by a voluntary settlement in which each side gives ground in the interest of avoiding litigation.'" (Wershba, supra, 91 Cal.App.4th at 250, citing Air Line Stewards, etc., Loc. 550 v. American Airlines, Inc. (7th Cir. 1972) 455 F.2d 101, 109.)

Further, the objector had the opportunity to opt-out and seek individual redress if they did not find the amounts conferred to be fair.

Finally, the Court notes that out of a large class, the number of objections is minimal (1 out of over 1,553,919), reflecting the class's overwhelmingly positive response.

The Court overrules the objection.

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The Court finds that the notice was given as directed and conforms to due process requirements. Given the reactions of the Class Members to the proposed settlement and for the reasons set forth in the Preliminary Approval order, the settlement is found to be fair, adequate, and reasonable.

The Judicial Assistant hereby gives notice to Plaintiff, who is to give further and formal notice.

Clerk's Certificate of Service by Electronic Notification is attached.