1 2 3 4	Paul A. Levin (State Bar No. 229077) plevin@themrlg.com MORTGAGE RECOVERY LAW GRO 550 North Brand Boulevard, Suite 1100 Glendale, California 91203 Telephone: (818) 630-7900 / Fax: (818)	
5 6 7 8 9 10 11	Etan Mark (admitted <i>pro hac</i>) etan@markmigdal.com Donald J. Hayden (admitted <i>pro hac</i>) don@markmigdal.com MARK MIGDAL & HAYDEN 80 SW 8 th Street, Suite 1999 Miami, Florida 33130 Telephone: (305) 374-0440	
12	UNITED STATES DISTRICT COURT	
13	CENTRAL DISTRICT OF CA	LIFORNIA, WESTERN DIVISION
14	MICHAEL LAVIGNE, et al.,	CASE NO. 2:18-cv-07480-JAK (MRWx)
15 16	Plaintiffs,	[Related Case 2:13-cv-02488-BRO-RZ]
	VS.	DECLARATION OF ERIC MILLER
17	HERBALIFE LTD., et al.,	OF A.B. DATA IN SUPPORT OF PLAINTIFFS' MOTION FOR
18	, , ,	PRELIMINARY APPROVAL OF
19	Defendants.	CLASS ACTION SETTLEMENT AND MEMORANDUM OF POINTS AND AUTHORITIES
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21 22		Assigned to Hon. John A. Kronstadt, Courtroom 10B
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- 1. I am a Senior Vice President with A.B. Data, Ltd. ("A.B. Data"). A.B. Data has been selected by the parties to act as the Claims Administrator. A copy of my Curriculum Vitae is attached hereto as **Exhibit 1**. I am fully familiar with the facts contained herein based upon my personal knowledge, and if called as a witness, could and would testify competently thereto.
- 2. At the request of the parties, I have prepared a proposed settlement notice and claims administration program for this litigation. This Declaration will describe the proposed notice program and how it will meet the requirements of Rule 23 of the Federal Rules of Civil Procedure and provide due process to the Settlement Class Members. This Declaration is based upon my personal knowledge and upon information provided to me by Class Counsel, my associates, and A.B. Data staff members.
- 3. I have implemented and coordinated some of the largest and most complex class action notice and administration programs in the country. The scope of my work includes notification, claims processing, and distribution programs in all types of class actions, including but not limited to consumer, antitrust, securities, ERISA, insurance, and government agency settlements.
- 4. A.B. Data has also been appointed as notice, claims, and/or settlement administrator in hundreds of high-volume consumer, civil rights, insurance, antitrust, ERISA, securities, and wage and hour class action cases. A profile of A.B. Data's background and capabilities, including representative case and client lists, is included as **Exhibit 2**.
- 5. The objective of the proposed notice program is to provide the best practicable notice under the circumstances of the proposed settlement to potential Settlement Class Members. The Settlement Class is generally defined as follows:
 - All U.S. Herbalife distributors who purchased tickets to at least two Herbalife

- Events¹ during the period beginning January 1, 2009, through and including the date the Preliminary Approval Order is entered (the "Class Period").
- 6. The proposed notice program includes direct notice to all Settlement Class Members for whom an e-mail address and/or mailing address is known.
- 7. A.B. Data has been advised that Herbalife has agreed to provide the contact information for all U.S. Herbalife distributors during the Class Period, providing a direct means to disclose to proposed Settlement Class Members their legal rights and options, including their objection and exclusion rights. Herbalife has advised that the notice list provided will include about 2.7 million distributors. Herbalife also has advised that its records show just over 80,000 distributors purchased tickets to at least two Herbalife Corporate Events during the Class Period. As the Settlement Class includes only Herbalife distributors, direct notice to those individuals who were distributors during the Class Period encompasses the entire universe of potential Settlement Class Members.
- 8. Direct notice will be provided via a Short-Form Notice sent by email (the "Email Notice") to all potential Settlement Class Member email addresses identified by Herbalife. A.B. Data implements certain best practices to increase deliverability and bypass SPAM and junk filters, and we will be able to verify how many emails were successfully delivered.
- 9. For those potential Settlement Class Members for whom a valid email address is unavailable or the email is undeliverable, A.B. Data will send the Short-Form Notice, formatted as a postcard (the "Postcard Notice") via U.S. Mail. Prior to mailing the Postcard Notice to Settlement Class Members, A.B. Data will process all mailing addresses through the United States Postal Service's National Change of Address database ("NCOA"). Postcard Notices will be mailed to the updated mailing

Capitalized terms used herein are defined with reference to the Settlement Agreement.

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addresses where applicable. Further analysis will be done of any Postcard Notices returned as undeliverable after use of the NCOA database and follow up direct mail notice will be provided where appropriate.

- 10. The Email Notice and Postcard Notice will include summary information concerning the Settlement, including: that this is a class action; the class definition in plain and engaging language ("Have you attended a U.S. Herbalife event? You could receive part of a \$12.5 Million Class Action Settlement."); that a class member may appear at the final approval hearing through an attorney if the member wants; that class members can be excluded; the time and manner for requesting exclusion; and the binding effect of a class judgment.
- To assist potential Settlement Class Members in understanding the terms of the Settlement and their rights, A.B. Data will establish a case-specific toll-free telephone number and a case-specific website.
- 12. A.B. Data will implement and maintain a toll-free telephone number with an automated interactive voice response system. The toll-free telephone number will appear on both the Short-Form Notice and Long-Form Notice. The automated interactive voice response system will present callers with a series of choices to hear prerecorded information concerning the Settlement. If callers need further help, they will have an option to speak with a live operator during business hours.
- A.B. Data will also implement and maintain a case-specific website for this matter. The website address will appear on both the Short-Form Notice and Long-Form Notice. The website will provide, among other things, a summary of the case, functionality for Settlement Class Members to submit their claims online, certain case-related documents, important dates, and any pertinent updates concerning the litigation or the settlement process.

EXCLUSION AND OBJECTION PROCESSING

- 14. The Short-Form Notice and Long-Form Notice provide that Settlement Class Members may request exclusion by sending a written, mailed request to the Claims Administrator, or by emailing the Claims Administrator. A.B. Data will receive and process all requests for exclusion. A.B. Data will also promptly circulate to the parties copies of all such requests and a report that tracks each request and whether the required information was included.
- 15. Settlement Class Members may also comment or object to the Settlement by sending a written, mailed letter to the Claims Administrator, and by filing any objection with the Court. A.B. Data will receive and process all such letters that are received. A.B. Data will also promptly circulate to the parties copies of any objections received and a report that tracks each request and whether the required information was included.
- 16. Based on Herbalife's records, the proposed Claim Form will identify the U.S. Herbalife Events for which a Settlement Class Member purchased tickets during the Class Period, as well as the corresponding ticket purchase amounts. To receive money from the Settlement, Settlement Class Members need only provide their name, mailing address, email address, and mobile number. The Claim Form will also give Settlement Class Members an opportunity to identify additional Herbalife Events for which they purchased tickets that are not already identified on the form. As such, the Claim Program does not require unnecessarily burdensome information, but instead requires only the information necessary to process the claim and validate that the claimant is in fact a legitimate Settlement Class Member. Settlement Class Members who receive direct notice via mail or email will be provided with a unique Notice ID number that will be requested on their Claim Forms to verify membership in the Settlement Class. A.B. Data will also implement a number of fraud prevention techniques to identify claims filed from suspicious locations, by repeat actors, and/or

by Internet "bots." If A.B. Data reasonably determines that it needs further information or documentation to properly process a claim, it will so notify the claimant in writing. If the claimant fails to correct any deficient conditions identified, the claim may be rejected in whole or in part. The Claim Form can be completed and submitted either online at the case-specific website or by mail.

- 17. The Claim Form, Long-Form Notice, Short-Form Notice, and settlement website will also be made available in Spanish, given the large number of Spanish-speaking Herbalife distributors.
- 18. It is my opinion, based on my individual expertise and experience and that of my A.B. Data colleagues, that the proposed notice program is designed to effectively reach potential Settlement Class Members and will deliver plain language notices that will capture potential Settlement Class Members' attention and provide them with the information in an informative and easy to understand manner that is necessary to effectively understand their rights and options. This proposed notice program is designed to deliver a calculated reach of at least 70% and conforms to the standards employed by A.B. Data in notification programs designed to reach potential class members of settlement groups or classes that are national in scope and reach narrowly defined entities and demographic targets. In particular, the direct notice by mail and email is the best and most cost-effective way to reach Settlement Class Members and encourage participation in a manner that will actually come to their attention.
- 19. For all these reasons, in my opinion, the proposed notice program satisfies the requirements of Rule 23 and due process.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 27, 2022, at Palm Beach Gardens, Florida. Eric Miller

EXHIBIT 1

ERIC J. MILLER

15174 80th Drive N, Palm Beach Gardens, FL 33418 561-252-7720 • eric.miller@abdata.com

SUMMARY

Experienced professional with over 20 years of operations, project management, quality assurance, and training experience in the class action administration industry. Areas of expertise include legal notification, claims processing, plan of allocation implementation, and distribution of settlement funds. Hands-on experience administering various types of class actions, including antitrust, securities, consumer, insurance, and others.

NOTABLE AND RECENT CASE EXPERIENCE

- In re Pharmaceutical Industry Average Wholesale Price Litigation (D. Mass., MDL No. 1456)
- Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham Corporation (E.D. Va., 2:02cv442)
- *In re Relafen Antitrust Litigation* (D. Mass., 01-CV-12239-WGY)
- Nichols, et al., v. SmithKline Beecham Corporation (E.D. Pa., 00-CV-6222)
- In re: Bextra and Celebrex Marketing, Sales Practices, and Product Liability Litigation (N.D. Cal., MDL No. 1699)
- In re American International Group, Inc. Securities Litigation (S.D.N.Y., No. 04 Civ. 8141)
- In re Countrywide Financial Corp. Securities Litigation (C.D. Cal., No. CV 07-05295)
- *In re Marsh & McLennan Companies, Inc. Securities Litigation* (S.D.N.Y., No. 04-CV-08144)
- Shawn Sullivan, et al. v. DB Investments, Inc., et al. (D.N.J., 04-CV-2819)
- Rodriguez, et al. v. West Publishing Corp., d/b/a BAR/BRI, and Kaplan, Inc. (C.D. Cal., Case No. CV-05-3222 R(MCx))
- *In re General Electric Co. Securities Litigation* (S.D.N.Y., Civ. No. 09-CIV-1951 (DLC))
- State of New York, et al., v. Cephalon, Inc. et al. (S.D.N.Y., Civil No. 2:16-CV-4234)
- Cipro Cases I & II (Superior Court of California, County of San Diego, J.C.C.P. Nos. 4154 and 4220)
- *In re Dole Food Company, Inc. Stockholder Litigation* (Delaware Court of Chancery, Consolidated C.A. No. 8703-VCL)
- Laydon v. Mizuho Bank, Ltd., et al. and Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al. ("Euroyen-Based Derivatives" Cases) (S.D.N.Y., No. 12-cv-3419 (GBD) and No. 15-cv-5844 (GBD))
- Illinois v. AU Optronics Corp. (State of Illinois, Circuit Court of Cook County, No. 10 CH 34472)
- State of Washington v. AU Optronics Corporation, et al. (State of Washington, King County Superior Court, No. 10-2-29164-4 SEA)
- *In Re: Platinum and Palladium Commodities Litigation* (Physical and Futures Actions) (S.D.N.Y., No. 1:10-cv-03617-WHP)

ERIC J. MILLER PAGE 2

NOTABLE AND RECENT CASE EXPERIENCE (continued)

- In re Polyurethane Foam Antitrust Litigation (N.D. Ohio, 10-MD-2196, MDL No. 2196)
- Bergman et al. v. DAP Products Inc. et al. (D. Md., Court Case No. 14-cv-03205-RDB)
- State Street Indirect FX Cases (D. Mass., No. 11-cv-10230 MLW, No. 11-cv-12049 MLW, and No. 12-cv-11698 MLW)
- *In re: DDAVP Indirect Purchaser Litigation* (S.D.N.Y., 05-2237)
- Mahoney v. Endo Health Solutions, Inc., et al. (S.D.N.Y., Case No. 15-cv-9841 (DLC))
- *In re Aggrenox Antitrust Litigation* (D. Conn., No. 3:14-md-2516-SRU)
- In re Solodyn (Minocycline Hydrochloride) Antitrust Litigation (D. Mass., No. 1:14-md-2503-DJC)
- Vista Healthplan v. Cephalon, Inc., et al. (E.D. Pa., Civ. No. 2:06-cv-1833-MSG)
- In re Loestrin 24 FE Antitrust Litigation (D.R.I., Case No. MDL 2472)
- The Hospital Authority of Metropolitan Government of Nashville and Davidson County v. Momenta Pharmaceuticals, Inc. and Sandoz Inc. (M.D. Tenn., Civil No. 3:15-CV-01100)
- In re Niaspan Antitrust Litigation, (E.D. Pa., MDL No. 2460; Master File No. 13-MD-2460)
- In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation, (D. Kan., Civil Action 2:17-md-02785-DDC-TJJ)
- In Re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation (S.D.N.Y., Case No. 18-MD-2819)
- BCBSM, Inc. v. Vyera Pharmaceuticals, et al., (S.D.N.Y., No. 21-cv-1884-DLC)
- In re Valeant Pharmaceuticals International, Inc. Third-Party Payor Litigation, (D.N.J., Civil Action No. 16-3087)
- *In re Opana ER Antitrust Litigation*, (N.D. Ill., 1:14-cv-10150)
- In Re Ranbaxy Generic Drug Application Antitrust Litigation, (D. Mass., MDL No. 2878, Master File No. 19-md-02878)

EMPLOYMENT HISTORY

A.B. Data, Ltd. January 2013-Present

Senior Vice President of Case Management

- Responsible for successful implementation of notice and claims administration services in accordance with court orders, settlement agreements, and service agreements between clients and A.B. Data, Ltd.
- Provides overall oversight of A.B. Data's class action administration services division.
- Works closely with Project Managers to develop plans of administration to provide the highest level of effective and efficient delivery of work product.
- Provides case-related legal and administration support to counsel.
- Coaches, mentors, supports, and trains members of the class action services division.
- Ensures compliance with approved procedures and processes.
- Develops and implements improved processes, procedures, and quality assurance steps.
- Drafts, finalizes, and executes legal documents, including affidavits, declarations, and expert opinions.

- Produces and reviews revenue projections.
- Prepares client invoicing and follows up on outstanding accounts receivable.

Rust Consulting, Inc.

January 2000-January 2013

Client Services Director

• Provided overall oversight of Rust Consulting's securities class action administration services practice area.

CONTINUED ON NEXT PAGE

ERIC J. MILLER PAGE 3

EMPLOYMENT HISTORY

Rust Consulting, Inc. (continued)

January 2000-January 2013

- Was responsible for successful implementation of notice and claims administration services in accordance with settlement agreements and/or court orders.
- Worked closely with Senior Project Administrators to develop plans of administration to provide the highest level of effective and efficient delivery of work product.
- Provided case-related legal and administration support to counsel.
- Provided advice, support, and training to other members of the class action services division.
- Ensured compliance with approved procedures and processes.
- Drafted legal documents, including affidavits, declarations, and expert opinions.

Quality Assurance Director

- Worked closely with members of the quality assurance department to develop quality assurance standards.
- Developed quality assurance processes and procedures.
- Trained and mentored members of the quality assurance department.
- Reviewed requirements for testability and usability; consulted development staff with regard to system functionality, working closely with the IT department and project management.
- Resolved major quality assurance issues.
- Provided solutions and recommendations for various processes and procedures with the goal of successfully adapting and competing in the marketplace.

EDUCATION

Bentley College, Waltham, MA.; major, Business Management, 1993-1995.

EXHIBIT 2





CAPABILITIES

About A.B. Data

Founded in 1981, A.B. Data has earned a reputation for expertly managing the complexities of class action administration in consumer, antitrust, securities, Securities and Exchange Commission (SEC) enforcement actions, and ERISA, Attorneys General, employment, civil rights, insurance, environmental, wage and hour, and other class action cases. A.B. Data's work in all aspects of class action administration has been perfected by decades of experience in hundreds of class action cases involving billions of dollars in total settlements. Dedicated professionals deliver A.B. Data's all-inclusive services, working in partnership with its clients to administer their class action cases effectively, efficiently, and affordably, regardless of size or scope.

A.B. Data offers unmatched resources and capacity and is capable of expertly administering any class action notice, settlement, and/or fund administration. Whether notifying millions of class members in the United States or throughout the world, processing millions of claims, distributing payments digitally via A.B. Data's Digital PayPortalsm, or printing and distributing millions of checks, A.B. Data matches its talent and technology to the specific needs of its clients, delivering unparalleled service on time and on budget without ever compromising quality.

Location, Ownership Structure

A.B. Data is an independently owned, 39-year-old, Milwaukee, Wisconsin-based company that prides itself on its vast expertise and industry-leading innovations. We like to remind our clients and partners that we're not just a class action administration company, but a group of experienced, dedicated professionals who believe that relationships are just as important as the accurate and timely management of class action administrations. In other words, we are people who do business with people.

Services

Every A.B. Data client is deserving of the best job we can put forward. A.B. Data makes class action administration easy for our clients with clarity, convenience, and efficiency. Our priority is to navigate the intricacies of our clients' matters and deliver successful results by using our solid expertise, advanced technology, and top-quality products and services. We pay attention to the details and get it right the first time.

We aim to provide our clients the full experience of a truly collaborative working relationship. It is why we believe much of our success originates from our philosophy of "people doing business with people."



Services

All Digital — From Notice to Distribution

A.B. Data is uniquely positioned to design, implement, and maintain notice and settlement administration programs using an innovative, "all-digital" approach that replaces the more traditional and less efficient methods of administration, such as newspaper ads, mailed notices, and paper checks. Many of our recent proposed notice plans and claim programs utilize the latest technologies such as microtargeted digital ads for notice, streamlined online claims, and distributing settlement funds electronically using a digital paywall. These methods provide significant cost savings, are consistent with the amendments to Rule 23 that are now in effect, and importantly provide much-needed alignment of class action notice and administration with current consumer behaviors.

Pre-Settlement Consultation

The pre-settlement consultation is a collaborative session designed to help A.B. Data clients prepare a stronger case. Our support teams simplify the task of sorting through a maze of documents during investigation and discovery, streamlining the process and preserving fund assets. From there, we assist with fully interactive media packages for court presentations and settlement negotiations. A.B. Data works closely with our clients, offering expert testimony on documents, processing, class and notice manageability, and proposed plans of allocation.

Media Services

A.B. Data continues to earn our reputation as the early innovator in integrating advanced microtargeting techniques, including contextual targeting, behavioral targeting, and predictive modeling. Coupled with inventive digital media strategies to drive claims, case-specific banner ad development, class member research, and comScore analysis services, our multi-tiered media programs are designed to cost-effectively deliver notice to potential class members and increase claims rates.

Notice Administration

In A.B. Data, clients have a comprehensive resource with a depth of experience in direct notice. Our compliance and understanding of Rule 23 of the Federal Rules of Civil Procedure are crucial in meeting the "plain language" legal requirements for any campaign. From our sophisticated digital media capabilities and extensive global experience with class member research, our experts create notice documents that are easily understandable and cost-efficient to produce. We consult with our clients to deliver notice documents from multi-page, mailed, or emailed notice packets to concise postcards that establish the most influential and cost-effective means of communicating with potential claimants.

Claims Processing

A.B. Data continues to bring game-changing technologies to improve the speed and precision in claims processing. Our robust system for online claims submissions allows us to meticulously verify data and documentation, preserve and authenticate claims, and calculate and verify settlement amounts. In addition, our data network infrastructure includes on-site data storage, backup, contingency plans, and security for electronic and hard copy claim filings. It is all part of a total commitment to be the most innovative and comprehensive resource in the industry. At A.B. Data, we take pride in having the inhouse capacity to process millions of pages, as well as the organizational integrity to treat every claim as if it were the only one.

Contact Center

A.B. Data's Contact Center is comprised of a full staff that is trained on and equipped with online and telecommunication systems to monitor and connect with class members. Associates routinely monitor class member communication for all class action administrations, including antitrust, consumer, and securities.

Utilizing monitoring software, associates watch multiple social media channels simultaneously, allowing for instantaneous routing of inquiries and interaction with claimants. Detailed and concise analytical reports outlining Contact Center activities are always provided.

Our Contact Center and case websites are capable of handling millions of class member engagements, as recently displayed in a campaign which garnered over 1.2 million website visits in two months and had more than 72,500 Facebook engagements. Facebook comments and threads are monitored and claimants are guided to the website for more information. Google AdWords and display advertising have also brought hundreds of thousands of visitors to various case websites.

A.B. Data's Contact Center also has Spanish language associates in-house and we can accommodate any language, given proper lead time. Traditional call center facilities are also available, if needed.

Case Websites

We offer a state-of-the-art technology platform that supports every step of our class action administration process. Our expert marketing professionals design customized case-specific websites that provide potential class members easy access to case information, critical documents, important deadlines, as well as the capability to file claim forms and register for future mailings about the case. Claimants can use the website to elect to receive their settlement payments by mail or by one of several digital payment options, all accessible by mobile devices.

Settlement Fund Distribution

From complete escrow services to establishment of qualified settlement funds, check printing and mailing, electronic cash or stock distribution and tax services, A.B. Data has always provided a full-service solution to Settlement Fund Distribution. Our IT team has decades of experience in developing and implementing fast, secure databases and claims administration systems that ensure class members receive the correct amount in their settlement disbursement. Today's digital capabilities allow even greater convenience for class members. In certain instances, claimants can now elect to instantaneously receive settlement payments through popular digital-payment options, such as PayPal, Amazon, and virtual debit cards.



A.B. Data's Leadership



A.B. Data's administration team is composed of the following key executives, who collectively have decades of experience settling and administering class actions:

Bruce A. Arbit, Co-Managing Director and one of the founders of the A.B. Data Group, serves as Chairman of the Board and oversees the day-to-day operations of the A.B. Data Group of companies, employing almost 400 people in the United States and Israel. Mr. Arbit is also Chairman of the Board of Integrated Mail Industries, Ltd. and has served as a member of the Board of Directors of University National Bank and State Financial Bank. He is the past Chairman of Asset Development Group, Inc., Home Source One, and American Deposit Management and is a member of the National Direct Marketing Association, the Direct Marketing Fundraising Association, and the American Association of Political Consultants. He was named 1996 Direct Marketer of the Year by the Wisconsin Direct Marketing Association.

A.B. Data's work in class action litigation support began with the Court selecting A.B. Data to oversee the restitution effort in the now-famous Swiss Banks Class Action Case, the International Commission on Holocaust Era Insurance Claims, and every other Holocaust Era Asset Restitution program, in which it was the company's job to identify, contact, and inform survivors of the Holocaust. A.B. Data delivered by reaching out to millions of people in 109 countries who spoke more than 30 languages. Since those days, Mr. Arbit has guided the class action division through phenomenal growth and success. Today, A.B. Data manages hundreds of administrations annually that distributes billions of dollars to class members.

Thomas R. Glenn, President, Mr. Glenn's management of A.B. Data's Class Action Administration Company includes designing and implementing notice plans and settlement administration programs for antitrust, securities, and Securities and Exchange Commission settlements and SEC disgorgement fund distributions, as well as consumer, employment, insurance, and civil rights class actions. Mr. Glenn previously served as Executive Vice President at Rust Consulting and has more than 30 years of executive leadership experience.

Eric Miller, Senior Vice President, as a key member of A.B. Data's Class Action Administration Leadership Team, oversees the Case Management Department and supervises the operations and procedures of all of A.B. Data's class action administration cases. Mr. Miller is recognized in the class action administration industry as an expert on securities, SEC, consumer, product recall, product liability, general antitrust, pharmaceutical antitrust, and futures contract settlements, to name a few settlement types. Prior to joining A.B. Data, Mr. Miller served as the Client Service Director for Rust Consulting, responsible there for its securities practice area. He has more than 20 years of operations, project management, quality assurance, and training experience in the class action administration industry. In addition, Mr. Miller manages A.B. Data's office in Palm Beach Gardens, Florida.

Ravin Raj, Vice President-Operations, has more than 15 years of experience in class action claims management, document management, and insurance claims remediation. Mr. Raj's responsibilities for A.B. Data's Class Action Administration Company include heading the shared operations center, which includes mailroom, contact center, claims processing, quality control, and information systems operations. His areas of expertise include business process development, strategic/tactical operations



planning and implementation, risk analysis, budgeting, business expansion, growth planning and implementation, cost reduction, and profit, change, and project management. In his previous position, as Assistant Vice President-Operations at RR Donnelley India Pvt. Ltd., in Chennai, India, he led a team of more than 400 employees with the capacity to process more than 4 million claims a year, servicing several leading claims administrators. Mr. Raj managed six of the top ten securities class action settlements, by settlement value, including several multibillion-dollar settlements. His background also includes work as a Project Lead for iMarque Solutions Pvt. Ltd., Chennai, India.

Linda V. Young, Vice President, Media, oversees the Media Department and is responsible for the direction, development, and implementation of media notice plans for A.B. Data's clients. Ms. Young is an expert in media planning using most forms of advertising including digital, print, and broadcast. She developed some of the first Court-approved Notice Plans using an all-digital approach for cases such as In re Vizio Consumer Privacy Litigation, In re Qualcomm Antitrust Litigation, and In re Google Inc. Street View Electronic Communications Litigation, among others. Her ability to create notice plans that efficiently extend reach and drive class member engagement and participation has made a significant impact across many types of administrations. Ms. Young has developed and implemented national and international print, digital-, and earned-media notice plans for some of the industry's leading pharmaceutical, insurance, and securities class action cases, including Libor-based Financial Instruments Antitrust Litigation, Cipro Antitrust Cases I and II, Euribor and Euroyen-based Derivatives cases, and many more. She has more than 20 years of general market and ethnic media advertising and media planning experience, having managed advertising for brands such as Georgia-Pacific, American Express, Denny's, and Coca-Cola USA.

Eric Schachter, Vice President, is a member of A.B. Data's Class Action Administration Leadership Team. He has over 15 years of experience in the legal settlement administration services industry. Mr. Schachter's responsibilities include ensuring successful implementation of claims administration services for A.B. Data's clients in accordance with settlement agreements, court orders, and service agreements. He also works closely with Project Managers to develop plans of administration to provide the highest level of effective and efficient delivery of work product. A frequent speaker on claims administration innovation and best practices at industry events nationwide, Mr. Schachter has a bachelor's degree in sociology from Syracuse University, earned his law degree at Hofstra University School of Law, and was previously an associate at Labaton Sucharow LLP in New York City.

Paul Sauberer, Director of Quality Assurance, is responsible for overseeing quality assurance and process management, working diligently to mitigate risk, ensure exceptional quality control, and develop seamless calculation programming. Mr. Sauberer brings more than 20 years of experience as a quality assurance specialist with a leading claims-processing company where he developed extensive knowledge in securities class action administration. He is recognized as the class action administration industry's leading expert on claims and settlement administrations of futures contracts class actions.

Justin Parks, Vice President, provides expertise in legal marketing strategies and brings extensive experience in client relations to A.B. Data's business development team. Previously, Mr. Parks served the legal industry as part of the marketing group at a major class action administration firm where he successfully managed and consulted on notice plans and other administrative aspects in hundreds of cases with an estimated value of several hundred million dollars in settlement funds distributed to class members, including some of the largest Employment settlements in history. Mr. Parks is uniquely experienced in Data Privacy matters, having consulted with clients on numerous matters stemming from data breaches as well as violations of the Illinois Biometric Information Privacy Act (BIPA), several of which resulted in the first ever Biometric Privacy related settlements in history. Mr. Parks' knowledge and understanding of the class action industry, as well as his client relationship skills, expand A.B. Data's capacity to achieve its business development and marketing goals effectively.

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Camron Assadi, Vice President, Digital Marketing, has more than 20 years of experience in digital marketing leadership, which includes directing and overseeing all aspects of the company's digital notice plans and campaigns across multiple networks and platforms. Mr. Assadi is an expert in online advertising and social media campaigns including Facebook, Google Ads, LinkedIn, Twitter, Amazon, Pinterest, Verizon Media, and others. He holds certifications in Google Ads Display and Search, and is a Facebook Certified Digital Marketing Associate. His ability to create and optimize business opportunities, extend brand reach, and capture the interest and support of local and international audiences has proven him an invaluable leader of A.B. Data's effort to maximize and streamline class member notice and engagement. Mr. Assadi has managed the notice plans for cases that have garnered millions of unique visitors and social media interactions. He holds a BS in Psychology from the University of Utah.

Adam Walter, PMP, Senior Project Manager, has nearly fifteen years of experience managing the administration of securities class action settlements and SEC disgorgements totaling more than \$4 billion. He has managed settlement programs in engagements involving some of the largest securities class action settlements and is a key contributor to the development of administration strategies that meet the evolving needs of our clients. His responsibilities include developing case administration strategies to ensure that all client and court requirements and objectives are met, overseeing daily operations of case administrations, ensuring execution of client deliverables, providing case-related legal and administration support to class counsel, overseeing notice dissemination programs, implementing complex claims-processing and allocation methodologies, establishing quality assurance and quality control procedures, and managing distribution of settlement funds. Mr. Walter holds a bachelor's degree in business administration from Florida Atlantic University, Boca Raton, Florida. He also has been an active member of the Project Management Institute since 2010 and is PMP®-certified.

Steve Straub, Senior Project Manager, joined A.B. Data in February 2012. As a Senior Project Manager, his responsibilities include developing case administration strategies, overseeing daily operations of case administrations, ensuring execution of client deliverables, providing case-related legal and administration support to case counsel, overseeing notice dissemination programs, implementing complex claims processing and allocation methodologies, establishing quality assurance and quality control procedures, and managing distribution of settlement funds. Mr. Straub's experience in administering class action settlements includes securities, consumer, and antitrust settlements, with a primary focus on antitrust cases. He holds a Juris Doctor degree from Seton Hall University School of Law, Newark, New Jersey.

Patty Nogalski, Project Manager, is a veteran in the equity and securities industry and now contributes her talents to A.B. Data as a Project Manager specializing in class action administrations for securities litigation. Ms. Nogalski brings to A.B. Data many new ideas, methods, and technologies to achieve project efficiency and organizational integration. For much of her twenty-year career, she served as Vice President Equity Trading for BMO Global Asset Management Corporation where she managed equity trading for mutual funds and institutional accounts. She works closely with Eric Miller and the project management team to deliver strategies that meet the unique needs of securities and commodities settlements. Ms. Nogalski attended the University of Wisconsin-Milwaukee where she earned her Bachelor of Arts in Communications, and has also obtained her Financial Industry Regulatory Authority (FINRA) Series 7, Series 63, and Series 65 licenses.

Eric Schultz, MCSE, Information Technology Manager and Security Team Chairperson, has been with A.B. Data for more than 19 years, and is currently responsible for overseeing all information technology areas for all A.B. Data divisions across the United States and abroad, including network infrastructure and architecture, IT operations, data security, disaster recovery, and all physical, logical, data, and information systems security reviews and audits required by our clients or otherwise. As a Microsoft Certified Systems Engineer (MCSE) with more than 25 years of experience in information technology systems and solutions, Mr. Schultz has developed specializations in network security, infrastructure, design/architecture, telephony, and high-availability network systems.



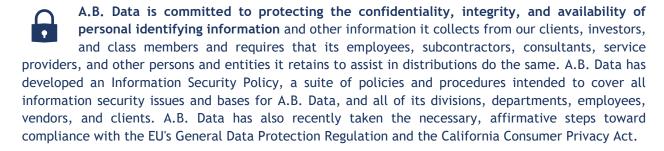
Secure Environment



A.B. Data's facilities provide the highest level of security and customization of security procedures, including:

- A Secure Sockets Layer server
- Video monitoring
- Limited physical access to production facilities
- Lockdown mode when checks are printed
- Background checks of key employees completed prior to hire
- Frequency of police patrol every two hours, with response time of five or fewer minutes
- Disaster recovery plan available upon request

Data Security



A.B. Data has a number of high-profile clients, including the Securities and Exchange Commission (SEC), the United States Department of Justice, the Attorneys General of nearly all 50 states, other agencies of the United States government, and the Government of Israel, as well as direct banking and payment services companies with some of the most recognized brands in United States financial services and some of the largest credit card issuers in the world.

We are therefore frequently subjected to physical, logical, data, and information systems security reviews and audits. We have been compliant with our clients' security standards and have also been determined to be compliant with ISO/IEC 27001/2 and Payment Card Industry (PCI) data-security standards, the Gramm-Leach-Bliley Act (GLB) of 1999, the National Association of Insurance Commissioners (NAIC) Regulations, the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and the Health Information Technology for Economic and Clinical Health Act (HITECH).

The Government of Israel has determined that A.B. Data is compliant with its rigorous security standards in connection with its work on Project HEART (Holocaust Era Asset Restitution Taskforce).

A.B. Data's fund distribution team has been audited by EisnerAmper LLP and was found compliant with class action industry standards and within 99% accuracy. EisnerAmper LLP is a full-service advisory and accounting firm and is ranked the 15th-largest accounting firm in the United States.



In addition, as part of PCI compliance requirements, A.B. Data has multiple network scans and audits from third-party companies, such as SecurityMetrics and 403 Labs, and is determined to be compliant with each of them.

Fraud Prevention and Detection



A.B. Data maintains and utilizes comprehensive proprietary databases and procedures to detect fraud and prevent payment of allegedly fraudulent claims.

We review and analyze various filing patterns across all existing cases and claims. Potential fraudulent filers are reported to our clients as well as to the appropriate governmental agencies where applicable.

Representative Class Action Engagements



A.B. Data and/or its team members have successfully administered hundreds of class actions, including many major cases. Listed below are just some of the most representative or recent engagements.

Consumer & Antitrust Cases

- Phil Shin, et al. v. Plantronics, Inc.
- In re: Qualcomm Antitrust Litigation
- In re Resistors Antitrust Litigation
- The Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee v. Momenta Pharmaceuticals, Inc. and Sandoz Inc. ("Lovenox Antitrust Matter")
- William Kivett, et al. v. Flagstar Bank, FSB, and DOES 1-100, inclusive
- Adelphia, Inc. v. Heritage-Crystal Clean, Inc.
- LLE One, LLC, et al. v. Facebook, Inc.
- Bach Enterprises, Inc., et al. v. Advanced Disposal Services South, Inc., et al.
- JWG Inc., et al. v. Advanced Disposal Services Jacksonville, L.L.C., et al.
- State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC
- In re GSE Bonds Antitrust Litigation
- Wave Lengths Hair Salons of Florida, Inc., et al. v. CBL & Associates Properties, Inc., et al.
- In re Loestrin 24 FE Antitrust Litigation
- Office of the Attorney General, Department of Legal Affairs, State of Florida v. Pultegroup, Inc. and Pulte Home Company, LLC
- In re Cigna-American Specialties Health Administration Fee Litigation
- In re: Intuniv Antitrust Litigation
- High Street, et al. v. Cigna Corporation, et al.
- Gordon Fair, et al. v. The Archdiocese of San Francisco, San Mateo, and Marin County

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- Bizzarro, et al. v. Ocean County Department of Corrections, et al.
- Meeker, et al. v. Bullseye Glass Co.
- MSPA Claims 1, LLC v. Ocean Harbor Casualty Insurance Company
- Tennille v. Western Union Company Arizona
- Garner, et al. v. Atherotech Holdings, Inc. and Garner, et al. v. Behrman Brothers IV, LLC, et al.
- Robinson, et al. v. Escallate, LLC
- Josefina Valle and Wilfredo Valle, et al. v. Popular Community Bank f/k/a Banco Popular North America
- Vision Construction Ent., Inc. v. Waste Pro USA, Inc. and Waste Pro USA, Inc. and Waste Pro of Florida, Inc.
- Plumley v. Erickson Retirement Communities, et al.
- In re London Silver Fixing, Ltd. Antitrust Litigation
- In re EpiPen Marketing, Sales Practices and Antitrust Litigation
- Ploss v. Kraft Foods Group, Inc. and Mondelez Global LLC
- In re Mexican Government Bonds Antitrust Litigation
- In re Ready-Mixed Concrete Antitrust Litigation
- In re: Marine Hose Antitrust Litigation
- Iowa Ready Mixed Concrete Antitrust Litigation
- In re Potash Antitrust Litigation (II)
- In re Evanston Northwestern Healthcare Corp. Antitrust Litigation
- In re Polyurethane Foam Antitrust Litigation
- In re LIBOR-Based Financial Instruments Antitrust Litigation
- In re Lorazepam and Clorazepate Antitrust Litigation
- In re Cardizem CD Antitrust Litigation
- Vista Healthplan, Inc., and Ramona Sakiestewa v. Bristol-Myers Squibb Co., and American BioScience, Inc.
- In re Lupron Marketing and Sales Practices Litigation
- In re Terazosin Hydrochloride Antitrust Litigation
- In re Warfarin Sodium Antitrust Litigation
- Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham Corporation
- Carpenters and Joiners Welfare Fund, et al. v. SmithKline Beecham
- New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund, et al. v. Purdue Pharma L.P.
- In Re Pharmaceutical Industry Average Wholesale Price Litigation
- Alma Simonet, et al. v. SmithKline Beecham Corporation, d/b/a GlaxoSmithKline
- In re Relafen Antitrust Litigation
- In Re Remeron Direct Purchaser Antitrust Litigation
- In re TriCor Indirect Purchasers Antitrust Litigation
- Nichols, et al., v. SmithKline Beecham Corporation
- In re: DDAVP Indirect Purchaser Antitrust Litigation

Securities Cases

- Laydon v. Mizuho Bank, Ltd., et al.
- Lomingkit, et al. v. Apollo Education Group, Inc., et al.
- In re Caraco Pharmaceutical Laboratories, Ltd. Shareholder Litigation
- Norfolk County Retirement System, et al. v. Community Health Systems, Inc., et al.
- Chester County Employees' Retirement Fund v. KCG Holdings, Inc., et al.
- Oklahoma Law Enforcement Retirement System, et al. v. Adeptus Health Inc., et al.
- Di Donato v. Insys Therapeutics, Inc., et al.
- Lundgren-Wiedinmyer, et al. v. LJM Partners, Ltd, et al.

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- Martin, et al. v. Altisource Residential Corporation, et al.
- Stephen Appel, et al. v. Apollo Management, et al.
- In re Medley Capital Corporation Stockholder Litigation
- Forman, et al. v. Meridian BioScience, Inc., et al.
- Public Employees' Retirement System of Mississippi, et al. v. Endo International PLC, et al.
- In Re Flowers Foods, Inc. Securities Litigation
- Jiangchen, et al. v. Rentech, Inc., et al.
- In re Liberty Tax, Inc. Stockholder Litigation
- In re RH, Inc. Securities Litigation
- Lazan v. Quantum Corporation, et al.
- Nabhan v. Quantum Corporation, et al.
- Edmund Murphy III, et al. v. JBS S.A.
- Public Employees' Retirement System of Mississippi, et al. v. Sprouts Farmers Market, Inc., et al.
- In re Starz Stockholder Litigation
- Judith Godinez, et al. v. Alere Inc., et al.
- Rahman and Giovagnoli, et al. v. GlobalSCAPE, Inc., et al.
- Arthur Kaye, et al. v. ImmunoCellular Therapeutics, Ltd., et al.
- In re CPI Card Group Inc. Securities Litigation
- Daniel Aude, et al. v. Kobe Steel, Ltd., et al.
- In re Quality Systems, Inc. Securities Litigation
- Cooper, et al. v. Thoratec Corporation, et al.
- Washtenaw County Employees' Retirement System, et al. v. Walgreen Co., et al.
- Elkin v. Walter Investment Management Corp., et al.
- In Re CytRx Corporation Securities Litigation
- Ranjit Singh, et al. v. 21Vianet Group, Inc., et al.
- In re PTC Therapeutics, Inc. Securities Litigation
- Securities and Exchange Commission v. Mark A. Jones
- In re Sequans Communications S.A. Securities Litigation
- In re Henry Schein, Inc. Securities Litigation
- Ronge, et al. v. Camping World Holdings, Inc., et al.
- Oklahoma Firefighters Pension & Retirement System v. Lexmark International, Inc.
- Christakis Vrakas, et al. v. United States Steel Corporation, et al.
- Emerson et al. v. Mutual Fund Series Trust, et al. ("Catalyst")
- In re Fannie Mae 2008 Securities Litigation
- In re Anadarko Petroleum Corporation Class Action Litigation
- Ge Dandong, et al., v. Pinnacle Performance Limited, et al.
- In Re: Rough Rice Commodity Litigation
- Xuechen Yang v. Focus Media Holding Limited et al.
- In re Massey Energy Co. Securities Litigation
- In re Swisher Hygiene, Inc.
- The City of Providence vs. Aeropostale, Inc., et al.
- In re Metrologic Instruments, Inc. Shareholders Litigation
- Public Pension Fund Group v. KV Pharmaceutical Company et al.
- Pension Trust Fund for Operating Engineers, et al. v. Assisted Living Concepts, Inc., et al.
- In re Lehman Brothers Equity/Debt Securities Litigation
- In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)
- In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)
- In re General Electric Co. Securities Litigation
- In re CNX Gas Corporation Shareholders Litigation
- Oscar S. Wyatt, Jr. et al. v. El Paso Corporation, et al.
- In re Par Pharmaceutical Securities Litigation

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- In re Par Pharmaceutical Companies, Inc. Shareholders Litigation
- In re Delphi Financial Group Shareholders Litigation
- In re SLM Corporation Securities Litigation
- In re Del Monte Foods Company Shareholder Litigation
- Leslie Niederklein v. PCS Edventures!.com, Inc. and Anthony A. Maher
- In re Beckman Coulter, Inc. Securities Litigation
- Michael Rubin v. MF Global, Ltd., et al.
- Allen Zametkin v. Fidelity Management & Research Company, et al.
- In re BP Prudhoe Bay Royalty Trust Securities Litigation
- Police and Fire Retirement System of the City of Detroit et al. v. SafeNet, Inc., et al.
- In re Limelight Networks, Inc. Securities Litigation
- In re Gilead Sciences Securities Litigation
- In re ACS Shareholder Litigation, Consolidated C.A. No. 4940-VCP
- Lance Provo v. China Organic Agriculture, Inc., et al.
- In re LDK Solar Securities Litigation

Labor & Employment Cases

- Eisenman v. The Ayco Company L.P.
- Matheson v. TD Bank, N.A.
- Simon v. R.W. Express LLC, d/b/a Go Airlink NYC
- Perez v. Mexican Hospitality Operator LLC, d/b/a Cosme
- Shanahan v. KeyBank, N.A.
- Loftin v. SunTrust Bank
- Alvarez v. GEO Secure Services, LLC
- Weisgarber v. North American Dental Group, LLC
- Talisa Borders, et al. v. Wal-mart Stores, Inc.
- Reale v. McClain Sonics Inc., et al.
- Larita Finisterre and Songhai Woodard, et al. v. Global Contact Services, LLC
- Adebisi Bello v. The Parc at Joliet
- Garcia, et al. v. Vertical Screen, Inc.
- Brook Lemma and Matthieu Hubert, et al. v. 103W77 Partners LLC, et al. ("Dovetail Settlement")
- American Federation of Government Employees, Local 1145 v. Federal Bureau of Prisons, U.S. Penitentiary, Atlanta, Georgia
- Lisa Ferguson, Octavia Brown, et al. v. Matthew G. Whitaker, Acting AG, DOJ Bureau of Prisons ("USP Victorville")
- American Federation of Government Employees, Local 2001 v. Federal Bureau of Prisons, Federal Correctional Institution, Fort Dix, New Jersey
- American Federation of Government Employees, Local 506 v. U.S. Department of Justice, Federal Bureau of Prisons, U.S. Penitentiary Coleman II, Coleman, Florida
- Vargas v. Sterling Engineering
- Rosenbohm v. Verizon
- Alex Morgan, et al. v. United States Soccer Federation, Inc.
- Iskander Rasulev v. Good Care Agency, Inc.
- Kyndl Buzas, et al., v. Phillips 66 Company and DOES 1 through 10
- American Federation of Government Employees, Local 408 v. U.S. Dept. of Justice, Federal Bureau of Prisons, Federal Correctional Complex, Butner, NC
- In re 2014 Avon Products, Inc. ERISA Litigation
- In re Eastman Kodak ERISA Litigation
- Taronica White, et al. v. Attorney General Loretta Lynch, Department of Justice
- Lisa Ferguson, et al. v. Acting Attorney General Matthew Whitaker, Department of Justice

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- Melissa Compere v. Nusret Miami, LLC, et al.
- Abelar v. American Residential Services, L.L.C., Central District of California
- Flores, et al. v. Eagle Diner Corp., et al., Eastern District of Pennsylvania
- Michael Furman v. Godiva Chocolatier, Inc., 15th Judicial Circuit, Palm Beach County, Florida
- Finisterre et. al v. Global Contact Services, LLC, New York State Supreme Court, Kings County
- McGuire v. Intelident Solutions, LLC, et al., Middle District of Florida, Tampa Division
- Duran De Rodriguez, et al. v. Five Star Home Health Care Agency, Inc. et al., Eastern District of New York

Data Breach/BIPA Cases

- The State of Indiana v. Equifax Data Breach Settlement
- In re: Vizio, Inc. Consumer Privacy Litigation
- In re: Google, Inc. Street View Electronic Communications Litigation
- Devin Briggs and Bobby Watson, et al. v. Rhinoag, Inc. ("Briggs Biometric Settlement")
- Trost v. Pretium Packaging L.L.C.

Telephone Consumer Protection Act (TCPA) Cases

- Lowe and Kaiser, et al. v. CVS Pharmacy, Inc., et al.
- Johansen v. HomeAdvisor, Inc., et al.
- Charvat, et al. v. National Holdings Corporation
- Hopkins, et al. v. Modernize, Inc.
- Diana Mey vs. Frontier Communications Corporation
- Matthew Donaca v. Dish Network, L.L.C.
- Matthew Benzion and Theodore Glaser v. Vivint, Inc.
- John Lofton v. Verizon Wireless (VAW) LLC, et al.
- Lori Shamblin v. Obama for America et al.
- Ellman v. Security Networks

For More Information

For more detailed information regarding A.B. Data's experience, services, or personnel, please see our website at www.abdataclassaction.com