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Superior Court of California,  
County of Los Angeles  
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David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Covarrubias, Deputy Clerk

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11 Jennifer Goodwin

12 **SUPERIOR COURT OF CALIFORNIA**  
13 **COUNTY OF LOS ANGELES – UNLIMITED CIVIL**

14 Jennifer Goodwin, individually and on  
behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 K M P Enterprises d/b/a Powell Electric,

18 Defendant.

Case No.: 20STCV18428

**DECLARATION OF MEAGAN  
BRUNNER REGARDING NOTICE AND  
CLAIMS ADMINISTRATION**

**Date:** January 16, 2024

**Time:** 10:00 a.m.

**Department:** 14

**Judge:** Hon. Kenneth R. Freeman

Complaint Filed: May 14, 2020

1  
2 **DECLARATION OF MEAGAN BRUNNER**  
3 **REGARDING NOTICE AND CLAIMS ADMINISTRATION**

4 I, Meagan Brunner, declare as follows:

5 1. I am employed as a Program Manager by Simpluris, Inc. (“Simpluris”), the  
6 administrator in the above-entitled action. Our corporate office address is 3194-C Airport Loop  
7 Dr., Costa Mesa, CA 92626. I am over twenty-one years of age and authorized to make this  
8 declaration on behalf of Simpluris and myself. I have personal knowledge of the information set  
9 forth herein.

10 2. Simpluris is a class action administrator located in Costa Mesa, California.  
11 Established in 2007, Simpluris has administered over 9,000 cases nationwide, with class sizes  
12 ranging from a few hundred to over one million class members. Representative cases include:  
13 *Myart v. AutoZone, Inc.* and *Aceves v. Autozone, Inc.* (US District Court, CA Central Division)  
14 (208,050 class members), *Diaz v. SeaWorld* (Superior Court of the State of California) (1,281,123  
15 class members), and *Woods v. Vector Marketing* (US District Court, Northern District of  
16 California) (194,500 class members).

17 3. Simpluris was approved by Counsel for both Parties and appointed by the Court in  
18 the Preliminary Approval Order entered on July 25, 2023, to provide settlement administration  
19 services in this settlement. Simpluris’s duties in this Settlement have and will include: (a) receiving  
20 and analyzing the class member data (the “Class List”); (b) establishing a post office box to receive  
21 undeliverable notices, requests for exclusion, objections to the proposed settlement, and any other  
22 correspondence submitted by Settlement Class Members; (c) establishing and maintaining a  
23 settlement-specific website at [www.GoodwinRecordingSettlement.com](http://www.GoodwinRecordingSettlement.com); (d) establishing and  
24 maintaining a settlement-specific toll-free phone number (833) 514-0013; (e) preparing and  
25 sending notice via U.S. Mail, email, and online Banner Ads; (f) calling Settlement Class Members  
26 for whom a name and address were unknown at the time of mailing the class notice; (g) receiving  
27 and processing any notices returned as undeliverable with a forwarding address and resending such  
28 notices; (h) processing any notices returned as undeliverable as addressed, with no forwarding

1 address, performing a skip trace in search of a new address, and resending notices for which a new  
2 address is obtained; (i) receiving and processing any requests for exclusion and objections; (j)  
3 establishing the Escrow Account as a qualified settlement fund for distribution; (k) calculating and  
4 disbursing Settlement Payments to Settlement Class Members; (l) implementing tax withholding  
5 and reporting; and (m) such other tasks as counsel for the Parties or the Court orders Simpluris to  
6 perform.

7 **CLASS LIST**

8 4. On or about August 10, 2023, Counsel for KMP Enterprises provided Simpluris  
9 with a data list containing the names and last known mailing address for each Settlement Class  
10 Member. The class list contained 6,905 unique phone numbers impacted by this Settlement  
11 (“Impacted Phone Numbers”). Of the 6,905 unique phone numbers, the Class List included contact  
12 information for 4,747 individuals, however 353 were combined as duplicate records. Simpluris  
13 was able to skip-trace the remaining Impacted Phone Numbers and find names and contact  
14 information for an additional 1,951 records leaving 207 records without names or contact  
15 information. The mailing addresses contained in the Class List were processed and updated  
16 utilizing the National Change of Address Database (“NCOA”) maintained by the U.S. Postal  
17 Service (“USPS”). The NCOA contains changes of addresses filed with the USPS. In the event  
18 that any individual had filed a USPS change of address request, the address listed with the NCOA  
19 was utilized in connection with the mailing of the notice to that individual.

20 **TELEPHONE NUMBER AND WEBSITE**

21 5. A Settlement specific toll-free telephone number was included in the Settlement  
22 Class Notice, and on the Settlement website for the purpose of allowing the Settlement Class  
23 Members to make inquiries regarding the Settlement. The system is accessible 24 hours a day, 7  
24 days a week, and will remain in operation throughout the settlement administration. The toll-free  
25 telephone number included in the Notices and on the Settlement website is (833) 514-0013. This  
26 toll-free number is active and has been available to the public since on or before September 1,  
27 2023.

1           6.       Simpluris   prepared   and   maintains   a   settlement   website,  
 2   [www.GoodwinRecordingSettlement.com](http://www.GoodwinRecordingSettlement.com). The Settlement Website contains a summary of the  
 3   Settlement which includes important dates and deadlines and Settlement related documents  
 4   including the First Amended Complaint, Settlement Agreement, Preliminary Approval Order,  
 5   Exclusion Form and the Long Form Notice of Class Action Settlement, in English and Spanish.  
 6   The Settlement Website allows Settlement Class Members to update or provide their contact  
 7   information through an Online Portal. The Settlement Website is active and has been available to  
 8   the public since on or before September 1, 2023.

**NOTICE**

10           7.       Pursuant to the Preliminary Approval Order Simpluris formatted the Postcard  
 11   Notice and Email Notice to be sent by mail and email, respectively. The Notices advised  
 12   Settlement Class Members of their right to update their contact information, request exclusion  
 13   from the settlement, object to the settlement, or do nothing. The Notices advised Settlement Class  
 14   Members of applicable deadlines and other events, including the Final Approval Hearing, and how  
 15   Settlement Class Members could obtain additional information.

16           8.       On September 1, 2023, Simpluris mailed the Postcard Notice to 4,263 Settlement  
 17   Class Members and emailed the Email Notice to 2,082 Settlement Class Members.

18           9.       As of September 27, 2023, 90 Postcard Notices were returned by the post office.  
 19   For the Postcard Notices returned without a forwarding address, Simpluris performed an advanced  
 20   address search (i.e. skip trace) on all of these addresses. Of the 90 returned Postcard Notices, 53  
 21   were re-mailed to either a newfound address or with forwarding addresses provided by USPS. The  
 22   remaining 37 Postcard Notices were undeliverable because Simpluris was unable to find a better  
 23   address. Of the 2,082 Emailed Notices, 547 were not delivered successfully therefore Simpluris  
 24   mailed a Postcard Notice to 547 Settlement Class Members on September 8, 2023.

25           10.      As of September 27, 2023, Simpluris has completed the two of three rounds of  
 26   phone outreach to the 207 Impacted Phone Numbers with no contact information. Of the 207  
 27   Impacted Phone Numbers, 5 individuals provided contact information, 40 individuals stated they  
 28   did not want to be called again, and 82 phone numbers are invalid or disconnected.

1 11. To supplement the Postcard Notice and email notice, Simpluris implemented  
2 Website Banner Ads which began on September 1, 2023. The ads provided a direct link to the  
3 Settlement Website, where Settlement Class Members could review information about the  
4 Settlement and provide their contact information. As of September 22, 2023, these Banner Ads  
5 have delivered 759,742 impressions and resulted in 323 clicks through to the Settlement Website.

6 **REQUESTS FOR EXCLUSIONS AND OBJECTIONS**

7 12. The postmark deadline for the Settlement Class Members to submit a request for  
8 exclusion (Opt-Out) from the proposed settlement or object to the proposed settlement is  
9 November 22, 2023. As of September 27, 2023, Simpluris has received zero (0) requests for  
10 exclusion from the proposed settlement, and zero (0) objections to the proposed settlement.

11 **PROVIDED CONTACT INFORMATION**

12 13. As of September 27, 2023, 125 Settlement Class Members have updated their  
13 contact information.

14 14. As of September 27, 2023, 16 individuals have provided their contact information  
15 and potential Impacted Phone Numbers through the open submission Online Portal. Of the 15  
16 responses received, one (1) response provided a phone number that appeared on the Impacted  
17 Phone Number list and did not match a previously known Settlement Class Member, five (5) are  
18 invalid as the phone numbers did not appear on the Impacted Phone Number list, and ten (10) were  
19 found to be duplicative of known Settlement Class Members.

20 **ADMINISTRATION COSTS**

21 15. As of September 27, 2023, Simpluris' total costs incurred for services in connection  
22 with the administration of this Settlement is \$50,811.87, and our anticipated future costs for  
23 completion of the administration, including one distribution, is estimated to be \$19,625.13. Our  
24 total cost of administration is estimated to be \$70,437.00. The increase in our costs from the  
25 original bid of \$67,249.00 is due using a 6x9 postcard to accommodate the required information,  
26 NCOA prior to mailing, a case-specific email box, and Project Manager hours to review contact  
27 information submitted via mail or without logging into the Online Portal.

1 I declare under penalty of the perjury that the foregoing is true and correct. Executed on  
2 September 29, 2023, at Louisville, KY.

3 *Meagan Brunner*

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MEAGAN BRUNNER



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