

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MARTIN JOSEPH ABADILLA, et al.,

Plaintiff,

v.

PRECIGEN, INC., et al.,

Defendants.

Case No.: 5:20-cv-06936-BLF

Dept.: Courtroom 3, 5th Floor

Judge: Hon. Beth Labson Freeman

This Document Relates to:

ALL CONSOLIDATED ACTIONS

~~[PROPOSED]~~ **ORDER GRANTING PLAINTIFF'S MOTION FOR AUTHORIZATION TO
DISTRIBUTE NET SETTLEMENT FUND**

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1 THIS MATTER having come before the Court on the motion of lead plaintiff Raju Shah (“Lead
2 Plaintiff”) for approval of a distribution of the Net Settlement Fund to Authorized Claimants; the
3 Settlement having reached its Effective Date; and the Court having considered the papers filed and
4 proceedings held herein and otherwise being fully informed;

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

6 1. This Order incorporates by reference the definitions in the Stipulation and Agreement
7 of Settlement, dated March 2, 2023, (ECF No. 128) (the “Stipulation” or “Stip.”), or Declaration of
8 Adam D. Walter in Support of Plaintiffs’ Motion for Authorization to Distribute Net Settlement Fund
9 (“Walter Declaration”), and all capitalized terms used, but not defined herein, shall have the same
10 meanings as those set forth in the Stipulation and Walter Declaration.

11 2. The administrative recommendations of A.B. Data, Ltd. (“A.B. Data”), the Court-
12 appointed Claims Administrator, to accept the Proof of Claim and Release forms (“Claim Forms”),
13 including the late, but otherwise eligible, Claim Forms listed in Exhibits C-1 and C-2 to the Walter
14 Declaration are hereby APPROVED.

15 3. As determined by the Claims Administrator, wholly rejected or otherwise ineligible
16 Proofs of Claim, listed in Exhibit C-3, are hereby REJECTED.

17 4. As determined by the Claims Administrator, the Disputed Claims listed in Exhibit B
18 have no Recognized Loss under the Court-approved Plan of Allocation, and are hereby REJECTED.

19 5. The distribution of the Net Settlement Fund to Authorized Claimants is hereby
20 AUTHORIZED and shall be conducted in accordance with the Stipulation, Court-approved Plan of
21 Allocation, and distribution plan for payment of the Net Settlement Fund set forth in the Walter
22 Declaration, which is hereby APPROVED.

23 6. Any Claim Forms received or adjusted, in a manner that would result in an increased
24 Recognized Claim Amount, after lead plaintiff Raju Shah (“Lead Plaintiff”), are, and shall be, rejected
25 (as set forth in ¶¶30, 41 of the Walter Declaration).

26 7. The administration of the Settlement and the proposed distribution of the Net
27 Settlement Fund comply with the terms of the Stipulation and Plan of Allocation.

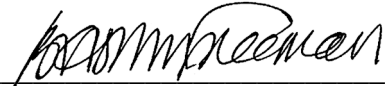
28 8. The Claims Administrator is authorized to destroy paper copies of Claims and all

1 supporting documentation one year from the final distribution date of the Net Settlement Fund and will
2 dispose of electronic copies of the same three years after the final distribution date of the Net
3 Settlement Fund.

4 9. Within 21 days after the settlement checks become stale, Lead Plaintiff will file a Post-
5 Distribution Accounting containing the information set forth in the Northern District of California's
6 Procedural Guidelines for Class Action Settlements. The Post-Distribution Accounting shall also be
7 posted on the website for the Action.

8 IT IS SO ORDERED.

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10 DATED: August 22, 2024.

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12 _____
13 HONORABLE BETH LABSON FREEMAN
14 UNITED STATES DISTRICT JUDGE
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