

Exhibit D4

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PITTSBURGH DIVISION

BLAIR DOUGLASS, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

PHARMAVITE, LLC; FOODSTATE, INC.;
PHARMAVITE DIRECT LLC; and BONAFIDE
HEALTH LLC,

Defendants.

Case No. 2:25-cv-01721-MRH

**NOTICE OF AMENDED PROPOSED ORDER GRANTING PLAINTIFF’S MOTION
TO CERTIFY CLASS FOR SETTLEMENT PURPOSES ONLY AND
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

1. In April 2024, Plaintiff attempted to access Defendants’ websites. Doc. 1, ¶¶ 3, 35.
2. Plaintiff alleges he was unable to access the websites because they were incompatible with screen-reader auxiliary aids, which Plaintiff uses to access digital content because he is blind. *Id.*, ¶¶ 34, 35.
3. On November 4, 2025, Plaintiff filed a Class Action Complaint, alleging that Defendants lack policies and practices necessary to make their websites accessible to blind users, in violation of Title III of the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.* (“ADA”). *Id.*, ¶¶ 6, 38, 39. Defendants deny these allegations.
4. On November 25, 2025, the parties executed a proposed Class Action Settlement Agreement (“Agreement”) resolving Plaintiff’s ADA claims. Doc. 5-1.
5. On December 11, 2025, Plaintiff filed a Motion to Certify Class for Settlement Purposes Only and For Preliminary Approval of Class Action Settlement (“Motion”). Doc. 5.

6. A proposed order accompanied the Motion (“Proposed Order”). Doc. 5-4.

7. The Parties intended the Proposed Order to incorporate the terms outlined in Section 13 of the Agreement. Doc. 5-1, pp. 25-31.

8. In preparing for the Court’s January 20, 2026 Status Conference, the parties discovered the Proposed Order omits Section 13.1.11, which proposes the Court:

13.1.11. Preliminarily enjoins all Persons in the Settlement Class from (1) filing, commencing, prosecuting, intervening in, or participating as plaintiff, claimant, or class member in any other lawsuit or administrative, regulatory, arbitration or other proceeding in any jurisdiction based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims; (2) filing, commencing, participating in, or prosecuting a lawsuit or administrative, regulatory, arbitration, or other proceeding as a class action or otherwise on behalf of any Person in the Settlement Class (including, without limitation, by seeking to amend a pending complaint to include class allegations or seeking class certification in a pending action), based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims. Any Person who violates such injunction shall pay the attorneys’ fees and costs incurred by Settling Parties and/or any other Released Person and Class Counsel as a result of the violation. This Agreement is not intended to prevent Persons in the Settlement Class from participating in any action or investigation initiated by a state or federal agency;

9. The parties have prepared an amended Proposed Order incorporating Section 13.1.11. (“Amended Proposed Order”).

10. A tracked version of the Amended Proposed Order, compared to the original Proposed Order, is attached as Exhibit 1.

11. A clean version of the Amended Proposed Order is also attached.

12. On behalf of the parties, Plaintiff respectfully requests that the Court grant Plaintiff’s Motion consistent with the terms outlined in the Amended Proposed Order.

Respectfully submitted,

Dated: February 3, 2026

/s/ Kevin W. Tucker

Kevin W. Tucker (He/Him) (PA 312144)
Kevin J. Abramowicz (He/Him) (PA 320659)
Chandler Steiger (She/Her) (PA 328891)
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Counsel for Plaintiff

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PITTSBURGH DIVISION

BLAIR DOUGLASS, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

PHARMAVITE, LLC; FOODSTATE, INC.;
PHARMAVITE DIRECT LLC; and BONAFIDE
HEALTH LLC,

Defendants.

Case No. 2:25-cv-01721-MRH

**[AMENDED PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION
TO CERTIFY CLASS FOR SETTLEMENT PURPOSES ONLY AND
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

WHEREAS, the Parties in the above-captioned litigation have advised the Court that they have, subject to the satisfaction of certain conditions precedent, settled the litigation, the terms of which have been memorialized in a proposed class action settlement agreement (“the Agreement”);

WHEREAS, and subject to the Agreement, Plaintiff has applied to this Court through a motion for an order, among other things, (1) certifying a proposed Settlement Class for settlement purposes only, (2) granting preliminary approval of the Agreement, which would, if approved at a Final Approval Hearing, resolve all claims in the above-captioned matter, (3) directing notice to the proposed Settlement Class, and (4) setting a final approval hearing; and

WHEREAS, the Court has read and considered Plaintiff's Motion to Certify Class for Settlement Purposes Only and for Preliminary Approval of Class Action Settlement (“Motion”),

the points and authorities and exhibits submitted therewith, the Agreement, and all of the supporting documents, and good cause appearing;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This order incorporates by reference the definitions in the Agreement, and all terms defined therein shall have the same meaning in this order as set forth in the Agreement.

2. Plaintiff's Motion is GRANTED. It appears to this Court on a preliminary basis that the Agreement satisfies the elements of Fed. R. Civ. P. 23 and is fair, adequate, and reasonable.

3. The proposed Settlement Class is hereby preliminarily certified pursuant to Fed. R. Civ. P. 23(a) and (b)(2) for purposes of settlement only. The proposed Settlement Class is defined as:

[A]ll residents of the United States and its territories who are Blind and/or who have a Visual Disability and who use Appropriate Auxiliary Aids and Services to navigate digital content and who have accessed, attempted to access, or been deterred from attempting to access, or who will access, attempt to access, or be deterred from attempting to access, [www.pharmavite.com, www.uqora.com, www.equelle.com, www.naturemade.com, www.megafood.com, and www.hellobonafide.com] from the United States, and who are not individuals excluded from the Settlement Class as provided in Section 3.1 [of the Agreement].

4. The Court finds that Plaintiff Blair Douglass has and will fairly and adequately protect the interests of the proposed Settlement Class. As a result, the Court appoints and designates Mr. Douglass as representative of the proposed Settlement Class.

5. The Court finds that attorneys Kevin Tucker, Kevin Abramowicz, Chandler Steiger, Stephanie Moore, Kayla Conahan, and Jessica Liu of East End Trial Group LLC are experienced and competent counsel who will continue to fairly and adequately protect the interests of the proposed Settlement Class. As a result, the Court appoints and designates attorneys Tucker,

Abramowicz, Steiger, Moore, Conahan, and Liu as Class Counsel for the proposed Settlement Class.

6. The Court finds that the Long-Form Notice attached to the Agreement as Exhibit 1 and the Notice Plan attached to the pending motion as Exhibit 2 meet due process requirements, the requirements of Rules 23(c)(2) and 23(e) of the Federal Rules of Civil Procedure, and ensure notice is well calculated to reach proposed Settlement Class Members. The notice and notice plan are hereby approved.

7. **Within twenty-one (21) days of this Order**, the Settling Parties shall, at their expense:

(a) Add dates to the placeholders in the Long-Form Notice accompanying the Agreement as Agreement Exhibit 1.

(b) Arrange to have the Settlement Website and documents posted thereon live and Accessible. The Settlement Website shall track the number of visitors to the Settlement Website. The Settlement Website shall remain published for at least 60 days after the date the Court grants final approval of the Agreement.

(c) Cause the Long-Form Notice to be published on, and make the following documents filed in this Lawsuit available for download on, the Settlement Website: the class action complaint, motion for preliminary approval of class action settlement and supporting documents, and the Court's orders concerning preliminary approval as well as any supporting memorandum. The Settling Parties shall ensure the Settlement Website and the documents identified in this Subsection shall be Accessible by individuals who use screen reader auxiliary aids.

(d) Cause an invisible "skip to" link to be placed in the header of the homepage of each Digital Property, which link shall be visible to visitors to Websites who are using auxiliary

aides and services to enhance website access, so that individuals who are blind and/or who have a visual disability and who use auxiliary aids and services can perceive the link as if it were located at the top of each homepage throughout the Digital Properties. Each Settling Party shall ensure the “skip to” link on its Digital Property directs individuals who are Blind and/or who have a Visual Disability to the Settlement Website, and shall have the option to make this link invisible to customers who are not Blind and who do not have a Visual Disability, provided that this link is otherwise Accessible. Each “skip to” link shall include alternative text which reads “Click to view our ADA class action settlement website” and, if clicked, each link shall redirect visitors to the Settlement Website. The Settling Parties shall ensure each link remains published for at least 60 days after the date the Court grants final approval of the Settlement Agreement; and

(e) Retain Kroll Settlement Administration LLC (“KSA”) and Kroll Settlement Administration LLC d/b/a Kroll Notice Media Solutions which shall develop and publish audio ads with companion banners targeted to adult consumers of vitamins and dietary supplements, nationwide, who have vision loss. Placements may include streaming radio, audio, and podcasts via services and networks like iHeart Media, Barstool Sports, Spotify, Sirius XM Radio, Pandora, Soundcloud, etc. Playable media will include descriptive alt text. Impressions will be served to vitamin and dietary supplement users 18+ who may be interested in relevant Facebook Pages or groups, and/or Facebook or Instagram accounts or hashtags, as follows:

(i) Pages: Access to Independence of San Diego, Inc, American Council of the Blind, American Foundation for the Blind, Blind Awareness, Blind & Visually Impaired Center of Monterey County, Braille Institute, California Council of the Blind, California School for the Blind, Center for Independence, Center for Independent Living – Berkley, Central Coast Center for Independent Living, Community Center for the Blind and Visually Impaired,

Community Resources for Independent Living, California Department of Rehabilitation, Services for the Blind, California School for the Blind, Center for Living Independence for Multi-Handicapped Blind (CLIMB), Disability Action Center – Northern California, Community Center for the Blind, California Council of the Blind – High Desert Chapter, Disability Services & Legal Center, Disabled Resources Center, East Bay Center for the Blind, Enhanced Vision Systems, Foundation Fighting Blindness, Guide Dogs for the Blind, Guide Dogs of America – Tender Loving Canines, Guide Dogs of the Desert, LightHouse for the Blind – San Francisco Bay Area, Lions Center for the Visually Impaired, Lions Blind Center of Diablo Valley, Lutheran Braille Workers, Marin Center for Independent Living, National Federation of the Blind, National Federation of the Blind of California, Northridge: Students with Disabilities Resources, Prevent Blindness Northern California, San Diego Center for the Blind, Santa Clara Valley Blind Center, Service Center for Independent Life – SCIL, Silicon Valley Independent Living Center, Society for the Blind, San Diego Center for the Blind, San Francisco Public Library: Library for the Blind and Print Disabled, San Francisco State University: Department of Special Education, Santa Clara Valley Blind Center, Santa Barbara;

(ii) Schools/High School Districts: Program for Visually Impaired, Therapeutic Living Centers for the Blind, Vista Center for the Blind & Visually Impaired, Vista Center for the Blind and Visually Impaired;

(iii) Groups: Assistive Technology Support Group for Blind and Low Vision, Blind and Vision Impaired Support Group, Blind-Awareness Group, Blind and Visually Impaired Tips, Tricks & How-To's, Blind and Sighted People with iPhones, Bold Blind Beauty Group, Low Vision, Monocular Vision Support Group, NVDA Screen Reader, Orientation & Mobility Instructors for the Blind and Visually Impaired, Visually Impaired and Still Doing It!;

(iv) Hashtags: #AssistiveTechnology, #BeyondBlindness, #Blindness, #BlindnessAwareness, #DigitalInclusion, #HopeForTheBlind, #HumanCenteredDesign, #WCAG, #WebAccessibilityReddit; and

(v) Promoted Posts, which will target users engaged with the following Reddit communities (subreddits): r/accessibledesign, r/accessibility, r/AssistiveTechnology, r/Disability_Survey, and r/webaccess.

(f) The documents identified in this paragraph 7 shall be Accessible.

8. **Within twenty-eight (28) days of this Order**, Class Counsel shall, at its expense, request that at least the following organizations publish notice in the form set forth below in their respective electronic newsletters and social media accounts such that the notice is sent out within sixty (60) days of Preliminary Approval: ACHIEVA, American Action Fund for Blind Children and Adults, American Council of the Blind, American Foundation for the Blind, Blinded American Veterans Foundation, Blinded Veterans Association, Foundation Fighting Blindness, Pennsylvania Association for the Blind, Disability Law Center, Disability Rights Education and Defense Fund, and National Federation of the Blind.

“A proposed settlement has been reached that would resolve the class action lawsuit *Douglass v. Pharmavite LLC, et al*, Case No. 2:25-cv-01721-MRH (W.D. Pa.). The lawsuit alleges that defendants in that suit (the “Settling Parties”) did not comply with the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.*, by failing to take the necessary steps to ensure their websites do not discriminate against individuals who are Blind and/or who have a Visual Disability. The Settling Parties deny the allegations in the suit, and deny any wrongdoing or liability. Under the settlement, the Settling Parties agree to Court-approved provisions designed to make their websites and any new websites they develop or acquire more accessible to individuals who are blind and/or who have a visual disability. For a more complete summary of the terms of the proposed settlement, please visit <https://www.phvadasettlement.com>. Have questions? Contact East End Trial Group at <https://eastendtrialgroup.com>.”

9. **Within sixty (60) days of this Order**, the Settling Parties or their counsel shall file a declaration evidencing the Settling Parties' compliance with this Order.

10. **Within sixty (60) days of this Order**, Class Counsel shall file a declaration evidencing its compliance with this Order.

11. **Within one hundred fifty (150) days of this Order**, any Settlement Class Member may object to the Agreement by filing written objections with the Clerk of the Court ("Objection Date"). Only such objecting Settlement Class Members shall have the right, and only if they expressly seek it in their objection, to present objections orally at the final approval hearing. An objection must be signed by the Settlement Class Member and include the following information:

- (a) the Objector's full name, address, and telephone number;
- (b) a signed declaration that he or she is a Person in the Settlement Class;
- (c) a written statement of all grounds for the objection and any supporting documentation;
- (d) a statement of whether the Objector intends to appear at the Final Fairness Hearing; and
- (e) if the Objector intends to appear at the Final Fairness Hearing through counsel, the objection must also identify the attorney representing the Objector who will appear at the Final Fairness Hearing.

12. **Within one hundred sixty (160) days of this Order**, Plaintiff shall move for final approval and for reasonable attorneys' fees and costs.

13. A Final Fairness Hearing shall be held before this Court on _____, 2025 at _____ ET in the United States District Court for the Western District of Pennsylvania, located at Joseph F. Weis Jr. U.S. Courthouse, 700 Grant Street, Courtroom 6A, Pittsburgh, PA

15219, to determine whether the Agreement shall be granted final approval, and to address any related matters.

14. The Final Fairness Hearing may, from time to time and without further notice to the Settlement Class Members (except those who have filed timely objections or entered appearances), be continued or adjourned by order of the Court.

15. **No less than five (5) days before the Final Fairness Hearing**, the Settling Parties or their counsel shall file a declaration identifying the number of visitors to the Settlement Website.

16. **No less than seven (7) days before the Final Fairness Hearing**, the Parties shall respond to any timely-filed objections.

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

18. Upon entry of this Order, Persons in the Settlement Class are enjoined from (a) filing, commencing, prosecuting, intervening in, or participating as plaintiff, claimant, or class member in any other lawsuit or administrative, regulatory, arbitration or other proceeding in any jurisdiction based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims; (b) filing, commencing, participating in, or prosecuting a lawsuit or administrative, regulatory, arbitration, or other proceeding as a class action or otherwise on behalf of any Person in the Settlement Class (including, without limitation, by seeking to amend a pending complaint to include class allegations or seeking class certification in a pending action), based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims. Settling Parties and/or any other Released Person and Class

Counsel may petition the Court for the reimbursement of attorneys' fees and costs incurred because of a violation of this Order. This Order does not prevent Persons in the Settlement Class from participating in any action or investigation initiated by a state or federal agency.

IT IS SO ORDERED.

Dated: _____

Mark R. Hornak
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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BLAIR DOUGLASS, on behalf of himself and all
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WHEREAS, the Parties in the above-captioned litigation have advised the Court that they have, subject to the satisfaction of certain conditions precedent, settled the litigation, the terms of which have been memorialized in a proposed class action settlement agreement (“the Agreement”);

WHEREAS, and subject to the Agreement, Plaintiff has applied to this Court through a motion for an order, among other things, (1) certifying a proposed Settlement Class for settlement purposes only, (2) granting preliminary approval of the Agreement, which would, if approved at a Final Approval Hearing, resolve all claims in the above-captioned matter, (3) directing notice to the proposed Settlement Class, and (4) setting a final approval hearing; and

WHEREAS, the Court has read and considered Plaintiff’s Motion to Certify Class for Settlement Purposes Only and for Preliminary Approval of Class Action Settlement (“Motion”),

the points and authorities and exhibits submitted therewith, the Agreement, and all of the supporting documents, and good cause appearing;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This order incorporates by reference the definitions in the Agreement, and all terms defined therein shall have the same meaning in this order as set forth in the Agreement.

2. Plaintiff's Motion is GRANTED. It appears to this Court on a preliminary basis that the Agreement satisfies the elements of Fed. R. Civ. P. 23 and is fair, adequate, and reasonable.

3. The proposed Settlement Class is hereby preliminarily certified pursuant to Fed. R. Civ. P. 23(a) and (b)(2) for purposes of settlement only. The proposed Settlement Class is defined as:

[A]ll residents of the United States and its territories who are Blind and/or who have a Visual Disability and who use Appropriate Auxiliary Aids and Services to navigate digital content and who have accessed, attempted to access, or been deterred from attempting to access, or who will access, attempt to access, or be deterred from attempting to access, [www.pharmavite.com, www.uqora.com, www.equelle.com, www.naturemade.com, www.megafood.com, and www.hellobonafide.com] from the United States, and who are not individuals excluded from the Settlement Class as provided in Section 3.1 [of the Agreement].

4. The Court finds that Plaintiff Blair Douglass has and will fairly and adequately protect the interests of the proposed Settlement Class. As a result, the Court appoints and designates Mr. Douglass as representative of the proposed Settlement Class.

5. The Court finds that attorneys Kevin Tucker, Kevin Abramowicz, Chandler Steiger, Stephanie Moore, Kayla Conahan, and Jessica Liu of East End Trial Group LLC are experienced and competent counsel who will continue to fairly and adequately protect the interests of the proposed Settlement Class. As a result, the Court appoints and designates attorneys Tucker,

Abramowicz, Steiger, Moore, Conahan, and Liu as Class Counsel for the proposed Settlement Class.

6. The Court finds that the Long-Form Notice attached to the Agreement as Exhibit 1 and the Notice Plan attached to the pending motion as Exhibit 2 meet due process requirements, the requirements of Rules 23(c)(2) and 23(e) of the Federal Rules of Civil Procedure, and ensure notice is well calculated to reach proposed Settlement Class Members. The notice and notice plan are hereby approved.

7. **Within twenty-one (21) days of this Order**, the Settling Parties shall, at their expense:

(a) Add dates to the placeholders in the Long-Form Notice accompanying the Agreement as Agreement Exhibit 1.

(b) Arrange to have the Settlement Website and documents posted thereon live and Accessible. The Settlement Website shall track the number of visitors to the Settlement Website. The Settlement Website shall remain published for at least 60 days after the date the Court grants final approval of the Agreement.

(c) Cause the Long-Form Notice to be published on, and make the following documents filed in this Lawsuit available for download on, the Settlement Website: the class action complaint, motion for preliminary approval of class action settlement and supporting documents, and the Court's orders concerning preliminary approval as well as any supporting memorandum. The Settling Parties shall ensure the Settlement Website and the documents identified in this Subsection shall be Accessible by individuals who use screen reader auxiliary aids.

(d) Cause an invisible "skip to" link to be placed in the header of the homepage of each Digital Property, which link shall be visible to visitors to Websites who are using auxiliary

aides and services to enhance website access, so that individuals who are blind and/or who have a visual disability and who use auxiliary aids and services can perceive the link as if it were located at the top of each homepage throughout the Digital Properties. Each Settling Party shall ensure the “skip to” link on its Digital Property directs individuals who are Blind and/or who have a Visual Disability to the Settlement Website, and shall have the option to make this link invisible to customers who are not Blind and who do not have a Visual Disability, provided that this link is otherwise Accessible. Each “skip to” link shall include alternative text which reads “Click to view our ADA class action settlement website” and, if clicked, each link shall redirect visitors to the Settlement Website. The Settling Parties shall ensure each link remains published for at least 60 days after the date the Court grants final approval of the Settlement Agreement; and

(e) Retain Kroll Settlement Administration LLC (“KSA”) and Kroll Settlement Administration LLC d/b/a Kroll Notice Media Solutions which shall develop and publish audio ads with companion banners targeted to adult consumers of vitamins and dietary supplements, nationwide, who have vision loss. Placements may include streaming radio, audio, and podcasts via services and networks like iHeart Media, Barstool Sports, Spotify, Sirius XM Radio, Pandora, Soundcloud, etc. Playable media will include descriptive alt text. Impressions will be served to vitamin and dietary supplement users 18+ who may be interested in relevant Facebook Pages or groups, and/or Facebook or Instagram accounts or hashtags, as follows:

(i) Pages: Access to Independence of San Diego, Inc, American Council of the Blind, American Foundation for the Blind, Blind Awareness, Blind & Visually Impaired Center of Monterey County, Braille Institute, California Council of the Blind, California School for the Blind, Center for Independence, Center for Independent Living – Berkley, Central Coast Center for Independent Living, Community Center for the Blind and Visually Impaired,

Community Resources for Independent Living, California Department of Rehabilitation, Services for the Blind, California School for the Blind, Center for Living Independence for Multi-Handicapped Blind (CLIMB), Disability Action Center – Northern California, Community Center for the Blind, California Council of the Blind – High Desert Chapter, Disability Services & Legal Center, Disabled Resources Center, East Bay Center for the Blind, Enhanced Vision Systems, Foundation Fighting Blindness, Guide Dogs for the Blind, Guide Dogs of America – Tender Loving Canines, Guide Dogs of the Desert, LightHouse for the Blind – San Francisco Bay Area, Lions Center for the Visually Impaired, Lions Blind Center of Diablo Valley, Lutheran Braille Workers, Marin Center for Independent Living, National Federation of the Blind, National Federation of the Blind of California, Northridge: Students with Disabilities Resources, Prevent Blindness Northern California, San Diego Center for the Blind, Santa Clara Valley Blind Center, Service Center for Independent Life – SCIL, Silicon Valley Independent Living Center, Society for the Blind, San Diego Center for the Blind, San Francisco Public Library: Library for the Blind and Print Disabled, San Francisco State University: Department of Special Education, Santa Clara Valley Blind Center, Santa Barbara;

(ii) Schools/High School Districts: Program for Visually Impaired, Therapeutic Living Centers for the Blind, Vista Center for the Blind & Visually Impaired, Vista Center for the Blind and Visually Impaired;

(iii) Groups: Assistive Technology Support Group for Blind and Low Vision, Blind and Vision Impaired Support Group, Blind-Awareness Group, Blind and Visually Impaired Tips, Tricks & How-To's, Blind and Sighted People with iPhones, Bold Blind Beauty Group, Low Vision, Monocular Vision Support Group, NVDA Screen Reader, Orientation & Mobility Instructors for the Blind and Visually Impaired, Visually Impaired and Still Doing It!;

(iv) Hashtags: #AssistiveTechnology, #BeyondBlindness, #Blindness, #BlindnessAwareness, #DigitalInclusion, #HopeForTheBlind, #HumanCenteredDesign, #WCAG, #WebAccessibilityReddit; and

(v) Promoted Posts, which will target users engaged with the following Reddit communities (subreddits): r/accessibledesign, r/accessibility, r/AssistiveTechnology, r/Disability_Survey, and r/webaccess.

(f) The documents identified in this paragraph 7 shall be Accessible.

8. **Within twenty-eight (28) days of this Order**, Class Counsel shall, at its expense, request that at least the following organizations publish notice in the form set forth below in their respective electronic newsletters and social media accounts such that the notice is sent out within sixty (60) days of Preliminary Approval: ACHIEVA, American Action Fund for Blind Children and Adults, American Council of the Blind, American Foundation for the Blind, Blinded American Veterans Foundation, Blinded Veterans Association, Foundation Fighting Blindness, Pennsylvania Association for the Blind, Disability Law Center, Disability Rights Education and Defense Fund, and National Federation of the Blind.

“A proposed settlement has been reached that would resolve the class action lawsuit *Douglass v. Pharmavite LLC, et al*, Case No. 2:25-cv-01721-MRH (W.D. Pa.). The lawsuit alleges that defendants in that suit (the “Settling Parties”) did not comply with the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.*, by failing to take the necessary steps to ensure their websites do not discriminate against individuals who are Blind and/or who have a Visual Disability. The Settling Parties deny the allegations in the suit, and deny any wrongdoing or liability. Under the settlement, the Settling Parties agree to Court-approved provisions designed to make their websites and any new websites they develop or acquire more accessible to individuals who are blind and/or who have a visual disability. For a more complete summary of the terms of the proposed settlement, please visit <https://www.phvadasettlement.com>. Have questions? Contact East End Trial Group at <https://eastendtrialgroup.com>.”

9. **Within sixty (60) days of this Order**, the Settling Parties or their counsel shall file a declaration evidencing the Settling Parties' compliance with this Order.

10. **Within sixty (60) days of this Order**, Class Counsel shall file a declaration evidencing its compliance with this Order.

11. **Within one hundred fifty (150) days of this Order**, any Settlement Class Member may object to the Agreement by filing written objections with the Clerk of the Court ("Objection Date"). Only such objecting Settlement Class Members shall have the right, and only if they expressly seek it in their objection, to present objections orally at the final approval hearing. An objection must be signed by the Settlement Class Member and include the following information:

- (a) the Objector's full name, address, and telephone number;
- (b) a signed declaration that he or she is a Person in the Settlement Class;
- (c) a written statement of all grounds for the objection and any supporting documentation;
- (d) a statement of whether the Objector intends to appear at the Final Fairness Hearing; and
- (e) if the Objector intends to appear at the Final Fairness Hearing through counsel, the objection must also identify the attorney representing the Objector who will appear at the Final Fairness Hearing.

12. **Within one hundred sixty (160) days of this Order**, Plaintiff shall move for final approval and for reasonable attorneys' fees and costs.

13. A Final Fairness Hearing shall be held before this Court on _____, 2025 at _____ ET in the United States District Court for the Western District of Pennsylvania, located at Joseph F. Weis Jr. U.S. Courthouse, 700 Grant Street, Courtroom 6A, Pittsburgh, PA

15219, to determine whether the Agreement shall be granted final approval, and to address any related matters.

14. The Final Fairness Hearing may, from time to time and without further notice to the Settlement Class Members (except those who have filed timely objections or entered appearances), be continued or adjourned by order of the Court.

15. **No less than five (5) days before the Final Fairness Hearing**, the Settling Parties or their counsel shall file a declaration identifying the number of visitors to the Settlement Website.

16. **No less than seven (7) days before the Final Fairness Hearing**, the Parties shall respond to any timely-filed objections.

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

18. **Upon entry of this Order**, Persons in the Settlement Class are enjoined from (a) filing, commencing, prosecuting, intervening in, or participating as plaintiff, claimant, or class member in any other lawsuit or administrative, regulatory, arbitration or other proceeding in any jurisdiction based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims; (b) filing, commencing, participating in, or prosecuting a lawsuit or administrative, regulatory, arbitration, or other proceeding as a class action or otherwise on behalf of any Person in the Settlement Class (including, without limitation, by seeking to amend a pending complaint to include class allegations or seeking class certification in a pending action), based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Litigation and/or the Released Injunctive Claims. Settling Parties and/or any other Released Person and Class

Counsel may petition the Court for the reimbursement of attorneys' fees and costs incurred because of a violation of this Order. This Order does not prevent Persons in the Settlement Class from participating in any action or investigation initiated by a state or federal agency.

IT IS SO ORDERED.

Dated: _____

Mark R. Hornak
United States District Judge