Robert H. Marcereau, Esq. (SBN: 211534)
Benjamin T. Ikuta, Esq. (SBN: 260878)
FERTILITY LAW GROUP
1327 North Broadway
Santa Ana, CA 92706
Tel: (855) 351-3889
Email: rob@ivflawyer.com; ben@ivflawyer.com

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE – CENTRAL JUSTICE CENTER

MONIQUE SANTOS, MIKHAEL ALLEN SANTOS, MARINA REYES, JORGE REYES, ANJILI PULIYANDA-SOARES, JAMES SOARES, ASHLEIGH HUFFMAN, L.M., BERENICE CERVANTES, CURTIS HANSON, YESELY ELIZONDO, PEDRO RODRIGUEZ, NOEMI OJEDA, EFRAIN OJEDA, EMILIE GERNANDT, CHRISTOPHER GONZALEZ, MICHELLE HUSTED, ALAN HUSTED, A.A., J.A., J.B., A.AM., F.C., A.C., C.C., R.W., Y.D., B.P., J.D., S.D., B.G., M.G., H.H., T.W., K.I., C.I., T.K., M.K., J.K., R.K., Y.L., G.H., C.M., U.M., C.N., J.M., E.R., D.R., S.T., R.M., C.W., and K.W.

Plaintiffs,

vs.

ACACIO FERTILITY CENTER, INC.; BRIAN DAVID ACACIO, M.D.; BRIAN DAVID ACACIO, M.D., A PROFESSIONAL CORPORATION; JOHN SCADROS, PhD. and DOES 1 through 100, Inclusive,

Defendants.

CASE NO: 30-2026-01551553-CU-PO-CJC

[UNLIMITED CIVIL]
ASSIGNE FOR ALL PURPOSES TO:
JUDGE LINDSEY E. MARTINEZ
DEPT. C24

STIPULATION AND ~~[PROPOSED]~~ ORDER RE RELEASE OF PLAINTIFFS' EMBRYOS AND GENETIC MATERIAL

Complaint Filed: March 3, 2026
Trial Date: Not Set

STIPULATION AND ~~[PROPOSED]~~ ORDER

Plaintiffs and Defendants Acacio Fertility Center, Inc., Brian David Acacio, M.D., Brian David Acacio, M.D., A Professional Corporation, and John Scodras, Ph.D., by and through their counsel of record, agree and stipulate as follows:

1. Any Plaintiff may request release and transport of that Plaintiff's embryos, oocytes, sperm, semen, testicular tissue, or other reproductive genetic material currently being stored by Defendants at the Acacio Fertility Clinic in Bakersfield, California.

2. To initiate release and transport, Plaintiffs' counsel shall provide defense counsel with completed copies of the Authorization to Release Healthcare Information, attached as Exhibit A, and the Written Request for Embryo Transport, attached as Exhibit B.

3. Upon receipt of the completed Exhibit A and Exhibit B forms, Defendants shall promptly release and cooperate in the transport of the requesting Plaintiff's embryos and/or other genetic material to the clinic, storage facility, cryobank, carrier, or transport service designated by the Plaintiff.

4. Defendants shall not condition release or transport of a plaintiff's embryos and/or other genetic material on execution of any further documents, other than Exhibits A and B attached to this Stipulation, including any potential waiver, release, indemnity, hold-harmless agreement, liability limitation, notarization, Acacio consent form, or any other condition not stated in this Stipulation and Order.

5. Defendants shall cooperate in good faith with the receiving facility, transportation provider, and Plaintiffs' counsel to complete the release and transport of a plaintiff's embryo and/or other genetic materials, without delay, after receipt of the fully and properly executed forms, attached here as Exhibits A and B, for each such plaintiff.

6. Nothing in this Stipulation and Order constitutes a waiver or release of any claim, defense, right, or remedy of any party.

IT IS SO STIPULATED.

Dated: June 1, 2026

FERTILITY LAW GROUP

By: _____
Robert H. Marcereau, Esq.
Attorney for Plaintiffs

Dated: June 1, 2026

BOWMAN AND BROOKE LLP

By: Joan S. Anderson
Joan S. Anderson, Esq.
Attorneys for Defendant

ORDER

Good cause appearing, and based on the agreement and stipulation of all parties, the Court orders as follows:

1. Any Plaintiff may request release and transport of that Plaintiff's embryos, oocytes, sperm, semen, testicular tissue, or other reproductive genetic material currently being stored by Defendants at the Acacio Fertility Clinic in Bakersfield, California.

2. To initiate release and transport, Plaintiffs' counsel shall provide defense counsel with completed copies of the Authorization to Release Healthcare Information, attached as Exhibit A, and the Written Request for Embryo Transport, attached as Exhibit B.

3. Upon receipt of the completed Exhibit A and Exhibit B forms, Defendants shall promptly release and cooperate in the transport of the requesting Plaintiff's embryos and/or other genetic material to the clinic, storage facility, cryobank, carrier, or transport service designated by the Plaintiff.

4. Defendants shall not condition release or transport of a plaintiff's embryos and/or other genetic material on execution of any further documents, other than Exhibits A and B attached to this Stipulation, including any potential waiver, release, indemnity, hold-harmless agreement, liability limitation, notarization, Acacio consent form, or any other condition not stated in this Order.

5. Defendants shall cooperate in good faith with the receiving facility, transportation provider, and Plaintiffs' counsel to complete the release and transport of a plaintiff's embryo and/or other genetic materials, without delay, after receipt of the fully and properly executed forms, attached here as Exhibits A and B, for each such plaintiff.

6. Nothing in this Order constitutes a waiver or release of any claim, defense, right, or remedy of any party.

IT IS SO ORDERED.

Dated: **June 04, 2026**

Lindsey E. Martinez

HON. LINDSEY E. MARTINEZ
Judge of the Superior Court

EXHIBIT A

Authorization to Release Healthcare Information

Acacio
FERTILITY CENTER
Pathway to Parenthood

Brian Acacio, M.D.

Bakersfield Office
2225 19th Street
Bakersfield, CA 93301
Tel (661) 326-8066
Fax (661) 843-7706

AUTHORIZATION TO RELEASE HEALTHCARE INFORMATION

Patient's Name: _____ **Date of Birth:** _____

Previous Name: _____ **Social Security #:** _____

I request and authorize: **Acacio Fertility Center, Inc.** **Phone:** **661-326-8066**

Address: **2225 19th Street Bakersfield, CA 93301** **Fax:** **661-843-7706**

To release healthcare information of the patient named above to:

Name: _____ **Phone:** _____

Address: _____ **Fax:** _____

City: _____ **State:** _____ **Zip Code:** _____

Please include email address *if* you would like to receive an electronic copy of the records

EMAIL ADDRESS:_____

This request and authorization applies to:

☐ All healthcare information **($30 fee *if* more than 30 pages and sent directly to patient)**

☐ Other: _____

Definition: Sexually Transmitted Disease (STD) as defined by law, RCW 70.24 et seq., includes herpes, herpes simplex, human papilloma virus, wart, genital wart, condyloma, Chlamydia, non-specific urethritis, syphilis, VDRL, chancroid, lymphogranuloma venereuem, HIV (Human Immunodeficiency Virus), AIDS (Acquired Immunodeficiency Syndrome), and gonorrhea.

☐ YES ☐ NO I authorize the release of my STD results, whether negative or positive, to the person(s) listed above. I understand that the person(s) listed above will be notified that I must give specific written permission before disclosure of these test results to anyone.

☐ YES ☐ NO I authorize the release of my HIV/AIDS testing, whether negative or positive, to the person(s) listed above.

☐ YES ☐ NO I authorize the release of any records regarding drug, alcohol, or mental health treatment to the person(s) listed above.

☐ YES ☐ NO This medical information may be used by the person I authorize to receive this information for medical tr eatment or consultation, billing or claims payment, or other purposes as I may direct.

☐ YES ☐ NO This authorization shall be in force and effect until _____(date or event) at which time this aut horization expires. **It will expire in 90 days unless otherwise authorized.**

☐ YES ☐ NO I understand that I have the right to revoke this authorization in writing, at any time. I understand that a revocation is not effective to the extent that any person or entity has already acted in reliance on my authorization or if my authorization was obtained as a conditions of obtaining insurance coverage and the insurer has a legal right to contest a claim.

☐ YES ☐ NO I understand that my treatment, payment, enrollment, or eligibility for benefits will not be conditions on whether I sign this authorization.

☐ YES ☐ NO I understand that information used or disclosed pursuant to this authorization may be disclosed by the recipient and may no longer be protected by federal or state laws.

Patient Signature: _____ Date: _____

EXHIBIT B

Written Request for Embryo Transport

Acacio
FERTILITY CENTER
Pathway to Parenthood

Brian Acacio, M.D.

Bakersfield Office
2225 19th Street
Bakersfield, CA 93301
Tel (661) 326-8066
Fax (661) 843-7706

WRITTEN REQUEST FOR EMBRYO TRANSPORT

The following Patient requests release of their genetic material (eggs, sperm, embryos) for transport:

Patient's Name: _____ Date of Birth: _____

Previous Name: _____ Social Security #: _____

Spouse's Name: _____
(if applicable)

The Patient's genetic material (including eggs, sperm, and embryos) will be transported from:

Clinic Name: Acacio Fertility Center, Inc. Phone: (661) 326-8066

Address: 2225 19th Street Fax: (661) 843-7706

City: Bakersfield State: California Zip Code: 93301

EMAIL ADDRESS: _____

The Patient's genetic material (including eggs, sperm, and embryos) will be transported to :

Clinic Name: _____ Phone: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip Code: _____

EMAIL ADDRESS: _____

The Patient requests that the following transportation service is utilized for the transport:

Transportation Service Name: _____ Phone: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip Code: _____

EMAIL ADDRESS: _____

Patient Signature: _____ Date: _____

Spouse / Partner Signature: _____ Date: _____
(if applicable)

PROOF OF SERVICE

I am over the age of 18, employed in the County of Orange, State of California, and not a party to the within action. My business address is 1327 North Broadway, Santa Ana, CA, 92706.

On June 4, 2026**,** I served the foregoing document(s) described as **STIPULATION AND [PROPOSED] ORDER RE RELEASE OF PLAINTIFFS' EMBRYOS AND GENETIC MATERIAL** on the party or parties per the attached:

☐ BY FIRST CLASS MAIL as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on the same day with postage thereon fully prepaid at Santa Ana, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (l) day after date of deposit for mailing in affidavit.

☐ BY FACSIMILE: I caused such document to be transmitted by facsimile. The facsimile machine I used complied with California Rules of Court, Rule 2003(3) and the transmission was reported as complete and without error.

☒ BY ELECTRONIC MAIL: The above-described document(s) were sent by e-mail transmission to the email addresses listed on the service list pursuant to Code of Civil Procedure section 1010.6.(e)(1).

☐ I hereby certify that I electronically filed the foregoing with the Clerk of Court which will send a notice of electronic filing to all counsel of record who have consented to electronic notification.

☐ BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the offices of the addressee(s).

☐ BY OVERNIGHT DELIVERY I caused such envelope to be sent via overnight delivery service. The envelope was deposited in or with a facility regularly maintained by the express service carrier with delivery fees paid or provided for.

☒ STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 4, 2026 at Santa Ana, California.

By: LAURA LONGSTRETH

SERVICE LIST

Monique Santos, et al. v. Acacio Fertility Center, Inc., et al.
Case No. 30-2026-01551553-CU-PO-CJC

Kim Schmid, Esq.
Joan Anderson, Esq.
Jae Lee, Esq.
BOWMAN AND BROOKE
150 South First Street
Suite 3000
Minneapolis, MN 55402
Telephone: (612) 339-8682
Facsimile: (612) 672-3200
Kim.Schmid@bowmanandbrooke.com
Joan.Anderson@bowmanandbrooke.com
Jae.Lee@bowmanandbrooke.com
Sherry.Martinson@bowmanandbrooke.com (Sherry Martinson)
Katie.Ocampo@bowmanandbrooke.com (Katie Ocampo)

Attorneys for Defendants, ACACIO FERTILITY CENTER, INC.; BRIAN DAVID ACACIO, M.D.; BRIAN DAVID ACACIO, M.D., A PROFESSIONAL CORPORATION; JOHN SCODRAS, PhD.