

Confirmation “does not discharge this Debtor from any debt that arose before the date of the confirmation,” *id.* at 24, but instead transfers the obligations to creditors of the liquidating trust.

4. The consolidated bankruptcy proceeding relating to Alieria is ongoing in the United States District Court for the District of Delaware [Case No. 21-11548], and the automatic stay afforded by 11 U.S.C. § 362 [D.E. 75] remains in place.

5. Plaintiffs and OneShare have continued to proceed toward a nationwide class settlement in *Duncan v. The Alieria Companies, Inc., et al.*, Case No. 2:20-CV-00867-TLN-KJN (E.D. Cal.), that, upon final approval, will resolve Plaintiffs’ claims against OneShare in this case. On May 25, 2023, in *Duncan*, Plaintiffs, along with the named plaintiffs from the other actions, filed an unopposed motion to lift the stay, an unopposed motion to amend the complaint to effectuate settlement (to assert a nationwide class), and an unopposed motion for certification of a settlement class and for preliminary approval of the settlement. On June 14, 2023, in *Duncan*, Judge Troy Nunley of the Eastern District of California granted the plaintiffs’ motion to lift the stay and motion to amend the complaint to effectuate settlement. On June 15, 2023, Judge Nunley granted the plaintiffs’ motion for certification of a settlement class and for preliminary approval of the settlement.

6. Judge Nunley set a final approval hearing for January 11, 2024, and ordered the plaintiffs to move for final settlement approval and approval of attorneys’ fees, litigation-expense reimbursements, and class-representative service awards by August 24, 2023.

7. Consistent with the terms of the settlement agreement, Plaintiffs and OneShare have agreed to jointly seek a continued stay of this action.

8. Good cause exists for continuing the stay of this case. If a settlement class is certified and the settlement is approved, then this case would be dismissed. As a result, Plaintiffs

and OneShare believe that this matter should continue to be stayed pending adjudication of the forthcoming motion for approval of the parties' settlement agreement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Robin E. McGuffin
Counsel for OneShare Health, LLC