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THE HONORABLE RICHARD A. JONES
(On Reference to the Honorable S. Kate Vaughan)

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

CHRIS HUNICHEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ATONOMI LLC, a Delaware LLC, CENTRI
TECHNOLOGY, INC., a Delaware
Corporation, LAUNCHCAPITAL, LLC, a
Delaware LLC, M37 Ventures Inc., a Nevada
Corporation, VAUGHAN EMERY, DAVID
FRAGALE, ROB STRICKLAND, KYLE
STRICKLAND, DON DELOACH, WAYNE
WISEHART, WOODY BENSON, MICHAEL
MACKEY, JAMES SALTER, and LUIS
PARIS,

Defendants.

ATONOMI LLC, a Delaware LLC,

Counterclaimant,

v.

CHRIS HUNICHEN,

Counter-Defendant.

ATONOMI LLC, a Delaware LLC,

Third Party Plaintiff,

v.

No. 2-19-CV-00615-RAJ-SKV

**NON-OPPOSITION TO MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Hearing Date: June 28, 2024

1 DAVID PATRICK PETERS, SEAN
2 GETZWILLER, DAVID CUTLER, CHANCE
3 KORNUTH, and DENNIS SAMUEL
4 BLIEDEN,

5
6 Counter-Defendants.

7 Defendant Vaughan Emery files this Non-Opposition to Motion for Final Approval of
8 Class Certification. The proposed settlement is the product of serious, informed, noncollusive
9 negotiations, and was reached after a careful and thorough investigation by Plaintiffs' counsel of
10 the financial condition of Defendant Vaughan Emery and all other remaining defendants. As a
11 part of the investigation, Mr. Emery provided Plaintiffs' counsel with a declaration attesting to his
12 financial condition in December 2023. His condition remains unchanged. Moreover, the
13 applicable insurance policy has declining limits, and the policy is close to being depleted. For all
14 the reasons set forth in Plaintiffs' Motion for Preliminary Approval, the Court should preliminarily
15 approve of the settlement on the terms set forth in the Motion for Preliminary Approval.

16 DATED June 24, 2024

LEWIS BRISBOIS BISGAARD & SMITH LLP

17
18 s/ Kathleen A. Nelson

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Attorney for Defendant VAUGHAN EMERY

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Attorneys for Plaintiff/Counter-Defendants

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12 Dated June 24, 2024 at Seattle, Washington.

14 *s/Tami L. Foster*
15 Tami L. Foster, Legal Secretary
16 Tami.Foster@lewisbrisbois.com