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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

**IN RE USC STUDENT HEALTH
CENTER LITIGATION**

Case No. 2:18-cv-04258-SVW

**SUPPLEMENTAL DECLARATION
OF JENNIFER M. KEOUGH
REGARDING SETTLEMENT
ADMINISTRATION AND LIEN
RESOLUTION**

I, JENNIFER M. KEOUGH, declare as follows:

1. As stated in my Declaration Regarding Proposed Notice Program dated February 12, 2019, Docket No. 67-3, I am the Chief Executive Officer (“CEO”) of JND Legal Administration LLC (“JND”), the company retained to serve as Settlement Administrator in this case. This Declaration has been prepared and executed to supplement my earlier Declaration and provide the Court with information regarding JND’s estimated Settlement Administration and Lien Resolution fees and costs. This Declaration is based on my personal knowledge, as well as upon information provided to me by experienced JND employees and Counsel for the Plaintiffs and Defendants (“Counsel”), and if called upon to do so, I could and would testify competently thereto.

1 2. Class Counsel engaged in a competitive bidding process to select a
2 Settlement Administrator for this project. Once this process concluded, JND was
3 retained in early November 2018, and began working in earnest with Class
4 Counsel on various aspects of the proposed Settlement and Settlement
5 Administration process including: reviewing and drafting multiple iterations of
6 Settlement Notice materials, including Claim Forms and Statement of Class
7 Membership Form; securing website URLs; programming the Settlement email
8 account; developing and preparing for a multi-language Call Center including
9 training plan and staffing levels; developing and programming the secure
10 Settlement database; developing and programming the online claim filing
11 platform; programming, editing and deploying the initial Settlement website that
12 went live on or about 10:00 p.m., Pacific, on February 12, 2019 and starting work
13 on the fulsome website that would go live if the Settlement Notice is approved;
14 designing Legal Notice Program; counseling team interviews regarding sexual
15 assault victim subject matter expertise in preparation for Call Center training;
16 handling initial potential Class Member emails; drafting initial Notice Declaration;
17 working with USC data specialists to understand the parameters of the relevant
18 data; effectuating the coordination between JND IT teams and University of
19 Southern California (“USC”) IT teams to assure USC of the relevant security
20 features of JND’s website platform and data transfer procedures; and
21 communicating regularly with Counsel on a myriad of Settlement Administration
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1 logistics and process details including the multi-tier claims process. Through the
2 end of February 2019, JND has incurred \$160,205.92 in Settlement Administration
3 Fees and Expenses related to these tasks.

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5 3. While working with Counsel on the Settlement Administration
6 processes, it became apparent by early January 2019 that the resolution of Class
7 Member liens might be an issue in this Settlement due to underlying medical
8 subject matter involved. JND may be the only class action administration firm that
9 also has a lien resolution division. Therefore, we began consulting with Counsel
10 on a lien resolution process and assisted in the drafting of relevant sections of the
11 Settlement Agreement. We also engaged in preliminary discussions with lien
12 agencies. Given that JND's Lien Resolution division is housed in the same
13 location as, and works closely with, the Settlement Administration team, JND is
14 confident that its proposed lien resolution process affords the Settlement Class cost
15 savings and lien resolution timeline efficiencies. For example, only one call center
16 is required to handle questions from claimants on both fronts. Moreover, that call
17 center will be housed in our Seattle headquarters, where both our class action
18 administration team and lien resolution team is located. In addition, JND has
19 offered to charge standard hourly rates for certain services that are generally
20 offered as a per claim charge, a potential material savings here. Through the end
21 of 2019, JND has incurred \$28,000 in Lien Resolution Fees.
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1 4. Based on discussions with Counsel and what we understand of the
 2 Settlement Administration process at this time, and pending the Court's
 3 appointment of the Special Master, JND's Settlement Administration and Lien
 4 Resolution tasks are expected to include, among others, the following:
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<u>TASK</u>	<u>DESCRIPTION</u>
PROJECT MANAGEMENT	Includes all design, oversight and implementation of administration program including but not limited to working with all internal JND teams on notice, website development, phone center protocols, claimant outreach and response, claims processing and handling, benefit distribution, working and coordinating with all counsel, preparing reports and declarations, working with and coordinating exchange of information with Special Master and all other functions to ensure smooth completion of administration program
DATABASE MANAGEMENT	Design and establish secure, case-specific database to house and track all noticing, calls, claims materials, deficiencies, outreach and payments. Work with parties to securely upload USC data; scrub data for mailing preparation and to ready data for NCOA and skip-tracing. Build secure mechanism for all data transfers with the Special Master team.
DEDICATED WEBSITE	Design secure case-specific website with on-line filing capability, all settlement documents, FAQ section and other features so that there is a readily-available tool for Class Members with an abundance of information about the settlement administration process. Website to be translated into multiple languages depending as informed by the data to be received from USC.

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<u>TASK</u>	<u>DESCRIPTION</u>
<p>CALL CENTER ASSISTANCE (NON-TIER 3 INTERVIEW CALLS)</p>	<p>Establish toll free number, including international numbers if borne out by USC data, and 24/7 interactive Voice Recording (IVR) with an option for individuals to speak with Call Center agents during normal business hours. Agents may be available in multiple languages, depending on USC data. These Call center agents will be trained on the specifics of the program with special training provided by RAINN (the Rape, Abuse, and Incest National Network) so that our Call Center agents have the necessary sensitivities to deal with calls from victims of sexual abuse and assault. We do not yet know how many agents we will need to staff the Call Center. We are waiting on information from USC to make that determination. For now, we estimate needing 20 operators on the phones when the project goes “live”.</p>
<p>EMAIL TEAM</p>	<p>JND will build a team, borrowed from JND’s existing Call Center team to the extent possible, to handle all email inquiries. We will build scripts, based off the website FAQs, and provide support to Class Members as needed.</p>
<p>PUBLISH NOTICE</p>	<p>Supplemental Media Effort: JND will execute a supplemental media effort using Facebook, Twitter, and LinkedIn, and a keyword internet search effort to optimize clicks to the Settlement Website. Additional efforts may include publication in the Daily Trojan and other USC news sites, notice postings on USC websites and social networks, and outreach to USC alumni associations. A press release of a shortened summary notice will be distributed over PR Newswire’s US1 Newswire.</p>

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<u>TASK</u>	<u>DESCRIPTION</u>
EMAIL NOTICE	<p>Email Notice to Known and potential Class Members. To effectuate the email campaigns here JND will take the following steps:</p> <ul style="list-style-type: none"> • Craft a subject line to ensure high deliverability and avoid spam; • Register the sender with the largest ISPs, again to prevent spam; • Perform a verification process to validate the quality of the email addresses; • Use only verified email addresses when sending notice to increase open rate; • Work with contacts at major ISPs to “whitelist” the email campaign; and • Create content that is not too lengthy or otherwise cumbersome. <p>Prior to commencing the email program, JND will send test emails to email addresses hosted by several of the largest ISPs. We will also validate that the email notice will be able to be viewed via desktop, web, and mobile email applications. We also run the email against spam testing software.</p>
MAIL NOTICE - KNOWN CLASS MEMBERS	Print and mail notice to known Class Members. Expected 15,000 mailings.
MAIL NOTICE – POTENTIAL CLASS MEMBERS	Print and mail notice to potential Class Members. Expected 150,000 - 200,000 mailings.
PROCESS STATEMENT OF SETTLEMENT CLASS MEMBERSHIP FORMS (TIER 1)	Intake, prep, scan and process all paper forms and load and review all electronic forms. Per the terms of the Settlement, validate Statement of Settlement Class Membership Forms against the list from the USC Registrar and review credible evidence of class membership. Determine any deficiencies and work with claimants to cure deficient conditions.

<u>TASK</u>	<u>DESCRIPTION</u>
PROCESS TIER 2 AND 3 CLAIM FORMS	Counsel has asked JND to work with the Special Master to build a special team that will adjudicate approximately 4,000 Tier 2/3 claims including the interview process for the Tier 3 claims. Based on discussions with counsel we have estimated that such interviews will take approximately 2 hours each.
PROCESS OPT-OUTS	Process mailed opt-outs; validate forms; final review; identify and resolve issues.
DISTRIBUTION	Calculate, review and implement individual benefits; establish QSF/Tax ID; account setup and management; reconciliation; create check language and design/format checks; manage check mailing; print and mail checks; research undeliverable checks (skip-trace) and re-mail; reissue checks.
LIEN RESOLUTION	Consult with parties regarding lien obligations and resolution; Negotiate with Medicare and up to 51 Medicaid agencies plus any implicated territories to determine resolution type and satisfy repayment obligations for Tier 1 Medicare Parts A/B beneficiaries and Medicaid recipients; Satisfy MMSEA Section 111 reporting obligations; Reporting to Parties and Special Master on lien status; Verify which qualifying claimants are Medicare Part A and B beneficiaries and/or Medicaid recipients, and in which states, based on information provided to JND. This includes data management, processing of data files, and securely transferring to and from Medicare and all implicated state Medicaid agencies, as well as securing results that clear Class Members of potential repayment obligations. Resolve any potential other liens as identified by claimants, including, but not limited to, determining claim relatedness and right to reimbursement, negotiating amount due, and coordinating final payment to any such lien holder.

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