

**FILED**  
**IN OPEN COURT**

**MAY 16 2025**

**WHATCOM COUNTY CLERK**

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR WHATCOM COUNTY**

GENEVIEVE BARDWELL, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

MT. BAKER IMAGING, LLC,  
NORTHWEST RADIOLOGISTS, INC., P.S.  
and PEACEHEALTH,

Defendants.

NO. 25-2-00463-37

**ORDER GRANTING JOINT MOTION  
TO CONSOLIDATE AND APPOINT  
INTERIM CO-LEAD CLASS  
COUNSEL**

**[CLERK'S ACTION REQUIRED]**

THOMAS SCHUMANN and JEFFREY  
KAHN, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

MT. BAKER IMAGING, LLC and  
NORTHWEST RADIOLOGISTS, INC., P.S.,

Defendants.

NO. 25-2-00808-37

ORDER GRANTING JOINT MOTION TO APPOINT CO-LEAD  
COUNSEL - 1

**TOUSLEY BRAIN STEPHENS PLLC**  
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1 DANIEL UITDENHOWEN and MICHAEL  
2 BARR, on behalf of themselves and all others  
similarly situated,

NO. 25-2-00814-37

3 Plaintiffs,

4 v.

5 MOUNT BAKER IMAGING LLC, and  
6 NORTHWEST RADIOLOGISTS INC. P.S.  
(collectively d/b/a NORTHWEST  
7 RADIOLOGISTS AND MOUNT BAKER  
IMAGING)

8 Defendants.

9  
10 JEFF EBERLEIN, individually and on behalf  
of all others similarly situated,

NO. 25-2-00822-37

11 Plaintiff,

12 v.

13 NORTHWEST RADIOLOGISTS, INC., P.S.,  
14 MT. BAKER IMAGING, LLC, and  
PEACEHEALTH

15 Defendants.

16  
17 WHEREAS, Plaintiffs Genevieve Bardwell, Thomas Schumann Jeffrey Kahn, Daniel  
18 Uitdenhowen, Michael Barr, and Jeff Eberlein ("Plaintiffs") jointly move, pursuant to CR 42, to  
consolidate the related actions, *Bardwell v. Mt. Baker Imaging, LLC, et al.*, No. 25-2-00463-37  
19 ("Bardwell"), *Schumann et al. v. Mt. Baker Imaging, LLC, et al.*, No. 25-2-00808-37  
("Schumann"), *Uitdenhowen et al. and Mt. Baker Imaging, LLC et al.*, No. 25-2-00814-37  
20 ("Uitdenhowen"), and *Eberlein v. Northwest Radiologists, Inc. et al.*, No. 25-2-00822-37  
21 ("Eberlein") (together, the "Related Actions"), and

22 WHEREAS, pursuant to CR 23, Plaintiffs moved for the appointment of Interim Co-Lead  
Class Counsel and Liaison Counsel,

23  
24 WHEREAS, Defendant Northwest Radiologists, Inc., P.S., Mt. Baker Imaging, LLC, and  
Peacehealth have taken no position on Plaintiffs' Joint Motion to Consolidate and Appoint  
25 Interim Co-Lead Class Counsel,

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ORDER GRANTING JOINT MOTION TO APPOINT CO-LEAD  
COUNSEL - 2

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1 WHEREAS, the Court has carefully reviewed the motion and exhibits attached thereto,  
2 as well as all files, records, and prior proceedings to date in this matter, and good cause appearing  
3 based on the record, it is hereby **ORDERED** that:

- 4 1. Related Matters *Bardwell v. Mt. Baker Imaging, LLC, et al.*, No. 25-2-00463-37,  
5 *Schumann et al. v. Mt. Baker Imaging, LLC, et al.*, No. 25-2-00808-37, *Uitdenhowen*  
6 *et al.* and *Mt. Baker Imaging, LLC et al.*, and *Eberlein v. Northwest Radiologists, Inc.*  
7 *et al.*, 25-2-00822-37 shall be consolidated for all purposes. The *Bardwell* case is  
8 designated as the lead case. All papers filed in the Consolidated Action shall be filed  
9 under Case No. 25-2-00463-37 and shall bear the following caption:

10 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**  
11 **IN AND FOR WHATCOM COUNTY**

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	<i>In re: Mt. Baker Imaging, LLC, Data Security</i> <i>Litigation</i>	Lead Case No. 25-2-00463-37
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2. All future-filed or transferred actions that are related to the Consolidated Action pursuant to CR 42 (in that they are based on the same or similar facts and circumstances) shall be consolidated into the Consolidated Action;
3. All pending deadlines and hearings in the *Schumann*, *Uitdenhowen*, and *Eberlein* actions are struck;
4. Defendant need not file a response to the current complaints in *Schumann*, *Uitdenhowen*, and *Eberlein*;
5. Elena A. Belov of Almeida Law Group LLC and M. Anderson Berry of Clayeo C. Arnold, APC shall serve as Interim Co-Lead Class Counsel;
- a. Interim Co-Lead Class Counsel shall have the sole authority to speak for Plaintiffs in all matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
- b. Interim Co-Lead Class Counsel shall be responsible for coordinating all activities and appearances on behalf of Plaintiffs. No motion, request for discovery, settlement discussion, or other pre-trial or trial proceedings will be initiated or filed by any Plaintiff except through Co-Lead Counsel;



1 c. Defendants' counsel may rely upon all agreements made with Interim Co-  
2 Lead Class Counsel, or other duly authorized representative of Interim Co-  
3 Lead Class Counsel, and such agreements shall be binding on all Plaintiffs;

4 6. Kaleigh N. Boyd of Tousley Brain Stephens PLLC shall serve as Liaison Counsel;

5 7. Initial deadlines for the Consolidated Action are as follows:

6 a. Interim Co-Lead Class Counsel shall file a Consolidated Complaint no later than  
7 30 days following entry of this Order;

8 b. Defendant shall file an answer or otherwise respond to the Consolidated  
9 Complaint within 60 days of the filing of the Consolidated Complaint.

10 **IT IS SO ORDERED.**

11 Dated: 16 MAY, 2025

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13 Honorable Evan Jones  
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