

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 JAN HARRISON; LEE RANALLI;
5 MORGAN TANNER; SPENCER
6 HATHAWAY; TODD TURLEY; DEBBIE
7 HALE; KELI ANNO; JOHN ZULLO;
8 CHRISTOPHER KUON-TSEN LEE; JIM
9 BUCKINGHAM; TANDA SAXTON; JOHN
10 WOZNAK; JEROME SHERMAN;
11 BEVERLY JENKINS; DAVID PETERSEN;
12 TOM STEVER; BRIAN BAWOL;
13 RANSOME FOOSE; and, STACY
14 FRANKLIN.

15 Plaintiffs,

16 v.

17 E.I. DUPONT DE NEMOURS AND
18 COMPANY; HUNTSMAN
19 INTERNATIONAL, LLC; KRONOS
20 WORLDWIDE, INC.; and, MILLENNIUM
21 INORGANIC CHEMICALS, INC.;

22 Defendants.

Case No. 5:13-cv-01180-BLF

**DECLARATION OF MARK SCHEY
REGARDING POST-DISTRIBUTION
ACCOUNTING**

Judge: Honorable Beth Labson Freeman

23 1. I am a founding partner of Digital Settlement Group, LLC (“DSG”), a company
24 that provides class action notice and claims administration. The following statements are based
25 on my personal knowledge and information provided by other DSG principals and employees
26 working under my supervision, and if called upon to do so, I could and would testify competently
27 about these issues.

28 2. As the Class Action Settlement Administrator for the Settlement in the above-
captioned matter, our duties and responsibilities for administering the Settlement included (1)
arranging for the distribution of the Class Notice and Claim Forms to Settlement Class Members;
(2) arranging for publication of the Publication Notice; (3) answering written inquiries from

1 Settlement Class Members and/or forwarding such inquiries to Class Counsel or their designee;
 2 (4) receiving and maintaining on behalf of the Court and the Parties any Settlement Class
 3 Member correspondence regarding requests for exclusion from the Settlement; (5) establishing
 4 the Settlement Website that posts notices, Claim Forms, and other related documents; (6)
 5 establishing a toll-free telephone number; (7) receiving and processing claims; (8) submitting a
 6 declaration attesting to the dissemination of the Class Notice and the number of claims received;
 7 and (9) providing timely reporting to Counsel throughout the notice and claims process to allow
 8 for thorough oversight.

9 3. After completing a comprehensive review of submitted claim forms, DSG began
 10 distributing claims checks on February 1, 2019. The distribution of the settlement fund approved
 11 by this Court is summarized as follows:

Total Settlement Fund	\$3,500,000.00	
Attorney's Fees	\$750,000.00	21.43%
Attorney's Fees Multiplier	0.3856	
Attorney's Expenses	\$86,462.00	2.47%
Incentive award (19 class reps)	\$28,500.00	0.81%
Administration Fees	\$375,000.00	
W9 Submissions (19 x \$10)	\$190.00	
Postal Fees over 1K (3,770 x \$1)	\$3,770.00	
Special Claims Reserve	\$11,359.16	0.32%
Total Number of Gallons Sold to Class Members	2.1 to 2.4 billion	
Total Class Members that were sent a Notice (Internet and Print not including the Press Release)	74 million+ impressions	
Number of Valid Claim Forms Submitted (% of claims filed against the people noticed)	29,148	0.04%
Number of Opt-Outs	1	0.00%
Number of Objections	0	0.00%
Average Recovery per Claimant	\$70.81	
Median Recovery per Claimant	\$80.09	
Largest Paid Class Member	\$16,179.60	
Smallest Paid Class Member	\$8.09	

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Method(s) of Notice & Payment	Check via First Class Mail	
Number of Checks Not Cashed	20,704	
Value of Checks Not Cashed	\$1,626,838.55	

4. The term “special claims” refers to claims received after the claims period closed that may, for reasons such as proof of late delivery, merit payment after the initial distribution is made.

5. The checks issued during the distribution remain valid for a period of 60 days, so the number and value of checks not cashed is expected to decrease during this time.

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

Dated: February 22, 2019



Mark Schey
Digital Settlement Group, LLC