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10 Lead Counsel for Plaintiffs

11 [Additional counsel appear on signature page.]

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF SAN FRANCISCO

14 BEAVER COUNTY EMPLOYEES) Lead Case No. CGC-14-538355
15 RETIREMENT FUND, et al., Individually and) (Consolidated with No. CGC-14-539008)
on Behalf of All Others Similarly Situated,)
16) CLASS ACTION
Plaintiffs,)
17) Assigned to: Judge A.C. Massullo
vs.)
18) PLAINTIFFS' NOTICE OF NON-
CYAN, INC., et al.,) OBJECTION TO MOTION FOR: (1) FINAL
19) APPROVAL OF CLASS ACTION
Defendants.) SETTLEMENT AND APPROVAL OF PLAN
20) OF ALLOCATION; AND (2) AN AWARD OF
ATTORNEYS' FEES AND EXPENSES

21
22 DATE: June 5, 2019
23 TIME: 9:00 a.m.
24 DEPT: 304
DATE ACTION FILED: 04/01/14

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PLAINTIFFS' NOTICE OF NON-OBJECTION TO MOTION FOR: (1) FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION; AND (2) AN AWARD OF ATTORNEYS' FEES
AND EXPENSES

1 Plaintiffs¹ respectfully submit this notice of non-objection in further support of the Motion for:
2 (1) Final Approval of Class Action Settlement and Approval of Plan of Allocation; and (2) an Award of
3 Attorneys' Fees and Expenses.

4 Judge Karnow granted preliminary approval of the Settlement on December 31, 2018 (the
5 "Order"). Pursuant to the Order, since January 22, 2019, the Claims Administrator, Gilardi & Co. LLC,
6 has mailed the Court-approved Notice of Proposed Settlement of Class Action (the "Notice") and Proof
7 of Claim and Release form to more than 14,200 potential Class Members and nominees, and on January
8 31, 2019, the Summary Notice was published in *The Wall Street Journal* and transmitted over *Business*
9 *Wire*. See previously-filed Declaration of Carole K. Sylvester Regarding Notice Dissemination,
10 Publication, and Requests for Exclusion Received, dated March 25, 2019 ("Sylvester Decl."), ¶¶5-10;
11 12-13; and Declaration of Mishka Ferguson ("Ferguson Decl."), ¶¶3-4, filed herewith. In addition, the
12 dedicated website was updated, and relevant documents and dates were posted thereon. Ferguson Decl.,
13 ¶6.

14 The Notice advised Class Members of the April 25, 2019 deadline for filing objections to the
15 proposed Settlement, the requested Plan of Allocation, and/or the requested attorneys' fees and
16 expenses. The deadline has now passed, and not a single objection was filed. The favorable reaction of
17 the members of the Class supports the reasonableness of the Settlement, the Plan of Allocation, and
18 counsel's fees and expenses requested. See *Nat'l Rural Telecomms. Coop. v. DIRECTV, Inc.*, 221
19 F.R.D. 523, 529 (C.D. Cal. 2004) (absence of large number of objections raises a strong presumption
20 that settlement is fair to the class).

21 Accordingly, Plaintiffs and their counsel hereby request that the Court: (a) approve the
22 Settlement as fair, reasonable and adequate; (b) enter judgment pursuant to the Stipulation; (c) approve
23 the Plan of Allocation; and (d) award attorneys' fees to Plaintiffs' Counsel in the amount of 33-1/3% of
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25 _____
26 ¹ Unless otherwise defined herein, all capitalized terms have the meanings ascribed to them in the
27 Amended Stipulation of Settlement dated December 6, 2018 (the "Stipulation"), or in the previously-
filed Declaration of John K. Grant in Support of Motion for Preliminary Approval of Class Action
Settlement ("Grant Decl."), dated November 5, 2018.

1 the \$15,000,000 Settlement Amount, or \$5,000,000, together with expenses in the amount of
2 \$854,771.78, plus interest on both amounts.

3 DATED: May 29, 2019

Respectfully submitted,

4 ROBBINS GELLER RUDMAN
5 & DOWD LLP
6 DARREN J. ROBBINS
7 JAMES I. JACONETTE
8 ELLEN GUSIKOFF STEWART

9 s/ Ellen Gusikoff Stewart

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PLAINTIFFS' NOTICE OF NON-OBJECTION TO MOTION FOR: (1) FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION; AND (2) AN AWARD OF ATTORNEYS' FEES
AND EXPENSES

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DECLARATION OF SERVICE BY LEXIS FILE AND SERVE XPRESS

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Diego, over the age of 18 years, and not a party to or interested party in the within action; that declarant’s business address is 655 West Broadway, Suite 1900, San Diego, California 92101.

2. That on May 29, 2019, declarant served PLAINTIFFS’ NOTICE OF NON-OBJECTION TO MOTION FOR: (1) FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION; AND (2) AN AWARD OF ATTORNEYS’ FEES AND EXPENSES by serving electronically via Lexis File & Serve Xpress to the parties listed on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 29, 2019, at San Diego, California.



JACLYN STARK

CYAN

Service List - 5/29/2019 (14-0050)

Page 1 of 1

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