

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

KIMBERLY BANKS and CAROL
CANTWELL, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

R.C. BIGELOW, INC., a corporation;
and DOES 1 through 10, inclusive,

Defendants.

CASE NO.: 2:20-cv-06208-DDP (RAOx)

**DECLARATION OF HEATHER
FOLLENSBEE RE:
CERTIFICATION AND
DISTRIBUTION NOTICE
EXPENSES**

DECLARATION OF HEATHER FOLLENSBEE

1
2 1. I am a Director at JND Legal Administration (“JND”). JND is a legal
3 administration services provider with its headquarters located in Seattle,
4 Washington. JND has extensive experience with all aspects of legal administration
5 and has administered notice plans and settlements in hundreds of class action cases.

6 2. JND is serving as the notice provider¹ in the above-captioned litigation
7 (“Action”), as ordered by the Court in its Order Approving Plaintiffs’ Class Notice
8 Plan, dated January 18, 2024 (the “Order”) (ECF No. 91).

9 3. This Declaration is based on my personal knowledge and information
10 provided to me by experienced JND employees and, if called on to do so, I could
11 and would testify competently thereto.

12 4. This Declaration is intended to inform the Court of the certification
13 notice expense details after the completion of the Class Notice Plan, as summarized
14 in the Declaration of Ryan Bahry Re: Completion of Class Notice filed May 10,
15 2024 (ECF No. 111), and to inform the Court of future anticipated expenses relating
16 to the costs of supplemental notice and distribution of the judgment to the Class, as
17 will be described in the forthcoming Declaration of Gina Intrepido-Bowden
18 Regarding Distribution Notice Plan, which will be filed in support of Plaintiffs’
19 forthcoming motion for approval of the plan.

ADMINISTRATION COSTS

20
21 5. JND has performed the certification notice services in this case
22 pursuant to an estimate provided to counsel on August 15, 2023. In following that
23 proposal, JND has incurred the following in fees and expenses as of March 31,
24 2025:

25
26
27 _____
28 ¹ Capitalized terms used and not otherwise defined herein shall have the meanings
given such terms in the Order.

- a. Case Website (inclusive of monthly hosting costs, establishing the website www.TeaClassAction.com, hosting copies of Notices, Court documents, answers to frequently asked questions, and contact information for JND): \$3,971.25
- b. Mail Notice (inclusive of address research/formatting, sending direct mailed notices where an address was available on the class list, printing charges, and tracking undeliverable notices/handling forwards): \$119.73
- c. E-mail Notice (inclusive of setup and sending direct e-mail notice where e-mail address was available on the class list): \$2,842.47
- d. Notice Publication (inclusive of setup and costs for digital notice via Google Display Network, Facebook, and Instagram, CLRA compliant notice in the *LA Daily News*): \$46,570.25
- e. Contact Center (inclusive of establishing case specific number 1-844-566-0049, monthly hosting costs, per minute interactive voice recording charges): \$7,274.14
- f. E-mail Communications: \$657.00
- g. Project Management (inclusive of client communications, drafting/executing notice plan, class data intake, establishing a secure database, reviewing and validating exclusion requests, drafting declarations, etc.): \$34,550.50
- h. P.O. Box (monthly hosting charge for case specific P.O box): \$2,800.00
- i. Postage (for Mailed Notices): \$145.28
- j. Other (inclusive of copy charges, supplies, electronic data security/storage, etc.): \$2,675.28

Total: \$101,605.90

1 6. JND expects to incur the following additional fees and expenses in
2 connection with carrying out the claims and distribution administration of this
3 matter after Court approval:

- 4 a. Website (inclusive of monthly hosting costs, building an online
5 claim submission form, hosting copies of Notices, Court documents,
6 updating answers to frequently asked questions): \$8,550.00
7
8 b. Mail Notice (inclusive of address research, sending direct mailed
9 notices where an address was available on the class list, printing
10 charges, and tracking undeliverable notices/handling forwards):
11 \$2,000.00
12
13 c. E-mail Notice (inclusive of setup and sending direct e-mail notice
14 where e-mail address was available on the class list): \$700.00
15
16 d. Notice Publication (inclusive of setup and costs for digital notice via
17 Google Display Network, Facebook, and Instagram, press release in
18 the *LA Daily News*): \$50,250.00
19
20 e. Contact Center IVR Support (inclusive of monthly hosting costs, per
21 minute interactive voice recording charges): \$14,100.00
22
23 f. Contact Center E-mail Communications: \$39,000.00
24
25 g. Claims Intake and Review (inclusive of claims processing assuming
26 a 10% claims rate, fraud detection and prevention, and validating
27 claim forms/resolving issues): \$106,201.00
28
29 h. Distribute Benefits (inclusive of setup/managing the bank account,
30 mailing checks, issuing PayPal and Venmo payments, including
31 undeliverable follow up): \$40,134.00
32
33 i. Project Management (inclusive of client communications,
34 drafting/executing notice plan, drafting declarations, payment

1 calculations, responding to escalated Class Member

2 communications, periodic reporting, etc.): \$56,700.00

3 j. Expenses (inclusive of postage, P.O. Box hosting, copy charges,

4 supplies, electronic data security/storage, etc.): \$25,000.00

5 **Total: \$342,635.00**

6 7. The fees and expenses listed in Paragraph 6 above are agreed to be
7 capped at a maximum of \$450,000.00 as a not-to-exceed price. JND will use best
8 efforts and continue to review for and apply cost saving measures, as applicable, to
9 keep expenses under the amount capped for the claims and distribution portion of
10 the administration.

11 8. JND is continuing to work on the above-described plan for claims and
12 distribution administration, and therefore JND reserves the right to submit a
13 supplemental declaration modifying these costs, as the plan is finalized.

14
15 I declare under penalty of perjury under the laws of the United States of
16 America that the foregoing is true and correct.

17
18 Executed this 22nd day of April 2025, in Seattle, WA.

19
20 

21 _____
HEATHER FOLLENSBEE