

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

**TIMOTHY O’HERN, *et al.*, Individually and on  
Behalf of All Others Similarly Situated,**

**Plaintiffs,**

**v.**

**VIDA LONGEVITY FUND, LP, *et al.*,**

**Defendants.**

**No. 1:21-cv-00402-SRF**

**JUDGMENT**

Consistent with the terms of the Order Approving Class-Action Settlement entered on May 2, 2023 (the “Approval Order”), the settlement of this class action on the terms set forth in the parties’ Stipulation of Settlement dated as of July 8, 2022, including all exhibits (collectively, the “Settlement Agreement”), is approved as fair, reasonable, and adequate, and consistent with and in compliance with all applicable requirements of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Rules of this Court, and any other applicable law, and in the best interests of the Class Members. Unless otherwise defined in this Judgment, the capitalized terms in the Judgment have the same meaning as in the Settlement Agreement.

1. The Court finally certifies the following Class for settlement purposes pursuant to Fed. R. Civ. P. 23(b)(3): all persons and entities who, during the period from January 1, 2017 through March 19, 2021, inclusive, purchased or otherwise acquired VLF Interests, either directly, or indirectly through Life Assets Trust S.A. Compartments VII and/or VIII, pursuant to an offering of those partnership interests. Excluded from the Class are:

- a. such persons or entities who submitted valid and timely requests for exclusion from the Class;
- b. such persons or entities who, while represented by counsel, settled an actual or threatened lawsuit or other proceeding against one or more of the Releasees arising out of or related to the Released Class Claims; and
- c. Defendants; the agents or employees of Defendants; any person, firm, trust, corporation, or other entity related to or affiliated with any of the Defendants during the Class Period (*provided, however*, that the term “affiliate” or “affiliated with” shall not include Life Assets Trust S.A. Compartments VII and VIII); and any judge or judicial officer who may hear any aspect of this case, and his or her law clerks.

2. The Postcard Notice, Long-Form Notice, Claim Form, Summary Notice, and notice methodology implemented pursuant to the Court’s Preliminary Approval Order entered November 21, 2022 (*i*) constituted the best practicable notice to potential Class Members, (*ii*) constituted notice that was reasonably calculated, under the circumstances, to apprise potential Class Members of the pendency of the Action, the effect of the Settlement Agreement (including the Releases), their right to object to the proposed Settlement, and their right to exclude themselves from the Class, and Class Members’ right to appear at the Fairness Hearing, (*iii*) were reasonable and constituted due, adequate, and sufficient notice to all persons or entities entitled to receive notice, and (*iv*) met all applicable requirements of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Rules of the Court, and any other applicable law.

3. The claims in the Action are dismissed on the merits and with prejudice according to the terms of the Settlement Agreement and the Approval Order, without costs to any party except as provided therein.


4. The release, permanent injunction, and Complete Bar Order as set out in the Approval Order shall be effective as to all persons and entities identified in them.

5. Neither the Approval Order nor this Judgment applies to the persons or entities who submitted timely and valid exclusion requests and are named on the list annexed as Exhibit 1.

6. Without affecting the extent to which this Judgment and the Approval Order are final for purposes of any appeals, and subject to the Mediator's ability to make final, binding, and nonappealable rulings as prescribed in the Settlement Agreement, this Court retains continuing and exclusive jurisdiction over the Action as to all matters relating to the administration, consummation, enforcement, and interpretation of the Settlement Agreement, the Judgment, and the Approval Order, and for any other reasonably necessary purposes.

7. JUDGMENT in this Action is hereby entered in accordance with Federal Rule of Civil Procedure 58 this 2nd day of May, 2023. The Clerk of Court is respectfully directed to mark this case closed.

IT IS SO ORDERED.

  
United States Magistrate Judge