

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

JANE DOE, et al., on behalf of themselves and
all others similarly situated,

Plaintiffs,

vs.

SAN DIEGO FERTILITY CENTER MEDICAL
GROUP, INC. d/b/a SAN DIEGO FERTILITY
CENTER,

) Case No.: 37-2024-00006118-CU-BC-CTL

)

) Judge: Hon. Marcella O. McLaughlin

)

) **DECLARATION OF RYAN ALDRIDGE**

) **IN SUPPORT OF FINAL APPROVAL**

)

)

)

)

)

)

)

)

I, Ryan Aldridge, hereby declare and verify as follows:

I. INTRODUCTION

1. ***Personal Information.*** I am a Partner at EisnerAmper. EisnerAmper was retained as the Settlement Administrator in this case, and, as the project manager over this Settlement, I am personally familiar with the facts set forth in this declaration.
2. ***The Capacity and Basis of this Declaration and Verification.*** I am over the age of 21. Except as otherwise noted, the matters set forth in this Declaration and Verification are based upon my personal knowledge, information received from the parties in this proceeding, and information provided by my colleagues at EisnerAmper and our Partners.
3. As the duly appointed Settlement Administrator, I verify compliance with the Notice requirements contained in the Settlement Agreement, and the Court's Preliminary Approval Order.

II. BACKGROUND

4. ***Preliminary Approval.*** On April 10, 2025, the Court entered its order preliminarily approving the Settlement Agreement and the appointment of EisnerAmper as Settlement Administrator. After the Court's preliminary approval of the Settlement, EisnerAmper began to implement and coordinate the Notice Program.

5. ***The Purpose of this Declaration and Verification.*** I submit this Declaration to evidence EisnerAmper's compliance with the terms of the Preliminary Approval Order, to detail EisnerAmper's execution of its role as the Settlement Administrator, and to verify compliance with the Notice requirements contained in the Settlement Agreement, and the Court's Preliminary Approval Order.

III. CLASS NOTICE PROGRAM EXECUTION

6. ***Notice Database.*** EisnerAmper maintains a database of 58,273 Settlement Class Members which was used to effectuate the Notice Program as outlined within the Settlement Agreement. EisnerAmper received the class data on April 8, 2025 in one Excel file containing two tabs of data with a combined total of 58,496 records. After deduplicating the data, EisnerAmper determined that the Settlement Class Member population consists of 58,273 unique records.
7. ***Mail Notice.*** EisnerAmper coordinated and caused the Notice in the form of a postcard ("Postcard Notice") to be mailed via First-Class Mail to Settlement Class Members for which a mailing address was available from the class data. The Postcard Notice included (a) the web address to the case website for access to additional information, and (b) rights and options as a Settlement Class Member and the dates by which to act on those options. The Notice mailing commenced on or before April 25, 2025, in accordance with the Preliminary Approval Order. A true and correct copy of the Postcard Notice is attached hereto as **Exhibit A**.
8. ***Mailing Address Validation.*** Prior to the mailing, all mailing addresses were checked against the National Change of Address (NCOA) database maintained by the United States Postal Service ("USPS"). In addition, the addresses were certified via the Coding Accuracy Support System (CASS) to ensure the quality of the zip code and verified through Delivery Point Validation (DPV) to verify the accuracy of the addresses. Of the 58,273 Settlement Class Member records, 15 records did not successfully pass the address validation procedures noted above.
9. ***Mail Notice Delivery.*** In the initial mailing campaign, EisnerAmper executed mailings to 58,258 Settlement Class Members that passed address validation. EisnerAmper also executed supplemental mailings for 1,249 Settlement Class Members for which the initial Postcard Notice was not deliverable but for which EisnerAmper was able to obtain an alternative mailing address through (1) forwarding addresses provided by the USPS, (2) skip trace searches using a third-party vendor database, or (3)

requests received directly from Settlement Class Members. Mail notice delivery statistics are detailed in Section 14 below.

10. ***Settlement Post Office Box.*** EisnerAmper maintains the following Post Office Box for the Notice Program:

SDFC IVY Settlement Administrator

PO Box 1029

Baton Rouge, LA 70821

This P.O. Box serves as a location for the USPS to return undeliverable program mail to EisnerAmper and for Settlement Class Members to submit exclusion requests, Claim Forms, and other settlement-related correspondence. The P.O. Box address appears prominently in all Notices, the Claim Form, and in multiple locations on the Settlement Website. EisnerAmper monitors the P.O. Box daily and uses a dedicated mail intake team to process each item received.

11. ***Settlement Website.*** On April 25, 2025, EisnerAmper published the Settlement Website, www.SDFCIVYPixelSettlement.com. Visitors to the Settlement Website can download the Notice, the Claim Form, as well as Court Documents, such as the Class Action Amended Complaint, the Settlement Agreement, the Unopposed Motion for Preliminary Approval, Orders of the Court, and other relevant documents. Visitors were also able to submit claims electronically, important dates and deadlines, and contact information for the Settlement Administrator. As of June 26, 2025, the Settlement Website received 25,435 unique visits.
12. ***Toll-Free Number.*** On April 25, 2025, EisnerAmper established a dedicated toll-free telephone number, 1-844-755-4754, which is available twenty-four hours per day. Settlement Class Members can call and interact with an interactive voice response system that provides important settlement information and offers the ability to leave a voicemail message to address specific requests or issues. EisnerAmper also provided copies of the Notice, paper Claim Form, as well as the Settlement Agreement, upon request to Settlement Class Members, through the toll-free number. The toll-free number appeared in all Notices, as well as in multiple locations on the Settlement Website. The toll-free number will remain active through the close of this Notice Program.

13. **Email Support.** EisnerAmper established an Email address, info@SDFCIVYPixelSettlement.com, to provide an additional option for Settlement Class Members to address specific questions and requests to the Settlement Administrator for support.

IV. NOTICE PROGRAM REACH

14. **Notice Reach Results.** Through the Notice procedures outlined above, EisnerAmper attempted to send direct notice to 58,258 (99.97%) Settlement Class Members with sufficient mailing information to attempt notice. As of June 26, 2025, the Notice Program reached a total of 56,714 (97.32%) of Settlement Class Members.¹ Table 1 below provides an overview of dissemination results for the Notice Program and reach statistics for the Notice Program.

Table 1: Direct Notice Program Dissemination & Reach		
Description	Volume of Class Members	Percentage of Class Members (%)
Class Member Database	58,273	100.00%
Postcard Notice Mailing: April 25, 2025		
(+) Total Notices Mailed (Initial Campaign)	58,258	99.97%
(-) Total Notices Returned as Undeliverable	2,574	4.42%
Supplemental Notice Mailings		
(+) Total Unique Notices Re-Mailed	1,257	2.16%
(-) Total Undeliverable (Re-Mailed) Notices	227	0.39%

Direct Notice Program Reach		
Received Postcard Notice	56,714	97.32%
(=) Received Direct Notice	56,714	97.32%

V. CLAIM ACTIVITY

15. **Claim Intake and Processing.** The online claim submission feature was available beginning April 25, 2025. As of June 26, 2025, EisnerAmper has received a total of 7,777 claims submissions, of which 7,568 claims have been determined to be non-duplicative and from Settlement Class Members; a claims rate of 12.98%. If the Attorney fees and expenses, service awards, and costs of administration are approved

¹ A Settlement Class Member is considered “reached” by direct Notice if a Postcard mailed to the Settlement Class Member has not been returned by the USPS as undeliverable.

by the Court, each valid claim is expected to receive approximately \$58.00. EisnerAmper will continue to intake and analyze claims postmarked by the claims filing deadline of June 24, 2025.

VI. EXCLUSIONS AND OBJECTIONS

16. ***Exclusions (Opt-Outs) Received.*** The deadline to submit a request for exclusion was June 24, 2025. To date, EisnerAmper has received fourteen (14) exclusion requests from Settlement Class Members. A redacted list of the fourteen (14) exclusion is attached as **Exhibit B**.

17. ***Settlement Objections.*** The deadline to file an objection was June 24, 2025. To date, EisnerAmper has received five (5) objections from Settlement Class Members through the online submission. A redacted list of the five (5) objections and supporting documentation is attached as **Exhibit C**.

VII. COSTS OF ADMINISTRATION

18. ***Costs of Administration.*** As of June 20, 2025, EisnerAmper has incurred \$66,598.78 in costs sending notice and administering the Settlement. EisnerAmper estimates that it will incur an additional \$18,750.00 in costs for a total of \$85,348.78 in costs administering the Settlement.

VIII. CERTIFICATION

I, Ryan Aldridge, declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 27th day of June, 2025 at Baton Rouge, Louisiana.

A handwritten signature in black ink, appearing to read "Ryan Aldridge", is written above a horizontal line.

Ryan Aldridge

Exhibit A: Postcard Notice

Notice of Class Action Settlement

What is this Settlement for? Plaintiffs filed a class action lawsuit and claimed that San Diego Fertility Center Medical Group, Inc. and Ivy Fertility Services, LLC (individually, “Ivy,” and collectively “Defendants”) violated their Privacy Policies and the law by allegedly sharing personally identifiable device information of persons who used their websites after January 1, 2020. Defendants deny these allegations and any assertion of wrongdoing including any violation of its Privacy Policies.

Plaintiffs and Defendants agreed to settle the Lawsuit in mediation. By this agreement, the parties avoid the cost and uncertainty of further litigation, trial, and appeals. Counsel for Defendants and Plaintiffs negotiated the terms of the settlement described in this notice.

Defendants deny that San Diego Fertility Center Medical Group, Inc. or Ivy Fertility Services, LLC, or any individual or party affiliated with them, shared any patient records or personal medical information, names, birthdays, email addresses, or physical addresses.

What Are The Settlement Class Member Benefits? Defendants have agreed to pay \$850,000 into a Settlement Fund. The Settlement Administrator will distribute *pro rata* cash payments to Settlement Class Members who submit a valid and timely Claim Form.

Deadline to make my claim? You must complete the claim form (see next section) by **Tuesday, June 24, 2025**.

How do I make a claim to receive payment? You will need to complete an on-line claim form, available at www.SDFCIVYPixelSettlement.com. In the claim form, you will be asked to certify that you visited one of the following urls between January 1, 2020 and April 4, 2025.

- <https://www.sdfertility.com>
 - <https://fertilitycentersoc.com/uii.html>
 - <https://pnwfertility.com>
 - <https://www.idahofertility.com>
 - <https://www.nvfertility.com>
 - <https://app.ivyfertility.com/contact-us/sdfc/scheduleconsultation>
 - Other website created, owned, maintained, or distributed by Defendants
- <https://www.fertilitymemphis.com>
 - <https://nevadafertility.com>
 - <https://utahfertility.com>
 - <https://www.vafertility.com>
 - <https://www.ivyfertility.com>

Copy of Complete Settlement Agreement: For a copy of the complete settlement agreement, go to www.SDFCIVYPixelSettlement.com.

Do I have to Participate? No. If you do not want to participate in this settlement, you are not required. If you would like to opt-out of this agreement and pursue this claim on our own with your own legal counsel, you can. To do so, you must “opt-out” by **Tuesday, June 24, 2025**. If you would like to opt out, fill out an opt-out form here: www.SDFCIVYPixelSettlement.com.

Can I object to this Settlement? Yes. If you would like to object to this settlement, you have until **Tuesday, June 24, 2025** to file your objection. If you would like to object to this settlement, you may fill out an objection form here: www.SDFCIVYPixelSettlement.com.

Questions About this Notice? To reach the Settlement Administrator, call 1-844-638-4918. For detailed information about this Settlement, please visit www.SDFCIVYPixelSettlement.com.

Plaintiffs and class members are represented by Almeida Law Group, Cohen & Malad, LLP, Srourian Law Firm, P.C., Stranch, Jennings, & Garvey, PLLC, and Strauss Borelli, PLLC.

1-844-638-4918
www.SDFCIVYPixelSettlement.com

Settlement Administrator
P.O. Box 1029
Baton Rouge, LA 70821

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
FPI

Notice of Class Action

A court authorized this notice.

This is not a solicitation from
a lawyer or an advertisement.
You are a member of a class
action, your legal rights are
affected regardless of whether
you do or do not act.

Please read this notice
carefully.

ELECTRONIC SERVICE REQUESTED



SETTLEMENT CLAIM ID: [claim Id]
[FIRST NAME] [LAST NAME]
[ADDRESS1]
[ADDRESS2][CITY]
[STATE] [ZIP]-[ZIP4]



Postal Service: Do Not Mark or Cover Barcode

O165

Settlement Administrator

SETTLEMENT CLAIM ID: [claim Id]

Your Updated Information

PLACE
STAMP
HERE

*To update your mailing address, please fill out and mail back to the Settlement Administrator.
This is not a claim form. You will not receive a payment unless you submit a claim.

Exhibit B: Exclusion

Exclusion Requests

Doe v San Diego Fertility Case No. 37-2024-00006118

Count	First Name	Middle Name	Last Name	Submitted Date
1	Kristin		Sardella	4/29/2025
2	Dalia		Kothari	5/2/2025
3	Rebecca		Hansell	5/2/2025
4	Megan		Mahajan	5/5/2025
5	Lina		Charry	5/6/2025
6	Courtney		Davey	5/11/2025
7	Kristina		Poutnikova	5/15/2025
8	Shweta		Narayan	5/21/2025
9	Ambra		Lombardo	5/21/2025
10	Katherine		Lutton	5/30/2025
11	Mary		Pavalonis	6/2/2025
12	Kevin		Tsoi-A-Sue	6/12/2025
13	Truc Thanh		Doan	6/15/2025
14	Matthew		Pomales	6/23/2025

Exhibit C: Objections

Objections

Doe v San Diego Fertility Case No. 37-2024-00006118

Count	Submitted Date	Class Member ID	First Name	Last Name	Attend Hearing	Speak at Hearing	Documents	Basis For Objection
1	5/11/2025	VNG-1670956	Chelsea	Glidewell-Rios	No	No	Yes	My basis for objection to the settlement is that the settlement, in no way requires that SDFC, its parent companies, or subsidiaries to remove such tracking capabilities from their website. Current checks of their website (https://www.sdfertility.com) show they are serving tracking information from freshpaint.com as well as retrieving data from storyblok.com. The requests to storyblok.com would include browser information that I am concerned may be used to de-anonymize users of their site such as IP Address, browser headers, and browser capabilities. This information could be used to generate a fingerprint of a user to track them further across the web.
2	5/12/2025	SRS-1740165	Alexis	Aborah	No	No	No	Visited PNW fertility in 2023
3	5/15/2025	LZT-1501309	Emily	Owens	No	No	No	N/A
4	5/29/2025	LBN-1337096	Amy	Anderson	Yes	Yes	No	1) Settlement agreement does not state how much Defendants profited from their sale of patients' sensitive medical information to advertisers. Did they profit more than this settlement will cost them? 2) Settlement agreement does not identify the total number of potential claimants. Class members have no way to determine their potential share of the pie. 3) Settlement agreement does not limit plaintiff counsel's recovery of costs or provide an estimate of costs expected to be incurred by the third party administrator. Yet, they are entitled to full reimbursement of these costs before the class members' share is calculated. Without the above information, class claimants cannot assess whether their potential share of the settlement is fair.
5	6/16/2025	SXK-1182198	Fateme	Nikseresht	No	No	No	I am a member of the class in the above-referenced case. I am writing to formally object to the proposed class action settlement. My objection is based on the fact that the defendant company unlawfully shared my personal information without my consent. This breach of trust and privacy caused harm, and I do not believe the proposed settlement adequately compensates class members for that harm. Additionally, the settlement does not appear to hold the company meaningfully accountable or include strong enough safeguards to prevent future violations. I respectfully request that the Court reject the proposed settlement or require modifications that provide stronger protections and fairer compensation for affected individuals.