

CAUSE NO. 342-362862-25

ALEX LAWRENCE and AMANDA
LAWRENCE ET AL.,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WHITLEY PENN LLP,

Defendant.

IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

342ND JUDICIAL DISTRICT

FILED
TARRANT COUNTY
2026 FEB 20 PM 1:14
THOMAS A. WILDER
DISTRICT CLERK

~~PROPOSED~~ ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

After considering Plaintiffs' Unopposed Motion for Preliminary Approval of Class Settlement,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Motion is **GRANTED**.
2. After a preliminary review, the Settlement appears to be fair, reasonable, and adequate. The Settlement: (a) resulted from arm's-length negotiations between experienced counsel; (b) eliminates the risk, cost, delay, inconvenience, and uncertainty of continued litigation; (c) does not provide undue preferential treatment to Class Representatives; (d) does not provide excessive compensation to counsel for the Class; and (e) is therefore sufficiently fair, reasonable, and adequate to warrant providing notice of the Settlement to the Class. Accordingly, the Court preliminarily approves the Settlement, subject to further consideration at the Final Approval Hearing described below.
3. The Final Approval Hearing shall be held before this Court on [DATE], at [time], [#>120] days from the date of this Order, at the 342nd District Court for Tarrant County, Texas

located in the Tom Vandergriff Civil Courts Building, 5th Floor, 100 North Calhoun Street, Fort Worth, TX 76196 for the following purposes:

- a. to determine whether the Settlement is fair, reasonable, and adequate, and should be approved by the Court;
- b. to determine whether judgment should be entered, dismissing the Petition on the merits and with prejudice;
- c. to consider the fee and expense application and an application for service awards to the Class Representatives;
- d. to consider Settlement Class Members' objections to the Settlement, or the application for fees and expenses, if any;
- e. to rule upon such other matters as the Court may deem appropriate.

4. The Court may adjourn the Final Approval Hearing without further notice to the members of the Settlement Class and reserves the right to approve the Settlement with such modifications as may be agreed upon or consented to by the parties and without further notice to the Class where to do so would not impair Class Members' rights in a manner inconsistent with Rule 42 and due process of law. The Court further reserves the right to enter its judgment approving the Settlement and dismissing the Complaint on the merits and with prejudice regardless of whether it has approved the application for fees and expenses.

5. The Court will consider objections to the Settlement or the request for fees and expenses, only if such objections and any supporting papers are sent to the Settlement Administrator and postmarked no later than 60 days following the Notice Date.

6. Plaintiffs' application for fees and expenses and any application for service awards for the Class Representatives shall be filed no later than fourteen days prior to the objection deadline.

7. Plaintiffs' Motion for Final Approval of the Settlement, including any replies to any objections, shall be filed no later than 14 days prior to the final approval hearing.

8. The Settlement Class satisfies Rule 42 and is preliminarily certified.

a. The Settlement Class includes approximately 700 people and is defined as:
[A]ll natural persons residing in the United States who were mailed written notification by Whitley Penn that their Personal Information was potentially accessed, viewed, and/or obtained as a result of the Data Incident which occurred between September 5, 2023 and October 31, 2023.

9. The following Settlement Notice documents are hereby approved as to form and content: Settlement Agreement (Motion Exhibit 1), the Postcard, Digital, and Mail in Claim Forms (Motion Exhibit 1-A); the Long Form Notice (Motion Exhibit 1-B); and the summary Postcard Notice (Motion Exhibit 1-C).

10. The Settlement Website advising the Class Members of the Settlement is hereby approved as to the form and content proposed in the Settlement Agreement.

11. CPT Group ("CPT" or "Settlement Administrator") is appointed to supervise and administer the notice procedure.

12. Within fourteen days from the entry of this order, Defendant shall provide the Settlement Administrator and Class Counsel with the name and last known mailing addresses of any and all Class Members that it has in its possession, custody, or control.

13. Within thirty-five days from the date of this order, the Settlement Administrator disseminate Notice to each Settlement Class Member via direct mail and email.

14. Contemporaneous with the Notices, the Settlement Administrator shall display in the internet website dedicated to this case, relevant case documents including the Settlement Class Notice, information about the submission of Claim Forms, and other relevant documents, including downloadable Claim Forms.

15. The Court finds that the proposed Notice Plan, which consists of the summary Postcard Notice, as well as a Long Form Notice and Settlement Website, constitutes the best notice practicable under the circumstances, is due and sufficient notice for all purposes to all persons entitled to such notice, and fully satisfies the requirements of due process and all other applicable laws.

16. For the sake of clarity, the Court enters the following deadlines for the remainder of the proceedings in this Action:

Event	Deadline
Defendant's Deadline to Provide Settlement Class Members' Full Names and Address to Settlement Administrator	14 days after the Court enters the Preliminary Approval Order
Notice Date	35 days after the Court enters the Preliminary Approval Order
Deadline for Plaintiffs' Counsel's application for a Fee Award and Class Representative Service Awards	14 days prior to the Objection and Opt-Out Deadlines (46 days after the Notice Date)
Objection and Opt-Out Deadlines	60 days after the Notice Date
Time to file Motion for Final Approval	14 days prior to the Final Approval Hearing
Final Approval Hearing	[DATE] [#>120 days] after the Court enters the Preliminary Approval Order

IT IS SO ORDERED.

DATED: 2/20/20



HON. KIMBERLY FITZPATRICK