

EXHIBIT “A”

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JODDA MOORE and TERRELL AIKEN,
Individually and on Behalf of All Similarly
Situated Persons,

Plaintiffs,

v.

INDEPENDENCE BLUE CROSS, LLC d/b/a
INDEPENDENCE BLUE CROSS,

Defendants.

**CIVIL ACTION
No. 23-0566**

**DECLARATION OF TERESA Y. SUTOR OF RG/2 CLAIMS ADMINISTRATION LLC
IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS AND
COLLECTIVE ACTION SETTLEMENT**

1. My name is Teresa Y. Sutor, and I am over the age of eighteen (18) years. I make this declaration under the penalty of perjury, free and voluntarily, under no coercion, threat, or intimidation, and without promise of benefit or reward, based on my own personal knowledge. If called to testify, I could and would testify consistent with the matters stated herein.

2. I am the Project Manager for RG/2 Claims Administration LLC ("RG/2"), whose address is located at 30 South 17th Street, Philadelphia, PA 19103, the independent third-party settlement administrator retained as claims administrator to handle various settlement administration activities in the above-referenced matter, including, but not limited to, (a) serving the appropriate notices pursuant to the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715; (b) receiving and analyzing the potential Settlement Class and Collective List¹ from defense counsel; (c) establishing a mailing address for the receipt of mail; (d) establishing an email address for the receipt of documents and correspondence; (e) establishing a dedicated website; (f) preparing and sending the Notice of Settlement via First Class Mail; (h) receiving and processing undeliverable

¹ Capitalized terms not defined herein are defined in the parties' Settlement Agreement and Release.

mail from the USPS; (i) receiving and processing opt outs; (j) receiving and processing objections; and (k) such other tasks as counsel for the Parties or the Court request RG/2 perform.

3, RG/2 is a full-service class action settlement administrator offering notice, claims processing, allocation, distribution, tax reporting, and class action settlement consulting services. RG/2's experience includes the provision of notice and administration services for settlements arising from antitrust, data security breach, consumer, civil rights, employment, negligent disclosure, and securities fraud allegations. Since 2000, RG/2 has administered and distributed in excess of \$2 billion in class action settlement proceeds.

4. On May 10, 2024, as required by CAFA, RG/2 caused to be served by FedEx a Notice of Proposed Settlement to the United States Attorney General, and 10 State Attorneys General. A copy of the Notice of Proposed Settlement sent to the Attorneys General is attached hereto as **Exhibit A**. RG/2 has received no objections or other responses from any Attorney General.

5. On July 1, 2024, RG/2 received a data file of potential Settlement Class and Collective Members from the Defendant that contained 1,382 unique records with names, mailing addresses, and social security numbers. Upon review of the data file, RG/2 determined that 26 of the 1,382 potential Settlement Class and Collective Members had 0 Qualifying Workhours.

6. In an effort to ensure that Notices would be deliverable to the Settlement Class and Collective Members, RG/2 ran the Class List through the USPS's NCOA database and updated the Settlement Class and Collective List with address changes received from the NCOA.

7. On July 1, 2024, RG/2 obtained a post office box with the mailing address *Independence Blue Cross Settlement, c/o RG2 Claims Administration, PO Box 59479, Philadelphia, PA 19102-9479*, in order to receive requests for exclusions, objections, and correspondence from Settlement Class and Collective Members.

8. On July 1, 2024, RG/2 created the email address *IndependenceBlueCrossSettlement@rg2claims.com* in order to receive requests for exclusions, objections, and correspondence from Settlement Class and Collective Members.

9. On June 7, 2024, RG/2 created the settlement website www.mooresettlement.com to provide general information about the settlement, copies of the Notice of Settlement, court documents including the Complaint, Settlement Agreement and Release, and Order Granting Motion for Preliminary Approval of Class Action Settlement, and for Settlement Class and Collective Members to update their address and select the method of payment for issuing their settlement payment. The settlement website went live on June 21, 2024.

10. On June 26, 2024, RG/2 established a dedicated phone number where Settlement Class and Collective Members could leave a message to request a return call.

11. On July 18, 2024, RG/2 arranged for the Notice of Settlement to be mailed to 1,356 Settlement Class and Collective Members who were identified as having valid addresses, and who worked more than 0 Qualifying Workhours.

12. Of the 1,356 Notices of Settlement that were mailed, RG/2 has received 80 notices returned by USPS as undeliverable.² Through standard skip-tracing procedures, RG/2 mailed new Notices of Settlement to 47 Settlement Class and Collective Members. 1 Notice of Settlement was returned with a forwarding address and was mailed to the new address.

13. The Notice of Settlement advised Settlement Class and Collective Members of their right to exclude themselves from the Settlement and that their request must be postmarked, timestamped, or marked as received by the Administrator no later than September 5, 2024. As of October 7, 2024, RG/2 has not received any Requests for Exclusion.

² Three (3) additional notices were returned as undeliverable following the execution of my September 30, 2024 Declaration. (Doc. 38).

14. The Notice of Settlement advised Settlement Class and Collective Members of their right to exclude themselves from the Settlement and that their request must be postmarked, timestamped, or marked as received by the Administrator no later than September 5, 2024. As of October 7, 2024, RG/2 has not received any Objections.

15. As of October 7, 2024, RG/2 Claims has incurred fees and costs associated with the Settlement Administration thus far, and will incur additional costs for distribution, calculating tax payments, and responding to inquiries. The total cost for the administration of this Settlement, including fees incurred and future costs for completion of the administration is estimated to be \$32,000. To date RG/2 Claims has incurred fees and costs of approximately \$9,600.

I declare under penalty of perjury foregoing is true and correct and that this declaration was executed on October 7, 2024 in Philadelphia, Pennsylvania.



TERESA Y. SUTOR

Exhibit A



May 10, 2024

Via «Via_Mail»

«First» «Last», «Esquire»
«Title»
«Street_1»
«Street2»
«City», «State1» «Zip»

Re: *JODDA MOORE, and TERRELL AIKEN, individually and on behalf of all similarly situated persons v. INDEPENDENCE BLUE CROSS, LLC d/b/a INDEPENDENCE BLUE CROSS, (Case No. 2:23-cv-00566, United States District Court Eastern District of Pennsylvania)*

To the Honorable «First» «Last», Esq.:

Pursuant to the Class Action Fairness Act of 2005 (specifically 28 U.S.C.A. § 1715), Defendant, *Independence Blue Cross, LLC* and the prospective Claims Administrator, RG/2 Claims Administration LLC, hereby give notice in the above-captioned matter (the “Action”) of the following:

1. Pursuant to the requirements under the Class Action Fairness Act of 2005, copies of the following documents are also contained on the CD-ROM included herein:
 - a. Exhibit 1: Class and Collective Action Complaint filed on February 13, 2023;
 - b. Exhibit 2: Answer and Affirmative Defenses of Defendant Independence Blue Cross, LLC to Plaintiffs Class and Collective Action Complaint filed on April 17, 2023;
 - c. Exhibit 3: Plaintiffs’ Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective filed on May 1, 2024;
 - d. Exhibit 4: Plaintiffs’ Brief In Support of Their Unopposed Motion for Preliminary Approval of Class and Collective Settlement and Provisional Certification of Settlement Class and Collective filed on May 1, 2024;
 - e. Exhibit 5: Approximate Class Members per State of Residency.

May 10, 2024

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2. The Settlement Agreement defines the Settlement Class as:

“All current and former employees who have worked for Independence at any time from February 13, 2020 through February 13, 2023 (the “Relevant Period”) in-person or remotely in one or more of the following positions: customer service representatives, senior customer service representatives, lead customer service representatives, and/or team lead operations employed in Independence’s Customer Service Department, regardless of the members/clients they serve.”

3. It is not feasible to provide the anticipated gross settlement amount allocations at this time. The amounts recovered by each individual member may vary. Exhibit 5, on the enclosed CD-ROM, provides a table of the Approximate Class Members per State of Residency.

4. There are no other settlement or other agreements between class counsel and counsel for defendants pursuant to 28 U.S.C. § 1715(b)(5).

5. The Court has not yet entered a final judgment or notice of dismissal. Accordingly, no document is presently available pursuant to 28 U.S.C. § 1715(b)(6).

6. Finally, there are no relevant written judicial opinions pursuant to 28 U.S.C. § 1715(b)(8).

If you have questions about this notice, the lawsuit, or the enclosed materials, please contact RG/2 Claims Administration LLC at 215-979-1620.

Sincerely,

RG/2 Claims Administration LLC

Via Mail		First	Last	Esquire	Title	Title 2
FedEx		Kathy	Jennings	Esq.	Delaware Attorney General	Attorney General
FedEx		Keith	Ellison	Esq.	Minnesota Attorney General	Attorney General
		Matthew				
FedEx	Email	J.	Platkin	Esq.	New Jersey Attorney General	Attorney General
FedEx	Email	Letitia A	James	Esq.	New York Attorney General	Attorney General
FedEx		Dave	Yost	Esq.	Ohio Attorney General	Attorney General
FedEx		Michelle	Henry	Esq.	Pennsylvania Attorney General	Attorney General
					South Carolina Attorney	
Certified Mail		Alan	Wilson	Esq.	General	Attorney General
FedEx		Jonathan	Skrmetti	Esq.	Tennessee Attorney General	Attorney General
Certified Mail		Ken	Paxton	Esq.	Texas Attorney General	Attorney General
		Merrick			United States Attorney	United States Attorney
FedEx		B.	Garland	Esq.	General	General
FedEx	Email	Sean	Reyes	Esq.	Utah Attorney General	Attorney General