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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALICIA HERNANDEZ, et al.,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 3:18-cv-07354 WHA

**SUPPLEMENTAL DECLARATION OF
SETTLEMENT ADMINISTRATOR
JENNIFER M. KEOUGH REGARDING
DISTRIBUTION OF SETTLEMENT
BENEFITS AND POST-DISTRIBUTION
ACCOUNTING**

I, JENNIFER M. KEOUGH, declare as follows:

1. I am the Chief Executive Officer (CEO) of JND Legal Administration, a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases. As CEO of JND, I am involved in all facets of our Company's operations, including monitoring the implementation of our notice and claims administration programs. JND was chosen as the Settlement Administrator¹ in this case after participating in a competitive bidding process.

¹ Capitalized terms used and not otherwise defined herein shall have the meanings given such terms in the Stipulation of Class Action Settlement.

1 **Class Counsel Fees and Expenses**

2 6. On October 12, 2020, the Court awarded Class Counsel \$4,525,000 in attorneys' fees
3 and \$335,000 in expenses in its Order.

4 7. On December 8, 2020, pursuant to the Court's Order, JND issued payments to Class
5 Counsel in the amounts of \$2,262,500 for fees and \$335,000 for reimbursement of expenses.² The
6 remaining 50 percent (\$2,262,500) of awarded fees will be issued after all funds have been properly
7 distributed and the file can be completely closed, as directed by the Court. *See* ECF No. 292.

8 **Administrative Expenses**

9 8. Pursuant to the Order, JND was paid \$65,000 in Administration Expenses in connection
10 with administering the Settlement and determining validity of claims with the Special Master.

11 **Benefit Distribution**

12 9. The Economic Damages fund (\$12,575,000) was calculated by reducing the Gross
13 Settlement Fund (\$18,500,000) by \$1,000,000 in Emotional Distress funds, \$4,525,000 in attorneys'
14 fees, \$335,000 in attorneys' expenses, and \$65,000 in administration costs. The Economic Damages
15 fund was distributed to 505 Class Members who did not exclude themselves from the Settlement
16 pursuant to the allocation plan approved by the Court. The Emotional Distress fund (\$1,000,000) was
17 distributed to 121 Class Members who filed an Emotional Distress claim form validated by the Special
18 Master.

19 10. On December 7, 2020, JND mailed 506 Economic Damages checks and 121 Emotional
20 Distress checks to eligible Class Members (at the request of one class member, their economic damages
21 awards were split among separate checks to co-borrowers on the same loan; JND subsequently reissued
22 additional split payments at Class Members' direction). Class Members were provided with a 120-day
23 period to deposit their checks before the checks became void after April 6, 2021.

24 11. Of the 627 original checks distributed, 27 were returned as undeliverable. JND
25 undertook extensive address research and worked with Class Counsel to identify updated address
26

27 ² Class Counsel returned \$7,500 of the cost award by wire to JND on January 15, 2021 and JND
28 distributed this to class members pursuant to the Supplemental Order. ECF No. 305.

1 information for Class Members whose payments were returned to JND as undeliverable and, to the
 2 extent updated addresses were obtained, payments were promptly reissued. JND also conducted
 3 extensive outreach via phone and e-mail to Class Members whose payments were not returned as
 4 undeliverable but had not been deposited. JND answered Class Member questions, reminded them to
 5 cash their checks and, where appropriate, reissued payments.

6 12. On February 2, 2021, JND mailed 508 additional Economic Damages checks
 7 (“Supplemental Checks”) pursuant to the Court’s Supplemental Order. Class Members were provided
 8 with a 120-day period to deposit these checks before they became void after June 2, 2021.

9 13. On February 5, 2021, JND sent a reminder notice postcard (“Postcard Notice”) to 120
 10 Class Members whose Economic Damages or Emotional Distress payment was not returned to JND
 11 as undeliverable but remained uncashed. The Postcard Notice informed Class Members how they
 12 could request a replacement check and encouraged them to cash their awards.

13 14. As of the date of this Supplemental Declaration (with all payments in this matter now
 14 void), a total of \$12,800,046.52 in class member payments have been cashed (a cash rate of 94.2%).
 15 The below chart details the settlement distribution process:

Total Settlement Fund:	\$18,500,000.00
Class Member Payments (Cashed):	\$12,800,046.52
Initial Attorney’s Fees Paid:	\$2,262,500.00
Attorney’s Expenses Paid:	\$327,500.00
Administration Costs Paid:	\$65,000.00
Current Settlement Fund Balance:	\$3,044,953.48
Remaining Attorney’s Fees to be Paid:	\$2,262,500.00
Pending Re-issue to Class Member Fayga Keats ³ :	\$21,511.12

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 26 ³ After JND initiated the process of transferring the remaining uncashed balance to the states’
 27 unclaimed property funds, class member Fayga Keats contacted JND requesting a re-issue of her
 28 economic damages and supplemental payments. At the Parties’ direction, JND will re-issue these
 payments to Ms. Keats with a shortened 14-day void date.

1	Payments to States' Unclaimed Property Funds:	\$760,942.36
2	Final Balance:	\$0.00

3 15. JND is currently coordinating the transfer of the remaining uncashed amounts to the
4 states' unclaimed property funds. The escheatment process involves filing separately with each
5 affected state (in this matter, unclaimed funds will be paid to 33 states as well as Puerto Rico). Given
6 the number of states involved, JND anticipates that the process will be completed by the end of July
7 2021.

8
9 I declare under penalty of perjury under the laws of the United States that the foregoing is true
10 and correct.

11 Executed on June 28, 2021 at Seattle, Washington.

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14 _____
15 JENNIFER M. KEOUGH