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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 HOLLY WEDDING, et al.,
16 Plaintiffs,

17 vs.

18 CALIFORNIA PUBLIC EMPLOYEES’
19 RETIREMENT SYSTEM, et al,
20 Defendants.

Judicial Council Coordination Proceeding No.
4936

Case No. BC517444

CLASS ACTION

Assigned for all purposes to the Honorable
William F. Highberger—Dept. SS10

**JUDGMENT ON SECOND CLASS
ACTION SETTLEMENT BETWEEN
PLAINTIFFS AND DEFENDANT
CALIFORNIA PUBLIC EMPLOYEES’
RETIREMENT SYSTEM**

1 On _____, this Court gave final approval to the class settlement between
2 Plaintiffs Eileen and Richard Lodyga and Holly Wedding (collectively “Plaintiffs”), and
3 Defendant California Public Employees’ Retirement System (“Defendant” or “CalPERS”) and
4 entered its Order Granting Final Approval to Second Class Action Settlement (the “Final
5 Approval Order”). Capitalized terms not otherwise defined in this Judgment shall have the
6 definitions set forth in the Second Settlement Agreement.

7 Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

8 1. The Settlement Class is defined as any individual who was a California citizen in
9 February 2013, and who purchased LTC1 and LTC2 policies that included the automatic inflation
10 protection benefit and were subjected to the Challenged Increase. Policyholders who converted
11 their policies to LTC3 policies prior to the implementation of the Challenged Increase are not
12 included in the Settlement Class, even if the conversion occurred after the Challenged Increase
13 was approved in October 2012. The Settlement Class does not include those individuals who
14 opted out of the Class certified by the Court on January 28, 2016.

15 2. 274 members of the Settlement Class timely requested to be excluded from the
16 Settlement Class prior to the deadline on June 6, 2023. A list of members who requested
17 exclusion is attached as Exhibit 1 hereto.

18 3. Plaintiffs Eileen and Richard Lodyga, Holly Wedding and all Participating
19 Settlement Class Members shall take from their complaint as to CalPERS only the relief set forth
20 in: (a) Second Class Action Settlement Agreement and Release (the “Settlement Agreement”), a
21 copy of which is attached as Exhibit A to the Declaration of Gretchen M. Nelson, dated February
22 27, 2023; and (b) the Final Approval Order, filed on _____.

23 4. This Judgment is intended to be a final disposition of the above-captioned action
24 as against CalPERS only, and is intended to be immediately appealable, including as to any
25 members of the Class certified by the Court’s Order, dated January 28, 2016 whose claims were
26 dismissed as a result of the Court’s Statement of Decision, dated July 27, 2020.
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5. Pursuant to the Settlement Agreement, California Code of Civil Procedure Section 664.4 and Rule 3.769(h) of the California Rules of Court, this Court retains jurisdiction over the parties to the Settlement solely to enforce the terms of the Settlement Agreement, the Final Approval Order, and this Judgment.

Dated: _____

Hon. William F. Highberger
Judge of the Superior Court