

Exhibit B

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Chris Griffey, et al.,
Plaintiffs,
v.
Magellan Health, Incorporated,
Defendant.

No. CV-20-01282-PHX-MTL (Lead)
No. CV-20-01350-PHX-MTL (Consol.)

**[PROPOSED] ORDER ON
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

(Assigned to the Honorable Michael T.
Liburdi)

Daniel Ranson, et al.,
Plaintiffs,
v.
Magellan Health, Incorporated,
Defendant.

This case is before the Court on Plaintiffs’ Chris Griffey, Bharath Maduranthgam Rayam, Laura Leather, Clara Williams, Daniel Ranson, Mitchell Flanders, and Keith Lewis (collectively “Plaintiffs”) Unopposed Motion for Preliminary Approval of the Class Action Settlement (the “Motion”). The Court, having considered the Motion, the supporting brief, the parties’ Settlement Agreement dated June 20, 2023, (the “Settlement”); the proposed Claim Forms, Short Form Notices, and Long Form Notice (attached as Exhibits A-1, A-2, B-1, B-2, and C, respectively, to the Settlement Agreement); the pleadings and other papers filed in this Action; and the statements of counsel and the Parties, and for good cause shown:

1 respectively, to the Settlement Agreement, and finds that the dissemination of the
2 Settlement Notices substantially in the manner and form set forth in Section 9 of the
3 Settlement Agreement (“Notice Plan”) complies fully with the requirements of Federal
4 Rule of Civil Procedure 23 and the due process of law, and is the best notice practicable
5 under the circumstances.

6 8. The Court further approves the Claim Forms, substantially similar to
7 Exhibits A-1 and A-2 to the Settlement Agreement, which will be available both on the
8 Settlement Website and by request.

9 9. The notice procedures described in the Notice Plan are hereby found to be
10 the best means of providing notice under the circumstances and, when completed, shall
11 constitute due and sufficient notice of the proposed Settlement and the Final Fairness
12 Hearing to all persons affected by and/or entitled to participate in the Settlement, in full
13 compliance with the notice requirements of Rule 23 of the Federal Rules of Civil
14 Procedure and due process of law.

15 10. The Court hereby orders that, within fourteen (14) days of the entry of this
16 Order, Magellan shall provide the Settlement Administrator with the name and last
17 known physical address of each Settlement Class Member that Magellan possesses.

18 11. No later than forty-five (45) days from the date of this Order preliminarily
19 approving the Settlement Agreement, the Settlement Administrator shall send the Short
20 Notices to each Settlement Class Member through mailing the Short Form Notices via
21 U.S. Mail, first-class; and shall publish the Long Notice on the Settlement Website as
22 stated in the proposed Notice Plan. All mailings and remailings to any Settlement Class
23 Members shall be completed (60) days from the date of this Order preliminarily
24 approving the Settlement Agreement. Contemporaneously with seeking Final Approval
25 of the Settlement, Class Counsel shall cause to be filed with the Court an appropriate
26 affidavit or declaration from the Claims Administrator with respect to complying with
27 the Notice Plan.

1 12. All costs incurred in disseminating or otherwise in connection with the
2 Settlement Notice shall be paid by Magellan pursuant to the Settlement Agreement.

3 13. The Settlement Notices and Claim Form satisfy the requirements of due
4 process and of Rule 23(e) of the Federal Rules of Civil Procedure and are thus approved
5 for dissemination to the Settlement Class. The Claim Forms shall be made available to
6 the Settlement Class Members as set forth in the Notice Plan and shall be made available
7 to any potential Class Member that requests one.

8 **Attorneys' Fees, Costs, and Service Awards**

9 14. The Settlement provides that, as part of the Settlement, the Court shall
10 determine the amount of any award of attorneys' fees, costs, and service awards. Pursuant
11 to the Settlement, Plaintiffs shall file their motion requesting attorneys' fees, costs, and
12 service awards within 46 days after the Notice Date. Magellan has retained any and all
13 rights to oppose any such filed motions on all available grounds related to the amount of
14 the attorneys' fees, costs, and/or service awards.

15 **Responses by Settlement Class Members and the Scheduling of a Final Fairness**
16 **Hearing**

17 15. Settlement Class Members may opt-out or object up to sixty (60) days from
18 the Notice Commencement Date (the "Opt-Out Deadline").

19 16. Any member of the Settlement Class Members who wish to be excluded
20 ("opt-out") from the Settlement Class must send a written request to the designated Post
21 Office box established by the Claims Administrator postmarked on or before the Opt-Out
22 Deadline. Members of the Settlement Class may not opt-out of the Settlement by
23 submitting requests to opt-out as a group or class, but must in each instance individually
24 and personally submit an opt-out request. All Settlement Class Members who opt-out of
25 the Settlement will not be eligible to receive any benefits under the Settlement, will not
26 be bound by any further orders or judgments entered for or against the Settlement Class,
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1 and will preserve their ability to independently pursue any claims they may have against
2 Magellan.

3 17. Any member of the Settlement Class Members who does not properly and
4 timely opt-out of the Settlement shall, upon entry of the Order and Final Judgment, be
5 bound by all the terms and provisions of the Settlement Agreement and Released Claims,
6 whether or not such Settlement Class Member objected to the Settlement and whether or
7 not such Settlement Class Member received consideration under the Settlement
8 Agreement.

9 18. The Court adopts the following schedule for the remaining events in this
10 case, which ensures that the appropriate state and federal officials are served with the
11 notification required by the Class Action Fairness Act:

Event	Date
Settlement Administrator to Provide CAFA Notice Required by 28 U.S.C. § 1715(b)	Within 10 days after the filing of this Motion
Magellan to Provide Contact Information for Settlement Class Members to Settlement Administrator	Within 14 days after Entry of Preliminary Approval Order
Notice Program Commences (Notice Date)	45 days after entry of Preliminary Approval Order
Notice Program Concludes	60 days after entry of Preliminary Approval Order
Compliance with CAFA Waiting Period under 28 U.S.C. § 1715(d)	90 days after the Appropriate Governmental Officials are Served with CAFA Notice
Deadline to file Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards	46 days after the Notice Date
Deadline for Magellan to file Response in Opposition to Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards	21 days after Plaintiffs file their Motion for Attorneys' Fees, Expenses, and Service Awards
Postmark Deadline for Request for Exclusion ("Opt-Out") or Objections	60 days after the Notice Date

1	Postmark/Filing Deadline for Filing Claims	90 days after the Notice Date
2	Deadline to file Motion for Final Approval of the Settlement Agreement	No later than 14 days prior to the Final Fairness Hearing
3	Deadline for Plaintiffs to File any Response to Objections or Supplement to Motion for Final Approval	No later than 7 days prior to the Final Fairness Hearing
4	Deadline for Settlement Administrator to File or Cause to be Filed, if Necessary, a Supplemental Declaration with the Court	At least 5 days prior to the Final Fairness Hearing
5	Final Fairness Hearing	To be determined by the Court
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8 19. A hearing on the Settlement (the “Final Fairness Hearing”) shall be held
9 before the Court on a date to be set by the Court.

10 20. At the Final Fairness Hearing, the Court will consider (a) the fairness,
11 reasonableness, and adequacy of the proposed class Settlement and whether the
12 Settlement should be granted final approval by the Court; (b) dismissal with prejudice of
13 the Litigation; (c) entry of an order including the release of claims and release of
14 Magellan; (d) entry of a final approval order; and (e) entry of final judgment in this
15 Litigation. Proposed Class Counsel’s application for award of attorney’s fees and
16 expenses, and requests for the Court to award a service award to the named Plaintiffs,
17 shall also be heard at the time of the hearing.

18 21. The date and time of the Final Fairness Hearing shall be subject to
19 adjournment by the Court without further notice to the members of the Settlement Class,
20 other than that which may be posted by the Court. Should the Court adjourn the date for
21 the Final Fairness Hearing, that shall not alter the deadlines for mailing and publication
22 of notice, the Opt-Out Deadline, or the deadlines for submissions of settlement
23 objections, claims, and notices of intention to appear at the Final Fairness Hearing unless
24 those dates are explicitly changed by subsequent Order. The Court may also decide to
25 hold the hearing via zoom or telephonically. Instructions on how to appear at the Final
26 Fairness Hearing will be posted on the Settlement Website.

1 22. Any person or entity who or which does not elect to be excluded from the
2 Settlement Class may, but need not, enter an appearance through their own attorney.
3 Settlement Class Members who do not timely object or opt-out and that do not have an
4 attorney who enter an appearance on their behalf will be represented by Class Counsel.

5 23. Any person or entity who or which does not elect to be excluded from the
6 Settlement Class may object to the proposed Settlement. Any Settlement Class Member
7 may object to, among other things, (a) the proposed Settlement, (b) entry of Final
8 Approval Order and the judgment approving the Settlement, (c) Proposed Class
9 Counsel's Application for fees and expenses, or (d) the service award request, by (i)
10 serving a written objection upon Proposed Class Counsel and Magellan's counsel or (ii)
11 filing the written objection with the Court through the Court's ECF system, with service
12 on Proposed Class Counsel and Magellan's counsel made through the ECF system.

13 24. Any Settlement Class Member making the objection (an "Objector") must
14 submit the objection in writing and include all the following information: a) the objector's
15 full name and address; b) the case name and docket number: *Griffey v. Magellan Health,*
16 *Inc.*, Case No. CV-20-01282-PHX-MTL; c) a written statement of all grounds for the
17 objection, including whether the objection applies only to the objector, to a subset of the
18 Settlement Class, or to the entire Settlement Class, accompanied by any legal support for
19 the objection the objector believes applicable; d) the identity of any and all counsel
20 representing the objector in connection with the objection (if none, please state this); e) a
21 statement whether the objector and/or his or her counsel will appear at the Final Fairness
22 Hearing; and f) the objector's signature or the signature of the objector's duly authorized
23 attorney or other duly authorized representative (if any) representing him or her in
24 connection with the objection.

25 25. In order to be timely, objections, along with any notices of intent to appear,
26 must be mailed to Proposed Class Counsel and Magellan's Counsel with a postmark date
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1 of no later than sixty (60) days after the Notice Commencement Date or filed with the
2 Court no later than sixty (60) days after the Notice Commencement Date.

3 26. Only Settlement Class Members who have filed and served valid and
4 timely notices of objection shall be entitled to be heard at the Final Fairness Hearing. Any
5 Settlement Class Member who does not timely mail or file and serve an objection in
6 writing in accordance with the procedure set forth in the Class Notice and mandated in
7 this Order shall be deemed to have waived any objection to (a) the Settlement; (b) the
8 Released Claims and Released Parties; (c) entry of Final Approval Order or any
9 judgment; (d) Proposed Class Counsel's application for fees, costs, and expenses, and/or
10 (e) the service award request for the named Plaintiffs, whether by appeal, collateral
11 attack, or otherwise.

12 27. Settlement Class Members need not appear at the hearing or take any other
13 action to indicate their approval.

14 28. Upon entry of the Order and Final Judgment, all members of the Settlement
15 Class who have not personally and timely requested to be excluded from the Settlement
16 Class will be enjoined from proceeding against Magellan with respect to all of the
17 Released Claims and the Released Parties.

18 29. The Settlement Administrator shall prepare and send all notices that are
19 required by the Class Action Fairness Act of 2005 ("CAFA") as specified in 28 U.S.C.
20 1715. Class Counsel and Counsel for Magellan shall cooperate promptly and fully in the
21 preparation of such notices, including providing Magellan with any and all information
22 in their possession necessary for the preparation of these notices. Magellan shall provide
23 courtesy copies of the notices to Proposed Class Counsel for the purpose of implementing
24 the settlement. Magellan shall provide notice to Class Counsel of compliance with the
25 CAFA requirements within ten (10) days of providing notice to Attorneys General under
26 CAFA.

1 Settlement Agreement or herein or in any other settlement-related document, shall
2 constitute, be construed as or be deemed to be evidence of or an admission or concession
3 by Magellan as to the validity of any claim that has been or could have been asserted
4 against it or as to any liability by it as to any matter set forth in this Order, or as to the
5 propriety of class certification for any purposes other than for purposes of the current
6 proposed settlement.

7 **IT IS SO ORDERED.**