

# Exhibit 8

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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

RODNEY CARVALHO and MARK MAHER,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

HP, INC., a Delaware corporation,

Defendant.

Case No. 5:21-cv-08015-PCP  
*Assigned to the Hon. P. Casey Pitts*

**PLAINTIFFS' FURTHER SUPPLEMENTAL BRIEF  
IN SUPPORT OF MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION SETTLEMENT**

*[Second Amended Proposed Order filed  
concurrently herewith]*

Date: January 16, 2025  
Time: 10:00 AM  
Crtrm: 8

Action Filed: October 13, 2021  
Trial Date: None Set

1 Plaintiffs Rodney Carvalho and Mark Maher (“Plaintiffs”) submit the following  
 2 supplemental brief in support of their Motion for Preliminary Approval of Class Action Settlement.  
 3 (Dkt. No. 85 (“Motion”).)

4 On January 16, 2025, the Court held a hearing on the Motion. During the hearing, the Court  
 5 inquired whether the Parties would consider striking the requested injunctive relief appearing in  
 6 paragraph 20 of the Proposed Order submitted by Plaintiffs in connection with their Motion. (*See*  
 7 Dkt. No. 85-5 (“Proposed Order”) ¶ 20; *see also* Dkt. 87-2 (“Amended Proposed Order”) ¶ 21).  
 8 After conferring, the Parties agreed to strike the above-referenced injunctive relief provision and to  
 9 add the following provision to the Settlement Agreement:

10 **6.6. HP’s Right to Rescind.** HP will have, in its sole discretion, the right to void and  
 11 withdraw from the Settlement if, at any time prior to Final Approval Hearing, five  
 12 hundred (500) members or more of the Settlement Class timely and properly exclude  
 13 themselves from the Settlement Class. HP must exercise this right to rescind in writing  
 14 to Settlement Class Counsel within fourteen (14) calendar days after receiving the list  
 of persons who have requested exclusion from the Settlement Class as described above.  
 If HP exercises this right to rescind, HP will be solely responsible for all Notice and  
 Settlement Administration Costs incurred as of the date of rescission.

15 The revised Settlement Agreement reflecting this term is attached hereto as **Exhibit 1**. A redlined  
 16 version of the original Settlement Agreement is attached hereto as **Exhibit 2**.<sup>1</sup> No other changes to  
 17 the Settlement Agreement were made.

18 Section 6.6 was negotiated by the Parties at arms-length in connection with their agreement  
 19 to strike the injunctive relief provision in the proposed order attached to the original Settlement  
 20 Agreement. (*See* Dkt. No. 85-1, Ex. 1, Ex. A (“Proposed Order”).) These changes to the Settlement  
 21 Agreement do not affect the fairness, adequacy, or reasonableness of the proposed Settlement, nor  
 22 do these changes have any impact on the relief to the class. Plaintiffs and their counsel continue to  
 23 believe the Settlement represents substantial and valuable relief to the Class.

24 Accordingly, Plaintiffs respectfully request that the Court preliminarily approve the proposed  
 25 Settlement, as described in the revised Settlement Agreement, and enter the *Second Amended*  
 26 Proposed Order granting preliminary approval. (Dkt. No. 90-3.)

27 \_\_\_\_\_  
 28 <sup>1</sup> The original Settlement Agreement was attached as Exhibit 1 to the Declaration of Cody R.  
 Padgett in Support of Motion for Preliminary Approval of Class Settlement. (Dkt. No. 85-1, Ex. 1.)

1 Dated: January 30, 2025

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2  
3 By: /s/ Daniel A. Rozenblatt

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