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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LYNN SLOVIN, an individual, on her own behalf and on behalf of all others similarly situated,

Plaintiff,

vs.

SUNRUN, INC., a California corporation, CLEAN ENERGY EXPERTS, LLC, a California limited liability company doing business as SOLAR AMERICA, and DOES 1 through 5, inclusive,

Defendant.

Case No. 4:15-cv-05340-YGR

Hon. Yvonne Gonzalez Rogers

**SUPPLEMENTAL DECLARATION OF  
LANA LUCCHESI RE: POST-  
DISTRIBUTION ACCOUNTING OF  
SETTLEMENT FUNDS**

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I, LANA LUCCHESI, declare and state as follows:

1. I am a Director with KCC Class Action Services (“KCC”). Pursuant to the ORDER GRANTING PRELIMINARY APPROVAL OF STIPULATION AND AGREEMENT OF SETTLEMENT AND AMENDMENT THERETO AS MODIFIED BY THE COURT (the “Preliminary Approval Order”), the Court appointed KCC as the Claims Administrator in connection with the proposed Settlement of the above-captioned Action.<sup>1</sup> I have personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

2. This declaration supplements Phil Cooper’s previous declaration for the purpose of updating the parties and the Court with distribution activity.

**CLASS LIST**

3. In August 2018, KCC received from class counsel a list of phone numbers identified as the Class List. The Class List included names, addresses and e-mail addresses, where available. Where names and addresses were not available, KCC performed reverse address searches to attempt to locate contact information for the class members. The Class List totaled 346,242 phone numbers. After all address search attempts, KCC performed data analysis on the Class List to identify invalid or unmailable records, resulting in 330,291 records on the Class List for purposes of mailing Notice – any phone numbers without associated contact information were retained on the class list for purposes of future claims evaluation but were not included in the mailing.

**MAILING AND EMAILING OF THE NOTICE**

4. On March 1, 2019, KCC caused the Postcard Notice and Settlement Claim Form (the “Postcard Notice”) to be printed and mailed to the 330,291 names and mailing addresses in the Class List.

5. On March 1, 2019, KCC caused the Email Notice to be sent to 118,092 class

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the STIPULATION AND AGREEMENT OF SETTLEMENT (the “Stipulation”) and/or the Preliminary Approval Order.

1 members where a usable email address was available.

2 6. Since mailing the Postcard Notices to the Class Members, KCC has received 1,413  
3 Notices returned by the USPS with forwarding addresses. KCC immediately caused Notices to  
4 be re-mailed to the forwarding addresses supplied by the USPS.

5 7. Since mailing the Postcard Notice to the Class Members, KCC has received  
6 30,049 Notice Packets returned by the USPS with undeliverable addresses. Through credit  
7 bureau and/or other public source databases, KCC performed address searches for these  
8 undeliverable Postcard Notices and was able to find updated addresses for 2,643 Class Members.  
9 KCC promptly re-mailed Postcard Notices to the found new addresses.

10 **CLAIM FORMS**

11 8. The postmark deadline for Class Members to file claims in this matter was May  
12 31, 2019. To date, KCC has received 80,239 claim forms (23.17%). Of those claim forms,  
13 39,733 are valid. 11,320 duplicate claims have been identified and 28,388 claims have been  
14 identified as claiming a phone number not included in the class and are considered ineligible and  
15 out of class, while 798 claims have been identified as deficient for not signing their claim form.

16 **REPORT ON EXCLUSION REQUESTS RECEIVED**

17 9. The Notice informed Class Members that requests for exclusion from the Class  
18 must be postmarked no later than May 31, 2019. KCC has received eight (8) requests for  
19 exclusion (.002%).

20 **OBJECTIONS TO THE SETTLEMENT**

21 10. The deadline for Class Members to object to the settlement was May 31, 2019.  
22 KCC has received no objections to the settlement.

23 **SETTLEMENT FUND**

24 11. On February 12, 2019 and September 5, 2019 respectively, Defendant made  
25 payments to the Qualified Settlement Fund ("QSF") totaling the amount of \$5,500,000.00. Total  
26 interest accrued in the QSF is \$1,500.69.

27 12. Pursuant to the Court's Order, KCC issued the following payments from the QSF:  
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1 (a) \$2,370,610.87 representing Class Counsels' attorneys' fees and costs; (b) \$160,000.00  
2 representing the named plaintiffs' awards; and (c) class member settlement payments to 39,733  
3 class members totaling \$2,444,788.61.

4 13. On October 21, 2019, 37,469 checks were issued via USPS Mailing totaling  
5 \$2,306,209.17. On October 24, 2019, 2,264 PayPal payments were issued via electronic transfer  
6 totaling \$138,579.44. The settlement checks are valid until April 18, 2020, so we do not yet  
7 know the value of checks not cashed or how much will be distributed to the designated cy pres  
8 recipient.

9 14. Each approved claim was awarded \$61.21 for an eligible phone number. In  
10 addition, if a single person were to make more than one claim but for different eligible phone  
11 numbers, they are allowed to make multiple claims and could receive multiple shares of the  
12 settlement fund. The largest payment amount represented three (3) eligible phone numbers  
13 totaling \$183.63.

14 15. As of the date of this declaration, KCC has incurred costs of administration in the  
15 amount of \$495,228.32. Because work is still ongoing, the total final cost of administration to  
16 completion is estimated to be \$526,060.89.

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

19 Executed on November 15, 2019 at San Rafael, California.

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