

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No. 1:17-cv-21087-FAM

GEORGE TERSHAKOVEC, *et al.*,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

**PLAINTIFFS' MOTION TO
APPROVE THE FORM AND MANNER OF CLASS NOTICE**

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I. INTRODUCTION

On July 1, 2021, this Court certified fraud claims for nine State Classes,¹ in addition to implied warranty and Magnusson-Moss claims for California and Texas. D.E. 231. Seven of the State Classes now move under Federal Rule of Civil Procedure 23(c)(2)(B), requesting that the Court approve the form and manner of class notice as outlined in the Proposed Notice Plan.² As explained below, the Proposed Notice Plan complies with Constitutional requirements of due process by providing Class Members with the best practicable notice that is reasonably calculated to apprise them about the lawsuit, their legal rights, and their different options at this stage of the litigation.

The Proposed Notice Plan is supported by JND Legal Administration (“JND” or “Notice Administrator”), an experienced notice administrator. As set forth in more detail in the supporting Declaration of Jennifer M. Keough (“JMK Notice Decl.”), its Chief Executive Officer, JND has been appointed as notice, claims, and/or settlement administrator in hundreds of matters, including several of the largest and most significant recent class actions involving automotive claims. *See*, Ex. A (JMK Notice Decl., ¶¶ 9-10). Class Counsel worked with Ms. Keough and her team at JND to develop the Short-Form and Long-Form of notice (“Proposed Notices”) to the State Classes as well as the proposed manner of dissemination (“Proposed Notice Program”).

The Proposed Notices provide the relevant information required by Rule 23(c)(2)(B) in neutral language that is plain and easy to understand. *Id.* at ¶¶ 29-30. The Proposed Notice

¹ The certified State Classes were California, Florida, Illinois, Missouri, New York, Oregon, Tennessee, Texas, and Washington.

² The Proposed Notice Plan consists of the Proposed Notices (form component) and Proposed Notice Program (manner of dissemination component).

Program identifies direct mail notice via a Short-Form Postcard notice disseminated through U.S. mail as the principal method of notice. *Id.* at ¶ 20. The Short-Form notice will also direct the Class Members to a website where the Long-Form notice will be posted, providing Class Members with additional information about the lawsuit, including the Second Amended Complaint, Orders on Class Certification, and other relevant documents. *Id.* at ¶ 26. In the opinion of the Notice Administrator, the Proposed Notice Program is designed to reach the vast majority of Class Members. *Id.* at ¶ 31. Class Counsel will take responsibility for the cost of the Proposed Notice Plan, which is estimated to be approximately \$25,000.

The State Classes respectfully request that the Court approve the Proposed Notices, which are attached to this motion as Exhibit B (Short-Form notice) and Exhibit C (Long-Form notice), with disputed language in brackets. The State Classes also request that the Court approve the Proposed Notice Program.

II. RELEVANT PROCEDURAL BACKGROUND

Plaintiffs filed their Second Amended Complaint on February 20, 2018 [D.E. 43] and their Motion for Class Certification on July 30, 2019. D.E. 178. The Court granted, in part, Plaintiffs' Motion for Class Certification on July 1, 2021. D.E. 231. In so doing, the Court certified fraud claims for nine state law classes, as well as implied warranty and Magnusson-Moss claims for California and Texas. *Id.* at 28. The Court also approved the following Class Definition: "All persons who purchased a Class Vehicle from a Ford-authorized dealer or distributor located in [insert state here] before April 1, 2016." *Id.* The Court set this matter for trial starting on November 22, 2021. D.E. 250.

Shortly after the Court entered its July 1, 2021, Order, Class Counsel moved the Court to reconsider the end of the Class Period. D.E. 238. On August 20, 2021, the Court extended the

end of the class period to April 27, 2016. D.E. 251 at 1. On October 4, 2021, Class Counsel filed a Motion Requesting the Appointment of Class Representatives for seven of the certified State Classes: California, Florida, Missouri, New York, Tennessee, Texas, and Washington.³ D.E. 257.

Since entry of the August 20, 2021 Order, Class Counsel collaborated with JND to develop the Proposed Notice Program and drafted the Proposed Notices. Class Counsel also conferred with counsel for Defendant, and the Parties agree on the content of the notice forms and the manner of dissemination, but for the two issues identified in Section III.C., *infra*.⁴ The Parties have also agreed that the internet address for the dedicated, case-specific notice website, which address is known as the Uniform Resource Locator, or “URL,” will be “www.shelbygt350mustanglitigation.com.”

III. ARGUMENT

“For a court to exercise jurisdiction over the claims of absent Class Members, there must be minimal procedural due process protection.” *Perez v. Asurion Corp.*, 501 F. Supp. 2d 1360, 1377 (S.D. Fla. 2007); *see also Juris v. Inamed Corp.*, 685 F.3d 1294, 1317 (11th Cir. 2012) (“The notice provisions of Rule 23, which are meant to protect the due process rights of absent class members, set forth different notice requirements to different kinds of cases and even to different phases of [the] same case.”) (internal quotations omitted). To satisfy due process requirements the notice must only be the “best practicable, ‘reasonably calculated, under all the circumstances, to

³ Plaintiffs do not object to the decertification of the Oregon and Illinois classes due to: (1) the lack of a qualified Class Representative; and (2) the Court’s Order that Plaintiffs are unable to substitute new Plaintiffs so that those states can remain certified. *See*, D.E. 257 at 2 n.3.

⁴ In addition, Ford does not waive its arguments that class certification was improper in this case.

apprise interested Parties of the pendency of the action and afford them an opportunity to present their objections.” *Phillips Petroleum Co. v. Shutts*, 472 U.S. 797, 811-12 (1985) (quoting *Mullane Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)).

“In reviewing the class notice to determine whether it satisfies the [] requirements [of due process], we look solely to the language of the notices and the manner of their distribution.” *Adams v. S. Farm Bureau Life Ins. Co.*, 493 F.3d 1276, 1286 (11th Cir. 2007). As such, “[...] the fact that some Class Members may not actually receive timely notice does not render the notice inadequate as long as the class as a whole had adequate notice.” *5-23 Moore’s Federal Practice - Civil* § 23.102; *see also Juris*, 685 F.3d at 1321 (“Courts have consistently recognized that, even in Rule 23(b)(3) class actions, due process does not require that class members actually receive notice.”).

A. Class Members can be identified in an administratively feasible way that allows for direct notice.

In the past, JND has successfully facilitated direct notice for class actions involving motor vehicle defect claims by working with third-party data aggregation services to identify and acquire potential Class Members’ contact information from the Departments of Motor Vehicles (“DMVs”) for all current and previous owners of Class Vehicles in all 50 states and the District of Columbia. JMK Notice Decl., ¶ 21. According to JND, the contact information gained using this process is considered particularly reliable because owners must maintain accurate and up-to-date contact information to keep driver licenses and voter registrations current. *Id.* After receiving the contact and VIN information from the DMVs, JND will promptly load the information into a case-specific database for this project. A unique identification number (“Unique ID”) will be assigned to each Class Member to identify them throughout the administration process. *Id.*

After receiving the contact information, JND will identify any undeliverable addresses and duplicate records. JND will also update all addresses using the National Change of Address (“NCOA”) database of the United States Postal Service (“USPS”), which provides updated address information for Class Members who have moved within the last four years and who have filed a change of address form with the USPS. *Id.* at ¶ 22.

Due to administrative challenges stemming from the Covid-19 pandemic, JND estimates that this contact information collection and Class Member identification phase will consist of approximately 60 days from when the Court enters an Order approving the Proposed Notice Plan. *Id.* at ¶ 24.

B. The Proposed Notices should be approved by the Court.

For any class certified under Rule 23(b)(3), notice to the Class Members “must clearly and concisely state in plain, easily understood language: (i) the nature of the action; (ii) the definition of the class certified; (iii) the class claims, issues, or defenses; (iv) that a class member may enter an appearance through an attorney if the member so desires; (v) that the court will exclude from the Class any member who requests exclusion; (vi) the time and manner for requesting exclusion; and (vii) the binding effect of a class judgment on members under Rule 23(c)(3).” Fed. R. Civ. P. 23(c)(2)(B). Because Class Members are bound by the results of a certified Rule 23(b)(3) class action unless they affirmatively opt out, this class notice is required as a matter of constitutional due process to protect the rights of the absent Class Members. *Phillips Petroleum*, 472 U.S. at 812; *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156, 173–74 (1974). To meet these requirements of Rule 23 and constitutional due process, the class notice should “clearly and fairly apprise” Class Members of “the nature of the class action and the

scope of their rights.” *See Issen v. GSC Enters., Inc.*, 538 F. Supp. 745, 750 (N.D. Ill. 1982) (citing Fed. R. Civ. P. 23(c)(2)).

Here, the Proposed Notices comply with Fed. R. Civ. P. 23(c)(2)(B) as they contain all the information necessary to allow Class Members here to make informed decisions in connection with their next step in the proceedings. Each Notice is written in clear, straightforward language and relies on a format that sets out the relevant information in a question-and-answer form. JMK Notice Decl., ¶ 27. Consistent with Fed. R. Civ. P. 23(c)(2)(B), as well as the Federal Judicial Center’s Class Action Notice and Plain Language Guide, the Proposed Notices objectively and neutrally apprise the Class Members of the following: the nature of the action; the definition of the certified State Classes; the certified claims and issues; the identities and contact information for Class Counsel; and, the binding effect of a judgment on Class Members under Rule 23(c)(3). *See*, Exs. B-C. The Proposed Notices clearly and fairly apprise Class Members of the nature of this class action and the scope of their rights under Rule 23(c)(2)(B) and should be approved.

A. The Parties seek rulings from the Court on two remaining issues.

While the Parties have made substantial progress in resolving class notice related disputes without judicial intervention, there are two issues that require rulings from the Court, one of which is the subject of another pending motion. The first issue pertains to the eligibility of those active-duty service members who purchased their Class Vehicles during the Class Period from Military Auto Source. Class Counsel filed its motion seeking an order including these individuals as Class Members for New York and appointing Byron Harper as a New York Class Representative, as Class Counsel submits that Military Auto Source is located in New York

State. D.E. 257. Ford submits that the selling dealership or distributor is not located in New York State and plans to file its opposition on October 18, 2021.

The second issue pertains to whether the Classes should be defined as including people who purchased a Class Vehicle “before April 27, 2016” or “on or before April 27, 2016.” Plaintiffs submit that the last day should be “on or before April 27, 2016” because the requested relief in Plaintiffs’ Motion to Reconsider the Class End Date was a class period that included April 27, 2016. *See*, D.E. 238 at 7; D.E. 247 at 7.

Ford submits that since the original Class Definitions included people who bought Class Vehicles “before April 1, 2016,” and the Court’s Order on Reconsideration did not alter the Class definitions in any manner other than changing the cut-off date, the Classes should be defined—consistent with the Court’s original ruling on class certification—as including those people who purchased Class Vehicles “before April 27, 2016,” not “on or before April 27, 2016.” D.E. 231 at 2; D.E. 251 at 2. The Parties therefore seek clarification from the Court on the appropriate definition of the Classes.

Execution of the Proposed Notice Plan can begin once these issues are resolved, and resolution should not materially alter the Proposed Notices. The Parties have already agreed that if the Court denies Plaintiffs’ motion regarding those individuals who purchased Class Vehicles from Military Auto Source, then Class Counsel will remove Question 10 from the Long-Form Notice. *See*, Ex. C. The Parties also agree that if the Court rules that the Classes are defined as people who purchased Class Vehicles “before April 27, 2016,” the bracketed wording will be removed from the Short-Form and Long-Form Notices: “[**on or**] before April 27, 2016.” *See*, Exs. B and C.

C. The dissemination of notice pursuant to the Proposed Notice Program is reasonable and represents the best notice practicable under the circumstances.

1. Short-Form Postcard Notice via United States Mail is appropriate.

Courts regularly hold that notice by first class mail generally constitutes “the best notice practicable under the circumstances.” See, *Peters v. Nat’l R.R. Passenger Corp.*, 966 F.2d 1483, 1486 (D.C. Cir. 1992). The State Classes propose to have the Notice Administrator disseminate the Short-Form notice printed on a Postcard and sent by United States mail to potentially eligible Class Members. JMK Notice Decl. at ¶¶ 23-25. The Short-Form notice will refer the Class Members to a case-specific informational website where the Long-Form notice can be accessed and additional information about the lawsuit can be found. *Id.* at ¶ 20. The Parties agree that the time period between the Notice Start Date (the date on which class notice mailing is complete, other than re-mailed notices) and the deadline for exclusion should be 54 days. *Id.* at ¶ 25. As shown below, a 54-day timeframe ensures that a 30-day notice period is preserved for those Class Members whose first Notice may have been returned as undeliverable and then re-sent to the corrected address.

Event and Estimated Timeframe
Proposed Notice Plan Approved by the Court
Notice Start Date: Date on which mailing of class notice is complete, other than re-mails of undeliverable notices <i>(60 days after Court Order Approving Notice Plan)</i>
Approximate Timeframe for JND to Receive Undeliverable Notices from USPS <i>(14 days after Notice Start Date)</i>
Deadline for JND to send revised Undeliverable Notices <i>(10 day processing time)</i>
Deadline for Class Members to Return Opt-Out Forms (“Exclusion Deadline”) <i>(30 day Notice Period after Deadline to send revised Undeliverable Notices)</i>
Notice Administrator Receipt of Remaining Class Member Opt-Out Forms <i>(8 days after Exclusion Deadline)</i>

2. The remaining components of the Proposed Notice Program are comprehensive and satisfy the due process rights of the absent Class Members.

While the direct notice component is the main avenue for dissemination to the State Classes, the other components of the Proposed Notice Program nevertheless bolster due process requirements. For instance, JND will also make available an informational case-specific Notice Website which will enable Class Members to get information about the pending trial and their rights and options regarding their membership in the Class. *Id.* at 24. The Notice Website will have an easy-to-navigate design and will be formatted to emphasize important information, such as the exclusion deadline. *Id.*

To ensure an adequate response to Class Members' inquiries, JND will also establish a dedicated email address and maintain a 24-hour toll-free telephone line. *Id.* at ¶¶ 25-26. To maintain uniformity of messaging and overall efficiency, both the telephone line and email address will generate the same scripted answers to frequently answered questions ("FAQs"). *Id.*

Finally, JND will also establish a P.O. Box where Class Members may send their exclusion requests. *Id.*

IV. CONCLUSION

With the State Classes now certified under Rule 23(b)(3), the Court must direct notice to the certified State Classes pursuant to Rule 23(c)(2)(B). For all the foregoing reasons, the State Classes respectfully request that the Court approve the proposed form of Notice and the proposed manner of dissemination to the State Classes. The State Classes further request the Court Order that: (1) the notice program begin within 60 days after the date the Court enters an order approving the Proposed Notice Plan ("Notice Start Date"); (2) the deadline for Class Members to request exclusion from the State Classes be set approximately 54 days following the Notice Start

Date; (3) the Court clarify whether the Classes are defined as including people who purchased Class Vehicles “before April 27, 2016” or “on or before April 27, 2016”; (4) the internet address for the notice website be set as “www.shelbygt350mustanglitigation.com”; and that (5) JND Legal Administration, through data aggregators or otherwise, is authorized to request, obtain and utilize vehicle registration information from the Department of Motor Vehicles for all 50 states and the District of Columbia for the purposes of identifying the identity of and contact information for purchasers and lessees of Class Vehicles. Vehicle registration information includes, but is not limited to, owner/lessee name and address information, registration date, year, make, and model of the vehicle. A proposed Order will be submitted after the Court resolves the issues and motion referenced in Section III.C. above.

Dated: October 6, 2021

Respectfully submitted,

GROSSMAN ROTH YAFFA COHEN

By: /s/ Rachel Wagner Furst

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Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by the Court's CM/ECF system on October 6, 2021, on all counsel or Parties of record.

By: /s/ Rachel Wagner Furst

Rachel Wagner Furst
Fla. Bar No. 45155

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:17-cv-21087-FAM

GEORGE TERSHAKOVEC, *et al.*, individually and
on behalf of all others similarly situated,

Plaintiffs,

vs.

FORD MOTOR COMPANY,

Defendant.

**DECLARATION OF JENNIFER M. KEOUGH REGARDING IMPLEMENTATION OF
THE NOTICE PROGRAM**

I, JENNIFER M. KEOUGH, declare and state as follows:

INTRODUCTION

1. I am Chief Executive Officer of JND Class Action Administration (“JND”). This Declaration is based on my personal knowledge, as well as upon information provided to me by experienced JND employees and counsel for the Plaintiffs and Defendant (“Counsel”), and if called upon to do so, I could and would testify competently thereto.

2. I have more than 20 years of legal experience creating and supervising notice and claims administration programs and have personally overseen well over 1,000 matters. A comprehensive description of my experience is attached as **Exhibit A**.

3. JND is a legal administration services provider with headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered hundreds of class action settlements.

4. As CEO, I am involved in all facets of JND's operation, including monitoring the implementation of our notice and claims administration programs.

5. I submit this Declaration at the request of Counsel to describe the proposed notice program for Class Members (the "Notice Program") in the above-captioned litigation (the "Action") and address why this comprehensive proposed Notice Program is consistent with other best practicable court-approved notice programs and the requirements of Rule 23 of the Federal Rules of Civil Procedure, the Due Process Clause of the United States constitution, and the Federal Judicial Center ("FJC") guidelines for best practicable due process notice.

RELEVANT EXPERIENCE

6. JND is one of the leading legal administration firms in the country. We employ over 180 people in multiple offices throughout the United States. JND's class action division provides all services necessary for the effective implementation of class action settlements including (1) all facets of legal notice, such as outbound mailing, email notification, and the design and implementation of publication programs, including through digital and social media platforms; (2) website design and deployment, including robust on-line claim filing capabilities; (3) call center and other contact support; (4) secure class member data management; (5) paper and electronic claims processing; (6) calculation design and programming; (7) payment disbursements through check, wire, PayPal, merchandise credits, and other means; (8) qualified settlement fund management and tax reporting; (9) banking services and reporting; and (10) all other functions related to the secure and accurate administration of class action settlements. Our systems, policies and procedures have been recognized by various publications, including the National Law Journal and the Legal Times, for excellence in class action administration. Further information about JND

can be found at www.JNDLA.com and in the JND Class Action Administration CV, attached hereto as **Exhibit B**.

7. JND is an approved vendor for the United States Securities and Exchange Commission (“SEC”) as well as for the Federal Trade Commission (“FTC”) and we have worked with a number of other government agencies including: the U.S. Equal Employment Opportunity Commission (“EEOC”), the Office of the Comptroller of the Currency (“OCC”), the Consumer Financial Protection Bureau (“CFPB”), the Federal Deposit Insurance Corporation (“FDIC”), the Federal Communications Commission (“FCC”), the Department of Justice (“DOJ”) and the Department of Labor (“DOL”). We also have Master Services Agreements with various corporations, banks, and other government agencies, which were only awarded after JND underwent rigorous reviews of our systems, privacy policies, and procedures. JND has also been certified as SOC 2 compliant by noted accounting firm Moss Adams.¹ Finally, JND has been recognized by various publications, including the *National Law Journal*, the *Legal Times* and the *New York Law Journal*, for excellence in class action administration.

8. The principals of JND, including myself, collectively have over 80 years of experience in class action legal and administrative fields. We have personally overseen some of the most complex administration programs, including: the \$20 billion Gulf Coast Claims Facility; the \$10 billion Deepwater Horizon BP Settlement; the \$6.15 billion WorldCom Securities Settlement; the \$3.4 billion Indian Trust Settlement (the largest U.S. Government class action ever); and the \$3.05 billion VisaCheck/MasterMoney Antitrust Settlement.

¹ As a SOC 2 Compliant organization, JND has passed an audit under AICPA criteria for providing data security.

9. Recently, JND was appointed as the notice and claims administrator in the \$2.67 billion Blue Cross Blue Shield antitrust settlement, and we have been handling the settlement administration of the following matters: the \$1.3 billion Equifax Data Breach Settlement, the largest class action ever in terms of the number of claims received; a voluntary remediation program in Canada on behalf of over 30 million people; the \$1.5 billion Mercedes-Benz Emissions Settlement; the \$120 million GM Ignition class action economic settlement, where we sent notice to nearly 30 million Class Members; and the \$215 million USC Student Health Center Settlement on behalf of women who were sexually abused by a doctor at USC, as well as hundreds of other matters. Our notice campaigns are regularly approved by courts throughout the United States.

10. In addition to the *In re General Motors LLC Ignition Switch Litigation, Economic Loss Actions*, No. 14-MD-2543 and the *In re Mercedes-Benz Emissions Litig.*, 16-cv-881 (KM) (ESK) (D.N.J) noted above, JND has also handled notice and claims administration tasks for the following motor vehicle class action matters: *Amin v. Mercedes-Benz USA, LLC*, No. 17-cv-01701- AT (N.D. Ga.); *In re MyFord Touch Consumer Litig.*, No. 13-cv-3072 (EMC) (N.D. Cal.); *In re Navistar MaxxForce Engines Mktg., Sales Practices and Products*, No. 14-cv-10318 (N.D. Ill.); *Kommer v. Ford Motor Co.*, No. 17-cv-296 (N.D.N.Y.), and *Udeen v. Subaru of America, Inc.*, No. 18-cv-17334- RBK-JS (D.N.J.).

11. JND's Legal Notice Team, which operates under my direct supervision, researches, designs, develops, and implements a wide array of legal notice programs to meet the requirements of Rule 23 of the Federal Rules of Civil Procedure and relevant state court rules. Our notice campaigns, which are regularly approved by courts throughout the United States, use a variety of media, including newspapers, press releases, magazines, trade journals, radio, television, social media, and the internet, depending on the circumstances and allegations of the case, the

demographics of the class, and habits of its members, as reported by various research and analytics tools. During my career, I have submitted several hundred affidavits to courts throughout the country attesting to our role in the creation, launch and implementation of various notice of various programs.

NOTICE PROGRAM SUMMARY

12. The following sections summarize all elements of the Notice Program. The proposed Notice Program is designed to inform Class Members of the Class Certification Order, and of the upcoming trial between Plaintiffs and Defendant.

13. In the July 1, 2021, Order on Summary Judgment and Class Certification, the Court certified nine (9) classes: the California Class, Florida Class, Illinois Class, Missouri Class, New York Class, Oregon Class, Tennessee Class, Texas Class, and Washington Class (collectively, the “Classes”). The Classes include all persons who purchased a Class Vehicle² from a Ford-authorized dealer or distributor located in the State of California, Florida, Illinois, Missouri, New York, Oregon, Tennessee, Texas, or Washington before April 1, 2016. On August 20, 2021, the Court extended the Class cut-off date from April 1, 2016, to April 27, 2016.

14. On October 4, 2021, Plaintiffs filed a motion requesting the appointment of Class Representatives for seven (7) certified State Classes: California, Florida, Missouri, New York, Tennessee, Texas, and Washington. It is my understanding from Counsel that since there are no longer any eligible Plaintiffs able to serve as class representatives for the Illinois and Oregon Class Vehicle owners, Plaintiffs do not oppose the decertification of the Illinois and Oregon State

² All capitalized terms that are not defined in this Declaration are defined in the Order on Summary Judgment and Class Certification.

Classes. As a result, Class Vehicle owners from those states are no longer considered absent Class Members.

16. The proposed Notice Program was designed to reach the greatest practicable number of Class Members. Direct mail notice via U.S. mail will be the principal method of notice, providing Class Members with an opportunity to read, review, and understand their rights and options with regard to their membership in the Classes.

17. Specifically, the proposed Notice Program includes the following components: direct mail notice to all Class Members identified through DMV records from all 50 states and the District of Columbia, Notice via Notice Website, Notice Administrator email address, a P.O. Box., and a toll-free information line.

18. The direct notice effort alone is expected to effectively reach and notify Class Members of the pending trial and their rights and options regarding Class membership. The Notice Website, Toll-Free Number, and P.O. Box will provide Class Members with additional information and support. JND will report to Counsel the number of exclusions received.

NOTICE DETAILS

19. An adequate notice program must satisfy “due process” when reaching a class. The United States Supreme Court, in the seminal case of *Eisen v. Carlisle & Jacqueline*, 417 U.S. 156 (1974), clearly stated that direct notice (when possible) is the preferred method for reaching a class. In addition, Rule 23(c)(2) of the Federal Rules of Civil Procedure requires that “the court must direct to Class Members the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice may be by one or more of the following: United States mail, electronic means, or other appropriate means.”

20. For this Action, at my direction, a Postcard Notice will be mailed to all Class Members for whom a postal address is available. The Postcard Notice will refer the Class Members to a Long-Form Notice posted on the Notice Website. A Long-Form Notice will also be mailed to any Class Members who request to receive a copy.

A. Class Member Identification

21. Defendant recently provided a list of Vehicle Identification Numbers (“VINs”) to JND. JND staff will use the VINs to work with third party data aggregation services to identify and acquire potential Class Members’ contact information from the Departments of Motor Vehicles (“DMVs”) from all 50 states and the District of Columbia for all current and previous owners of Class Vehicles that are identified as potential Class Members. The contact information gained using this process is considered particularly reliable because owners must maintain accurate and up-to-date contact information in order to pay vehicle registration fees and keep driver licenses and voter registrations current. After receiving the contact and VIN information from the DMVs, JND will promptly load the information into a case-specific database for this project. A unique identification number (“Unique ID”) will be assigned to each Class Member to identify them throughout the administration process.

22. Prior to mailing the Postcard Notice, JND will review the data provided in order to identify any undeliverable addresses and duplicate records. JND will update all addresses using the National Change of Address (“NCOA”) database of the United States Postal Service (“USPS”),³ which provides updated address information for Class Members who have moved within the last four years and who have filed a change of address form with the USPS.

³ The NCOA database is the official USPS technology that makes change of address information available to mailers to help reduce undeliverable mail.

B. Direct Mail Notice

23. JND will mail the Postcard Notice to all Class Members identified through DMV records.

24. As outlined in my Declaration in Support of the Parties' Joint Motion to Continue the Trial Date, JND expects that the direct notice mailing (other than remailed notices, addressed below) can be completed approximately sixty (60) days after the Order Approving Class Notice is entered. This date of completion of direct notice mailing is the "Notice Start Date."

25. JND anticipates that it will receive from USPS returned, undeliverable notices from the direct notice mailing within 14 days after the Notice Start Date. When postcard notices are returned as undeliverable, JND promptly resends undeliverables that are returned to JND with a forwarding address. In addition, JND researches notices that are returned as undeliverable without a forwarding address on a weekly basis. If an updated address is found, JND promptly mails the notice to the updated address. Therefore, JND will resend undeliverable notices where an updated address can be found within 10 days of receipt of the undeliverable notice. To allow for the full 30-day period for those Class Members whose original addresses were undeliverable and resent, the total timeframe from the Notice Start Date to the exclusion deadline will be 54 days.

D. Notice Website

26. JND will make available an informational case-specific Notice Website which will enable Class Members to get information about the Action. The Notice Website will have an easy-to-navigate design and will be formatted to emphasize important information, as well as the exclusion deadline. It will provide links to download the Long-Form Notice and other important court documents.

E. Case-Specific Email Address

27. JND will establish a dedicated email address to receive and respond to Class Member inquiries. JND will generate email responses from scripted answers to frequently answered questions (“FAQs”), which will also be used by our call center personnel for efficiency and to maintain uniformity of messaging.

F. Toll-Free Number and PO Box

28. JND will maintain a 24-hour, toll-free telephone line that Class Members can call to obtain information about the pending trial and their rights and options regarding their membership in the Class. JND will also establish a P.O. Box where Class Members may send their exclusion requests.

NOTICE CONTENT AND DESIGN

29. I have reviewed and provided input to the Parties on the form and content of the notice documents. All notice documents are written in plain language and are consistent with documents other courts have determined comply with the requirements of Rule 23 of the Federal Rules of Civil Procedure, the Due Process Clause of the United States Constitution, and any other applicable statute, law or rule. Based on my experience designing class notice programs, in my opinion, the notice documents comply with these requirements, as well as the FJC’s Class Action Notice and Plain Language Guide.

30. The notice documents contain plain and easy-to-read summaries of the Action and the exclusion option that is available to Class Members. Additionally, the notice documents provide instructions on how to obtain more information about the Action.

REACH

31. The proposed Notice Plan is designed to reach the vast majority of Class Members. As a result, the anticipated reach meets that of other court approved programs, and exceeds the 70% or above reach standard set forth by the FJC.

CONCLUSION

32. In my opinion, the Notice Program as described herein provides the best notice practicable under the circumstances, is consistent with the requirements of Rule 23 of the Federal Rules of Civil Procedure and all applicable Court rules, and is consistent with, and/or exceeds, other similar court-approved best notice practicable notice programs. The Notice Program is designed to reach as many Class Members as possible and inform them of the pending trial, as well as their rights and options regarding their membership in the Class.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 6th day of October, 2021, at Seattle, Washington.



Jennifer M. Keough

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by the Court's CM/ECF system on October 6, 2021, on all counsel or Parties of record identified on the attached Service List.

By: /s/ Rachel Wagner Furst
Rachel Wagner Furst
Fla. Bar No. 45155

SERVICE LIST

Case No. 1:17-cv-21087-FAM

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Exhibit A

JENNIFER KEOUGH

CHIEF EXECUTIVE OFFICER AND CO-FOUNDER



I.

INTRODUCTION

Jennifer Keough is Chief Executive Officer and a Founder of JND Legal Administration (“JND”). She is the only judicially recognized expert in all facets of class action administration - from notice through distribution. With more than 20 years of legal experience, Ms. Keough has directly worked on hundreds of high-profile and complex administration engagements, including such landmark matters as the \$20 billion Gulf Coast Claims Facility, \$10 billion BP Deepwater Horizon Settlement, \$3.4 billion Cobell Indian Trust Settlement (the largest U.S. government class action settlement ever), \$3.05 billion VisaCheck/MasterMoney Antitrust Settlement, \$1.3 billion Equifax Data Breach Settlement, \$1 billion Stryker Modular Hip Settlement, \$600 million Engle Smokers Trust Fund, \$215 million USC Student Health Center Settlement, and countless other high-profile matters. She has been appointed notice expert in many notable cases and has testified on settlement matters in numerous courts and before the Senate Committee for Indian Affairs.

The only female CEO in the field, Ms. Keough oversees more than 200 employees at JND’s Seattle headquarters, as well as other office locations around the country. She manages all aspects of JND’s class action business from day-to-day processes to high-level strategies. Her comprehensive expertise with noticing, claims processing,

Systems and IT work, call center logistics, data analytics, recovery calculations, check distribution, and reporting gained her the reputation with attorneys on both sides of the aisle as the most dependable consultant for all legal administration needs. Ms. Keough also applies her knowledge and skills to other divisions of JND, including mass tort, lien resolution, government services, and eDiscovery. Given her extensive experience, Ms. Keough is often called upon to consult with parties prior to settlement, is frequently invited to speak on class action issues, and has authored numerous articles in her multiple areas of expertise.

Ms. Keough launched JND with her partners in early 2016. Just a few months later, Ms. Keough was named as the Independent Claims Administrator (“ICA”) in a complex BP Solar Panel Settlement. Ms. Keough also started receiving numerous appointments as notice expert and in 2017 was chosen to oversee a restitution program in Canada where every adult in the country was eligible to participate. Also, in 2017, Ms. Keough was named a female entrepreneur of the year finalist in the 14th Annual Stevie Awards for Women in Business. In 2015 and 2017, she was recognized as a “Woman Worth Watching” by Profiles in Diversity Journal.

Since JND’s launch, Mrs. Keough has also been featured in numerous news sources. In 2019, she was highlighted in an Authority Magazine article, “5 Things I wish someone told me before I became a CEO,” and a Moneyish article, “This is exactly how rampant ‘imposter syndrome’ is in the workforce.” In 2018, she was featured in several Fierce CEO articles, “JND Legal Administration CEO Jennifer Keough aids law firms in complicated settlements,” “Special Report—Women CEOs offer advice on defying preconceptions and blazing a trail to the top,” and “Companies stand out with organizational excellence,” as well as a Puget Sound Business Journal article, “JND Legal CEO Jennifer Keough handles law firms’ big business.” In 2013, Ms. Keough appeared in a CNN article, “What Changes with Women in the Boardroom.”

Prior to forming JND, Ms. Keough was Chief Operating Officer and Executive Vice President for one of the then largest legal administration firms in the country, where she oversaw operations in several offices across the country and was responsible for all large and critical projects. Previously, Ms. Keough worked as a class action

business analyst at Perkins Coie, one of the country's premier defense firms, where she managed complex class action settlements and remediation programs, including the selection, retention, and supervision of legal administration firms. While at Perkins she managed, among other matters, the administration of over \$100 million in the claims-made Weyerhaeuser siding case, one of the largest building product class action settlements ever. In her role, she established a reputation as being fair in her ability to see both sides of a settlement program.

Ms. Keough earned her J.D. from Seattle University. She graduated from Seattle University with a B.A. and M.S.F. with honors.



II

LANDMARK CASES

Jennifer Keough has the distinction of personally overseeing the administration of more large class action programs than any other notice expert in the field. Some of her largest engagements include the following:

1. *Allagas v. BP Solar Int'l, Inc.*

No. 14-cv-00560 (N.D. Cal.)

Ms. Keough was appointed by the United States District Court for the Northern District of California as the Independent Claims Administrator (“ICA”) supervising the notice and administration of this complex settlement involving inspection, remediation, and replacement of solar panels on homes and businesses throughout California and other parts of the United States. Ms. Keough and her team devised the administration protocol and built a network of inspectors and contractors to perform the various inspections and other work needed to assist claimants. She also built a program that included a team of operators to answer claimant questions, a fully interactive dedicated website with online claim filing capability, and a team trained in the very complex intricacies of solar panel mechanisms. In her role as ICA, Ms. Keough regularly reported to the parties and the Court regarding the progress of the case’s administration. In addition to her role as ICA, Ms. Keough also acted as mediator for those claimants who opted out of the settlement to pursue their claims individually against BP. Honorable Susan Illston, recognized the complexity of the settlement when appointing Ms. Keough the ICA (December 22, 2016):

The complexity, expense and likely duration of the litigation favors the Settlement, which provides meaningful and substantial benefits on a much shorter time frame than otherwise possible and avoids risk to class certification and the Class’s case on the merits...The Court appoints Jennifer Keough of JND Legal Administration to serve as the Independent Claims Administrator (“ICA”) as provided under the Settlement.

2. *Chester v. The TJX Cos.*

No. 15-cv-01437 (C.D. Cal.)

As the notice expert, Ms. Keough proposed a multi-faceted notice plan designed to reach over eight million class members. Where class member information was available, direct notice was sent via email and via postcard when an email was returned as undeliverable or for which there was no email address provided. Additionally, to reach the unknown class members, Ms. Keough's plan included a summary notice in eight publications directed toward the California class and a tear-away notice posted in all TJ Maxx locations in California. The notice effort also included an informational and interactive website with online claim filing and a toll-free number that provided information 24 hours a day. Additionally, associates were available to answer class member questions in both English and Spanish during business hours. Honorable Otis D. Wright, II approved the plan (May 14, 2018):

...the Court finds and determines that the Notice to Class Members was complete and constitutionally sound, because individual notices were mailed and/or emailed to all Class Members whose identities and addresses are reasonably known to the Parties, and Notice was published in accordance with this Court's Preliminary Approval Order, and such notice was the best notice practicable.

3. *Cobell v. Salazar*

No. 96 CV 1285 (TFH) (D. D.C.)

As part of the largest government class action settlement in our nation's history, Ms. Keough worked with the U.S. Government to implement the administration program responsible for identifying and providing notice to the two distinct but overlapping settlement classes. As part of the notice outreach program, Ms. Keough participated in multiple town hall meetings held at Indian reservations located across the country. Due to the efforts of the outreach program, over 80% of all class members were provided notice. Additionally, Ms. Keough played a role in creating the processes for evaluating claims and ensuring the correct distributions were made. Under Ms. Keough's supervision,

the processing team processed over 480,000 claims forms to determine eligibility. Less than one half of one percent of all claim determinations made by the processing team were appealed. Ms. Keough was called upon to testify before the Senate Committee for Indian Affairs, where Senator Jon Tester of Montana praised her work in connection with notice efforts to the American Indian community when he stated: "Oh, wow. Okay... the administrator has done a good job, as your testimony has indicated, [discovering] 80 percent of the whereabouts of the unknown class members." Additionally, when evaluating the Notice Program, Judge Thomas F. Hogan concluded (July 27, 2011):

...that adequate notice of the Settlement has been provided to members of the Historical Accounting Class and to members of the Trust Administration Class.... Notice met and, in many cases, exceeded the requirements of F.R.C.P. 23(c)(2) for classes certified under F.R.C.P. 23(b)(1), (b)(2) and (b)(3). The best notice practicable has been provided class members, including individual notice where members could be identified through reasonable effort. The contents of that notice are stated in plain, easily understood language and satisfy all requirements of F.R.C.P. 23(c)(2)(B).

4. FTC v. Reckitt Benckiser Grp. PLC

No. 19CV00028 (W.D. Va.)

Ms. Keough and her team designed a multi-faceted notice program for this \$50 million settlement resolving charges by the FTC that Reckitt Benckiser Group PLC violated antitrust laws by thwarting lower-priced generic competition to its branded drug Suboxone.

The plan reached 80% of potential claimants nationwide, and a more narrowed effort extended reach to specific areas and targets. The nationwide effort utilized a mix of digital, print, and radio broadcast through Sirius XM. Extended efforts included local radio in areas defined as key opioid markets and an outreach effort to medical professionals approved to prescribe Suboxone in the U.S., as well as to substance abuse centers; drug abuse and addiction info and treatment centers; and addiction treatment centers nationwide.

5. *Gulf Coast Claims Facility (GCCF)*

The GCCF was one of the largest claims processing facilities in U.S. history and was responsible for resolving the claims of both individuals and businesses relating to the Deepwater Horizon oil spill. The GCCF, which Ms. Keough helped develop, processed over one million claims and distributed more than \$6 billion within the first year-and-a-half of its existence. As part of the GCCF, Ms. Keough and her team coordinated a large notice outreach program which included publication in multiple journals and magazines in the Gulf Coast area. She also established a call center staffed by individuals fluent in Spanish, Vietnamese, Laotian, Khmer, French, and Croatian.

6. *Health Republic Ins. Co. v. United States*

No. 16-259C (F.C.C.)

For this \$1.9 billion settlement, Ms. Keough and her team used a tailored and effective approach of notifying class members via Federal Express mail and email. Opt-in notice packets were sent via Federal Express to each potential class member, as well as the respective CEO, CFO, General Counsel, and person responsible for risk corridors receivables, when known. A Federal Express return label was also provided for opt-in returns. Notice Packets were also sent via electronic-mail. The informational and interactive case-specific website posted the notices and other important Court documents and allowed potential class members to file their opt-in form electronically.

7. *In re Air Cargo Shipping Servs. Antitrust Litig.*

No. 06-md-1775 (JG) (VVP) (E.D.N.Y.)

This antitrust settlement involved five separate settlements. As a result, many class members were affected by more than one of the settlements, Ms. Keough constructed the notice and claims programs for each settlement in a manner which allowed affected class members the ability to compare the claims data. Each claims administration program included claims processing, review

of supporting evidence, and a deficiency notification process. The deficiency notification process included mailing of deficiency letters, making follow-up phone calls, and sending emails to class members to help them complete their claim. To ensure accuracy throughout the claims process for each of the settlements, Ms. Keough created a process which audited many of the claims that were eligible for payment.

8. *In re Blue Cross Blue Shield Antitrust Litig.*

Master File No.: 2:13-CV-20000-RDP (N.D. Ala.)

JND was recently appointed as the notice and claims administrator in the \$2.67 billion Blue Cross Blue Shield proposed settlement. In approving the notice plan designed by Jennifer Keough, United States District Court Judge R. David Proctor, wrote:

After a competitive bidding process, Settlement Class Counsel retained JND Legal Administration LLC ("JND") to serve as Notice and Claims Administrator for the settlement. JND has a proven track record and extensive experience in large, complex matters... JND has prepared a customized Notice Plan in this case. The Notice Plan was designed to provide the best notice practicable, consistent with the latest methods and tools employed in the industry and approved by other courts...The court finds that the proposed Notice Plan is appropriate in both form and content and is due to be approved.

9. *In re Classmates.com*

No. C09-45RAJ (W.D. Wash.)

Ms. Keough managed a team that provided email notice to over 50 million users with an estimated success rate of 89%. When an email was returned as undeliverable, it was re-sent up to three times in an attempt to provide notice to the entire class. Additionally, Ms. Keough implemented a claims administration program which received over 699,000 claim forms and maintained three email addresses in which to receive objections, exclusions, and claim form requests. The Court approved the program when it stated:

The Court finds that the form of electronic notice... together with the published notice in the Wall Street Journal, was the best practicable notice under the circumstances and was as likely as any other form of notice to apprise potential Settlement Class members of the Settlement Agreement and their rights to opt out and to object. The Court further finds that such notice was reasonable, that it constitutes adequate and sufficient notice to all persons entitled to receive notice, and that it meets the requirements of Due Process...

10. In re Equifax Inc. Customer Data Sec. Breach Litig.

No. 17-md-2800-TWT (N.D. Ga.)

JND was appointed settlement administrator, under Ms. Keough's direction, for this complex data breach settlement valued at \$1.3 billion with a class of 147 million individuals nationwide. Ms. Keough and her team oversaw all aspects of claims administration, including the development of the case website which provided notice in seven languages and allowed for online claim submissions. In the first week alone, over 10 million claims were filed. Overall, the website received more than 200 million hits and the Contact Center handled well over 100,000 operator calls. Ms. Keough and her team also worked closely with the Notice Provider to ensure that each element of the media campaign was executed in the time and manner as set forth in the Notice Plan.

Approving the settlement on January 13, 2020, Judge Thomas W. Thrash, Jr. acknowledged JND's outstanding efforts:

JND transmitted the initial email notice to 104,815,404 million class members beginning on August 7, 2019. (App. 4, ¶¶ 53-54). JND later sent a supplemental email notice to the 91,167,239 class members who had not yet opted out, filed a claim, or unsubscribed from the initial email notice. (Id., ¶¶ 55-56). The notice plan also provides for JND to perform two additional supplemental email notice campaigns. (Id., ¶ 57)...JND has also developed specialized tools to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (Id., ¶¶ 4, 21). As a

result, class members have the opportunity to file a claim easily and have that claim adjudicated fairly and efficiently...The claims administrator, JND, is highly experienced in administering large class action settlements and judgments, and it has detailed the efforts it has made in administering the settlement, facilitating claims, and ensuring those claims are properly and efficiently handled. (App. 4, ¶¶ 4, 21; see also Doc. 739-6, ¶¶ 2-10). Among other things, JND has developed protocols and a database to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (Id., ¶¶ 4, 21). Additionally, JND has the capacity to handle class member inquiries and claims of this magnitude. (App. 4, ¶¶ 5, 42). This factor, therefore, supports approving the relief provided by this settlement.

11. *In re General Motors LLC Ignition Switch Litig.*

No. 2543 (MDL) (S.D.N.Y.)

GM Ignition Switch Compensation Claims Resolution Facility

Ms. Keough oversaw the creation of a Claims Facility for the submission of injury claims allegedly resulting from the faulty ignition switch. The Claims Facility worked with experts when evaluating the claim forms submitted. First, the Claims Facility reviewed thousands of pages of police reports, medical documentation, and pictures to determine whether a claim met the threshold standards of an eligible claim for further review by the expert. Second, the Claims Facility would inform the expert that a claim was ready for its review. Ms. Keough constructed a database which allowed for a seamless transfer of claim forms and supporting documentation to the expert for further review.

12. *In re General Motors LLC Ignition Switch Litig.*

No. 2543 (MDL) (S.D.N.Y.)

Ms. Keough was appointed the class action settlement administrator for the \$120 million GM Ignition Switch settlement. On April 27, 2020, Honorable Jesse M. Furman approved the notice program designed by Ms. Keough and her team and the notice documents they drafted with the parties:

The Court further finds that the Class Notice informs Class Members of the Settlement in a reasonable manner under Federal Rule of Civil Procedure 23(e)(1)(B) because it fairly apprises the prospective Class Members of the terms of the proposed Settlement and of the options that are open to them in connection with the proceedings.

The Court therefore approves the proposed Class Notice plan, and hereby directs that such notice be disseminated to Class Members in the manner set forth in the Settlement Agreement and described in the Declaration of the Class Action Settlement Administrator...

Under Ms. Keough's direction, JND mailed notice to nearly 30 million potential class members.

On December 18, 2020, Honorable Jesse M. Furman granted final approval:

The Court confirms the appointment of Jennifer Keough of JND Legal Administration ("JND") as Class Action Settlement Administrator and directs Ms. Keough to carry out all duties and responsibilities of the Class Action Settlement Administrator as specified in the Settlement Agreement and herein...The Court finds that the Class Notice and Class Notice Plan satisfied and continue to satisfy the applicable requirements of Federal Rules of Civil Procedure 23(c)(2)(b) and 23(e), and fully comply with all laws, including the Class Action Fairness Act (28 U.S.C. § 1711 et seq.), and the Due Process Clause of the United States Constitution (U.S. Const., amend. V), constituting the best notice that is practicable under the circumstances of this litigation.

13. In re Mercedes-Benz Emissions Litig.

No. 16-cv-881 (D.N.J.)

JND Legal Administration was appointed as the Settlement Administrator in this \$1.5 billion settlement wherein Daimler AG and its subsidiary Mercedes-Benz USA and Robert Bosch GmbH and Robert Bosch LLC reached an agreement to settle a consumer class action alleging that the automotive companies unlawfully misled consumers into purchasing certain diesel type vehicles by

misrepresenting the environmental impact of these vehicles during on-road driving. As part of its appointment, the Court approved Jennifer Keough's proposed notice plan and authorized JND Legal Administration to provide notice and claims administration services.

The Court finds that the content, format, and method of disseminating notice, as set forth in the Motion, Declaration of JND Legal Administration, the Class Action Agreement, and the proposed Long Form Notice, Short Form Notice, and Supplemental Notice of Class Benefits (collectively, the "Class Notice Documents") - including direct First Class mailed notice to all known members of the Class deposited in the mail within the later of (a) 15 business days of the Preliminary Approval Order; or (b) 15 business days after a federal district court enters the US-CA Consent Decree - is the best notice practicable under the circumstances and satisfies all requirements provided in Rule 23(c)(2)(B). The Court approves such notice, and hereby directs that such notice be disseminated in the manner set forth in the Class Action Settlement to the Class under Rule 23(e)(1)...JND Legal Administration is hereby appointed as the Settlement Administrator and shall perform all duties of the Settlement Administrator set forth in the Class Action Settlement.

On July 12, 2021, the Court granted final approval of the settlement:

The Court has again reviewed the Class Notice Program and finds that Class Members received the best notice practicable under the circumstances.

14. In re MyFord Touch Consumer Litig.

No. 13-cv-3072 (EMC) (N.D. Cal.)

Ms. Keough was retained as the Notice Expert in this \$17 million automotive settlement. Under her direction, the JND team created a multi-faceted website with a VIN # lookup function that provided thorough data on individual car repair history. To assure all of the data was safeguarded, JND hired a third-party to attempt to hack it, demonstrating our commitment to ensuring the security of all client and claimant data. Their attempts were unsuccessful.

In his December 17, 2019 final approval order Judge Edward M. Chen remarked on the positive reaction that the settlement received:

The Court finds that the Class Notice was the best practicable notice under the circumstances, and has been given to all Settlement Class Members known and reasonably identifiable in full satisfaction of the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process... The Court notes that the reaction of the class was positive: only one person objected to the settlement although, by request of the objector and in the absence of any opposition from the parties, that objection was converted to an opt-out at the hearing.

15. *In re Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010*

No. 2179 (MDL) (E.D. La.)

Following the closure of the Gulf Coast Claims Facility, the Deepwater Horizon Settlement claims program was created. There were two separate legal settlements that provided for two claims administration programs. One of the programs was for the submission of medical claims and the other was for the submission of economic and property damage claims. Ms. Keough played a key role in the formation of the claims program for the evaluation of economic and property damage claims. Additionally, Ms. Keough built and supervised the back-office mail and processing center in Hammond, Louisiana, which was the hub of the program. The Hammond center was visited several times by Claims Administrator Pat Juneau -- as well as by the District Court Judge and Magistrate -- who described it as a shining star of the program.

16. *In re Stryker Rejuvenate and ABG II Hip Implant Prods. Liab. Litig.*

No. 13-2441 (MDL) (D. Minn.)

Ms. Keough and her team were designated as the escrow agent and claims processor in this \$1 billion settlement designed to compensate eligible U.S. Patients who had surgery to replace their Rejuvenate Modular-Neck and/or

ABG II Modular-Neck hip stems prior to November 3, 2014. As the claims processor, Ms. Keough and her team designed internal procedures to ensure the accurate review of all medical documentation received; designed an interactive website which included online claim filing; and established a toll-free number to allow class members to receive information about the settlement 24 hours a day. Additionally, she oversaw the creation of a deficiency process to ensure claimants were notified of their deficient submission and provided an opportunity to cure. The program also included an auditing procedure designed to detect fraudulent claims and a process for distributing initial and supplemental payments. Approximately 95% of the registered eligible patients enrolled in the settlement program.

17. *In re The Engle Trust Fund*

No. 94-08273 CA 22 (Fla. 11th Jud. Cir. Ct.)

Ms. Keough played a key role in administering this \$600 million landmark case against the country's five largest tobacco companies. Miles A. McGrane, III, Trustee to the Engle Trust Fund recognized Ms. Keough's role when he stated:

The outstanding organizational and administrative skills of Jennifer Keough cannot be overstated. Jennifer was most valuable to me in handling numerous substantive issues in connection with the landmark Engle Trust Fund matter. And, in her communications with affected class members, Jennifer proved to be a caring expert at what she does.

18. *In re Washington Mut. Inc., Sec. Litig.*

No. 08-md-1919 MJP (W.D. Wash.)

Ms. Keough supervised the notice and claims administration for this securities class action, which included three separate settlements with defendants totaling \$208.5 million. In addition to mailing notice to over one million class members, Ms. Keough managed the claims administration program, including the review and processing of claims, notification of claim deficiencies, and distribution. In

preparation for the processing of claims, Ms. Keough and her team established a unique database to store the proofs of claim and supporting documentation; trained staff to the particulars of this settlement; created multiple computer programs for the entry of class member's unique information; and developed a program to calculate the recognized loss amounts pursuant to the plan of allocation. The program was designed to allow proofs of claim to be filed by mail or through an online portal. A deficiency process was established in order to reach out to class members who submitted incomplete proof of claims. The deficiency process involved reaching out to claimants via letters, emails, and telephone calls.

19. *King v. Bumble Trading Inc*

No. 18-cv-06868-NC (N.D. Cal.)

Ms. Keough served as the notice expert in this \$22.5 million settlement that alleged that Bumble's Terms & Conditions failed to notify subscribers nationwide of their legal right to cancel their Boost subscription and obtain a refund within three business days of purchase, and for certain users in California, that Bumble's auto-renewal practices violated California law.

JND received two files of class member data containing over 7.1 million records. Our team analyzed the data to identify duplicates and then we further analyzed the unique records, using programmatic techniques and manual review, to identify accounts that had identical information in an effort to prevent multiple notices being sent to the same class member. Through this process, JND was able to reduce the number of records to less than 6.3 million contacts.

Approving the settlement on December 18, 2020, Judge Nathanael M. Cousins, acknowledged the high success of our notice efforts:

Pursuant to the Court's Preliminary Approval Order, the Court appointed JND Settlement Administrators as the Settlement Administrator... JND sent court-approved Email Notices to millions of class members... Overall, approximately 81% of the Settlement Class Members were successfully sent either an Email

or Mailed Notice...JND supplemented these Notices with a Press Release which Global Newswire published on July 18, 2020... In sum, the Court finds that, viewed as a whole, the settlement is sufficiently “fair, adequate, and reasonable” to warrant approval.

20. *Linneman v. Vita-Mix Corp.*

No. 15-cv-748 (S.D. Ohio)

Ms. Keough was hired by Plaintiff Counsel to design a notice program regarding this consumer settlement related to allegedly defective blenders. The Court approved Ms. Keough’s plan and designated her as the notice expert for this case. As direct notice to the entire class was impracticable due to the nature of the case, Ms. Keough proposed a multi-faceted notice program. Direct notice was provided by mail or email to those purchasers identified through data obtained from Vita-Mix and third parties, such as retailers, dealers, distributors, or restaurant supply stores. To reach the unknown class members, Ms. Keough oversaw the design of an extensive media plan that included: published notice in *Cooking Light*, *Good Housekeeping*, and *People* magazine and digital notice; placements through Facebook/Instagram, Twitter, and Conversant; and paid search campaign through Google and Bing. In addition, the program included an informational and interactive website where class members could submit claims electronically, and a toll-free number that provided information to class members 24 hours a day. When approving the plan, Honorable Susan J. Dlott stated (May 3, 2018):

JND Legal Administration, previously appointed to supervise and administer the notice process, as well as oversee the administration of the Settlement, appropriately issued notice to the Class as more fully set forth in the Agreement, which included the creation and operation of the Settlement Website and more than 3.8 million mailed or emailed notices to Class Members. As of March 27, 2018, approximately 300,000 claims have been filed by Class Members, further demonstrating the success of the Court-approved notice program.

21. Loblaw Card Program

Jennifer Keough was selected by major Canadian retailer Loblaw and its counsel to act as program administrator in its voluntary remediation program. The program was created as a response to a price-fixing scheme perpetrated by some employees of the company involving bread products. The program offered a \$25 gift card to all adults in Canada who purchased bread products in Loblaw stores between 2002 and 2015. Some 28 million Canadian residents were potential claimants. Ms. Keough and her team: (1) built an interactive website that was capable of withstanding hundreds of millions of “hits” in a short period of time; (2) built, staffed and trained a call center with operators available to take calls twelve hours a day, six days a week; (3) oversaw the vendor in charge of producing and distributing the cards; (4) was in charge of designing and overseeing fraud prevention procedures; and (5) handled myriad other tasks related to this high-profile and complex project.

22. McWilliams v. City of Long Beach

No. BC261469 (Cal. Super. Ct.)

Ms. Keough and her team designed and implemented an extensive notice program for the City of Long Beach telephone tax refund settlement. In addition to sending direct notice to all addresses within the City of Long Beach utility billing system and from its GIS provider, and to all registered businesses during the class period, JND implemented a robust media campaign that alone reached 88% of the Class. The media effort included leading English and Spanish magazines and newspapers, a digital effort, local cable television and radio, an internet search campaign, and a press release distributed in both English and Spanish. The 12% claims rate exceeded expectations.

Judge Maren E. Nelson acknowledged the program’s effectiveness in her final approval order on October 30, 2018:

It is estimated that JND’s Media Notice plan reached 88% of the Class and the overall reach of the Notice Program was estimated to be over 90% of the Class. (Keough Decl., at ¶12.). Based upon the notice campaign outlined in

the Keough Declaration, it appears that the notice procedure was aimed at reaching as many class members as possible. The Court finds that the notice procedure satisfies due process requirements.

23. New Orleans Tax Assessor Project

After Hurricane Katrina, the City of New Orleans began to reappraise properties in the area which caused property values to rise. Thousands of property owners appealed their new property values and the City Council did not have the capacity to handle all the appeals in a timely manner. As a result of the large number of appeals, the City of New Orleans hired Ms. Keough to design a unique database to store each appellant's historical property documentation. Additionally, Ms. Keough designed a facility responsible for scheduling and coordinating meetings between the 5,000 property owners who appealed their property values and real estate agents or appraisers. The database that Ms. Keough designed facilitated the meetings between the property owners and the property appraisers by allowing the property appraisers to review the property owner's documentation before and during the appointment with them.

24. USC Student Health Ctr. Settlement

No. 18-cv-04258-SVW (C.D. Cal.)

JND was approved as the Settlement Administrator in this important \$215 million settlement that provides compensation to women who were sexually assaulted, harassed and otherwise abused by Dr. George M. Tyndall at the USC Student Health Center during a nearly 30-year period. Ms. Keough and her team designed a notice effort that included: mailed and email notice to potential Class members; digital notices on Facebook, LinkedIn, and Twitter; an internet search effort; notice placements in USC publications/eNewsletters; and a press release. In addition, her team worked with USC staff to ensure notice postings around campus, on USC's website and social media accounts, and in USC alumni communications, among other things. Ms. Keough ensured the establishment of an all-female call center, whose operators were fully trained

to handle delicate interactions, with the goal of providing excellent service and assistance to every woman affected. She also worked with the JND staff handling lien resolution for this case. Preliminarily approving the settlement, Honorable Stephen V. Wilson stated (June 12, 2019):

The Court hereby designates JND Legal Administration (“JND”) as Claims Administrator. The Court finds that giving Class Members notice of the Settlement is justified under Rule 23(e)(1) because, as described above, the Court will likely be able to: approve the Settlement under Rule 23(e)(2); and certify the Settlement Class for purposes of judgment. The Court finds that the proposed Notice satisfies the requirements of due process and Federal Rule of Civil Procedure 23 and provides the best notice practicable under the circumstances.

25. *Williams v. Weyerhaeuser Co.*

Civil Action No. 995787 (Cal. Super. Ct.)

This landmark consumer fraud litigation against Weyerhaeuser Co. had over \$100 million in claims paid. The action involved exterior hardboard siding installed on homes and other structures throughout the United States from January 1, 1981 to December 31, 1999 that was alleged to be defective and prematurely fail when exposed to normal weather conditions.

Ms. Keough oversaw the administration efforts of this program, both when she was employed by Perkins Coie, who represented defendants, and later when she joined the administration firm handling the case. The claims program was extensive and went on for nine years, with varying claims deadlines depending on when the class member installed the original Weyerhaeuser siding. The program involved not just payments to class members, but an inspection component where a court-appointed inspector analyzed the particular claimant’s siding to determine the eligibility and award level. Class members received a check for their damages, based upon the total square footage of damaged siding, multiplied by the cost of replacing, or, in some instances, repairing, the siding on their homes. Ms. Keough oversaw the entirety of the program from start to finish.



JUDICIAL RECOGNITION

Courts have favorably recognized Ms. Keough’s work as outlined above and by the sampling of judicial comments from JND programs listed below.

1. Judge Vernon S. Broderick, Jr.

In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig., (June 7, 2021)

No. 14-md-02542 (S.D.N.Y.):

The Notice Plan provided for notice through a nationwide press release, print notice in the national edition of People magazine, and electronic media—Google Display Network, Facebook, and LinkedIn—using a digital advertising campaign with links to a settlement website. Proof that Plaintiffs have complied with the Notice Plan has been filed with the Court. The Notice Plan met the requirements of due process and Federal Rule of Civil Procedure 23; constituted the most effective and best notice of the Agreement and fairness hearing practicable under the circumstances; and constituted due and sufficient notice for all other purposes to all other persons and entities entitled to receive notice.

2. Judge Vince Chhabria

Solberg v. Victim Serv., Inc., (March 31, 2021)

No. 14-cv-05266-VC (N.D. Cal.):

The Court appoints JND Class Action Administration as the administrator of the settlement, who shall fulfill the functions, duties, and responsibilities of the Settlement Administrator as set forth in the Settlement Agreement and this Order...The Notice Plan, in form, method, and content, fully complies with the requirements of Rule 23 and due process, constitutes the best notice practicable under the circumstances, and is due and sufficient notice to all persons entitled thereto. The Court finds the Notice Plan is reasonably calculated to, under all circumstances, reasonably apprise the Class members of the pendency of this action, the terms of the Agreement, the right to object to the settlement, and how to exclude themselves from the Settlement Classes.

3. Honorable Daniel D. Domenico

Advance Trust & Life Escrow Serv., LTA v. Sec. Life of Denver Ins. Co., (January 29, 2021)
No. 18-cv-01897-DDD-NYW (D. Colo.):

The court approves the form and contents of the Short-Form and Long Form Notices attached as Exhibits A and B, respectively, to the Declaration of Jennifer M. Keough, filed on January 26, 2021...The proposed form and content of the Notices meet the requirements of Federal Rule of Civil Procedure 23(c)(2)(B)...The court approves the retention of JND Legal Administration LLC as the Notice Administrator.

4. Honorable Virginia A. Phillips

Sonner v. Schwabe N. Am., Inc., (January 25, 2021)
No. 15-cv-01358 VAP (SPx) (C.D. Cal.):

Following preliminary approval of the settlement by the Court, the settlement administrator provided notice to the Settlement Class through a digital media campaign. (Dkt. 203-5). The Notice explains in plain language what the case is about, what the recipient is entitled to, and the options available to the recipient in connection with this case, as well as the consequences of each option. (Id., Ex. E). During the allotted response period, the settlement administrator received no requests for exclusion and just one objection, which was later withdrawn. (Dkt. 203-1, at 11).

Given the low number of objections and the absence of any requests for exclusion, the Class response is favorable overall. Accordingly, this factor also weighs in favor of approval.

5. Honorable R. Gary Klausner

A.B. v. Regents of the Univ. of California, (January 8, 2021)
No. 20-cv-09555-RGK-E (C.D. Cal.):

The parties intend to notify class members through mail using UCLA's patient records. And they intend to supplement the mail notices using Google banners and

Facebook ads, publications in the LA times and People magazine, and a national press release. Accordingly, the Court finds that the proposed notice and method of delivery sufficient and approves the notice.

6. Judge Vernon S. Broderick, Jr.

In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig., (December 16, 2020)
No. 14-md-02542 (S.D.N.Y.):

I further appoint JND as Claims Administrator. JND's principals have more than 75 years-worth of combined class action legal administration experience, and JND has handled some of the largest recent settlement administration issues, including the Equifax Data Breach Settlement. (Doc. 1115 ¶ 5.) JND also has extensive experience in handling claims administration in the antitrust context. (Id. ¶ 6.) Accordingly, I appoint JND as Claims Administrator.

7. Judge John T. Fowlkes, Jr.

Weimar v. Geico Advantage Ins. Co., (December 2, 2020)
No. 19-cv-2698-JTF-tmp (W.D. Tenn.):

The parties have filed with the Court a declaration from JND Legal Administration, the independent third-party Settlement Administrator for the Settlement, establishing that the Class Notice was mailed to Class Members from August 30, 2020 to October 12, 2020, the Settlement website was established on August 31, 2020, and the telephone line available for Class Members to call was made available beginning August 31, 2020. Adequate notice was given to the Settlement Class in compliance with the Settlement Agreement and the Preliminary Approval Order.

8. Honorable Laurel Beeler

Sidibe v. Sutter Health, (November 5, 2020)
No. 12-cv-4854-LB (N.D. Cal.):

Class Counsel has retained JND Legal Administration ("JND"), an experienced class notice administration firm, to administer notice to the Class. The Court appoints

JND as the Class Notice Administrator. JND shall provide notice of pendency of the class action consistent with the procedures outlined in the Keough Declaration.

9. Judge Carolyn B. Kuhl

Sandoval v. Merlex Stucco Inc., (October 30, 2020)

No. BC619322 (Cal. Super. Ct.):

Additional Class Member class members, and because their names and addresses have not yet been confirmed, will be notified of the pendency of this settlement via the digital media campaign outlined by the Keough/JND Legal declaration...the Court approves the Parties selection of JND Legal as the third-party Claims Administrator.

10. Honorable Louis L. Stanton

Rick Nelson Co. v. Sony Music Ent., (September 16, 2020)

No. 18-cv-08791 (S.D.N.Y.):

The parties have designated JND Legal Administration (“JND”) as the Settlement Administrator. Having found it qualified, the Court appoints JND as the Settlement Administrator and it shall perform all the duties of the Settlement Administrator as set forth in the Stipulation...The form and content of the Notice, Publication Notice and Email Notice, and the method set forth herein of notifying the Class of the Settlement and its terms and conditions, meet the requirements of Rule 23 of the Federal Rules of Civil Procedure, due process. and any other applicable law, constitute the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons and entities entitled thereto.

11. Honorable Winifred Smith

Bland v. Premier Nutrition Corp., (August 26, 2020)

No. RG19-002714 (Cal. Super. Ct.):

Plaintiffs may engage JND Legal Administration to implement and administrate dissemination of the class notice and opt-out requests as the Court-appointed notice administrator.

12. Judge Fernando M. Olguin

Gonzalez-Tzita v. City of Los Angeles, (August 25, 2020)

No. 16-cv-00194 (C.D. Cal.):

After undertaking the required examination, the court approved the form of the proposed class notice. Also... the notice program was implemented by JND. Accordingly, based on the record and its prior findings, the court finds that the class notice and the notice process fairly and adequately informed the class members of the nature of the action, the terms of the proposed settlement, the effect of the action and release of claims, the class members' right to exclude themselves from the action, and their right to object to the proposed settlement.

13. Judge Steven W. Wilson

Amador v Baca, (August 11, 2020)

No. 10-cv-1649 (C.D. Cal.):

Class Counsel, in conjunction with JND, have also facilitated substantial notice and outreach to the relatively disparate and sometimes difficult to contact class of more than 94,000 individuals, which has resulted in a relatively high claims rate of between 33% and 40%, pending final verification of deficient claims forms. Their conduct both during litigation and after settlement was reached was adequate in all respects, and supports approval of the Settlement Agreement.

14. Judge Gary A. Fenner

In re Pre-Filled Propane Tank Antitrust Litig., (June 18, 2020)

No. 14-md-02567 (W.D. Mo.):

In short, court-appointed claims administrator JND provided actual notice where possible to each Settlement Class Member. As explained above, the Notice was sent by first-class regular mail directly to all 50,485 Settlement Class Members. Where Notice was returned as undeliverable to certain Settlement Class Members, JND made reasonable attempts to obtain updated addresses for all such Settlement Class Members and to provide additional direct notice to such Settlement Class

Members. JND also established a settlement-specific website, toll free telephone number, and fax number through which Settlement Class Members could obtain information about the action, the Settlement Agreements, the Plan of Allocation, and their rights with respect to the Settlement Agreements.

15. Judge Susan R. Bolton

In re Banner Health Data Breach Litig., (April 21, 2020)

No. 16-cv-02696 (D. Ariz.):

Prior to the Final Approval Hearing, Class Counsel filed the original and supplemental Declaration of Jennifer M. Keough Regarding Notice Administration, confirming that the Notice Program was completed in accordance with the Parties' instructions and the Preliminary Approval Order. Therefore, the Court is satisfied that Settlement Class Members were properly notified of their right to appear at the Final Approval Hearing in support of, or in opposition to, the proposed Settlement, the award of attorneys' fees, costs, and expenses, and the payment of Service Awards to the Class Representatives.

16. Judge Stephanie M. Rose

Swinton v. SquareTrade, Inc., (April 14, 2020)

No. 18-CV-00144-SMR-SBJ (S.D. Iowa):

This publication notice appears to have been effective. The digital ads were linked to the Settlement Website, and Google Analytics and other measures indicate that, during the Publication Notice Period, traffic to the Settlement Website was at its peak.

17. Honorable John Ruhl

Folweiler v. Am. Family Ins. Co., (February 19, 2020)

No. 16-2-16112-0 (Wash. Super. Ct.):

Through the retention of a class action settlement administrator, JND Legal Administration (JND), the parties have now complied with the notice plan set

forth in the Court's Order granting preliminary approval. See, Declaration of Jennifer M. Keough submitted in support of motion for final approval...Moreover, as set forth information provided by JND, the individual mailed Class Notice reached approximately 88.5% of the Settlement Class.

18. Judge Joan B. Gottschall

In re Navistar MaxxForce Engines Mktg., Sales Practices and Prods., (January 3, 2020)
No. 14-cv-10318 (N.D. Ill.):

WHEREAS, the Parties have agreed to use JND Legal Administration ("JND"), an experienced administrator of class action settlements, as the claims administrator for this Settlement and agree that JND has the requisite experience and expertise to serve as claims administrator; The Court appoints JND as the claims administrator for the Settlement.

19. Honorable Steven I. Locke

Donnenfield v. Petro, Inc., (December 4, 2019)
No. 17-cv-02310 (E.D.N.Y.):

WHEREAS, the Parties have agreed to use JND Legal Administration ("JND"), an experienced administrator of class action settlements, as the claims administrator for this Settlement and agree that JND has the requisite experience and expertise to serve as claims administrator; The Court appoints JND as the claims administrator for the Settlement.

20. Judge Steven W. Wilson

Amador v Baca, (November 7, 2019)
No. 10-cv-1649 (C.D. Cal.):

The Court approves the retention of JND Legal Administration ("JND") as Class Administrator, to administer the distribution of the Class and Settlement Notice and publication of the Class and Settlement Notice, and to distribute the proceeds of the settlement to all eligible Class Members pursuant to the Plan set out in the

Settlement Agreement (Exhibit A) should the Court grant final approval. Exhibit E (the Class Administrator bid) includes the qualifications of JND, which establishes to the Court's satisfaction the qualifications of JND to act as the Class Administrator.

21. Honorable Amy D. Hogue

Trepte v. Bionaire, Inc., (November 5, 2019)

No. BC540110 (Cal. Super. Ct.):

The Court appoints JND Legal Administration as the Class Administrator... The Court finds that the forms of notice to the Settlement Class regarding the pendency of the action and of this settlement, and the methods of giving notice to members of the Settlement Class... constitute the best notice practicable under the circumstances and constitute valid, due, and sufficient notice to all members of the Settlement Class. They comply fully with the requirements of California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

22. Judge Cormac J. Carney

In re ConAgra Foods Inc., (October 8, 2019)

No. 11-cv-05379-CJC-AGR (C.D. Cal.):

Following the Court's preliminary approval, JND used a multi-pronged notice campaign to reach people who purchased Wesson Oils...As of September 19, 2019, only one class member requested to opt out of the settlement class, with another class member objecting to the settlement. The reaction of the class has thus been overwhelmingly positive, and this factor favors final approval.

23. Judge Teri L. Jackson

Lee v. Hertz Corp., Dollar Thrifty Auto. Grp. Inc., (August 30, 2019)

No. CGC-15-547520 (Cal. Super. Ct.):

On April, 16, 2019, the Court issued Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, in which the Court did the following...appointed

JND Legal Administration as the Settlement Administrator...The manner and form of notice...was the best notice practicable under the circumstances, was valid, due, and sufficient notice to all members of the Settlement Class, and complied fully with California law and due process.

24. Judge Barbara Jacobs Rothstein

Wright v. Lyft, Inc., (May 29, 2019)

No. 17-cv-23307-MGC 14-cv-00421-BJR (W.D. Wash.):

The Court also finds that the proposed method of distributing relief to the class is effective. JND Legal Administration ("JND"), an experienced claims administrator, undertook a robust notice program that was approved by this Court...

25. Judge J. Walton McLeod

Boskie v. Backgroundchecks.com, (May 17, 2019)

No. 2019CP3200824 (S.C. C.P.):

The Court appoints JND Legal Administration as Settlement Administrator...The Court approves the notice plans for the HomeAdvisor Class and the Injunctive Relief Class as set forth in the declaration of JND Legal Administration. The Court finds the class notice fully satisfies the requirements of due process, the South Carolina Rules of Civil Procedure. The notice plan for the HomeAdvisor Class and Injunctive Relief Class constitutes the best notice practicable under the circumstances of each Class.

26. Honorable James Donato

In re Resistors Antitrust Litig., (May 2, 2019)

No. 15-cv-03820-JD (N.D. Cal.):

The Court approves as to form and content the proposed notice forms, including the long form notice and summary notice, attached as Exhibits B and D to the Second Supplemental Declaration of Jennifer M. Keough Regarding Proposed Notice Program (ECF No. 534-3). The Court further finds that the proposed plan of

notice – including Class Counsel’s agreement at the preliminary approval hearing for the KOA Settlement that direct notice would be effectuated through both U.S. mail and electronic mail to the extent electronic mail addresses can be identified following a reasonable search – and the proposed contents of these notices, meet the requirements of Rule 23 and due process, and are the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto. The Court appoints the firm of JND Legal Administration LLC as the Settlement Administrator.

27. Honorable Leigh Martin May

Bankhead v. First Advantage Background Serv. Corp., (April 30, 2019)
No. 17-cv-02910-LMM-CCB (N.D. Ga.):

The Court appoints JND Legal Administration as Settlement Administrator... The Court approves the notice plans for the Class as set forth in the declaration of the JND Legal Administration. The Court finds that class notice fully satisfies the requirements of due process of the Federal Rules of Civil Procedure. The notice plan constitutes the best notice practicable under the circumstances of the Class.

28. Honorable P. Kevin Castel

Hanks v. Lincoln Life & Annuity Co. of New York, (April 23, 2019)
No. 16-cv-6399 PKC (S.D.N.Y.):

The Court approves the form and contents of the Short-Form Notice and Long-Form Notice (collectively, the “Notices”) attached as Exhibits A and B, respectively, to the Declaration of Jennifer M. Keough, filed on April 2, 2019, at Docket No. 120...The form and content of the notices, as well as the manner of dissemination described below, therefore meet the requirements of Rule 23 and due process, constitute the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons and entities entitled thereto...the Court approves the retention of JND Legal Administration LLC (“JND”) as the Notice Administrator.

29. Judge Cormac J. Carney

In re ConAgra Foods Inc., (April 4, 2019)

No. 11-cv-05379-CJC-AGR (C.D. Cal.):

The bids were submitted to Judge McCormick, who ultimately chose JND Legal Administration to propose to the Court to serve as the settlement administrator. (Id. ¶ 65.) In addition to being selected by a neutral third party, JND Legal Administration appears to be well qualified to administer the claims in this case... The Court appoints JND Legal Administration as Settlement Administrator... JND Legal Administration will reach class members through a consumer media campaign, including a national print effort in People magazine, a digital effort targeting consumers in the relevant states through Google Display Network and Facebook, newspaper notice placements in the Los Angeles Daily News, and an internet search effort on Google. (Keough Decl. ¶ 14.) JND Legal Administration will also distribute press releases to media outlets nationwide and establish a settlement website and toll-free phone number. (Id.) The print and digital media effort is designed to reach 70% of the potential class members. (Id.) The newspaper notice placements, internet search effort, and press release distribution are intended to enhance the notice's reach beyond the estimated 70%. (Id.)

30. Honorable William J. McGovern, III, J.S.C.

Atl. Ambulance Corp. v. Cullum and Hitti, (March 29, 2019)

No. MRS-L-264-12 (N.J. Super. Ct.):

The Court finds that the manner and form of notice set forth in the Settlement Agreement (Class Notice) was provided to the Settlement Class Members and Settlement Sub-class Members by JND Legal Administration, the Court-appointed Administrator of the Settlement...The Class Notice satisfied the requirements of due process and R. 4:32-2 and constitutes the best practicable notice under the circumstances.

31. Judge Jonathan Goodman

Belanger v. RoundPoint Mortg. Servicing, (March 28, 2019)

No. 17-cv-23307-MGC (S.D. Fla.):

Class Counsel has filed with the Court a declaration from Jennifer M. Keough, Chief Executive Officer at JND Legal Administration, the independent third-party Settlement Administrator for the Settlement, establishing that the Mail Notice, Claim Form, and Claim Form Instructions were mailed to Noticed Class Members on December 12, 2018; the Settlement Website and IVR toll-free telephone number system were established on December 12, 2018; internet advertising was published beginning December 14, 2018; and the Publication Notice was published on January 7, 2019. Adequate Class Notice was given to the Noticed Class Members in compliance with the Settlement Agreement and the Preliminary Approval Order.

32. Judge Kathleen M. Daily

Podawiltz v. Swisher Int'l, Inc., (February 7, 2019)

No. 16CV27621 (Or. Cir. Ct.):

The Court appoints JND Legal Administration as settlement administrator...The Court finds that the notice plan is reasonable, that it constitutes due, adequate and sufficient notice to all persons entitled to receive notice, and that it meets the requirements of due process, ORCP 32, and any other applicable laws.

33. Honorable Kenneth J. Medel

Huntzinger v. Suunto Oy, (December 14, 2018)

No. 37-2018-27159 (CU) (BT) (CTL) (Cal. Super. Ct.):

The Court finds that the Class Notice and the Notice Program implemented pursuant to the Settlement Agreement and Preliminary Approval Order constituted the best notice practicable under the circumstances to all persons within the definition of the Class and fully complied with the due process requirement under all applicable statutes and laws and with the California Rules of Court.

34. Judge Mark H. Cohen

Liotta v. Wolford Boutiques, LLC, (November 30, 2018)

No. 16-cv-4634 (N.D. Ga.):

The Notice Program included written mail notice via post-card pursuant to addresses determined from a look-up on the telephone numbers using a historic look-up process designed to identify the owner of the relevant telephone numbers on July 7, 2016 and September 2, 2016. Keough Decl. ¶¶ 3-4. The Claims Administrator used multiple databases to determine addresses and names of the cellular telephone owners at the time the text messages were sent. Keough Decl. ¶ 3. The Parties' filed evidence that the Claims Administrator provided notice in conformance with the Notice Program approved by the Court. Id. ¶ 4 & Ex. A; Settlement Agreement § C.4; Prelim. Approval Order at 16-17. This notice constituted the most effective and best notice practicable under the circumstances of the Settlement Agreement and the fairness hearing. The notice constituted due and sufficient notice for all other purposes to all persons entitled to receive notice.

35. Honorable Thomas M. Durkin

In re Broiler Chicken Antitrust Litig., (November 16, 2018)

No. 16-cv-8637 (N.D. Ill.):

The notice given to the Class, including individual notice to all members of the Class who could be identified through reasonable efforts, was the best notice practicable under the circumstances. Said notice provided due and adequate notice of the proceedings and of the matters set forth therein, including the proposed settlement set forth in the Settlement Agreement, to all persons entitled to such notice, and said notice fully satisfied the requirements of Rules 23(c)(2) and 23(e)(1) of the Federal Rules of Civil Procedure and the requirements of due process.

36. Judge Maren E. Nelson

Granados v. Cnty. of Los Angeles, (October 30, 2018)

No. BC361470 (Cal. Super. Ct.):

JND's Media Notice plan is estimated to have reached 83% of the Class. The overall reach of the Notice Program was estimated to be over 90% of the Class. (Keough Decl., at ¶12.). Based upon the notice campaign outlined in the Keough Declaration, it appears that the notice procedure was aimed at reaching as many class members as possible. The Court finds that the notice procedure satisfies due process requirements.

37. Judge Cheryl L. Pollak

Dover v. British Airways, PLC (UK), (October 9, 2018)

No. 12-cv-5567 (E.D.N.Y.), in response to two objections:

JND Legal Administration was appointed as the Settlement Claims Administrator, responsible for providing the required notices to Class Members and overseeing the claims process, particularly the processing of Cash Claim Forms...the overwhelmingly positive response to the Settlement by the Class Members, reinforces the Court's conclusion that the Settlement is fair, adequate, and reasonable.

38. Judge Edward J. Davila

In re Intuit Data Litig., (October 4, 2018)

No. 15-CV-1778-EJD (N.D. Cal.):

The Court appoints JND Legal Administration ("JND") to serve as the Settlement Administrator...The Court approves the program for disseminating notice to Class Members set forth in the Agreement and Exhibit A thereto (herein, the "Notice Program"). The Court approves the form and content of the proposed forms of notice, in the forms attached as Attachments 1 through 3 to Exhibit A to the Agreement. The Court finds that the proposed forms of notice are clear and readily understandable by Class Members. The Court finds that the Notice Program, including the proposed

forms of notice, is reasonable and appropriate and satisfies any applicable due process and other requirements, and is the only notice to the Class Members of the Settlement that is required.

39. Judge Michael H. Watson

O'Donnell v. Fin. Am. Life Ins. Co., (August 24, 2018)

No. 14-cv-01071 (S.D. Ohio):

The Court finds that the Class Notice and the notice methodology implemented pursuant to this Settlement Agreement (as evidenced by the Declaration of Settlement Administrator Keough, JND Legal Administration): (1) constituted the best practicable notice; (2) constituted notice that was reasonably calculated, under the circumstances, to apprise Class Members of the terms of the Proposed Settlement, the available relief, the release of claims, their right to object or exclude themselves from the proposed Settlement, and their right to appear at the fairness hearing; (3) were reasonable and constitute due, adequate, and sufficient notice to all persons entitled to receive notice; and (4) met all applicable requirements of the Federal Rules of Civil Procedure, the Class Action Fairness Act, the United States Constitution (including the Due Process Clause), the Rules of the Court, and any other applicable law.

40. Honorable Percy Anderson

Nozzi v. Housing Auth. for the City of Los Angeles, (February 15, 2018)

No. CV 07-380 PA (FFMx) (C.D. Cal.):

The notice given in this case was reasonably calculated to reach the Damages Class... Finally, a notice was published in the L.A. Times for three consecutive weeks on August 18, 2017, August 25, 2017, and September 1, 2017, and a 30-day internet advertising campaign was launched on Facebook, Instagram, and Twitter to inform Class Members about the settlement. (Keough Decl. ¶ 12.) The Court therefore concludes that the notice procedures satisfied the requirements of Due Process and Federal Rule of Civil Procedure 23(e).

41. Judge Ann D. Montgomery

In re Wholesale Grocery Prod. Antitrust Litig., (November 16, 2017)

No. 9-md-2090 (ADM) (TNL) (D. Minn.):

Notice provider and claims administrator JND Legal Administration LLC provided proof that mailing conformed to the Preliminary Approval Order in a declaration filed contemporaneously with the Motion for Final Approval of Class Settlement. This notice program fully complied with Fed. R. Civ. P. 23, satisfied the requirements of due process, is the best notice practicable under the circumstances, and constituted due and adequate notice to the Class of the Settlement, Final Approval Hearing and other matters referred to in the Notice.

42. Honorable David O. Carter

Hernandez v. Experian Info. Sols., Inc., (April 6, 2018)

No. 05-cv-1070 (C.D. Cal.):

The Court finds, however, that the notice had significant value for the Class, resulting in over 200,000 newly approved claims—a 28% increase in the number of Class members who will receive claimed benefits—not including the almost 100,000 Class members who have visited the CCRA section of the Settlement Website thus far and the further 100,000 estimated visits expected through the end of 2019. (Dkt. 1114-1 at 3, 6). Furthermore, the notice and claims process is being conducted efficiently at a total cost of approximately \$6 million, or \$2.5 million less than the projected 2009 Proposed Settlement notice and claims process, despite intervening increases in postage rates and general inflation. In addition, the Court finds that the notice conducted in connection with the 2009 Proposed Settlement has significant ongoing value to this Class, first in notifying in 2009 over 15 million Class members of their rights under the Fair Credit Reporting Act (the ignorance of which for most Class members was one area on which Class Counsel and White Objectors' counsel were in agreement), and because of the hundreds of thousands of claims submitted in response to that notice, and processed and validated by the claims administrator, which will be honored in this Settlement.

IV.

CASE EXPERIENCE

Ms. Keough has played an important role in hundreds of matters throughout her career. A partial listing of her notice and claims administration case work is provided below.

CASE NAME	CASE NUMBER	LOCATION
<i>A.B. v. Regents of the Univ. of California</i>	20-cv-09555-RGK-E	C.D. Cal.
<i>Achziger v. IDS Prop. Cas. Ins.</i>	14-cv-5445	W.D. Wa.
<i>Adair v. Michigan Pain Specialist, PLLC</i>	14-28156-NO	Mich. Cir.
<i>Adkins v. EQT Prod. Co.</i>	10-cv-00037-JPJ-PMS	W.D. Va.
<i>Advance Trust & Life Escrow Serv., LTA v. Sec. Life of Denver Ins. Co.</i>	18-cv-01897-DDD-NYW	D. Colo.
<i>Ahmed v. HSBC Bank USA, NA</i>	15-cv-2057-FMO-SPx	N.D. Ill.
<i>Allagas v. BP Solar Int'l, Inc.</i>	14-cv-00560 (SI)	N.D. Cal.
<i>Amador v. Baca</i>	10-cv-1649	C.D. Cal.
<i>Amin v. Mercedes-Benz USA, LLC</i>	17-cv-01701-AT	N.D. Ga.
<i>Anger v. Accretive Health</i>	14-cv-12864	E.D. Mich.
<i>Arthur v. Sallie Mae, Inc.</i>	10-cv-00198-JLR	W.D. Wash.
<i>Atkins v. Nat'l. Gen. Ins. Co.</i>	16-2-04728-4	Wash. Super. Ct.
<i>Atl. Ambulance Corp. v. Cullum & Hitti</i>	MRS-L-264-12	N.J. Super. Ct.
<i>Avila v. LifeLock Inc.</i>	15-cv-01398-SRB	D. Ariz.
<i>Backer Law Firm, LLC v. Costco Wholesale Corp.</i>	15-cv-327 (SRB)	W.D. Mo.
<i>Baker v. Equity Residential Mgmt., LLC</i>	18-cv-11175	D. Mass.
<i>Bankhead v. First Advantage Background Servs. Corp.</i>	17-cv-02910-LMM-CCB	N.D. Ga.
<i>Barclays Dark Pool Sec. Litig.</i>	14-cv-5797 (VM)	S.D.N.Y.
<i>Barrios v. City of Chicago</i>	15-cv-02648	N.D. Ill.
<i>Beezley v. Fenix Parts, Inc.</i>	17-cv-7896	N.D. Ill.
<i>Belanger v. RoundPoint Mortg. Servicing</i>	17-cv-23307-MGC	S.D. Fla.
<i>Beltran v. InterExchange, Inc.</i>	14-cv-3074	D. Colo.
<i>BlackRock Core Bond Portfolio v. Wells Fargo</i>	65687/2016	N.Y. Super. Ct.
<i>Bland v. Premier Nutrition Corp.</i>	RG19-002714	Cal. Super. Ct.
<i>Blasi v. United Debt Serv., LLC</i>	14-cv-0083	S.D. Ohio

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<i>Bollenbach Enters. Ltd. P'ship. v. Oklahoma Energy Acquisitions</i>	17-cv-134	W.D. Okla.
<i>Boskie v. Backgroundchecks.com</i>	2019CP3200824	S.C. C.P.
<i>Boyd v. RREM Inc., d/b/a Winston</i>	2019-CH-02321	Ill. Cir. Ct.
<i>Boyle v. Harbor Freight Tools USA</i>	2020-L-00386	Ill. 3d. Cir. Ct.
<i>Bradley v. Honecker Cowling LLP</i>	18-cv-01929-CL	D. Or.
<i>Brna v. Isle of Capri Casinos</i>	17-cv-60144 (FAM)	S.D. Fla.
<i>Browning v. Yahoo!</i>	C04-01463 HRL	N.D. Cal.
<i>Careathers v. Red Bull N. Am., Inc.</i>	13-cv-369 (KPF)	S.D.N.Y.
<i>Carmack v. Amaya Inc.</i>	16-cv-1884	D.N.J.
<i>Cecil v. BP Am. Prod. Co.</i>	16-cv-410 (RAW)	E.D. Okla.
<i>Chamblee v. TerraForm Power, Inc.</i>	16 MD 2742 (PKC)(AJP)	S.D.N.Y.
<i>Chester v. TJX Cos.</i>	15-cv-1437 (ODW) (DTB)	C.D. Cal.
<i>Chieftain Royalty Co. v. Marathon Oil Co.</i>	17-cv-334	E.D. Okla.
<i>Chieftain Royalty Co. v. Newfield Exploration Mid-Continent Inc.</i>	17-cv-00336-KEW	E.D. Okla.
<i>Chieftain Royalty Co. v. SM Energy Co.</i>	18-cv-01225-J	W.D. Okla.
<i>Chieftain Royalty Co. v. XTO Energy, Inc.</i>	11-cv-00029-KEW	E.D. Okla.
<i>Christopher v. Residence Mut. Ins. Co.</i>	CIVDS1711860	Cal. Super. Ct.
<i>City of Los Angeles v. Bankrate, Inc.</i>	14-cv-81323 (DMM)	S.D. Fla.
<i>Cline v Sunoco, Inc.</i>	17-cv-313-JAG	E.D. Okla.
<i>Cline v. TouchTunes Music Corp.</i>	14-CIV-4744 (LAK)	S.D.N.Y.
<i>Cobell v. Salazar</i>	96-cv-1285 (TFH)	D.D.C.
<i>Cooper Clark Found. v. Oxy USA</i>	2017-CV-000003	D. Kan.
<i>Corker v. Costco Wholesale Corp.</i>	19-cv-00290-RSL	W.D. Wash.
<i>Corona v. Sony Pictures Entm't Inc.</i>	14-CV-09600-RGK-E	C.D. Cal.
<i>Courtney v. Avid Tech., Inc.</i>	13-cv-10686-WGY	D. Mass.
<i>DASA Inv., Inc. v. EnerVest Operating LLC</i>	18-cv-00083-SPS	E.D. Okla.
<i>Davis v. Carfax, Inc.</i>	CJ-04-1316L	D. Okla.
<i>Davis v. State Farm Ins.</i>	19-cv-466	W.D. Ky.
<i>Davis v. Yelp Inc.</i>	18-cv-00400-EMC	N.D. Cal.
<i>DeFrees v. Kirkland and U.S. Aerospace, Inc.</i>	CV 11-04574	C.D. Cal.

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<i>Delgado v. Am.'s Auto Auction</i>	2019-CH-04164	Ill. Cir. Ct.
<i>Delkener v. Cottage Health Sys.</i>	30-2016-847934 (CU) (NP) (CXC)	Cal. Super. Ct.
<i>DeMarco v. AvalonBay Communities, Inc.</i>	15-cv-00628-JLL-JAD	D.N.J.
<i>Deora v Nanthealth</i>	17-cv-01825-TJH-MRWx	C.D. Cal.
<i>Diel v Salal Credit Union</i>	19-2-10266-7 KNT	Wash. Super. Ct.
<i>Dixon v. Grunt Style, LLC</i>	2019 CH 01981	Ill. Cir. Ct.
<i>Doan v. CORT Furniture Rental Corp.</i>	30-2017-00904345-CU-BT-CXC	Cal. Super. Ct.
<i>Doan v. State Farm Gen. Ins. Co.</i>	1-08-cv-129264	Cal. Super. Ct.
<i>Donnenfeld v. Petro, Inc.</i>	17-cv-02310	E.D.N.Y.
<i>Dougherty v. Barrett Bus. Serv., Inc.</i>	17-2-05619-1	Wash. Super. Ct.
<i>Doughtery v. QuickSIUS, LLC</i>	15-cv-06432-JHS	E.D. Pa.
<i>Dover v. British Airways, PLC (UK)</i>	12-cv-5567	E.D.N.Y.
<i>Dwyer v. Snap Fitness, Inc.</i>	17-cv-00455-MRB	S.D. Ohio
<i>Edwards v. Arkansas Cancer Clinic, P.A.</i>	35CV-18-1171	Ark. Cir. Ct.
<i>Edwards v. Hearst Commc'ns., Inc.</i>	15-cv-9279 (AT) (JLC)	S.D.N.Y.
<i>Ellis v. Terminal Operations Mgmt., Inc.</i>	2019CH09407	Ill. Cir. Ct.
<i>Engquist v. City of Los Angeles</i>	BC591331	Cal. Super. Ct.
<i>Erica P. John Fund, Inc. v. Halliburton Co.</i>	02-cv-1152	N.D. Tex.
<i>Expedia Hotel Taxes & Fees Litig.</i>	05-2-02060-1 (SEA)	Wash. Super. Ct.
<i>Family Med. Pharmacy LLC v. Impax Labs., Inc.</i>	17-cv-53	S.D. Ala.
<i>Family Med. Pharmacy LLC v. Trxade Grp. Inc.</i>	15-cv-00590-KD-B	S.D. Ala.
<i>Farmer v. Bank of Am.</i>	11-cv-00935-OLG	W.D. Tex.
<i>Farris v. Carlinville Rehab and Health Care Ctr.</i>	2019CH42	Ill. Cir. Ct.
<i>Fielder v. Mechanics Bank</i>	BC721391	Cal. Super. Ct.
<i>Finerman v. Marriott Ownership Resorts, Inc.</i>	14-cv-1154-J-32MCR	M.D. Fla.
<i>Fitzgerald v. Lime Rock Res.</i>	CJ-2017-31	Okla. Dist. Ct.
<i>Folweiler v. Am. Family Ins. Co.</i>	16-2-16112-0	Wash. Super. Ct.
<i>Fosbrink v. Area Wide Protective, Inc.</i>	17-cv-1154-T-30CPT	M.D. Fla.
<i>Fresno Cnty. Employees Ret. Assoc. v. comScore Inc.</i>	16-cv-1820 (JGK)	S.D.N.Y.
<i>Frost v. LG Elec. MobileComm U.S.A., Inc.</i>	37-2012-00098755-CU-PL-CTL	Cal. Super. Ct.
<i>FTC v. Consumerinfo.com</i>	SACV05-801 AHS (MLGx)	C.D. Cal.
<i>FTC v. Reckitt Benckiser Grp. PLC</i>	19CV00028	W.D. Va.

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<i>Gehrich v. Howe</i>	37-2018-00041295-CU-SL-CTL	N.D. Ga.
<i>Gonzalez-Tzita v. City of Los Angeles</i>	16-cv-00194	C.D. Cal.
<i>Gormley v. magicJack Vocaltec Ltd.</i>	16-cv-1869	S.D.N.Y.
<i>Graf v. Orbit Machining Co.</i>	2020CH03280	Ill. Cir. Ct.
<i>Gragg v. Orange Cab Co.</i>	C12-0576RSL	W.D. Wash.
<i>Granados v. Cnty. of Los Angeles</i>	BC361470	Cal. Super., Ct.
<i>Gudz v. Jemrock Realty Co., LLC</i>	603555/2009	N.Y. Super. Ct.
<i>Guevoura Fund Ltd. v. Sillerman</i>	15-cv-07192-CM	S.D.N.Y.
<i>Hahn v. Hanil Dev., Inc.</i>	BC468669	Cal. Super. Ct.
<i>Halperin v. YouFit Health Clubs</i>	18-cv-61722-WPD	S.D. Fla.
<i>Hanks v. Lincoln Life & Annuity Co. of New York</i>	16-cv-6399 PKC	S.D.N.Y.
<i>Harrington v. Wells Fargo Bank NA</i>	19-cv-11180-RGS	D. Mass.
<i>Harris v. Chevron U.S.A., Inc.</i>	15-cv-00094	W.D. Okla.
<i>Hay Creek Royalties, LLC v. Roan Res. LLC</i>	19-cv-00177-CVE-JFJ	N.D. Okla.
<i>Health Republic Ins. Co. v. United States</i>	16-259C	F.C.C.
<i>Henry Price Trust v Plains Mkting</i>	19-cv-00390-RAW	E.D. Okla.
<i>Hernandez v. Experian Info. Sols., Inc.</i>	05-cv-1070 (DOC) (MLGx)	C.D. Cal.
<i>Hernandez v. Wells Fargo Bank, N.A.</i>	18-cv-07354	N.D. Cal.
<i>Hill v. Valli Produce of Evanston</i>	2019CH13196	Ill. Cir. Ct.
<i>Holmes v. LM Ins. Corp.</i>	19-cv-00466	M.D. Tenn.
<i>Holt v. Murphy Oil USA, Inc.</i>	17-cv-911	N.D. Fla.
<i>Horton v. Cavalry Portfolio Serv., LLC and Krejci v. Cavalry Portfolio Serv., LLC</i>	13-cv-0307-JAH-WVG and 16-cv-00211-JAH-WVG	C.D. Cal.
<i>Howell v. Checkr, Inc.</i>	17-cv-4305	N.D. Cal.
<i>Hoyte v. Gov't of D.C.</i>	13-cv-00569	D.D.C.
<i>Hufford v. Maxim Inc.</i>	19-cv-04452-ALC-RWL	S.D.N.Y.
<i>Huntzinger v. Suunto Oy</i>	37-2018-27159 (CU) (BT) (CTL)	Cal. Super. Ct.
<i>In re Air Cargo Shipping Servs. Antitrust Litig.</i>	06-md-1775 (JG) (VVP)	E.D.N.Y.
<i>In re Akorn, Inc. Sec. Litig.</i>	15-c-1944	N.D. Ill.
<i>In re Am. Express Fin. Advisors Sec. Litig.</i>	04 Civ. 1773 (DAB)	S.D.N.Y.
<i>In re AMR Corp. (Am. Airlines Bankr.)</i>	1-15463 (SHL)	S.D.N.Y.
<i>In re Auction Houses Antitrust Litig.</i>	00-648 (LAK)	S.D.N.Y.

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<i>In re AudioEye, Inc. Sec. Litig.</i>	15-cv-163 (DCB)	D. Ariz.
<i>In re AXA Equitable Life Ins. Co. COI Litig.</i>	16-cv-740	S.D.N.Y.
<i>In re Banner Health Data Breach Litig.</i>	16-cv-02696	D. Ariz.
<i>In re Blue Cross Blue Shield Antitrust Litig.</i>	2:13-CV-20000-RDP	N.D. Ala.
<i>In re Broiler Chicken Antitrust Litig.</i>	16-cv-08637	N.D. Ill.
<i>In re Chaparral Energy, Inc.</i>	20-11947 (MFW)	D. Del. Bankr.
<i>In re Classmates.com</i>	C09-45RAJ	W.D. Wash.
<i>In re ConAgra Foods Inc.</i>	11-cv-05379-CJC-AGR	C.D. Cal.
<i>In re CRM Holdings, Ltd. Sec. Litig.</i>	10-cv-00975-RPP	S.D.N.Y.
<i>In re Equifax Inc. Customer Data Sec. Breach Litig.</i>	17-md-2800-TWT	N.D. Ga.
<i>In re Equifax Inc. Sec. Litig.</i>	17-cv-03463-TWT	N.D. Ga.
<i>In re General Motors LLC Ignition Switch Litig.</i>	14-md-2543	S.D.N.Y.
<i>In re Glob. Tel*Link Corp. Litig.</i>	14-CV-5275	W.D. Ark.
<i>In re GoPro, Inc. Shareholder Litig.</i>	CIV537077	Cal. Super. Ct.
<i>In re Guess Outlet Store Pricing</i>	JCCP No. 4833	Cal. Super. Ct.
<i>In re Helios and Matheson Analytics, Inc. Sec. Litig.</i>	18-cv-06965JGK	S.D.N.Y.
<i>In re Illumina, Inc. Sec. Litig.</i>	16-cv-03044-L-MSB	S.D. Cal.
<i>In re Initial Pub. Offering Sec. Litig. (IPO Sec. Litig.)</i>	No. 21-MC-92	S.D.N.Y.
<i>In re Intuit Data Litig.</i>	15-CV-1778-EJD	N.D. Cal.
<i>In re J.P. Morgan Stable Value Fund ERISA Litig.</i>	12-cv-02548-VSB	S.D.N.Y.
<i>In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig. (Indirect-Purchasers)</i>	14-md-02542	S.D.N.Y.
<i>In re Legacy Reserves LP Preferred Unitholder Litig.</i>	2018-225 (JTL)	Del. Ch.
<i>In re LIBOR-Based Fin. Instruments Antitrust Litig.</i>	11-md-2262 (NRB)	S.D.N.Y.
<i>In re Mercedes-Benz Emissions Litig.</i>	16-cv-881 (KM) (ESK)	D.N.J.
<i>In re MyFord Touch Consumer Litig.</i>	13-cv-3072 (EMC)	N.D. Cal.
<i>In re Mylan N.V. Sec. Litig</i>	16-cv-07926-JPO	S.D.N.Y.
<i>In re Navistar MaxxForce Engines Mktg., Sales Practices and Prods. Liab. Litig.</i>	14-cv-10318	N.D. Ill.
<i>In re Novo Nordisk Sec. Litig.</i>	17-cv-00209-BRM-LHG	D.N.J.
<i>In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010</i>	2179 (MDL)	E.D. La.
<i>In re PHH Lender Placed Ins. Litig.</i>	12-cv-1117 (NLH) (KMW)	D.N.J.

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<i>In re Pokémon Go Nuisance Litig.</i>	16-cv-04300	N.D. Cal.
<i>In re Polyurethane Foam Antitrust Litig.</i>	10-md-196 (JZ)	N.D. Ohio
<i>In re Pre-Filled Propane Tank Antitrust Litig.</i>	14-md-02567	W.D. Mo.
<i>In re Processed Egg Prod. Antitrust Litig.</i>	08-MD-02002	E.D. Pa.
<i>In re Resistors Antitrust Litig.</i>	15-cv-03820-JD	N.D. Cal.
<i>In re Resonant Inc. Sec. Litig.</i>	15-cv-1970 (SJO) (MRW)	C.D. Cal.
<i>In re Rockwell Med. Inc. Stockholder Derivative Litig.</i>	19-cv-02373	E.D. N.Y.
<i>In re Saks Inc. Shareholder Litig.</i>	652724/2013	N.Y. Super. Ct.
<i>In re Sheridan Holding Co. I, LLC</i>	20-31884 (DRJ)	Bankr. S.D. Tex.
<i>In re Signet Jewelers Ltd, Sec. Litig.</i>	16-cv-06728-CM-SDA	S.D.N.Y.
<i>In re Snap Inc. Sec. Litig.</i>	17-cv-03679-SVW-AGR	C.D. Cal.
<i>In re Stericycle, Inc. Sec. Litig.</i>	16-cv-07145	N.D. Ill.
<i>In re Stryker Rejuvenate and ABG II Hip Implant Prods. Liab. Litig.</i>	13-md-2441	D. Minn.
<i>In re Tenet Healthcare Corp. Sec.</i>	CV-02-8462-RSWL (Rzx)	C.D. Cal.
<i>In re The Engle Trust Fund</i>	94-08273 CA 22	Fla. 11th Cir. Ct.
<i>In re Ubiquiti Networks Sec. Litig.</i>	18-cv-01620 (VM)	S.D.N.Y.
<i>In re Unilife Corp. Sec. Litig.</i>	16-cv-3976 (RA)	S.D.N.Y.
<i>In re Vale S.A. Sec. Litig.</i>	15 Civ. 09539 (GHW)	S.D.N.Y.
<i>In re Washington Mut. Inc. Sec. Litig.</i>	8-md-1919 (MJP)	W.D. Wash.
<i>In re Webloyalty.com, Inc. Mktg. & Sales Practices Litig.</i>	06-11620-JLT	D. Mass.
<i>In re Wholesale Grocery Prod. Antitrust Litig.</i>	9-md-2090 (ADM) (TNL)	D. Minn.
<i>In re Williams Sec. Litig.</i>	02-CV-72-SPF (FHM)	N.D. Okla.
<i>In re Yahoo! Inc. Sec. Litig.</i>	17-cv-373	N.D. Cal.
<i>James v. Mado Healthcare LLC</i>	2019CH06140	Ill. Cir. Ct.
<i>Jerome v. Elan 99, LLC</i>	2018-02263	Tx. Dist. Ct.
<i>Jeter v. Bullseye Energy, Inc.</i>	12-cv-411 (TCK) (PJC)	N.D. Okla.
<i>Johnson v. MGM Holdings, Inc.</i>	17-cv-00541	W.D. Wash.
<i>Johnston v. Camino Natural Res., LLC</i>	19-cv-02742-CMA-SKC	D. Colo.
<i>Kennedy v. McCarthy</i>	16-cv-2010-CSH	D. Conn.
<i>Kent v. R.L. Vallee, Inc.</i>	617-6-15	D. Vt.

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<i>Khona v. Subaru of Am., Inc.</i>	19-cv-09323-RMB-AMD	D.N.J.
<i>King v. Bumble Trading Inc.</i>	18-cv-06868-NC	N.D. Cal.
<i>Kissel v. Code 42 Software Inc.</i>	15-1936 (JLS) (KES)	C.D. Cal.
<i>Kokoszki v. Playboy Enter., Inc.</i>	19-cv-10302	E.D. Mich.
<i>Komesar v. City of Pasadena</i>	BC 677632	Cal. Super. Ct.
<i>Kommer v. Ford Motor Co.</i>	17-cv-00296-LEK-DJS	N.D.N.Y.
<i>Konecky v Allstate</i>	CV-17-10-M-DWM	D. Mont.
<i>Krueger v. Ameriprise Fin., Inc.</i>	11-cv-02781 (SRN/JSM)	D. Minn.
<i>Lambert v. Navy Fed. Credit Union</i>	19-cv-00103-LO-MSN	E.D. Va.
<i>Langan v. Johnson & Johnson Consumer Co.</i>	13-cv-01471	D. Conn.
<i>Larson v. Allina Health Sys.</i>	17-cv-03835	D. Minn.
<i>Lee v. Hertz Corp., Dollar Thrifty Auto. Grp. Inc.</i>	CGC-15-547520	Cal. Super. Ct.
<i>Linderman v. City of Los Angeles</i>	BC650785	Cal. Super. Ct.
<i>Linneman v. Vita-Mix Corp.</i>	15-cv-748	S.D. Ohio
<i>Lion Biotechnologies Sec. Litig.</i>	17-cv-02086-SI	N.D. Cal.
<i>Liotta v. Wolford Boutiques, LLC</i>	16-cv-4634	N.D. Ga.
<i>Lippert v. Baldwin</i>	10-cv-4603	N.D. Ill.
<i>Lloyd v. CVB Fin. Corp.</i>	10-cv-6256 (CAS)	C.D. Cal.
Loblaw Card Program	Remediation Program	
<i>Lord Abbett Affiliated Fund, Inc. v. Navient Corp.</i>	16-cv-112	D. Del.
<i>Mabrey v. Autovest</i>	CGC-18-566617	Cal. Super. Ct.
<i>Machado v. Endurance Int'l Grp. Holdings Inc.</i>	15-cv-11775-GAO	D. Mass.
<i>Malin v. Ambry Genticis Corp.</i>	30-2018-00994841-CU-SL-CXC	Cal. Super. Ct.
<i>McClellan v. Chase Home Fin.</i>	12-cv-01331-JGB-JEM	C.D. Cal.
<i>McClintock v. Continuum Producer Serv., LLC</i>	17-cv-00259-JAG	E.D. Okla.
<i>McClintock v Enter.</i>	16-cv-00136-KEW	E.D. Okla.
<i>McGann v. Schnuck Markets Inc.</i>	1322-CC00800	Mo. Cir. Ct.
<i>McGraw v. Geico Gen. Ins. Co.</i>	15-2-07829-7	Wash. Super. Ct.
<i>McKibben v. McMahon</i>	14-2171 (JGB) (SP)	C.D. Cal.
<i>McKnight Realty Co. v. Bravo Arkoma, LLC</i>	17-CIV-308 (KEW)	E.D. Okla.
<i>McNeill v. Citation Oil & Gas Corp.</i>	17-CIV-121 (KEW)	E.D. Okla.
<i>McWilliams v. City of Long Beach</i>	BC361469	Cal. Super. Ct.

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<i>Messner v. Cambridge Real Estate Servs., Inc.</i>	19CV28815	Or. Cir. Ct.
<i>Mild v. PPG Indus., Inc.</i>	18-cv-04231	C.D. Cal.
<i>Miller v. Carrington Mortg. Serv., LLC</i>	19-cv-00016-JDL	D. Me.
<i>Miller v. Mut. of Enumclaw Ins. Co.</i>	19-2-12357-1	Wash. Super. Ct.
<i>Miller Revocable Trust v DCP Operating Co.</i>	18-cv-00199-JH	E.D. Okla.
<i>Milstead v. Robert Fiance Beauty Sch., Inc.</i>	CAM-L-328-16	N.J. Super. Ct.
<i>Moeller v. Advance Magazine Publishers, Inc.</i>	15-cv-05671 (NRB)	S.D.N.Y.
<i>Mojica v. Securus Techs., Inc.</i>	14-cv-5258	W.D. Ark.
<i>Molnar v. 1-800-Flowers Retail, Inc.</i>	BC 382828	Cal. Super. Ct.
<i>Monteleone v. Nutro Co.</i>	14-cv-00801-ES-JAD	D.N.J.
<i>Moodie v. Maxim HealthCare Servs.</i>	14-cv-03471-FMO-AS	C.D. Cal.
<i>Muir v. Early Warning Servs., LLC</i>	16-cv-00521	D.N.J.
<i>Murphy v. Precision Castparts Corp.</i>	16-cv-00521-sb	D. Or.
<i>Mylan Pharm., Inc. v. Warner Chilcott Pub. Ltd.</i>	12-3824	E.D. Pa.
<i>Nasseri v. Cytosport, Inc.</i>	BC439181	Cal. Super. Ct.
<i>Nesbitt v. Postmates, Inc.</i>	CGC-15-547146	Cal. Super. Ct.
<i>New Orleans Tax Assessor Project</i>	Tax Assessment Program	
<i>New York v. Steven Croman</i>	450545/2016	N.Y. Super. Ct.
<i>NMPA Late Fee Program Grps. I-IVA</i>	Remediation Program	CRB
<i>Noble v. Northland</i>	UWY-CV-16-6033559-S	Conn. Super. Ct.
<i>Noriesta v. Konica Minolta Bus. Sols. U.S.A., Inc.</i>	19-cv-00620	C.D. Cal.
<i>Novoa v. The GEO Grp., Inc.</i>	17-cv-02514-JGB-SHK	C.D. Cal.
<i>Nozzi v. Housing Auth. of the City of Los Angeles</i>	CV 07-0380 PA (FFMx)	C.D. Cal.
<i>Nwabueza v. AT&T</i>	C 09-01529 SI	N.D. Cal.
<i>Nwauzor v. GEO Grp., Inc.</i>	17-cv-05769	W.D. Wash.
<i>Ortega v. Borton & Sons, Inc.</i>	17-2-03005-39	Wash. Super. Ct.
<i>O'Donnell v. Fin. Am. Life Ins. Co.</i>	14-cv-01071	S.D. Ohio
<i>Ollila v. Babcock & Wilcox Enter., Inc.</i>	17-cv-00109	W.D.N.C.
<i>Ostendorf v. Grange Indem. Ins. Co.</i>	19-cv-01147-ALM-KAJ	S.D. Ohio
<i>Paetzold v. Metro. Dist. Comm'n</i>	X07-HHD-CV-18-6090558-S	Conn. Super. Ct.
<i>Paggos v. Resonant, Inc.</i>	15-cv-01970-SJO	C.D. Cal.
<i>Palazzolo v. Fiat Chrysler Auto. NV</i>	16-cv-12803	E.D. Mich.

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<i>Palmer v City of Anaheim</i>	30-2017-00938646	Cal. Super. Ct.
<i>Parker v. Time Warner Entm't Co.</i>	239 F.R.D. 318	E.D.N.Y.
<i>Parker v. Universal Pictures</i>	16-cv-1193-CEM-DCI	M.D. Fla.
<i>Parmelee v. Santander Consumer USA Holdings Inc.</i>	16-cv-783-K	N.D. Tex.
<i>Pemberton v. Nationstar Mortg. LLC</i>	14-cv-1024-BAS (MSB)	S.D. Cal.
<i>Pena v. Wells Fargo Bank</i>	19-cv-04065-MMC-TSH	N.D. Cal.
<i>Perez v. DIRECTV</i>	16-cv-01440-JLS-DFM	C.D. Cal.
<i>Perez v. Wells Fargo Co.</i>	17-cv-00454-MMC	N.D. Cal.
<i>Perrigo Sec. Litig.</i>	16-CV-2805-MCA-LDW	D.N.J.
<i>Petersen v. Costco Wholesale Co.</i>	13-cv-01292-DOC-JCG	C.D. Cal.
<i>Peterson v. Apria Healthcare Grp., Inc.</i>	19-cv-00856	M.D. Fla.
<i>Phillips v. Hobby Lobby Stores, Inc.</i>	18-cv-01645-JHE; 16-cv-837-JHE	N.D. Ala.
<i>Pierce v Anthem Ins. Cos.</i>	15-cv-00562-TWP-TAB	S. D. Ind.
<i>Plymouth Cnty. Ret. Sys. v. GTT Commc'n, Inc.</i>	19-cv-00982-CMH-MSN	E.D. Va.
<i>Podawiltz v. Swisher Int'l, Inc.</i>	16CV27621	Or. Cir. Ct.
<i>Prause v. TechnipFMC PLC</i>	7-cv-2368	S.D. Tex.
<i>Press v. J. Crew Grp., Inc.</i>	56-2018-512503 (CU) (BT) (VTA)	Cal. Super. Ct.
<i>Purcell v. United Propane Gas, Inc.</i>	14-CI-729	Ky. 2nd Cir.
<i>Ramos v. Hopele of Fort Lauderdale, LLC</i>	17-cv-62100	S.D. Fla.
<i>Rayburn v. Santander Consumer USA, Inc.</i>	18-cv-1534	S.D. Ohio
<i>Reirdon v. Cimarex Energy Co.</i>	16-CIV-113 (KEW)	E.D. Okla.
<i>Reirdon v. XTO Energy Inc.</i>	16-cv-00087-KEW	E.D. Okla.
<i>Rhea v. Apache Corp.</i>	14-cv-00433-JH	E.D. Okla.
<i>Rice v. Insync</i>	30-2014-00701147-CU-NP-CJC	Cal. Super. Ct.
<i>Rice-Redding v. Nationwide Mut. Ins. Co.</i>	18-cv-01203	N.D. Ga.
<i>Rich v. EOS Fitness Brands, LLC</i>	RIC1508918	Cal. Super. Ct.
<i>Rick Nelson Co. v. Sony Music Ent.</i>	18-cv-08791	S.D.N.Y.
<i>Rollo v. Universal Prop. & Cas. Ins.</i>	2018-027720-CA-01	Fla. Cir. Ct.
<i>Roth v. GEICO Gen. Ins. Co. and Joffe v. GEICO Indem. Co.</i>	16-cv-62942	S.D. Fla.
<i>Routh v. SEIU Healthcare 775NW</i>	14-cv-00200	W.D. Wash.
<i>Ruppel v. Consumers Union of United States, Inc.</i>	16-cv-2444 (KMK)	S.D.N.Y.

CASE NAME	CASE NUMBER	LOCATION
<i>Russett v. Nw. Mut. Life Ins. Co.,</i>	19-cv-07414-KMK	S.D.N.Y.
<i>Saccoccio v. JP Morgan Chase</i>	13-cv-21107	S.D. Fla.
<i>Salgado v. UPMC Jameson</i>	30008-18	C.P. Pa.
<i>San Antonio Fire & Police Pension Fund v. Dole Food Co.</i>	15-cv-1140 (LPS)	E.D. Del.
<i>Sanchez v. Centene Corp.</i>	17-cv-00806-AGF	E.D. Mo.
<i>Sanders v. Glob. Research Acquisition, LLC</i>	18-cv-00555	M.D. Fla.
<i>Sandoval v. Merlex Stucco Inc.</i>	BC619322	Cal. Super. Ct.
<i>Santa Barbara Channelkeeper v. State Water Res. Control Bd.</i>	37-2020-00005776	Cal. Super. Ct.
<i>Schlesinger v. Ticketmaster</i>	BC304565	Cal. Super. Ct.
<i>Schourup v. Private Label Nutraceuticals, LLC</i>	2015cv01026	C.D. Cal.
<i>Schulte v. Liberty Ins. Corp.</i>	19-cv-00026	S.D. Ohio
<i>Schwartz v. Intimacy in New York, LLC</i>	13-cv-5735 (PGG)	S.D.N.Y.
<i>Schwartz v. Opus Bank</i>	16-cv-7991 (AB) (JPR)	C.D. Cal.
<i>SEB Inv. Mgmt. AB v. Endo Int'l PLC</i>	17-cv-3711-TJS	E.D. Pa.
<i>Seegert v. P.F. Chang's China Bistro</i>	37-2017-00016131-CU-MC-CTL	Cal. Super. Ct.
<i>Shah v Zimmer Biomet Holdings, Inc.</i>	16-cv-00815-PPS-MGG	N.D. Ind.
<i>Sidibe v. Sutter Health</i>	12-cv-4854-LB	N.D. Cal.
<i>Snap Derivative Settlement</i>	18STCV09365; BC720152; 19STCV08413	Cal. Super. Ct.
<i>Soderstrom v. MSP Crossroads Apartments LLC</i>	16-cv-233 (ADM) (KMM)	D. Minn.
<i>Solberg v. Victim Serv., Inc.</i>	14-cv-05266-VC	N.D. Cal.
<i>Sonner v. Schwabe N. Am., Inc.</i>	15-cv-01358 VAP (SPx)	C.D. Cal.
<i>Speed v. JMA Energy Co., LLC</i>	CJ-2016-59	Okla. Dist. Ct.
<i>Spectrum Sec. Litig.</i>	19-cv-347-JDP	W.D. Wis.
<i>Staats v. City of Palo Alto</i>	2015-1-CV-284956	Cal. Super. Ct.
<i>Stanley v. Capri Training Ctr.</i>	ESX-L-1182-16	N.J. Super. Ct.
<i>Steele v. PayPal, Inc.</i>	05-CV-01720 (ILG) (VVP)	E.D.N.Y.
<i>Steinberg v. Opko Health, Inc.</i>	18-cv-23786-JEM	S.D. Fla.
<i>Stewart v. Early Warning Serv., LLC</i>	18-cv-3277	D.N.J.
<i>Stillman v. Clermont York Assocs. LLC</i>	603557/09E	N.Y. Super. Ct.
<i>Strickland v. Carrington Mortg. Servs., LLC</i>	16-cv-25237	S.D. Fla.

CASE NAME	CASE NUMBER	LOCATION
<i>Strougo v. Lannett Co.</i>	18-cv-3635	E.D. Pa.
<i>Stuart v. State Farm Fire & Cas. Co.</i>	14-cv-04001	W.D. Ark.
<i>Sudunagunta v. NantKwest, Inc.</i>	16-cv-01947-MWF-JEM	C.D. Cal.
<i>Sullivan v Wenner Media LLC</i>	16-cv-00960-JTN-ESC	W.D. Mich.
<i>Swinton v. SquareTrade, Inc.</i>	18-CV-00144-SMR-SBJ	S.D. Iowa
<i>Terrell v. Costco Wholesale Corp.</i>	16-2-19140-1-SEA	Wash. Super. Ct.
<i>Tile Shop Stockholders Litig.</i>	2019-0892-SG	Del. Chancery
<i>Timberlake v. Fusione, Inc.</i>	BC 616783	Cal. Super. Ct.
<i>Tkachyk v. Traveler's Ins.</i>	16-28-m (DLC)	D. Mont.
<i>T-Mobile Remediation Program</i>	Remediation Program	
<i>Townes, IV v. Trans Union, LLC</i>	04-1488-JJF	D. Del.
<i>Townsend v. G2 Secure Staff</i>	18STCV04429	Cal. Super. Ct.
<i>Trepte v. Bionaire, Inc.</i>	BC540110	Cal. Super. Ct.
<i>Truss v. Four Seasons Heating & Air Conditioning, Inc.</i>	2019-CH-09633	Ill. Cir. Ct.
<i>Tyus v. Gen. Info. Sols. LLC</i>	2017CP3201389	S.C. C.P.
<i>United States v. City of Austin</i>	14-cv-00533-LY	W.D. Tex.
<i>United States v. City of Chicago</i>	16-c-1969	N.D. Ill.
<i>United States v. Greyhound Lines, Inc.</i>	16-67-RGA	D. Del.
<i>USC Student Health Ctr. Settlement</i>	18-cv-04258-SVW	C.D. Cal.
<i>Van Jacobs v. New World Van Lines, Inc.</i>	2019CH02619	Ill. Cir. Ct.
<i>Vassalle v. Midland Funding LLC</i>	11-cv-00096	N.D. Ohio
<i>Vasquez v. Libre by Nexus, Inc.</i>	17-cv-00755-CW	N.D. Cal.
<i>Viesse v. Saar's Inc.</i>	17-2-7783-6 (SEA)	Wash. Super. Ct.
<i>Wahl v. Yahoo! Inc.</i>	17-cv-2745 (BLF)	N.D. Cal.
<i>Weimar v. Geico Advantage Ins. Co.</i>	19-cv-2698-JTF-tmp	W.D. Tenn.
<i>WellCare Sec. Litig.</i>	07-cv-01940-VMC-EAJ	M.D. Fla.
<i>Williams v. Children's Mercy Hosp.</i>	1816-CV 17350	Mo. Cir. Ct.
<i>Williams v. Weyerhaeuser Co.</i>	995787	Cal. Super. Ct.
<i>Wills v. Starbucks Corp.</i>	17-cv-03654	N.D. Ga.
<i>Wilner v. Leopold & Assoc,</i>	15-cv-09374-PED	S.D.N.Y.
<i>Wilson v. LSB Indus., Inc.</i>	15-cv-07614-RA-GWG	S.D.N.Y.
<i>Wornicki v. Brokerpriceopinion.com, Inc.</i>	13-cv-03258 (PAB) (KMT)	D. Colo.

CASE NAME	CASE NUMBER	LOCATION
<i>Wright v. Lyft, Inc.</i>	14-cv-00421-BJR	W.D. Wash.
<i>Yamagata v. Reckitt Benckiser, LLC</i>	17-cv-03529-CV	N.D.Cal.
<i>Yates v. Checkers</i>	17-cv-09219	N.D. Ill.
<i>Yeske v. Macoupon Energy</i>	2017-L-24	Ill. Cir. Ct.



Exhibit B



JND CLASS ACTION ADMINISTRATION CV

1.800.207.7160

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| www.jndla.com

JND Legal Administration (JND) is the foremost administrator in the United States when it comes to handling large and complex class action matters. Our team comprises renowned leaders and veterans of the industry, and our systems and technology are built not just for functionality but also based on a strict adherence to information security and privacy best practices.

OVERVIEW

JND handles a broad spectrum of cases in the class action administration arena including matters involving antitrust, securities, consumers, automobiles, employment, human rights, ERISA, product defects, insurance, healthcare, TCPA and false advertising, among others.

We perform all services necessary for the successful implementation of class action administration starting with client consultation regarding settlement terms; design and implementation of notice programs, including direct mail, media plans and email notification; website development and deployment, including the ability to process on-line claims; mailroom intake services; telephone services, including through recorded messages and live operators; handling, review and processing of claims; data collection and database management; Qualified Settlement Fund management; building and testing calculation programs; determining payment awards; and distribution of settlement funds, through various payment methodologies including checks, PayPal, Venmo, debit cards and other means.

All JND systems and processes have been audited for compliance with applicable information security standards including HIPAA. We are SOC 2 certified every year.

JND's expertise is called upon in equal measure by the top plaintiff and defendant law firms in the Country, as well as by large corporate clients. JND is also routinely hired by important government agencies and is an approved vendor for both the United States Securities and Exchange Commission ("SEC") and the Federal Trade Commission ("FTC"). JND also works with the following other government agencies: EEOC, OCC, CFPB, FDIC, FCC, DOJ and DOL.

JND has been voted the #1 Administrator in the country by readers of at least one of the following publications every year of our existence: the *New York Law Journal*, the *Legal Times* and the *National Law Journal*.

JND is headquartered in Seattle Washington in a state-of-the-art 35,000 square foot facility including a 10,000 square foot mail-processing center and an in-house call center. We have a total of 200 employees, not including call center personnel, located in five offices across the country – Seattle, Washington; New Hyde Park, New York; Minneapolis, Minnesota; Washington, D.C. and Los Angeles, California.

We have four different call centers across the United States that can accommodate 2,500 contact agent seats.

JND is backed by private Equity Firm Stone Point Capital and can tap into deep resources through its portfolio of companies.

Finally, JND offers several other business lines including: eDiscovery, which offers targeted discovery requests, highly secure cost-effective hosting, technology solutions, data analytics, corporate documentation, data recovery and email examination, evidence consultation, testimony and timeline generation; and mass tort, which offers intake, screening, and retention, medical record retrieval and review, plaintiff fact sheet preparation, claims and settlement administration, lien resolution and distribution.

PEOPLE

JND's Founders – Jennifer Keough, Neil Zola and David Isaac -- have some 80 years collective experience in class action and administration fields. All are trained lawyers, with Jennifer having worked for nationally recognized defense firm Perkins Coie, and Neil and David having worked on the plaintiff side at Wolf Haldenstein Adler Freeman & Herz in New York City. They have personally worked on some of the largest administrations in the United States including the \$20 billion Gulf Coast Claims Facility, the \$10+ billion Deepwater Horizon Gulf Oil Spill class action, the \$6.15 billion WorldCom securities settlement, the \$3.4 billion Cobell Indians settlement and the \$2.67 billion Blue Cross Blue Shield antitrust settlement. Their individual bios are attached as Exhibit 1.

JND talent runs deep and includes many other officers with significant experience in class action administration, including, among others, the following:

1. Derek Dragotta

As JND's Vice President of Information Security, Derek is responsible for protecting the confidentiality, integrity, and availability of the organization's information, assets, and

systems. Derek oversees the development, implementation, and monitoring of the company's Information Security Program, including the policies, standards, procedures, and controls required to achieve corporate objectives.

Derek also provides oversight of JND's Incident Response, Disaster Recovery, and Business Continuity capabilities, as well as the provisioning of privacy and security awareness and training to the workforce.

He has worked on some of the largest settlements in the industry and, throughout his career, frequently collaborated with clients and auditors on a variety of assessments, including FISMA, SOX, HIPAA, PCI-DSS, and the AICPA's SOC II certification.

Derek is a member of the ISACA and ISC² professional organizations and holds the Certified Information Systems Security Professional (CISSP®) and Certified Information Security Manager (CISM®) certifications.

2. Gretchen Eoff

Based in JND's West Coast Headquarters, Gretchen Eoff is responsible for complex case oversight and supervision of high-profile JND matters. Among other important matters, Gretchen has played a major role in JND's handling of the \$215 million USC Student Health Center Settlement and the JPMorgan Stable Value Fund Erisa Litigation Settlement. She has also overseen much of the operation for JND's landmark Equifax Data Breach Settlement administration.

Throughout her 12-year legal administration career, Gretchen has held critical operational roles in complex cases including the \$1.425 billion Stryker Modular Hip Settlements, the \$125 million Takata Individual Restitution Fund, the \$500 million GM Ignition Compensation Claims Resolution Facility, and the \$20 billion Gulf Coast Claims Facility, among many others.

Gretchen is admitted to practice law in Washington State. She earned her JD at the University of Denver College of Law where she was Managing Editor of the Denver University Law Review and interned for U.S. Magistrate Judge Craig B. Shaffer (Ret.) (U.S. District Court, District of Colorado). She also received a Masters of Public Administration from Seattle University, where she was named a Presidential Management Fellow, and a B.A. in Law, Societies and Justice from the University of Washington.

3. Shandy Garr

Shandy has administered thousands of cases and has worked on some of the largest and most complex settlements in history, including the \$6.15 billion WorldCom securities litigation settlement and the \$10+ billion Deepwater Horizon Economic class action settlement. In demonstration of her versatility and breadth of expertise, Shandy has advanced through many prominent senior management positions over the course of her class action administration career. During her 18-year tenure with another major provider in the legal services and claims administration space, she served as SVP of Communications and Diversity & Inclusion, VP of Securities, VP of Midwest Operations and VP of East Coast Operations.

Active in consumer rights advocacy and access to justice initiatives arenas, she is a former administrator for the National Association of Shareholder & Consumer Attorneys (NASCAT) and has been a Mobilization for Justice (MFJ) board member since 2016. Black Enterprise Magazine has named Shandy as an Executive to Watch, and Profiles in Diversity Journal recognized her with the Diversity Leader Award in 2018.

4. Gina Intrepido-Bowden

Gina Intrepido-Bowden is Vice President of JND Legal Administration. She is a court recognized legal notice expert who has been involved in the design and implementation of hundreds of legal notice programs reaching class members/claimants in both the U.S. and international markets with notice in over 35 languages. Some notable cases in which Gina has been involved include the \$2.67 billion Blue Cross Blue Shield Antitrust Settlement, the groundbreaking \$1.9 billion Indian Residential Schools Settlement Agreement (IRSSA), the \$1.1 billion Royal Ahold Securities Settlement, the \$215 million USC Student Health Center Settlement, and the \$60 million FTC Suboxone Antitrust Settlement.

Gina is an accomplished author and speaker on class notice issues including effective reach, notice dissemination as well as noticing trends and innovations. She earned a Bachelor of Arts in Advertising from Penn State University, graduating summa cum laude.

5. Charles Lawson

Charles Lawson is SVP of JND Government Services with more than 17 years of contracting, program management, and leadership experience with the federal government. As a veteran of the Federal Trade Commission (FTC), he oversaw the agency's claims and notice administration program and conducted more than 1,000 redress distributions to tens of millions of consumers across a broad spectrum of industries. During his tenure, Charles partnered with federal and state agencies, settlement administrators, monitors, and defendants on the administration of some of the largest and most complex government matters.

Charles earned his B.A. from the University of Massachusetts/Amherst and M.B.A. from the Owen Graduate School of Management at Vanderbilt University.

6. Matthew Potter

Matthew Potter is Senior Strategic Advisor for JND and responsible for helping drive the company's business development initiatives, sales and marketing strategy, and client relationship management.

As an accomplished leader in the legal administration industry, Matt brings nearly 20 years' experience to the design, implementation, and management of complex and time-sensitive projects including class action settlements, regulatory agency enforcement actions, and urgent communications such as data breach responses. During his career, Matt effectively managed a notable Attorney General settlement involving mortgage borrowers in virtually every state against financial institutions resulting in over 1,000 customer service representatives trained, over 1,000,000 claims processed, and over \$1 billion distributed to eligible claimants.

7. Lorri Staal

As JND's Vice President of Operations, Lorri provides day-to-day oversight of the company's internal processes and high-profile matters. With more than 20 years of complex litigation and claims administration operations expertise, Lorri has overseen numerous matters involving securities and consumer class actions, financial remediations, and federal and state government administrations. A few notable matters include the \$20 billion BP Oil Spill Gulf Coast Claims Facility, the \$140 million Takata Airbag Tort Compensation administration, and the \$50 billion Yukos Oil asset distribution,

Prior to her career in legal administration, Lorri was a practicing attorney, including at the global law firm Dechert, LLP, where she litigated complex cases for more than 10 years. Lorri was a featured speaker at the DRRT International Investor Global Loss Recovery in Frankfurt, Germany in 2018 and has authored several articles about administration issues.

Lorri earned her J.D. from Northwestern University Law School, where she was an editor for the Journal of Criminal Law and Criminology. She received her A.B. degree, cum laude, from Cornell University.

8. Darryl Thompson

As Chief Information Officer, Darryl is responsible for providing the vision and leadership for developing and implementing Information Technology initiatives at JND. Darryl oversees all IT staff and vendors and also initiates the planning and implementation of enterprise IT systems in order to most effectively enable all of JND's divisions to be successful.

Reporting directly to, and working in unison with, the CEO, Darryl ensures the IT organization is prioritizing initiatives and delivering secure, high value systems, infrastructure and technical support. He is also responsible for defining, documenting and delivering policies, procedures and infrastructure to pass certifications and audits.

Prior to entering the Legal Administration realm, Darryl spent 12 years in Health Care IT, where he was the Managing Director of IT for Adaptis, a Health Care BPO that provided Systems, claims processing and administration services to insurance companies.

* * *

Bios of other key JND Executives and further information about our company can be found at www.JNDLA.com.

LANDMARK CASES

JND and its Founders have worked on some of the largest administrations in our Country's history, among the many thousands that we have handled. Below are details about ten of our most important matters. This list represents mostly recent cases because we believe that it is important to understand that the firm you are hiring still has the personnel that worked on these matters. Where we list matters that are more than five years old, it is only because they were worked on and supervised by JND Founders or other officers who are still with the company.

1. In re Blue Cross Blue Shield Antitrust Litig.

Master File No.: 2:13-CV-20000-RDP (N.D. Ala.)

JND was recently appointed as the notice and claims administrator in the \$2.67 billion Blue Cross Blue Shield proposed settlement. In approving the notice plan designed by CEO Jennifer Keough, United States District Court Judge R. David Proctor, wrote:

After a competitive bidding process, Settlement Class Counsel retained JND Legal Administration LLC ("JND") to serve as Notice and Claims Administrator for the settlement. JND has a proven track record and extensive experience in large, complex matters... JND has prepared a customized Notice Plan in this case. The Notice Plan was designed to provide the best notice practicable, consistent with the latest methods and tools employed in the industry and approved by other courts...The court finds that the proposed Notice Plan is appropriate in both form and content and is due to be approved.

2. In re Equifax Inc. Customer Data Sec. Breach Litig.

Master File No.: 17-md-2800-TWT (N.D. Ga.)

JND was appointed settlement administrator for this complex data breach settlement valued at \$1.3 billion with a class of 147 million individuals nationwide. JND handled all aspects of claims administration, including the development of the case website which provided notice in seven languages and allowed for online claim submissions. In the first week alone, over 10 million claims were filed. Overall, the website received more than 200 million hits and the Contact Center handled well over 100,000 operator calls.

Approving the settlement on January 13, 2020, Judge Thomas W. Thrash, Jr. acknowledged JND's outstanding efforts:

JND transmitted the initial email notice to 104,815,404 million class members beginning on August 7, 2019. (App. 4, ¶¶ 53-54). JND later sent a supplemental email notice to the 91,167,239 class members who had not yet opted out, filed a claim, or unsubscribed from the initial email notice. (Id., ¶¶ 55-56). The notice plan also provides for JND to perform two additional supplemental email notice campaigns. (Id., ¶ 57)...JND has also developed specialized tools to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (Id., ¶¶ 4, 21). As a result, class members have the opportunity to file a claim easily and have that claim adjudicated fairly and efficiently...The claims administrator, JND, is highly experienced in administering large class action settlements and judgments, and it has detailed the efforts it has made in administering the settlement, facilitating claims, and ensuring those claims are properly and efficiently handled. (App. 4, ¶¶ 4, 21; see also Doc. 739-6, ¶¶ 2-10). Among other things, JND has developed protocols and a database to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (Id., ¶¶ 4, 21). Additionally, JND has the capacity to handle class member inquiries and claims of this magnitude. (App. 4, ¶¶ 5, 42). This factor, therefore, supports approving the relief provided by this settlement.

3. Allagas v. BP Solar Int'l, Inc.

Master File No.: 14-cv-00560 (N.D. Cal.)

CEO Jennifer Keough was appointed by the United States District Court for the Northern District of California as the Independent Claims Administrator (“ICA”) supervising the notice and administration of this complex settlement involving inspection, remediation, and replacement of solar panels on homes and businesses throughout California and other parts of the United States. JND devised the administration protocol and built a network of inspectors and contractors to perform the various inspections and other work needed to assist claimants. The program included a team of operators to answer claimant questions, a fully interactive dedicated website with on-line claim filing capability, and a team trained in the very complex intricacies of solar panel mechanisms. In her role as ICA, Ms. Keough regularly reported to the parties and the Court as to the progress of the administration. Honorable Susan Illston recognized the complexity of the settlement when appointing Ms. Keough as ICA (December 22, 2016):

The complexity, expense and likely duration of the litigation favors the Settlement, which provides meaningful and substantial benefits on a much shorter time frame than otherwise possible and avoids risk to class certification and the Class’s case on the

merits...The Court appoints Jennifer Keough of JND Legal Administration to serve as the Independent Claims Administrator (“ICA”) as provided under the Settlement.

4. Cobell v. Salazar

No. 96 CV 1285 (TFH) (D. D.C.)

As part of the largest government class action settlement in our nation’s history, Jennifer Keough and Neil Zola worked with the U.S. Government to implement the administration program responsible for identifying and providing notice to the two distinct but overlapping settlement classes. As part of the notice outreach program, Ms. Keough participated in multiple town hall meetings held at Indian reservations located across the country. Due to the efforts of the outreach program, over 80% of all class members were provided notice. Under our supervision, the processing team processed over 480,000 claims forms to determine eligibility. Less than one half of 1 percent of all claim determinations made by the processing team were appealed. Ms. Keough was called upon to testify before the Senate Committee for Indian Affairs, where Senator Jon Tester of Montana praised her work in connection with notice efforts to the American Indian community when he stated: “Oh, wow. Okay... the administrator has done a good job, as your testimony has indicated, [discovering] 80 percent of the whereabouts of the unknown class members.” Additionally, when evaluating the Notice Program, Judge Thomas F. Hogan concluded (July 27, 2011):

...that adequate notice of the Settlement has been provided to members of the Historical Accounting Class and to members of the Trust Administration Class.... Notice met and, in many cases, exceeded the requirements of F.R.C.P. 23(c)(2) for classes certified under F.R.C.P. 23(b)(1), (b)(2) and (b)(3). The best notice practicable has been provided class members, including individual notice where members could be identified through reasonable effort. The contents of that notice are stated in plain, easily understood language and satisfy all requirements of F.R.C.P. 23(c)(2)(B).

5. Gulf Coast Claims Facility (GCCF)/In re Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010

No. 2179 (MDL) (E.D. La.)

The GCCF was one of the largest claims processing facilities in U.S. history and was responsible for resolving the claims of both individuals and businesses relating to the Deepwater Horizon oil spill. The GCCF, which the JND Founders helped develop,

processed over one million claims and distributed more than \$6 billion within the first year-and-a-half of its existence. As part of the GCCF, we coordinated a large notice outreach program which included publication in multiple journals and magazines in the Gulf Coast area. We also established a call center staffed by individuals fluent in Spanish, Vietnamese, Laotian, Khmer, French, and Croatian.

Following the closure of the Gulf Coast Claims Facility, the Deepwater Horizon Settlement claims program was created. Jennifer Keough and Neil Zola built a brand new, 400,000 square foot, center in Hammond, Louisiana with over 200 employees, which handled all of the back-office mail and processing for this multi-billion dollar settlement program. The Hammond center, which was the hub of the program, was visited several times by Claims Administrator Pat Juneau -- as well as by the District Court Judge and Magistrate -- who described it as a shining star of the program.

6. In re Mercedes-Benz Emissions Litig.

No. 16-cv-881 (D.N.J.)

JND Legal Administration was appointed as the Settlement Administrator in this \$700 million plus settlement wherein Daimler AG and its subsidiary Mercedes-Benz USA reached an agreement to settle a consumer class action alleging that the automotive companies unlawfully misled consumers into purchasing certain diesel type vehicles by misrepresenting the environmental impact of these vehicles during on-road driving. As part of its appointment, the Court approved the proposed notice plan and authorized JND Legal Administration to provide notice and claims administration services:

The Court finds that the content, format, and method of disseminating notice, as set forth in the Motion, Declaration of JND Legal Administration, the Class Action Agreement, and the proposed Long Form Notice, Short Form Notice, and Supplemental Notice of Class Benefits (collectively, the "Class Notice Documents") – including direct First Class mailed notice to all known members of the Class deposited in the mail within the later of (a) 15 business days of the Preliminary Approval Order; or (b) 15 business days after a federal district court enters the US-CA Consent Decree – is the best notice practicable under the circumstances and satisfies all requirements provided in Rule 23(c)(2)(B). The Court approves such notice, and hereby directs that such notice be disseminated in the manner set forth in the Class Action Settlement to the Class under Rule 23(e)(1)...JND Legal Administration is hereby appointed as the Settlement Administrator and shall perform all duties of the Settlement Administrator set forth in the Class Action Settlement.

7. In re Stryker Rejuvenate and ABG II Hip Implant Products Liab. Litig.

No. 13-2441 (MDL) (D. Minn.)

Jennifer Keough and JND Vice President Gretchen Eoff ran the administration efforts for this \$1 billion settlement designed to compensate eligible U.S. Patients who had surgery to replace their Rejuvenate Modular-Neck and/or ABG II Modular-Neck hip stems prior to November 3, 2014. The team designed internal procedures to ensure the accurate review of all medical documentation received; designed an interactive website which included online claim filing; and established a toll-free number to allow class members to receive information about the settlement 24 hours a day. The program also included an auditing procedure designed to detect fraudulent claims and a process for distributing initial and supplemental payments. Approximately 95% of the registered eligible patients enrolled in the settlement program.

8. In re The Engle Trust Fund

No. 94-08273 CA 22 (Fla. 11th Jud. Cir. Ct.)

Jennifer Keough and David Isaac played key roles in administering this \$600 million landmark case against the country's five largest tobacco companies. Miles A. McGrane, III, Trustee to the Engle Trust Fund recognized Ms. Keough's role when he stated:

The outstanding organizational and administrative skills of Jennifer Keough cannot be overstated. Jennifer was most valuable to me in handling numerous substantive issues in connection with the landmark Engle Trust Fund matter. And, in her communications with affected class members, Jennifer proved to be a caring expert at what she does.

9. Loblaw Card Program

JND was selected by major Canadian retailer Loblaw and its counsel to act as program administrator in its voluntary remediation program as a result of a price-fixing scheme by some employees of the company involving bread products. The program offered a \$25 Card to all adults in Canada who purchased bread products in Loblaw stores between 2002 and 2015. Some 28 million Canadian residents were potential claimants. JND's team: (1) built an interactive website that was capable of withstanding hundreds of millions of "hits" in a short period of time; (2) built, staffed and trained a call center with operators available to take calls twelve hours a day, six days a week; (3) oversaw the vendor in charge of producing and distributing the cards; (4) was in charge of designing

and overseeing fraud prevention procedures; and (5) handled myriad other tasks related to this high-profile and complex project.

10. USC Student Health Ctr. Settlement

No. 18-cv-04258-SVW (C.D. Cal.)

JND was approved as the Settlement Administrator in this important \$215 million settlement that provides compensation to women who were sexually assaulted, harassed and otherwise abused by Dr. George M. Tyndall at the USC Student Health Center during a nearly 30-year period. JND designed a notice effort that included mailed and email notice to potential Class members, digital notices on Facebook, LinkedIn, and Twitter, an internet search effort, notice placements in USC publications/eNewsletters, and a press release. In addition, her team worked with USC staff to ensure notice postings around campus, on USC's website and social media accounts, and in USC alumni communications, among other things. We ensured the establishment of an all-female call center, fully trained to handle delicate interactions, with the goal of providing excellent service and assistance to every woman affected. JND staff also handled all lien resolution work for this case.

Exhibit B

A Florida Federal Court authorized this Notice

**If you purchased a 2016 Shelby
GT350 Mustang “Base” or
“Technology” Package Vehicle,
a class action lawsuit may
affect your rights**

Para una notificación en español, visite:

www.xxx.com

You received this notice because you may be part of a class action lawsuit called *Tershakovec, et al., v. Ford Motor Company*, Case No. 17-cv-21087 pending in the United States District Court for the Southern District of Florida. The Court decided this lawsuit should be a class action on behalf of a “Class,” or group of people, that could include you. This notice summarizes your rights and options before an upcoming trial.

Tershakovec v. Ford Motor Company
c/o JND Legal Administration
P.O. Box xxxxx
Seattle, WA 98111

«Barcode»

Postal Service: Please do not mark barcode

«Name»

«Addr1»

«Addr2»

«City», «ST» «Zip»

«Country»

WHAT IS THIS ABOUT?

This case involves claims arising from Plaintiffs' purchases of certain 2016 Shelby GT350 Mustang "Base" or "Technology" Package vehicles. Plaintiffs claim that Ford failed to disclose that these vehicles are not capable of occasional track use, due to a defect that causes premature overheating of the powertrain system. Plaintiffs assert that the alleged defect diminished the value of their vehicles. Ford denies the allegations and will defend itself at trial. No trial has been held, and no ruling has been made, on the merits of Plaintiffs' claims or Ford's defenses. The Court appointed the law firms of Hagens Berman Sobol Shapiro LLP and Grossman Roth Yaffa Cohen, P.A. to represent Class Members as Class Counsel.

AM I PART OF THE CLASSES?

Seven State Classes have been certified. The Classes include all persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in the State of California, Florida, Missouri, New York, Tennessee, Texas, or Washington [on or] before April 27, 2016.

WHAT ARE MY OPTIONS?

You can either do nothing or exclude yourself from the lawsuit. If you do nothing, you keep the possibility of getting money that may come from the lawsuit. But, you also give up any right you may have to sue Ford separately on any claims arising from the facts alleged in the Second Amended Complaint, and will be bound by the lawsuit's result. If you choose to exclude yourself and money is later awarded, you will not share in those monies. But, you will keep any right you may have to sue Ford separately on claims arising from the facts alleged in the Second Amended Complaint, and will not be bound by the lawsuit's result. To exclude yourself you must complete an "Exclusion Request." You must include your name, address, telephone number, email, and signature. Exclusion requests must be mailed to JND Legal Administration postmarked by **Month x, 2021**. For more details or to view a detailed class notice, go to www.xxxxxxxxxxxx.com.

WHAT HAPPENS NEXT?

Class Counsel must prove the claims against Ford at a trial, the date of which has not been set. You do not need to attend the trial. Class Counsel will present the case for Plaintiffs, and lawyers for Ford will present on their behalf. You or your own lawyer may attend at your own expense. For more details, go to www.xxxxxxxxxxxx.com.

QUESTIONS?

Go to www.xxxxxxxxxxxx.com, write *Terhakovec v. Ford Motor Company.*, c/o JND Legal Administration, P.O. Box xxxxx, Seattle, WA 98111, email info@xxxxxxxx.com, or call 1-xxx-xxx-xxxx. You can also call Class Counsel at xxx-xxx-xxx.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE



Exhibit C

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**If you purchased a 2016 Shelby GT350 Mustang “Base” or “Technology”
Package vehicle, a class action lawsuit may affect your rights**

A federal court authorized this Notice. This is not a solicitation from a lawyer.

Para una notificación en español, visite www.xxx.com

- A lawsuit is pending in the United States District Court for the Southern District of Florida (the “Court”) against Defendant Ford Motor Company (“Ford”). The lawsuit is known as *Tershakovec, et al., v. Ford Motor Company*, Case No. 17-cv-21087.
- The Court granted Plaintiffs’ Motion for Class Certification for the following seven classes: the California Class, Florida Class, Missouri Class, New York Class, Tennessee Class, Texas Class, and Washington Class (collectively, the “Classes”). The Classes include all persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in California, Florida, Missouri, New York, Tennessee, Texas, or Washington, **[on or] before April 27, 2016**.
- Plaintiffs claim that Ford failed to disclose that these vehicles are not capable of occasional track use, due to a defect that causes premature overheating of the powertrain system. Plaintiffs assert that the alleged defect diminished the value of their vehicles.
- The Court has not decided whether Ford did anything wrong and Ford denies that it engaged in any wrongful conduct. Ford will defend itself at trial. There is no money available now, and no guarantee that there will be. However, your legal rights are affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up your rights to sue.</p> <p>By doing nothing, you keep the possibility of getting money that may come from the lawsuit. But, you give up any right you may have to sue Ford separately on any claims arising from the facts alleged in the Second Amended Complaint, and will be bound by the lawsuit’s result.</p>
EXCLUDE YOURSELF (“OPT OUT”)	<p>Get out of this lawsuit. Get no benefits. Keep any rights you may have to sue on your own.</p> <p>If you choose to be excluded from this lawsuit and money is later awarded, you will not share in those monies. But, you keep any right you may have to sue Ford separately on any claims arising from the facts alleged in the Second Amended Complaint, and you will not be bound by the lawsuit’s result.</p> <p>The deadline to request exclusion is Month x, 2021.</p>

- Your options are explained in this Notice.
- Class Counsel must prove the claims against Ford at a trial, the date of which has not been set. If you do not choose to be excluded from the lawsuit and money becomes available, you will be notified about how to seek it.

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BASIC INFORMATION

1. Why should I read this Notice?

The purpose of this Notice is to inform you that your rights may be affected by a class action lawsuit. You may be part of a class action lawsuit if **[on or] before April 27, 2016** you purchased one of the following Ford vehicles: 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in the State of California, Florida, Missouri, New York, Tennessee, Texas, or Washington.

This Notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options you may exercise before the deadlines set forth in this Notice. The Court has not yet scheduled the trial which will decide whether the allegations being made against Ford on your behalf (as a member of a certified class) have merit. The trial will be held in the United States District Court for the Southern District of Florida. The lawsuit is known as *Tershakovec, et al., v. Ford Motor Company*, Case No. 17-cv-21087.

This Notice will provide you with important information about the litigation and how it affects you.

2. What is a class action and who is involved?

A class action is a type of lawsuit in which one or a few named plaintiffs bring suit on behalf of all members of a similarly-situated group seeking to recover damages for all members of the group, without each member filing an individual lawsuit.

Class actions are often used by courts where the claims raise core issues of law or fact that are common to all members of the class, thereby making it fair to bind all class members to the orders and judgment in the case. Class actions can eliminate the necessity of hearing essentially the same claims over and over. Class actions also assure that all class members are bound by the results of a single lawsuit.

In a class action, one or more people called “Class Representative(s)” sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The people who sue – and all the Class Members like them – are called the “Plaintiffs.” The company the Plaintiffs sued (in this case Ford Motor Company) is called the “Defendant.” One court resolves the issues for everyone in the Class. Here, United States District Judge Federico A. Moreno is presiding over the lawsuit for the seven certified Classes.

3. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are factual and legal questions that are common to each of the members of the Classes;
- The Class Representatives’ claims are typical of the claims of the rest of the Classes;
- The Class Representatives and the lawyers representing the Classes will fairly and adequately represent the Classes’ interests;
- The common legal questions and facts predominate over questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

THE CLAIMS IN THE LAWSUIT

4. What is this lawsuit about?

This case involves claims arising from Plaintiffs' purchases of certain 2016 Shelby GT350 Mustang "Base" or "Technology" Package vehicles. According to Plaintiffs, the vehicles are equipped with defective transmissions and rear differentials which overheat, manifesting in the "Track-Ready" powertrain systems' inability to withstand the demands of occasional race track driving. Plaintiffs allege that Ford was aware of the defect before Class Members purchased their vehicles, but failed to remedy it. Plaintiffs allege they would not have purchased a Class Vehicle, or would have paid less for it, had Ford disclosed the alleged defect. As a result, Plaintiffs allege that they have suffered diminished value of their vehicles.

The claims that will be presented at trial on behalf of the Classes are as follows:

- California Class: violation of consumer protection statutes (omissions theory), common law fraudulent concealment, breach of implied warranty of merchantability, and violation of the Magnuson-Moss Act (based on implied warranty theory)
- Florida Class: violation of consumer protection statute (omissions theory)
- Missouri Class: violation of consumer protection statute (omissions theory)
- New York Class: violation of consumer protection statute (omissions theory), and common law fraudulent concealment
- Tennessee Class: common law fraudulent concealment
- Texas Class: violation of consumer protection statute (omissions theory), breach of implied warranty of merchantability, and violation of the Magnuson-Moss Act (based on implied warranty theory)
- Washington Class: violation of consumer protection statute (omissions theory), and common law fraudulent concealment

A more complete description of the lawsuit, its status, and the rulings made in the lawsuit are available at www.xxxxx.com.

5. How does Defendant answer the allegations?

Ford denies the allegations and will defend itself at trial.

6. Has the Court decided who is right?

The Court has not decided whether the Plaintiffs or Ford are correct. By establishing the Classes and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at trial.

7. What are the Plaintiffs asking for?

Plaintiffs are asking that Ford provide monetary damages to Class Members. Plaintiffs will also seek attorneys' fees and costs incurred in connection with the prosecution of this action.

Questions? Visit www.xxxxx.com or call toll-free xxx-xxx-xxxx

8. Is there money available now?

No. Money is not available now because the Court has not yet decided whether Ford did anything wrong or whether Class Members are entitled to money. There is no guarantee that money will be obtained. If it is, you will be notified about how to seek money from the lawsuit.

WHO IS IN THE CLASSES?

You need to decide whether you are affected by this lawsuit.

9. Am I part of the Classes?

The Court has certified seven Classes—a California Class, a Florida Class, a Missouri Class, a New York Class, a Tennessee Class, a Texas Class, and a Washington Class:

- California Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in California **[on or] before April 27, 2016**. Ernesto Larios and Shaunti Yanik-Larios are the Class Representatives of the California Class.
- Florida Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in Florida **[on or] before April 27, 2016**. John Aubrey, and Rick Kowalchik are the Class Representatives of the Florida Class.
- Missouri Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in Missouri **[on or] before April 27, 2016**. Mark Hochsprung is the Class Representative of the Missouri Class.
- New York Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in New York **[on or] before April 27, 2016**. Stephen Kelly and Jill Kelly are the Class Representatives of the New York Class.
- Tennessee Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in Tennessee **[on or] before April 27, 2016**. Attila Gondan is the Class Representative of the Tennessee Class.
- Texas Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in Texas **[on or] before April 27, 2016**. Herbert Alley, Eric Kamperman, Travis McRae, Todd Newton, George Tershakovec, and Diana Tershakovec are the Class Representatives of the Texas Class.
- Washington Class: All persons who purchased a 2016 Shelby GT350 Mustang Base or Technology Package vehicle from a Ford-authorized dealer or distributor located in Washington **[on or] before April 27, 2016**. Eric Evans is the Class Representative of the Washington Class.

10. [What if I bought my Class Vehicle through Military Auto Source or Overseas Military Sales Corporation (“OMSC”)?)]

[For the purposes of the Class Definition, the Court has found that Military Auto Source and/or Overseas Military Sales Corporation is a Ford-authorized distributor based in Woodbury, New York. If you purchased a 2016 Shelby

GT350 Mustang “Base” or “Technology” Package vehicle from Military Auto Source or Overseas Military Sales Corporation [on or] before April 27, 2016 then you could be considered a New York class member. Please contact Class Counsel at the contact information below for more information on eligibility if you bought your Shelby through Military Auto Source.]

11. What if I am still not sure if I am included?

If you are still not sure whether you are included, you can get help at www.xxxx.com, or by calling or writing to the lawyers in this case, at the phone number or address listed in Question 16 below.

YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Classes (and be bound by whatever results), or exclude yourself (and keep whatever rights you may have to sue Ford in your own separate lawsuit).

12. What happens if I do nothing at all?

If you wish to remain a member of the Classes and keep the possibility of getting money from this lawsuit, then you do not have to do anything right now. By doing nothing, you are staying in the Classes. If you stay in and the Plaintiffs win, you will be notified about how to seek money from the lawsuit if money is awarded. If the Plaintiffs lose the lawsuit, you will not receive any compensation. Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to sue, or continue to sue Ford as part of any other lawsuit asserting claims arising from the facts alleged in the Second Amended Complaint. You will also be legally bound by the Orders the Court issues and judgments the Court makes in this class action. You can view the Second Amended Complaint at www.xxxxx.com.

13. Why would I ask to be excluded?

If you are planning, or already have, your own lawsuit against Ford asserting claims arising from the facts alleged in the Second Amended Complaint and want to continue with it, you need to ask to be excluded from the Classes. You may also want to exclude yourself if you do not agree with the allegations raised by the Plaintiffs and do not wish to be part of this lawsuit. If you exclude yourself from the Classes – which also means to remove yourself from the Classes, and is sometimes called “opting out” of the Classes – you will not get any money from this lawsuit even if the Plaintiffs obtain them as a result of the trial. However, you may then be able to sue or continue to sue Ford on your own asserting claims arising from the facts alleged in the Second Amended Complaint. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action.

If you start your own lawsuit against Ford asserting claims arising from the facts alleged in the Second Amended Complaint after you exclude yourself, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

14. How do I get out of this lawsuit?

If you do not wish to be part of the lawsuit, you must exclude yourself or “opt out”. To exclude yourself from the lawsuit, you must write to the Administrator stating that you want to be excluded from this class action. Your “Exclusion Request” must include your name, address, telephone number, email, and signature. You can access

a sample Exclusion Request that you can print out and complete by going to the following website: xxxxxxxxxxxx.com/form.

Your exclusion request must be mailed to the address below postmarked by **Month x, 2021**.

Tershakovec v. Ford Motor Company
c/o JND Legal Administration
P.O. Box XXXXX
Seattle, WA 98111-XXXX

15. If I don't exclude myself can I sue Defendant for the same thing later?

No. Unless you exclude yourself from this lawsuit, you will give up any right you may have to sue Ford on any claims arising from the facts alleged in the Second Amended Complaint. If you have a pending lawsuit against Ford, speak to the lawyer representing you in that case immediately.

16. If I exclude myself, can I get money from this lawsuit?

No. If you exclude yourself, you cannot get any money that may be awarded as a result of this lawsuit. However, you will keep any rights you may have to sue Ford on claims arising from the facts alleged in the Second Amended Complaint, and you will not be bound by any orders or judgments made by the Court.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case if I remain in the Classes?

The Court appointed two law firms to represent Class Members as Class Counsel:

<p>Catherine Y.N. Gannon Steve W. Berman Hagens Berman Sobol Shapiro LLP 1301 Second Avenue, Suite 2000 Seattle, WA 98101 (206) 623-7292 catherineg@hbsslaw.com steve@hbsslaw.com</p>	<p>Rachel Wagner Furst Stuart Z. Grossman Grossman Roth Yaffa Cohen, P.A. 2525 Ponce De Leon Boulevard, Suite 1150 Coral Gables, FL 33134 (305) 442-8666 rwf@grossmanroth.com szg@grossmanroth.com</p>
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18. Should I get my own lawyer if I remain in the Classes?

If you decide not to exclude yourself from the Classes, you do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want to hire your own lawyer, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

19. How will the lawyers be paid?

If Class Counsel gets money for the Classes, they may ask the Court for fees and expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would be either deducted from any money obtained for the Classes or paid separately by Defendant.

THE TRIAL

The Court has not yet scheduled a trial to decide who is right in this case. Once a trial is scheduled, the date will be posted at www.xxxxx.com.

20. How and when will the Court decide who is right?

Class Counsel will have to prove the Plaintiffs' allegations at a trial. The date for trial has not yet been scheduled, but will go forward in the United States District Court, Southern District of Florida, in the Wilkie D. Ferguson U.S. Courthouse, Courtroom 13 – 3rd Floor, 400 North Miami Avenue, Miami, FL 33128. During the trial, a Jury and the Judge will hear all of the evidence to help them reach a decision about whether Plaintiffs or Defendant are right. There is no guarantee Plaintiffs will win, or that they will get any money for all or some members of the Classes.

21. Do I have to come to the trial?

No. You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and lawyers for Defendant will present on their behalf. You or your own lawyer are welcome to attend at your own expense.

22. Will I get money after the trial?

If Plaintiffs obtain money as a result of the lawsuit, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice contains a summary of the lawsuit and the proceedings. You can get additional information by visiting www.xxxx.com, calling xxx-xxx-xxxx, or writing the Administrator at:

Terhakovec v. Ford Motor Company
c/o JND Legal Administration
P.O. Box XXXXX
Seattle, WA 98111-XXXX

You can also call Class Counsel at xxx-xxx-xxx.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

Questions? Visit www.xxxxx.com or call toll-free xxx-xxx-xxxx