

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CARMELO TREVISO, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

NATIONAL FOOTBALL MUSEUM
INC., dba PRO FOOTBALL HALL OF
FAME,

Defendant.

CASE NO. 5:17-cv-00472

JUDGE CHRISTOPHER A. BOYKO

**DECLARATION OF JULIE N. GREEN ON BEHALF OF CPT GROUP, INC.
REGARDING NOTICE PLAN**

I, Julie N. Green, declare and state as follows:

1. I am the Senior Vice President of Operations, Class Action Services of CPT Group, Inc. (“Claims Administrator” or “CPT”). The following statements are based on my personal knowledge, information provided to me by counsel for Plaintiff and by other CPT employees working on this matter, and records of CPT generated and maintained in the usual course of its business. If called on to do so, I could and would testify competently thereto.

2. For this matter, CPT is able and willing to provide notice and settlement administration services as provided in the Notice Plan, if approved to do so by the Court.

3. I have been employed by CPT for 18 years, managing the operations department and supervising multiple notice and claims administration programs. As Senior Vice President of Operations, I am responsible for the oversight, supervision and evaluation of all departments and positions related to the administration of class action matters to ensure superior quality and successful execution of each component required to complete the notice or settlement process. In

my career at CPT, I have been responsible for the design and/or implementation of hundreds of class action administration plans. I submit this declaration at the request of Plaintiff's Counsel.

CPT'S EXPERIENCE RELEVANT TO THIS CASE

4. CPT Group, Inc. is located at 50 Corporate Park, Irvine, CA 92606. CPT is a leader in the notice and settlement administration industry and has extensive experience in providing court approved notice of class actions and administering various types of notice programs and settlements. In the past 30-plus years, CPT has provided notification and/or claims administration services in thousands of class action cases. Throughout our history, CPT has disbursed billions of dollars in settlement funds, and serviced over 65,000,000 class members. CPT offers a wide range of class action administrative services for developing, managing and executing all stages of integrated notice plans. A true and correct copy of CPT's company resume ("CPT CV") is attached as **Exhibit 3**, which provides detailed information concerning our class action and claims administration qualifications and experience.

5. As a class action notice and claims administrator, CPT is accustomed to being selected by the parties and approved by both Federal and State Courts throughout the United States to provide notice and claim processing services. In this capacity, CPT provides all services related to the implementation of class action notice plans including (a) all types of legal notice, such as direct mailing, email notification, and publication programs, including digital and social media platforms; (b) establishing dedicated URL and case websites with on-line claim filing capabilities; (c) call center support with a dedicated toll-free interactive voice response (IVR) telephone number; (d) electronic and hard copy claims processing; (e) receiving/processing other communications about the case; (f) secure data management and reporting; (g) paper and electronic payment distribution through check, gift card, merchandise credits, direct deposit and other means; (h) Qualified Settlement Fund reporting and banking services; (i) filing applicable tax returns; (j) filing any required reports with the court; and (k) other tasks related to the administration of class action matters that may be requested by the parties or court.

6. CPT has been entrusted by counsel and appointed by courts to handle complex nationwide and statewide class action matters. Some of our recent multi-state representative matters include *Thompson v. 1-800 Contacts, Inc.*, Case No. 2:16-cv-01183 (D. Utah); *Broomfield v. Craft Brew Alliance, Inc.*, Case No. 5:17-cv-01027-BLF (N.D. Cal); *Mael v. Evanger's Dog and Cat Food Co., Inc.*, Case No. 3:17-cv-05469-RBL (W.D. Wash); *Livingston v. MiTAC Digital Corporation*, Case No. 3:18-cv-05993-JST (N.D. Cal); *Gold, et al. v. Lumber Liquidators, Inc.*, Case No. 3:14-cv-05373-RS (N.D. Cal.); and *Jacobo, et al., v. Ross Stores, Inc.*, Case No. 2:15-cv-04701-MWF-AGR_x (C.D. Cal). Some of our recent single-state representative matters include *Pope v Cura, Inc.*, Case No. 20CV05932, Multnomah County Circuit Court; *Krinsk, et al. v Monster Beverage Corporation, et al.*, San Diego Superior Court, Case No. 37-2014-00020192-CU-BT-CTL; *Helmick v. Air Methods Corp.*, Alameda Superior Court, Case No. RG 13665373; and *Kerr v. The New York Times Co., et al.*, San Diego Superior Court Case No. 37-2016-000010125-CU-MC-CTL.

CASE BACKGROUND

7. CPT understands the Settlement Class is defined as all persons who paid for and/or acquired tickets to the 2016 NFL Hall of Fame Game, excluding Reimbursed Class Members (as defined in the Settlement Agreement), any judge who presides over this action, as well as all past and present employees, officers and directors of Defendant.

8. CPT also understands there are approximately 3,580 class members and contact information is available for only a portion of the class (i.e., 633 members), to whom CPT disseminated notice of the Court's certification of the class and of the Phase 1 liability trial. The notice plan described in this declaration will include both direct notification through traditional means such as mail and email, as well as supplemental notification with the objective to provide adequate notice to potential members of the Settlement Class as defined above in paragraph 7 through alternative noticing efforts.

IDENTIFICATION OF TARGET AUDIENCE

9. To best reach the unidentified Settlement Class Members through a notice program, CPT Group researched and utilized MRI-Simmons¹ data. The data CPT gathered was based upon people who regularly attended Monday, Thursday or Sunday night games in the last 12 months.

10. Utilizing syndicated data like MRI is a well-accepted way of developing a notice plan, and aids in understanding the socio-economic characteristics, interests and practices of a target group. This in turn guides the proper selection of media to reach that target audience. To identify the best media outlets to deliver messages to the target audience, CPT reviewed the media quintiles,² which measure the degree to which an audience uses media relative to the general population.

NOTICE PROGRAM

11. **Direct Mail:** CPT will disseminate the Postcard Notice by mail to the potential Settlement Class Members for whom there is a mailing address available. Pursuant to the contact list provided by Defendant to CPT in May 2022, a mailing address is available for more than **90 percent** of the potential Settlement Class members on the list. CPT will disseminate the form of Postcard Notice approved by the parties to the litigation and the Court. To increase the success rate of deliverability of the Postcard Notice, prior to mailing, CPT will update the mailing addresses, first using the National Change of Address program (“NCOA”), and then a Best

¹ CPT frequently uses and relies on MRI data and based on our experience and MRI’s reputation in the industry, considers it a reliable source. MRI describes its data as follows, and CPT agrees with this description: “MRI’s Survey of the American Consumer® is the largest and most authoritative study of adult consumers in the United States. No other organization, not even the U.S. Census Bureau, can tell you more about Americans as consumers. All information collected in the Survey comes from a single set of respondents, ensuring data integrity and reliability. MRI interviews approximately 24,000 consumers every year in towns, cities, and counties across the contiguous 48 states. Crucial to the Survey’s success is the relationship MRI develops with respondents. Interviews are conducted in consumers’ homes, face-to-face, and followed up with a comprehensive self-administered survey. In a national probability study such as the Survey of the American Consumer, the higher the response rate, the more reliable the data. MRI’s highly trained interviewers consistently generate the highest response rates in the industry.” (GfK US MRI, LLC. D/B/A MRI-Simmons, 2019, p.1/para.1)

² Viewers, listeners, readers or consumers of a particular product etc. are ranked according to their usage and then divided into five equal groups, or quintiles, ranging from the heaviest to the lightest in media exposure, or product consumption.

Address (XML Lex ID) trace through Lexis Nexis on any records identified as undeliverable by NCOA. CPT will track Postcard Notices that are returned as undeliverable from the post office and will promptly re-mail any with a forwarding address. For those Postcard Notices returned without a forwarding address, CPT will run an Accurint batch skip trace in attempt to obtain a current mailing address and resend the Postcard Notice to any more current address available.

12. **Email Notice:** CPT will disseminate the Email Notice to the potential Settlement Class Members for whom there is a valid email address in our database. Pursuant to the contact list provided by Defendant in May 2022, and results from the email notice campaign for the class certification mailing in March 2023, a valid email address is available for more than approximately **75 percent** of the potential Settlement Class Members on the list. CPT will disseminate the form of Email Notice approved by the parties to the litigation and the Court. CPT will track all undeliverable emails.

13. **Text Notice:** In addition, CPT will disseminate the Text Message Notice to the potential Settlement Class Members for whom there is a valid mobile telephone number. Pursuant to the contact list provided by Defendant in May 2022, and results from the text notice campaign for the class certification mailing in March 2023, a valid mobile telephone number is available for more than **50 percent** of the potential Settlement Class Members on the list. CPT will disseminate the form of Text Message Notice approved by the parties to the litigation and the Court to the available mobile telephone numbers, which will direct the recipient to the case website for additional information. Delivery status will be available after messages are sent.

14. **Supplemental Notice:** Using research tools and methodology accepted within the advertising industry, CPT has designed a customized publication notice campaign to ensure adequate reach to the presumed target audience. Upon court approval, CPT and its strategic partner will implement a supplemental notification plan that layers a mix of media tactics and channels that includes the following:

- a. **Programmatic Display:** Using programmatic display advertising through DSP platform (accessible via desktop and mobile devices), CPT will utilize

user interests, behaviors, and affinity audiences, to serve ads on contextually relevant sites and apps to the target audiences. The display ads will run as a rotating display on these sites and will drive users to the landing page. Key targeting can include interest in the Green Bay Packers, Indianapolis Colts, NFL Stadiums, Sports Attendees, and more. CPT will also utilize Google Display Network to run targeted placement ads on websites including, but not limited to: www.packers.com, www.colts.com, www.nbcsports.com, www.espn.com, www.fantasypros.com, www.games.espn.com, and www.nfl.com.

- b. **Social Media:** Social media channels are a great audience reach extension tool. Facebook and Instagram have some of the most sophisticated and accurate audience targeting capabilities available. CPT will utilize advertising through Facebook's Ads Manager platform. Ads will appear on a rotating basis with other advertising campaigns as a Sponsored Ad. Audiences will be grouped and targeted according to their specific interests and behaviors. Key interest targeting will be determined by CPT together with counsel and may include interests such as: Green Bay Packers, Indianapolis Colts, PackersNews, Green Bay Packers Cheeseheads, Packers Fans, Packers Everywhere, Green Bay Packers Hall of Fame, Green Bay Packers Football, Green Bay Packers on 247Sports, GreenBay Packer Nation, We Are Packer Fans, 2012 Green Bay Packers season, Indianapolis Colts Football, Indianapolis Colts Cheerleaders, the players inducted in the 2016 Hall of Fame class, etc....
- c. **Paid Search:** To further increase the effectiveness of the campaign, CPT will utilize advertising through Google and Bing keyword bidding. When a user searches a relevant keyword, the text ad will have the opportunity to appear on a rotating basis with other advertising campaigns as a Sponsored

Ad. Keywords will be determined by CPT together with counsel and may include such terms as “Green Bay Packers 2016”, “Colts and Packers Class Action”, and “Hall of Fame Stadium Lawsuit”.

- d. **Press Release:** To bolster the digital notice campaign efforts and provide notice to unknown class members, CPT will disseminate a press release on PR Newswire US1 National Newswire plus micro list covering “football.” The press release should draw media attention and gain additional publicity as the release will contain sufficient information for any interested news organization or author to write a news story. The press release may contain up to 500 words.

15. **Website:** CPT will maintain and administer a dedicated settlement website at www.2016HallOfFameGameClassAction.com that will be informative and easy for potential members of the class to navigate. The website will be optimized for mobile users and maximize search engine optimization through key words and metadata to increase search engine rankings. The website will include links to the parties’ Settlement Agreement, the Court’s Order Granting Preliminary Approval of Class Action Settlement, the First Amended Complaint, the long-form class Notice, “FAQs”, all applicable deadlines, and other relevant filings and orders as instructed by the parties or the Court. In addition, the website will provide the information necessary to submit a claim electronically, and to submit an Opt-Out Request electronically. The website address or a hyperlink will also be displayed on all notifications described above.

16. **Toll-Free Number/IVR:** CPT will establish a dedicated toll-free support hotline with Interactive Voice Response (“IVR”) capabilities to provide potential Settlement Class Members with (a) general and detailed information about the Action; (b) answers to frequently asked questions, and (c) information relating to a Settlement Class Member’s options under the terms of the Settlement. Callers will have the option of speaking to a live agent during normal business hours Monday through Friday, 8:30 AM – 5:30 PM PST or to leave a voicemail, which will be returned during normal business hours.

17. **Case Email Address:** CPT will establish a dedicated case email address and inbox as an additional means of communicating with Settlement Class Members. Inquiries about the Settlement may be sent to the case email address throughout the duration of the administration.

18. The Notice Plan described above specifically targets potential class members through multiple channels, media tactics and platforms and meets the media consumption profile of the target audience. These platforms have been identified as the best resources to reach the prospective targeted audience and the most cost-effective solution. According to the Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide, "a reasonable reach is between 70-95% with a median reach on approved notice plans at 87%." This notice plan is projected to reach 85% of the target audience at a frequency of 2.5-3X over 40 days.

19. In CPT's experience, the plan as outlined within this declaration is consistent with other class action notice plans that have been approved by both state and federal courts nationwide, including: *Pope v Cura, Inc.*, Case No. 20CV05932, Multnomah County Circuit Court; *Broomfield v. Craft Brew Alliance, Inc.*, Case No. 5:17-cv-01027-BLF (N.D. Cal); *Morrison v. Ross Stores, Inc.*, Case No. 4:18-cv-02671-YGR (N.D. Cal); *Jacobo, et al., v. Ross Stores, Inc.*, Case No. 2:15-cv-04701-MWF-AGR_x (C.D. Cal.); *Smith v. ANI*, Case No. 2:18-CV-04004-MDH (W.D. MO); *Bokelman v. FCH Enterprises, Inc.*, Case No. 18-cv-00209-RJB-RLP (D. Haw); and *Krinsk, et al. v Monster Beverage Corporation, et al.*, San Diego Superior Court, Case No. 37-2014-00020192-CU-BT-CTL.

NOTIFICATION TIMELINE

20. CPT will implement the Notice Plan as set forth in the following timeline:

Item Description	Date
Direct notice by mail and/or email, and/or text message.	Within 14 days of entry of Order Granting Preliminary Approval
Commencement of 40-day digital and social media notice campaign, and press release.	Within 21 days of entry of Order Granting Preliminary Approval
Notice Program complete	40 days after commencement.

CLAIMS, OBJECTIONS AND REQUESTS FOR EXCLUSION

21. CPT understands that Claim Forms may be submitted by Settlement Class Members through the settlement website or by mail up to and through the claim form deadline. Settlement Class Members who submit a valid and timely Claim Form accompanied by the required documentation are eligible for reimbursement of certain documented or undocumented expenses.

22. CPT further understands that requests for exclusion (i.e., opt-outs) may be submitted by Settlement Class Members through the mail and CPT will maintain a record of all opt-outs received keeping the parties apprised throughout the administration process.

23. Objections must be in writing and filed with the court. CPT will maintain a record of and promptly inform the parties of any objections we may receive.

CONCLUSION

24. The Notice Program as described herein is consistent with similar effective, court-approved notice programs, as referenced in paragraphs 11-19 above, and will provide the best notice practicable given the circumstances. Based on our experience with similar cases, this Notice Program is designed to provide the Settlement Class Members with notice of their legal rights and comports with due process requirements. CPT expects to reach an acceptable percentage of the target audience/settlement class through combined efforts including direct notice, digital display advertisement, social media advertisement, paid search and press release.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 3, 2023, at Irvine, California.


JULIE N. GREEN

EXHIBIT 3

CURRICULUM VITAE



50 Corporate Park
Irvine, CA 92606



www.CPTGROUP.com



1 (800) 542-0900

COMPANY PROFILE

CPT Group, Inc. ("CPT"), founded in 1984, is a leading provider of notice and settlement class action administration services and has been appointed as the third-party administrator by all major courts. Throughout our history, CPT has disbursed billions of dollars in settlement funds, serviced tens of millions of class members, and administrated over 5,000 cases. CPT offers a wide range of class action administrative services for developing, managing, and executing all stages of integrated notice plans and settlements. This includes pre-certification and discovery mailings, class-certification mailings, claims processing and administration, data management, data reporting, settlement fund administration, legal noticing campaigns, website design, and web hosting. The project management team, call center, data entry center, IT, and production facilities are all located at the corporate headquarters in Irvine, CA.

QUALITY ASSURANCE & SECURITY

The integrity of CPT's work and our stringent quality assurance protocols are strengthened by the staff's ability to operate in close proximity keeping the work managed in-house. With a commitment to rigorous security protocols and controls, CPT upholds an obligation to its clients to maintain data and cyber security practices that comply with AICPA SOC 2 - Type II.

DIVERSITY & INCLUSION

CPT believes that promoting diversity starts with a commitment to building understanding and awareness. Diversity is not just cultural or ethnic, it includes people of all ages and backgrounds. We are guided by a commitment to removing barriers to the recruitment, retention, and advancement of talented individuals from historically excluded populations. CPT recruits and rewards team members based on capability and performance, regardless of race, gender, sexual orientation, gender identity or expression, lifestyle, age, educational background, national origin, religion, or physical ability.

AREAS OF EXPERTISE

- **PROJECT MANAGEMENT** - At the heart of our administrative capabilities is the ability to manage and process our cases as a neutral TPA with efficiency, accuracy, and in compliance with the terms of the parties' agreement. Our skilled approach in the use of technology, effective management, and quality assurance is the core of our operation.
- **Claims Administration** - CPT conducts extensive Quality Assurance processes throughout the duration of the claims period. Any responses received from Class Members are processed according to our strict internal procedures and in accordance with the Settlement Agreement. Counsel is provided with all required reporting, including, where applicable, a list of approved claimants and the settlement calculations for each.
- **Call Center** - CPT's case support representatives stand ready to service all case inquiries offering live, multi-lingual, 1-1 response, 5 days a week during business hours (extended hours available). Interactive Voice Response (IVR) assures that class members receive the assistance and support they require 24 hours a day. A proprietary call tracking system combined with highly trained representatives ensures an accurate class member history for each and every call.
- **Data Management/Reporting** - Through programmatic analysis, CPT will standardize the class data to compile a master mailing list. CPT prepares weekly status reports for each case that summarize the status of returns and responses such as mail pieces and claim form submissions. CPT is SOC 2 Type II certified, which ensures necessary measures are taken to safeguard all class member data.
- **Noticing Expertise** - CPT's legal notice experts have a combined experience of over 25 years in the industry and come together to plan a successful notice campaign based on the requirements of the Settlement. After strategizing and consulting with Counsel, our team will determine the best method of notification to reach your intended target audience. Whether notification will be through means of a known or unknown data set, CPT will execute the campaign with precision and accountability.
- **Settlement Fund Administration** - CPT's team of tax and accounting professionals manages all fund distributions through a rigorous and supervised process. Stringently following the terms of the Court Order, CPT maintains its Qualified Settlement Fund (QSF) accounts through federally insured banks with access restricted to authorized personnel only. On behalf of the QSF, CPT will handle all remittances and reporting to local, state, and federal tax authorities.

EXPERIENCE

CPT has extensive experience providing court-approved notice and administration services in complex, large fund, and top-tier class action settlements across a broad spectrum of unique subject matters. Below are highlights from a few relevant cases we handled:

- ***Helnick v. Air Methods Corp., Alameda County Superior Court, Case No. RG13665373:*** (*Top Settlements, 2020*) Administration of this \$78,000,000 employment settlement included direct mailed notice to class members, production and maintenance of a settlement website, and distribution of over \$48,000,000 to eligible claimants.
- ***Wackenhut Wage and Hour Cases, Los Angeles County Superior Court, Case No. JCCP Np. 4545:*** (*Top Settlements, 2019*) To notify potential class members in this \$130,000,000 wage and hour settlement, CPT provided email and text notice in both English and Spanish, maintained a dedicated settlement website with an online claims portal, and a toll-free support hotline. CPT's outreach efforts resulted in a 57.14% filing rate.
- ***Sanchez v McDonald's Restaurants of California, Los Angeles County Superior Court, Case No. BC499888:*** (*Top Settlements, 2019*) Notice methods in this \$26,000,000 wage and hour settlement included both mailed notice in both English and Spanish and email notification, as well as a settlement website and toll-free case support hotline.
- ***Augustus et al. v. American Commercial Security Services, Inc., Los Angeles County Superior Court, Case No. BC336416:*** (*Top Settlements, 2018*) Administration duties in this \$110,000,000 employment settlement included direct mailed notice to class members in both English and Spanish and distributing over \$72,000,000 in settlement funds to valid claimants.
- ***Abdullah v U.S. Security Associates, Inc., Case No. 2:15-cv-09-00984 PSG-E (C.D. Cal.):*** (*Top Settlements, 2018*) Administration of this \$21,000,000 wage and hour settlement included direct mailed notice to class members, class member support hotline and distribution of over \$13,000,000 to eligible claimants.
- ***Thompson v. 1-800 Contacts, Inc., Vision Direct, Inc., Walgreens Boots Alliance, Inc., Walgreen Co., Arlington Contact Lens Service, Inc., National Vision, Inc., Luxottica of America, Inc. (f/k/a Luxottica Retail North America, Inc.), Case No. 2:16-cv-01183 (D. Utah):*** This \$40 million-dollar anti-trust settlement comprised of four settlement classes required design and implementation of a robust, multi-faceted two-part notice program with a multi-layered media campaign combining the use of various digital advertisement platforms, a press release, a dedicated settlement website with an online claims portal, and a toll-free support hotline. The notice program also included an e-mail notice campaign to approximately 10,000,000 potential class members. Combined notice efforts resulted in over 140,000 claimants.
- ***Broomfield v. Craft Brew Alliance, Inc., Case No. 5:17-cv-01027-BLF (N.D. Cal.):*** CPT's outreach efforts in this \$20 million consumer settlement included a multi-media channel approach to notice which employed direct mailed notice and a digital, social, and mobile media campaign which reached an impressive 91.43% of the targeted 8,000,000 class members. CPT processed both electronic and hard copy claim forms and valid claimants were paid via paper checks, e-Check, and ACH.
- ***Livingston v. MiTAC Digital Corporation, Case No. 4:18-cv-05993-JST (N.D. Cal.):*** In this matter, CPT was charged with distributing direct notice via email and mail as well as the design and execution of a multi-media channel supplemental notice campaign that combined the use of various digital advertisement platforms, a nationwide press release, print publication, a dedicated settlement website, and a toll-free support hotline. Combined, these efforts reached 82% of the targeted audience. Claims processing included claim forms submitted both digitally and hard copy and valid claimants received paper checks.
- ***Lim, et al. v. In re Vendi, Inc., Superior Court of the State of California, County of Santa Clara, Case No. 1-14-CV-259897:*** In this \$3 million data breach settlement, CPT notified approximately 9,000,000 potential class members through a combination of email, postcard, and publication notice. Claims processing included claim forms submitted both digitally and hard copy, and valid claimants received paper checks.

EXPERIENCE

- ***Mael v. Evanger's Dog and Cat Food Co., Inc., et al. Case No. NO. 3:17-cv-05469-RBL (W.D. Wash):*** Notice efforts included a multi-media program designed to reach settlement class members through a combination of direct and supplemental notification methods. Email, internet banner and social media advertisements, a dedicated settlement website, and a toll-free support hotline were used to effectively reach 87% of the target audience nationwide. CPT processed both electronic and hard copy claim forms and valid claimants were paid cash awards or product certificates.
- ***Jacobo, et al. v. Ross Stores, Inc., Case No. 2:15-cv-04701-MWF-AGRx (C.D. Cal.):*** In this \$4.85 million consumer settlement, CPT notified approximately 9,000,000 potential class members via direct email notice and a media campaign that combined the use of various digital advertisement platforms, a nationwide press release, print publication in People magazine, a dedicated settlement website, and a toll-free support hotline. Ultimately, CPT processed 285,000 claims and disbursed \$3,000,000 in merchandise certificates.
- ***Gold, et al. v. Lumber Liquidators, Inc., Case No. NO. 3:14-cv-05373-RS (N.D. Cal.):*** The Notice Plan for this matter relied heavily on direct notice, but to ensure effective reach also encompassed supplemental notice efforts including digital advertisements, a nationwide press release, a dedicated settlement website, and a toll-free support hotline. CPT processed claims submitted electronically, and hard copy and valid claimants were paid via a combination of paper checks and vouchers.
- ***Bokelman, et al. v. Zippy's/FCH Enterprises, Inc., United States District Court for the District of Hawaii, Case No. 18-00209-RJB-RLP:*** Notice efforts for this data breach settlement included a multi-media program designed to reach settlement class members through a combination of direct mail, email, in-store notice, and supplemental media. The digital notice campaign served impressions for 8-weeks across Google Display Network (GDN), programmatic display, press releases, Facebook, Instagram, Twitter, print publication, and Google Ads. Overall, the supplemental notice campaign alone reached 72% of the target audience nationwide.
- ***Coleman, et al. v. Boys Town National Research Hospital, District Court of Douglas County, Nebraska, Case No. D01C118008162:*** Notice to 98,957 class members in this data breach settlement was mailed in April 2020 when CA businesses were under stay-at-home orders. CPT was able to execute and carry out all administrative duties outlined in the settlement agreement without any disruption due to our robust Pandemic Policy that was immediately put into practice once the Governor gave executive orders.
- ***Christofferson, et al., v. Creation Entertainment, Inc., Superior Court of the State of California, County of Los Angeles, Case No. 19STCV11000:*** Notice efforts for this data breach settlement included a multi-media program designed to reach settlement class members through direct mail, email, and supplemental media. The digital notice campaign served impressions across Google Display Network (GDN), programmatic display, PR Newswire national Newswire, Facebook, Instagram, Twitter, print publication, Google Ads and Bing Ads. CPT's supplemental notice program reached 75% of the target audience nationwide. In addition, CPT served notice to 94.6% of the class members for whom the defendant provided an email address and 99.5% by mail. CPT reported a 3.79% filing rate.

SERVICES

- Pre-Settlement Consultation
- Pre & Post Certification Notification
- Data Analysis
- Bilingual Call Center
- Notice & Media Campaigns
- Claims Processing
- Secure Data Management
- In-House Printing Services
- Electronic Notification
- Website Design & Hosting
- Settlement Fund Distribution
- Electronic Distribution Options
- Tax Compliance & Reporting
- Secure Data Reporting

QUALIFICATIONS & EXPERIENCE OF KEY PERSONNEL



JULIE N. GREEN, **Senior Vice President of Operations** **Notice Expert**

With 17 years at CPT, Julie Green is a driving force behind the company's ongoing success. Through oversight responsibilities for the entire operation, she has an expert hand in all aspects of notice administration and demands quality and success for each step of the process. Making informed recommendations to meet the goals of complex and unique settlements, Julie has been responsible for the design and or implementation of thousands of class action notice programs. She understands the necessary mechanics to ensure that effective notice is executed while making certain neutrality and client confidentiality is continually maintained. In her position, Julie leverages the Operations Team's abilities to meet the goals and objectives of the Business Development Team, while ensuring that CPT's clients are met with exceptional service and a successful notice program. Julie holds a BA in Drama and Psychology & Social Behavior from the University of California, Irvine.

RANDI J. MARTZ, **Director of Marketing & Business Development** **Notice Expert**

Ms. Martz serves as Director of Marketing and Business Development and has been with CPT Group for more than 13 years. Randi is responsible for critically analyzing the requirements of a settlement for legal notification through secondary market research, data analysis, planning, and execution. Upon consulting with clients to determine the needs of the Settlement parties, Randi finds ways to increase efficiencies to implement cost savings for the RFPs. She is also tasked with researching and analyzing target markets to develop strategic and tactical plans to grow the business. As the liaison between the Business Development and Operations Teams, Randi collaborates on identifying critical business development and marketing opportunities to strengthen the Settlement and Client's core objectives. Randi received her B.A. in Business Administration, a Professional Concentration, from California State University of Fullerton.

JACQUELINE N,K. HITOMI, **Director of Settlement & Treasury Services**

Jackie Hitomi is the Director of Settlement & Treasury Services at CPT Group. With 15 years of experience in the class action industry, Jackie oversees the distribution process and is responsible for ensuring the accuracy of settlement calculations and compliance with court-approved agreements. Jackie manages a team of disbursement and tax administrators and provides guidance to the case management team for complex settlements. As a Director, Jackie serves as a trusted contact for clients and assists with the effectuation of multifaceted projects. She is also a key contributor to the development and execution of the settlement administration process. Jackie began her legal career as a Paralegal at the Orange County District Attorney's Office and has also held Senior Paralegal positions in several law firms in Orange County and Los Angeles. She received her B.A. in International Relations and Law & Public Policy, from the University of Southern California, and completed the ABA Paralegal Studies from the University of California, Los Angeles.

ABEL E. MORALES, **Director of Operations**

Abel Morales is the Director of Operations at CPT Group. Since joining CPT in 2010, Abel has handled hundreds of class action cases from inception through distribution and has become an expert in complex settlements. He is the primary client contact and is well trusted for his expertise in the class action industry. Abel oversees the Claims Processing Department, Production Department, and Class Member Support Services. His wide range of expertise provides valuable insight into all facets of the Administration process. Prior to CPT Group, Abel was a Senior Analyst for 9 years at a prominent Fortune 500 mutual insurance holding company. Abel also holds a B.A. in International Finance from the California State University of Fullerton. He is bilingual in Spanish.

QUALIFICATIONS & EXPERIENCE OF KEY PERSONNEL



DAVID TAWEI CHAO, **Sr. Data Analyst, Associate Director**

David started his IT career in 1998 and has always been passionate and found great joy in helping companies in different industries and sizes to explore, understand and integrate their data assets into their businesses. David's specialty is to build architecture and processes to realize the true power of their data through technologies like Business Intelligence, Cloud Computing, Data Science, and Analytics. David's past projects include notable companies like Ally Financial, Bank of America, UBS, and The Walt Disney Company. David and his team serve as DevOps at CPT and provide system support and production enhancements for our existing applications. The data team assists with complex data-related analysis, analytics, and reporting needs. David holds a master's degree in Management Information Systems from Northern Illinois University, located in DeKalb, IL.

J. LES GAINOUS, **Software Development Manager**

J. Les Gainous has over 30 years of experience in developing and architecting enterprise-level software applications, with 10 of those years as a solutions architect with the Microsoft Corporation. At Microsoft, Les was involved with major software application projects at many Fortune 50 companies, including corporations such as Motorola, Toyota America, Merck Pharmaceuticals, Chevron, VISA America, and Charles Schwab. At CPT his team is primarily responsible for architecting and engineering CPT's Line of Business software application. The application allows cross-case functionality via a centralized system-of-record data store. Having this cross-case functionality, the application allows for automating sets of processes around the administration of class action cases. Along with automation, his team minimizes data redundancies. Les is a graduate of Florida State University with a BS in Business Administration and a minor degree in Computer Science.

TIM CUNNINGHAM, **Supervising Case Manager**

Tim Cunningham has successfully managed over 400 cases in his 11 years at CPT Group. As Supervising Case Manager, under his direction, a team of Case Managers and Assistants are trained and guided to oversee all case activity—from administrative conception to disbursement. Tim and his team are also the primary contact between the firm and Counsel while also working closely throughout administration with the IT, Mailing, Claims, and Call Center departments. Prior to CPT Group, Tim was a Lead Relationship Manager for 10 years at a prominent Fortune 500 mutual insurance holding company. Tim earned his B.A. in Public Administration with a minor in English from California State University San Diego.

ALEJANDRA ZARATE, **Supervising Case Manager**

Alejandra Zárate de Landa is CPT Group's Case Quality Assurance Manager. In her role, she is responsible for analyzing the Stipulations of Settlement as well as the Court Orders to ensure compliance in all aspects of case administration as well as the allocation of settlement funds to class members. Alejandra started with CPT Group over 15 years ago in the claims department and became a Case Manager in 2009. She was promoted into her current role in 2016. Alejandra received her degree in Computer Engineering from Autonomous University of Baja California in Ensenada, B.C. Mexico. While earning her degree, she worked as a web development assistant and helped develop a web page for students interested in taking off-campus classes.

CAROLE THOMPSON, **Supervising Case Manager**

Carole Thompson is a Supervising Case Manager at CPT Group. In this role, she leads a team of Case Managers and Assistants and ensures the proper guidance and supervision is upheld for high accuracy levels and prompt adherence to court-ordered deadlines. She is also responsible for overseeing all case activities and having a comprehensive understanding of each case her team handles. Carole initially joined CPT in 2010 as a Case Manager. In her career prior, she spent 12 years in the Financial Industry at a prominent Fortune 500 annuities company. Then, when an opportunity took her family to Minot, North Dakota, she had to leave CPT, but gained 5 years of Human Resources expertise, first as Benefits Specialist at Trinity Health and then as a Benefits Coordinator at Food Management Investors, Inc. Upon returning to California in 2016, Carole rejoined CPT, providing a strong professional background to the team.

EXHIBITS

- EXHIBIT 1. CPT'S INFORMATION SECURITY STATEMENT
- EXHIBIT 2. CPT'S DATA AND SETTLEMENT FUND TRANSMISSION METHODS
- EXHIBIT 3. CPT'S COMPANY BROCHURE

EXHIBIT 1



Information Security Statement Confidential

CPT Group, Inc. (“Company” or “CPT”) maintains a comprehensive, written Information Security Program that complies with all applicable laws and regulations and is designed to (a) ensure the security, privacy and confidentiality of Class Member Information, (b) protect against any reasonably anticipated threats or hazards to the security or integrity of the Class Member Information, and (c) deny unauthorized access to, use, deletion, or modification of Class Member Information. As part of an ongoing effort, throughout its business CPT has implemented the following security controls and procedures:

- 1) Company uses Class Member Information only for the purposes for which Client provided it, as described in any Agreements and/or Court Order’s governing the provisions of the Company’s services on any particular engagement.
- 2) Company has designated one or more specifically named employees to be responsible for the administration of its Information Security Program.
- 3) Company has and maintains processes for identifying, assessing, and mitigating the risks to Class Member Information in each relevant area of the Company’s operations and evaluating the effectiveness of the safeguards for controlling these risks.
- 4) Company utilizes an EDR that runs and analyzes daily Risk Assessment and Threat Intelligence scans on all company computer stations, servers and protected network subnets. These scans search for any software vulnerabilities along with data containing sensitive information (“SI”).
- 5) All computers are provisioned with an advanced security stack. Company’s Endpoint Protection centrally reports activity, handles patch management and security policies. Company’s security stack is based on DNS and content filtering, deep packet inspection at the firewall level, antivirus/antimalware, email filtering and user behavior analysis. Each endpoint is monitored with modern Data Loss Prevention (“DLP”) software. Company’s DLP system prevents connection to unauthorized external storage, or cloud systems. It actively blocks screen prints and will not allow confidential user information to be sent out of our trusted network.
- 6) Login access to Company email or systems requires two factor authentication, which requires not only a password and username but also something physical, like user location, secure ID token or biometrics.
- 7) Company regularly monitors, tests and updates its Information’s Security Program.
- 8) Company restricts access to Class Member Information only to those employees, agents, or subcontractors who need to know the information to perform their jobs.
- 9) Company performs an annual audit of its Information Security Program and maintains compliance with **AICPA SOC 2 Type II**. This includes a review of the controls: vulnerability scans, secure software development life cycle, patch management, intrusion detection and prevention, encryption of storage media and devices. Company makes reasonable changes to its Information Security Program to ensure it can maintain safeguards that are appropriate for the Class Member Information at issue.
- 10) At Client’s request, but only when and in a manner consistent with applicable Agreements and/or Court Orders, Company will securely destroy or return all Class Member Information in its possession and certify to Client in writing that Company has done so. If Company destroys Class Member Information rather than return it, Company will use destruction methods in compliance with all applicable state and federal laws and regulations, including NIST Special Publication 800-88, Revision 1 (2015). This obligation to return or destroy information shall not apply to Class Member Information that is stored in backup or other disaster recovery systems, archives or other storage systems that make it impractical to

destroy the information, but if Company retains Class Member Information for these reasons, its obligation under the Settlement Agreement will continue to apply for so long as it retains the information. Additionally, the Company will retain all hard copy documents (i.e. Claim Forms, etc.) for a period of 6 months, at which time they are scanned and shredded on Company premises in compliance with NIST and SOC Cybersecurity Framework.

- 11) Company performs extensive background checks (County Criminal, County Civil and National Criminal Database Search) of all its employees, including a review of their references, employment edibility, and education verification to ensure they do not pose a risk to the security of Class Member Information or Clients employees. Company will provide, upon request, a copy of its background check requirements for Clients review and approval. Nothing in this document shall compel Company to disclose the results of such background information of its employees.
- 12) Company conducts a monthly third-party credentialed vulnerability assessment with Trustwave. Vulnerabilities rated as high are patched/resolved within 48 hours, medium within 1 week, and low within 2 weeks. If a vulnerability cannot be resolved within our standard timeframe, a compensating control will be introduced to protect the vulnerable systems. To ensure Company receives timely information regarding new threats and vulnerabilities, Company subscribes to US-CERT notices as well as notices are received from Sonicwall and CrowdStrike. New threats are communicated to our executive and leadership team to disseminate to all employees within the company.
- 13) Company has implemented the following safeguards for systems that process, store or transmit Class Member Information:
 - Identify and Access Management.
 - Windows password complexity with a specific length, history, upper and lower characters, numbers, expiration every 45 days.
 - Two-Factor authentication for remote access.
 - Removable media devices, personal web-based email, instant message, or online storage (i.e. Dropbox, Google Drive, iCloud, etc.) are blocked and restricted.
 - Company uses the Microsoft Office 365 to host corporate email.
 - Company uses the HTTPS or SFTP standard for all data transmissions and ensures that all Client Data is encrypted while in transmission between Company's data center and the Company's computer system or other devices (as applicable) and at rest, consistent with SOC 2 Type II standard, but no less than a 128-bit key for symmetric encryption and a 1024-bit key for asymmetric encryption.
 - Company requires its clients and self to transfer files with sensitive Class Member Information via a secure transmission protocol through Citrix Sharefile FTP which secures file during transfer with SSL/TFL encryption protocols and in storage using AES 256-bit encryption. Links to files expire after 7 days. Company requires all files transferred in this method to be password protected during transmission and password to be provided telephonically. Files are retrieved by Company, and then deleted manually upon successful download (or auto deleted after 7 days from upload by system).
 - Upon hire and annually thereafter, security training of all employees using the online security training platform Knowbe4. Users are required to complete one hour of security training per year. Users are required to take tests online to ensure they've retained the knowledge. Topics covered are spear phishing emails, compromised website, social engineering, strong passwords, ransomware, handling sensitive information, mobile device security.
 - Company actively tests security defenses. Staff participate in simulated phishing exercises to reinforce previous training. Company also conducts monthly external penetration tests and daily internal vulnerability scans to ensure the integrity of our security measures.
 - Terminated employees are immediately prevented from accessing Class Member Information.
 - Appropriately configured and updated firewall, antivirus, and spyware software;
 - Separation of Duties.
 - Business Continuity Planning.

- Disaster Recovery Planning.
- Pandemic Recovery Planning

- 14) Company's physical security requires that employees use an encoded card-key to gain access to the facility as all doors are mechanically locked at all times. Employees can only enter or exit through a front door or back door, both of which are protected by security cameras. Inside the facility, secure areas in the office that contain checks or sensitive material are also protected by electronic card-key badge access and limited to select employees. Security cameras monitor the areas that contain the sensitive material and audits are conducted periodically on the area. Access to the server room is strictly limited to only five individuals and protected by the encoded card-key badge access. Security cameras monitor the inside and outside of the secured area with audits being conducted periodically.
- 15) Company staff are required to maintain in compliance with the Information Security Policies, Compliance Manual, and Non-Disclosure Agreement. The matters covered in the Code of Business Conduct and Ethics are of the utmost importance to the Company and are essential to the Company's ability to conduct its business in accordance with its stated values. We expect all officers, directors, employees, agents, contractors and consultants to adhere to these rules in carrying out their duties for the Company. The Company will take appropriate action against any officer, director, employee, agents, contractor or consultant whose actions are found to violate these policies or any other policies of the Company. Disciplinary actions may include immediate termination of employment or business relationship at the Company's sole discretion. If the Company has suffered a loss, then it may pursue its remedies against the individuals or entities responsible. If laws have been violated, then the Company will fully cooperate with the appropriate authorities.

Definitions

- 1) **"Class Member Information"** means Class Member name, address, or other contact information and class member claim filing information necessary for Company to perform services required by applicable Agreements or Court Orders in context to the Administration of a Settlement or other Class Action litigation.
- 2) **"Client"** means collectively Plaintiff Counsel and Defense Counsel, Plaintiff and Defendant.
- 3) **"Client Data"** means proprietary or personal data regarding Client or any of its Class Members under the Settlement Agreement, as provided by Client.
- 4) **"Company"** means CPT Group, Inc. a reputable third-party Claims Administrator selected by all the Parties (Plaintiff and Defense Counsel) to administer the Settlement or Notification Mailing.
- 5) **"Sensitive Personal Information"** means any non-public information of CPT or Client disclosed by either party to the other party, either directly or indirectly, in writing, orally or by inspection of tangible objects, or to which the other party may have access, which a reasonable person would consider confidential and/or which is marked "confidential" or "proprietary" or some similar designation by the disclosing party. Confidential Information shall not include any information which the recipient can establish: (i) was or has become generally known or available or is part of the public domain without direct or indirect fault, action, or omission of the recipient; (ii) was known by the recipient prior to the time of disclosure, according to the recipient's prior written documentation; (iii) was received by the recipient from a source other than the discloser, rightfully having possession of and the right to disclose such information; or (iv) was independently developed by the recipient, where such independent development has been documented by the recipient.

EXHIBIT 2

TRANSMISSION METHODS FOR SENSITIVE INFORMATION

CPT Group, Inc. ("CPT") maintains strict guidelines for the submission, transfer, and protection of Client Data and Wire Information.

A. CLIENT DATA TRANSMISSION METHODS

Counsel shall submit all Client Data to CPT as follows:

1. Link provided by CPT to secure FTP (sharefile) for transfer of data files.
2. All files uploaded should be password protected.
3. Password provided to CPT personnel telephonically.
4. Once files are uploaded to and retrieved, files are deleted (files set on autodelete after 7 days of upload).

Counsel agrees and acknowledges that the above method is the only method authorized by CPT to receive Client Data. Attempts to transmit Client Data by other means are customarily not accepted. In the event Counsel utilizes other means to transmit or attempt to transmit Client Data, CPT disclaims all responsibility for such transmissions or attempted transmissions.

B. BANK WIRE INFORMATION

Incoming from Defense Counsel to QSF.

CPT provides Qualified Settlement Fund bank account wire instructions to Defense Counsel as follows:

1. Wire instructions are printed in PDF format, are uploaded with password protection, and are made available to Defense Counsel via secure Sharefile.
2. CPT will call Defense Counsel directly and provide the password telephonically.
3. Defense Counsel is requested to then call CPT prior to wiring funds to confirm receipt of all applicable information.

Defense Counsel agrees and acknowledges that the above method is the only method authorized by CPT to communicate QSF wire instructions. CPT will decline attempts by Defense Counsel to receive such instructions by other means. In the event Defense Counsel utilizes other means to transmit or attempt to transmit wire instructions, CPT disclaims all responsibility and liability for such transmissions or attempted transmissions including without limitation for any unauthorized access, acquisition, destruction, or loss of such wire instructions.

Outgoing from QSF to Plaintiff Counsel.

1. CPT does not send passwords via email either internally or externally.
2. For wire instructions for Plaintiff Counsel, such instructions should be communicated to CPT either by phone or by secure Sharefile.
3. CPT will confirm wire information on file with the bank name and last four digits of the account number only.

Plaintiff Counsel agrees and acknowledges that the above method is the only method authorized by CPT to communicate wire instructions. CPT will decline attempts by Plaintiff Counsel to receive such instructions by other means. In the event Plaintiff Counsel utilizes other means to transmit or attempt to transmit wire instructions, CPT disclaims all responsibility and liability for such transmissions or attempted transmissions including without limitation for any unauthorized access, acquisition, destruction, or loss of such wire instructions.

EXHIBIT 3



Class Action Administrators

The Industry's Premier
Class Action Administrator

CPT Group is the Nation's premier Class Action Claims Administrator handling a broad spectrum of cases with value-added, single-source expertise, and premier service.



Putting CPT Group in place as your Administrator influences every element of the process thereafter. Rely on us to analyze, plan, and administrate with integrity, drawing from a broad base of administration experience with class action settlement and beyond.

Value Added Philosophy

CPT Group's cadre of experts understands how each piece of the administrative puzzle fits seamlessly into the big picture. Dynamic, capable, and service-centric our elite staff delivers peak productivity and value. The longevity of our Administrators, stringently tested Case Managers, and trusted Consultants merge to assure neutrality, attention to detail and quality for "true-number" proposals and no costly surprises.

Best In Class Service

From informed Case Managers who are your single point of contact, to secure in-house resources, we work as one to bring you superior service you can rely on. Count on us to be fully up to date, aware of all contingencies, and espond with speed and accuracy.

Capabilities

Selecting CPT Group is the first step in determining the outcome of your settlement. Multifaceted capabilities, the distinct advantage of experience, particularly in cross category settlements, require that all pieces are organized, positioned correctly and put into place.

One team. One purpose. We put you first.

Proprietary Technology and Superior Workflow

Without doubt, the security of settlement information is of the utmost importance.

AdminLink: Internal Case Information Access Management

Exclusive proprietary technology offers access to real time reports, response rates and more, 24/7. With AdminLink, our operations staff can access current case information in one single location, ensuring every CPT staff member involved in your case is up to date and has all the information they need at their fingertips.

Comprehensive Marketing

Our onsite print/mail house and web development team not only affords you greater value and tighter security, we assure full legal compliance in all materials and up to date information for all class members, thereby reducing demands on client time and resources.

Comprehensive Service

Pre-Settlement Consulting

Entrusting class action administration to CPT Group is the first step in the confident achievement of the goals of the lawsuit. Our full spectrum consultation services address every critical area of need, providing clear and actionable planning combined with cost-effective administration.

- Preliminary Approval Declarations
- Settlement Agreement Consultation
- Timelines
- Scheduling
- Statistical Reporting
- Notice Campaign Planning
- Neutral Third Party Administrator

Legal Notification

CPT Group is adept at third-party data hosting and communication services using proprietary technology across multiple platforms, including print, media and online. Clear-language

documents, translated according to class member needs, support and guide members through a seamless case rollout, regardless of scope or complexity.

- Pre-Certification/Belaire West/Privacy Mailing
- Class Certification Noticing
- Settlement Notification
- Formatting Legal Notices
- Electronic Notification email/website
- Translation Services
- In-House Production
- Expert Legal Noticing Campaigns
- In-House Translation Services

Data Management

Quality, accuracy, speed and security are the cornerstones of CPT's proprietary technology and data management systems. We developed our specialized data management, analysis and reporting tools to move the skillset up, innovate new and better solutions and create a superior workflow with complete and timely accountability and efficiency.

- Data Analysis
- Data Entry
- Data Management
- Secure Data Transfer
- Data Reporting

Class Member Assistance

Customer response and targeted outreach receive multilevel attention. We have a massive capacity to handle this all-important aspect of settlement administration. Our multilingual call center offers class members 1:1 responsiveness. Interactive Voice Response assures that class members receive the assistance and support they require. Our proprietary, case-specific call tracking system uses dedicated toll-free numbers, and highly trained



representatives to document and maintain an accurate class member history of interaction.

- Live Call Center Support (multilingual)
- Interactive Voice Response (IVR) capabilities
- Proprietary Call Tracking System

Claims Administration

At the heart of CPT's administrative capabilities is our ability to process claims accurately, efficiently and in full compliance. Our skilled approach to using technology and controlling management costs is the bedrock of our effectiveness. Regardless of class size or case intricacy, we address all aspects of administration to provide comprehensive and complete solutions.

- In-House Secure Data Processing
- Track & Process Undeliverable Mail
- Claims Processing (mail/online)
- Host & Maintain Case Websites
- Secure Claims Validation

Settlement Fund Administration

CPT's centralized fund distribution process manages fully audited and securely supervised accounts, handling all aspects of Federal and State tax filings and forms printing and distribution to all recipients.

- Secure Disbursement Processing

- Qualified Settlement Fund (QSF) Management (establish/maintain)
- Federal and Multi-State Tax Reporting (W2/1099)
- Physical Checks, ACH, eCheck, Merchant eGift Cards, Merchant Physical Gift Cards, and Prepaid Debit Cards Options
- Escheatment of Unclaimed Settlement Funds
- Cy Pres Distribution

Widespread Experience

- FLSA
- Wage & Hour
- Labor & Employment
- PAGA
- Consumer
- Product Liability
- Data Breach Notification
- Government Services
- Insurance
- Securities
- Finance
- Antitrust
- ERISA

Contact Us 800.542.0900

CPT Group, Inc. is not just part of the solution. It is the solution. Please allow us to answer your questions and discuss your immediate and future needs.