



breach, and government enforcement matters. Information about Heffler and the services we provide can be found at the firm's website *www.hefflerclaims.com* and in our Firm Resume attached hereto as **Exhibit A**.

3. Heffler has been engaged by counsel for the parties to provide notification and claims administration services in the settlement of the above-captioned matter ("the Settlement").

4. Heffler will provide notice of the Settlement to the class members via a combination of Postcard Notice and development, implementation, and maintenance of a Settlement Website. Prior to mailing notice, the class list will be run through the United States Postal Service's (USPS) National Change of Address (NCOA) database. A standard Postcard Notice will provide a summary notice describing the Settlement and be mailed to the approximately 150,000 class members who were U.S. customers of Jackson National Life Insurance Company ("Jackson") with contracts that contain the Language at Issue who incurred Withdrawal Charges and/or Recapture Charges on variable annuities since January 9, 2009. Any Postcard Notices that are returned by the USPS as undeliverable will be address traced through the USPS Address Element Correction service to attempt to identify the Class Member's current address and re-mailed to any updated addresses obtained through the AEC 1. Any Postcard Notices that are returned with a forwarding address provided by the USPS will be re-mailed to the addresses provided by the USPS.

5. It is Heffler's understanding that Jackson will mail notice, similar to the postcard notice, to approximately 42,000 Class Members that are current customers. As such, direct notice will be sent to all approximately 192,000 Class Members.

6. The standard Postcard Notice will contain the URL for the Settlement Website at which visitors can view more detailed information and find answers to frequently-asked

questions regarding the Settlement; view and download copies of documents related to the Settlement including the Settlement Agreement; and obtain information on deadlines for filing an Objection or Exclusion, and completing information for requesting payment, as well as the Final Approval Hearing's date, time and location, and other information pertaining to the Settlement. The standard Postcard Notice will also contain a toll-free phone number where class members can call Heffler to obtain information about the Settlement.


7. Heffler will operate a call center for Class Members to contact to obtain further information on the Settlement. Operators will be trained to answer questions pertaining to the litigation and Settlement and available during normal business hours. There will also be an Interactive Voice Response ("IVR") available 24 hours a day, 7 days a week which will include answers to frequently asked questions and important dates and deadlines.

8. Heffler will establish a Qualified Settlement Fund ("QSF") to receive Jackson's Funding Class Settlement Payment and prepare the QSF's Federal 1120-SF tax returns.

9. Heffler will make the required payments to Class Members who do not have Current Accounts from the Settlement Fund by either: (1) delivering a digital Visa card in such amount to respective Class Member via email; or (2) delivering a postcard check to Class Members who are unable to provide a valid email address, or (3) by mailing a check to the Class Member's verified address if the amount of the required payment is in excess of \$250. If a check is neither returned nor cashed within ninety (90) days of mailing, the monetary value of the check will revert to the QSF. If a check is returned as undeliverable, Heffler will promptly employ a "skip-trace" procedure and re-mail the check if the skip-trace yields a new address. If the skip-trace does not yield a new address, or if the check is re-mailed and returned or not

cashed within ninety (90) days of re-mailing, the monetary value of the check will revert to the QSF for pro rata redistribution among identified Class Members.

I declare under penalty of perjury under the laws of the Commonwealth of Kentucky that the foregoing is true and correct, and executed in La Grange, Kentucky on February 5, 2021.

A handwritten signature in cursive script that reads "Matthew Neylon".

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Matthew Neylon

# Exhibit A

## Company Profile

Heffler Claims Group, a division of global advisor, [Duff & Phelps](#), is a national leader in class action settlement administration, having specialized in the notice and administration of complex legal matters for more than 50 years. Together with [Prime Clerk](#), the leading bankruptcy claims and noticing agent and another Duff & Phelps company, we offer the most comprehensive administrative services in the industry. As a member of the Duff & Phelps family of companies, we have nearly 4,000 professionals in 28 countries around the world and provide our clients with world class IT, cybersecurity, and global notification and administration capabilities for class action claims administration including Consumer, Antitrust, Securities, Data Breach, and Mass Tort matters.

As the time-tested leader in class action settlement administration, Heffler Claims Group (Heffler) has processed millions of claims, mailed over tens of millions of notices, expedited hundreds of thousands of calls, and distributed billions of dollars in compensation to class members worldwide. This experience, coupled with our dedicated team of professionals and state-of-the-art technology, enables us to deliver a full-service notice and administration solution that allows for a seamless experience, case continuity, quality control, and cost savings.

- ✓ **More than 50 years in business**
- ✓ **Industry leading technology platform**
- ✓ **24/7 capability**
- ✓ **Onsite IT professionals**
- ✓ **Nationally recognized media team**
- ✓ **In-house tax experts**
- ✓ **Efficient and cost-effective solutions**
- ✓ **Demonstrated accuracy**

As the only claims administrator to assign a senior member of our leadership team to each case from start to finish, we provide clients with the practical knowledge needed throughout the administration process to proactively anticipate potential risks before they occur and recommend proven solutions to protect the interests of all stakeholders.

Our in-house, nationally recognized media team has more than 50 years of combined media and communication experience, spanning hundreds of court-approved legal notice programs. We utilize the top research, measurement and evaluation currency in the advertising industry, providing industry-accepted and legally defensible methods for research, demographics, targeting, and overall measurement. No other claims administrator provides the full scope of in-house services that Heffler offers.

### Sample value-added services

- Elite Notice Expert
- Special Master Capabilities
- Escrow Fund Services
- QSF & Fair Funds
- Auditing Services
- Tax Compliance Services
- Form 1099 preparation and issuance
- Forensic Accounting
- Qui Tam Investigations
- Analysis and evaluation of incurred losses of claimants

## The Heffler Difference

At Heffler, our priority is to get it right for our clients and to deliver results. A question we constantly ask ourselves is “how can we be better?” It’s this philosophy that drives our business model and is the reason for our distinctive, consultative approach to each case. As a trusted leader in legal administration, our leadership team has collectively over 150 years’ experience in administering and managing many complex and sophisticated cases.

### Heffler by the numbers



### Why partner with Heffler?

- The most experienced claims administration team in the industry.**  
 With more than 25 years of experience, each member of our leadership team is well-versed in all aspects of the settlement administration and notice process. They have a proven track record of consulting with both Plaintiff and Defense counsel, often before settlement agreements are finalized, to ensure a smooth, well-planned, and effective administration.
- State-of-the-art technology for even the most complex class action cases.**  
 Having worked on some of the most complex cases in the country, Heffler’s proprietary claims administration system, coupled with our in-house team of highly-skilled IT professionals — including web developers, programmers, and data specialists – was developed to allow us to handle any case with unlimited capacity and controlled security. Heffler invests in only the highest level of technology and data security which is critical to the successful housing of information and administration processes of class action settlements including the safety of class member personal information.
- Recognized leader in media planning for class action, product recall and crisis outreach.**  
 Through our full-service, in-house media team HF Media, Heffler offers superior outreach programs that are rooted in analytics, validated by third-parties and highly defensible in court. HF Media which is led by one of the industry’s most distinguished legal notice and communications experts, Jeanne Finegan, specializes in legal notice and has successfully planned and implemented hundreds of Court Approved notice programs, government enforcement actions and recalls, including some of the largest worldwide.
- Complete in-house claims administration, settlement and distribution services.**  
 For decades, Heffler has assembled the in-house resources necessary for effective class action administration. Today, we’re the only claims administrator to offer a complete, in-house team of US-based experts to handle any case from mediation through conclusion. With attorneys, CPAs,



media and public relations experts, MBAs, and IT specialists, we provide our clients with a full-service notice and administration solution that allows for a seamless experience, case continuity, quality control, and cost savings.

- Originator of industry-wide claims procedures with a proven track record.**  
 Heffler was the pioneer for administering class action settlements in the mid-1960’s when demand for these services first emerged. Today, Heffler continues to hone its processes, that are tried and proven and used industry-wide, to further advance class action administration. Our leadership team remains at the forefront of the class action space by actively participating in panels and thought leadership initiatives, by serving on committees to help write and refine the rules, and by testifying in the Courts.

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## Data Security and Fraud Mitigation

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Heffler and its affiliates, including Kroll and Duff & Phelps, are global leaders in data security and cyber risk management. Nothing is more important than protecting the confidentiality, availability and integrity of customer data while meeting or exceeding all regulatory requirements for the protection and handling of that data. We have taken technical, physical and procedural safeguards to deal with a variety of threats while consistently monitoring and reviewing our network and premises to protect our platform and clients from yet-to-be-discovered attack techniques.

Our comprehensive information security program includes vulnerability management, incident response, compliance, security monitoring and security engineering supported by a dedicated team of information security professionals.

<b>30+ types</b> of Industry Certifications	Awarded <b>Best Data                  Security</b> Provider	<b>HIPAA and                  GDPR</b> compliant	<b>Authorized U.S.</b> government service provider	Awarded <b>Best                  Managed                  IT Service</b> Provider	<b>TIA Tier IV</b> Classification datacenter	<b>24x7x365</b> endpoint security monitoring
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*Key elements of our Global Security Standards include:*

- Data center facility with a TIA Tier IV classification (the highest classification for 99.995% uptime) and biometric authentication access system
- 24x7x365 endpoint security monitoring
- Supported full-time by professional information security team with over 30 types of industry certifications
- Fully redundant environmental systems with business continuity plans and enterprise class redundant storage
- Full disk encryption with a 256-bit key
- Regularly conduct penetration testing and ensure multiple layers of defense on our endpoints, including anti-virus, application whitelisting as well as incident response and advance persistent threat tools
- Global formal and informal training for all employees in best practices and corporate policies



## Methods of Quality Assurance and Fraud Mitigation

At Heffler, we've established stringent quality assurance methods and procedures designed to establish controls over the accuracy of claims data. These built-in methods and procedures are incorporated during the entire administration process and prior to issuing a final report to verify the accuracy of recognized claim amounts, the implementation of the settlement's Plans of Allocation, and the validity of any approved claims along with the determination of deficient and rejected claims.

- ✓ Industry-leading technology
- ✓ HIPAA Compliant
- ✓ GDPR Compliant
- ✓ CCPA Compliant
- ✓ PCI DSS Certified
- ✓ AICPA SOC Compliant

We generate Quality Assurance Reports wherein certain claims are identified for further review whether that be for identified anomalies, possible duplication of another claim, or claims filed by suspected or known fraudulent claim filers. Also, our supervisory staff conducts manual reviews for outlier claim groups and reviews them for assurance of the validity of the claims.

Heffler conducts audits after consultation with the parties using statistical sampling techniques to validate the data collected or categories of claims that merit further review. Any abnormalities that are found or questions that arise from these audits are reviewed in detail. Over the course of performing class action administration work, Heffler has identified a list of persons known to file suspect claims or multiple claims. In each matter we handle, prior to final approval of a claim, we verify that the claimant is not included in this list.

We also audit for new claimants that might have questionable or unsubstantiated claims. Lastly, Heffler is in compliance with the U.S. Treasury's Office of Foreign Assets Control (OFAC) regulations designed to halt terrorist and other illegal funds from circulation.

### Positive Pay Disbursements and ACH Debit Block

We require all disbursing banks to activate their "Payee Verification Positive Pay Disbursement" services for each distribution. This service safeguards against non-approved issuance of distribution checks and fraudulently altered distribution checks. Payee Positive Pay is a service offered by various banks that allows the check issuer/account holder to upload a file containing the check number, check amount and check date. As checks are then cleared against the account they will be matched against the positive pay file by the bank and if any checks presented against the account do not match to the positive pay file they will be queued as a "positive pay exception."

Heffler reviews all positive pay exceptions prior to approval of payment. To further protect an account against fraud, the disbursing bank electronically images all checks, allowing Heffler to track a check immediately should there be a questionable check presented for payment. All settlement distribution accounts are protected by ACH Debit block which prevents unauthorized attempts to pull funds from an account via the use of the routing and account number taken from a settlement check and using that information to make electronic payments.

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## In-House Notice Expert

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[Click here for full CV](#)

Jeanne Finegan, APR, who is the industry's most experienced legal notice and communications expert, has more than 25 years of communications and advertising experience. During her tenure, Jeanne has planned and implemented hundreds of high-profile, complex legal notice communication programs. She is a recognized notice expert in both the United States and in Canada, with extensive international notice experience spanning more than 140 countries and over 40 languages. Jeanne has provided expert testimony before Congress on issues of notice, and expert testimony in both state and federal courts regarding notification campaigns. She has conducted numerous media audits of proposed notice programs to assess the adequacy of those programs under Fed R. Civ. P. 23(c)(2) and similar state class action statutes. Below, we've highlighted representative judicial comments for Ms. Finegan pursuant to your request, as well as some of her representative Antitrust case experience.



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## Representative Case Experience

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- ***ABC Bartending School of Miami Inc. v. American Chemicals & Equipment Inc. and Steven Mote***, Case No. 15-cv-23142-KMW and ***Bais Yaakov of Spring Valley v. American Chemicals & Equipment Inc.***, Case No. 16-cv-24705-KMW, in the U.S. District Court for the Southern District of Florida
- ***Aimee Lambert v. Buth-Na-Bodhaige Inc., et al.***, Case No. 2:14-cv-00514-MCE-KJN, in the U.S. District Court for the Eastern District of California.
- ***Amber Teufel v. Karlin Foods Corporation***, Case No. 1:14-cv-23100, U.S. District Court for the Southern District of Florida, Miami-Dade County Division
- ***Ameer A. Hashw v. Department Stores National Bank and FDS Bank***, Case No. 0:13-cv-00727-RHK-BRT, in the U.S. District Court for the District of Minnesota
- ***American Business Financial Services, Inc. Noteholders Litigation***, Master File No. 05-232, In the United States District Court for the Eastern District of Pennsylvania
- ***Ammari Electronics v. Pacific Bell Directory***, Case No. RG-05-198014 (Alameda County (California) Superior Court)
- ***Andrew Tyler Foster, et al. v. L-3 Communications EOTech Inc.***, Case No. 6:15-cv-03519-BCW, in the U.S. District Court for the Western District of Missouri
- ***Angela Barnes, et al. v. River North Foods Inc.***, Case No. 16-L-459, St. Clair County Circuit Court, Illinois
- ***Bank of America Corporation Securities Litigation***, Case No. 11-CV-00733-WHP, United States District Court for the Southern District of New York
- ***Bee, Denning, Inc., et al. v. Capital Alliance Group, et al.***, Case No. 3:2013-cv-02654, U.S. District Court for the Southern District of California
- ***Blue Buffalo Co. Ltd. Marketing and Sales Practices Litigation***, 4:14 MD 2562 RWS, U.S. District Court for the Eastern District of Missouri - Eastern Division
- ***Bogosian v. Gulf Oil Corporation***, 393 F. Supp. 1046, US District Court for the Eastern District of Pennsylvania



- ***Cabiness v. Educational Financial Solutions, LLC d/b/a Campus Debt Solutions, et al.***, Case No. 3:16-cv-01109-JST, in the United States District Court for the Northern District of California
- ***Canada Dry Ginger Ale Settlements***, Circuit Court of the City of St. Louis, State of Missouri, Case No.1822-CC11811 and United States District Court, Northern District of California, Case No. 5:17-cv-00564
- ***Carter v. Forjas Taurus, S.A., et al.***, Case No. 1:13-cv-24583-PAS, U.S. District Court for the District of Southern Florida
- ***Columbia Gas Explosion Litigation***, Civil Action No. 1877-cv-01343G
- ***Contant v. Bank of America Corporation***, Case No. 1:17cv3139, The United States District Court for the Southern District of New York
- ***Cook, et al. v. Rockwell International Corp. and The Dow Chemical Co.***, No. 90-cv-00181-JLK (D. Colo.)
- ***Crystal Bray, et al. v. GameStop Corp.***, No. 1:17-cv-01365, U.S. District Court for the District of Delaware
- ***Cynthia E. Spann v. J.C. Penney Co. Inc. et al.***, Case No. 8:12-cv-00215, in the U.S. District Court for the Central District of California
- ***Dacia Trentham v. Taste of Nature, Inc.***, Case No. 18PH-CV00751, Circuit Court of Phelps County, Missouri
- ***Diana Jill Miloro, et al. v. Van's Food International Inc.***, Case No. 15PH-CV00642, Circuit Court of Phelps County, Missouri
- ***Doe One et. al. v CVS Health Corporation et. al.***, No. 2:18cv238, U.S. District Court of Southern Ohio
- ***Domestic Air Transportation Antitrust Litigation***, MDL NO. 861, The United States Court for the Northern District of Georgia
- ***Esslinger v HSBC Bank Nevada***, Case No. 2:10-CV-03213, Eastern District of Pennsylvania
- ***Flores vs. Grubhub Inc.***, Case No. 1:2016-cv-05105, U.S. District Court for the Northern District of Illinois



- ***Grant v. Commonwealth Edison Company***, Case No. 1:13-cv-08310, in the U.S. District Court for the Northern District of Illinois
- ***Grok Lines, Inc. v. Paschall Truck Lines, Inc.***, No. 1:2014cv08033, U.S. District Court for the Northern District of Illinois
- ***Hansen-Mitchell, et al. v. Welspun USA Inc., et al.***, No. 19-L-0391, Circuit Court for the 20th Judicial Circuit, County of St. Clair, State of Illinois
- ***Hutton v National Board of Examiners in Optometry, Inc.***, Case No. 1:16-cv-03025-JKB, U.S. District Court for the District of Maryland
- ***In re Dental Supplies Antitrust Litigation***, Case No. 1:16-CV-00696, The United States District Court for the Eastern District of New York
- ***In re Longwei Petroleum Investment Holding Limited Securities Litigation***, Case No. No. 13 Civ. 214 (RMB), United States District Court for the Southern District of New York
- ***In re OmniVision Technologies, Inc. Securities Litigation***, Case No. 5:11-cv-05235, United States District Court for the Northern District of California
- ***In re Polyurethane Foam Antitrust Litigation***, 1:10-md-02196 (N.D. Ohio).
- ***In re The Bank of New York Mellon ADR FX Litigation***, Case No. 1:16-cv-00212, United States District Court for the Southern District of New York
- ***In re Air Cargo Shipping Services Antitrust Litigation***, MDL No. 06-MD-1775 (JG) (VV) (E.D.N.Y.).
- ***In re Asbestos School Litigation***, Master File No. 83-0268, In the United States District Court of the Eastern District of Pennsylvania
- ***In re Building Materials Corp. of America Asphalt Roofing Shingle Products Liability Litigation***, MDL No. 8:11-mn-02000, In the United States District Court for the District of South Carolina
- ***In re Canadian Air Cargo Shipping Class Actions***, Ontario Superior Court of Justice, Court File No. 50389CP, Supreme Court of British Columbia, Quebec Superior Court.
- ***In re Carnival, ET AL v. WMX Technologies, Inc. et al.***, Civil Action No. 97-cv-5122 (JEI)
- ***In re Currency Conversion Fee Antitrust Litigation***, MDL No. 1409 M 21-95, United States District Court for the Southern District of New York



- ***In re Diet Drugs Product Liability Litigation*** –MDL No. 1203, Civil Action No.99-20593, In the United States District Court of Easter District of Pennsylvania
- ***In re Florida Microsoft Antitrust Litigation Settlement***, Index Number 99-27340 CA 11, 11th Judicial District Court of Miami-Dade County, Florida (2003).
- ***In re: Kansas Microsoft Antitrust Litigation Settlement***, Case No. 99C17089 Division No. 15 Consolidated Cases, District Court of Johnson County, Kansas Civil Court Dept (2004).
- ***In re: Lorazepam and Clorazepate Antitrust Litigation***, MDL No. 1290 (TFH), (D. D.C.).
- ***In re: McCormick & Co. Inc. Pepper Products Marketing and Sales Practices Litigation***, MDL No. 2665, U.S. District Court for the District of Columbia
- ***In re: Montana Microsoft Antitrust Litigation Settlement***, No. DCV 2000 219, Montana First Judicial District Court Lewis & Clark County (2003).
- ***In re: Natural Gas Antitrust Cases I, II, III, IV JCCP*** Nos. 42221, 42224, 4226 and 4228, Superior Court of the State of California, County of San Diego (2004).
- ***In re: New Mexico Indirect Purchasers Microsoft Corporation Antitrust Litigation***, No. D0101CV20001697, First Judicial District in the State of New Mexico (2004).
- ***In re: North Carolina Microsoft Antitrust Litigation Settlement***, No. 00-CvS-4073 (Wake) 00-CvS-1246 (Lincoln), State of N. C., in the Gen. Court of Justice Superior Court Div. N. C. Business Court (2003).
- ***In re: Packaged Seafood Products Antitrust Litigation***, MDL No. 2670, The United States District Court for the Southern District of California
- ***In re: Processed Egg Prods. Antitrust Litigation***, MDL No. 08-md-02002 (E.D.P.A.).
- ***In re Salvatore D. Larusso, et al. v. Nationwide Mutual Insurance Company***, Consolidated Case No. 00-6061-cv-ZLOCH/SNOW, In the United States District Court Southern District of Florida
- ***In re: South Dakota Microsoft Antitrust Litigation Settlement***, Civ. No. 00-235, State of South Dakota, County of Hughes in the Circuit Court Sixth Judicial Circuit (2004).
- ***In re The Department of Energy Stripper Well Exemption Litigation***, MDL No. 378, In the United States District of Kansas
- ***In Re: Three Mile Island Litigation***, Civil Action No. 79-0432, United States District Court of the Middle District of Pennsylvania



- **Kardonick, et al. v. JP Morgan Chase**, Case No. 1:10-cv-23235-WMH, United States District Court for the Southern District of Florida Miami Division
- **Kevin Sterk, et al. v. Path Inc.**, Case No. 1:13-cv-02330, US District Court for the Northern District of Illinois.
- **Kumar v. Salov North America Corp. Class Action Settlement**, Case No. 4:14-cv-02411-YGR, United States District Court - Northern District of California - Oakland Division
- **Lowery Et Al V. Rhapsody International, Inc.**, No. 4:16cv1135, US District Court for the Northern District of California
- **Merryman et al v. Citigroup, Inc., et al**, Case No. 1:15-cv-09185, United States District Court for the Southern District of New York
- **Mohamed v Off Lease Only, Inc.** Case No. 15-cv-23352-Civ-COOKE/TORRES, U.S. District Court for the Southern District of California
- **Murray v. Bill Me Later**, Case No. 12-cv-04789, U.S. District Court for the Northern District of Illinois, Eastern Division
- **Pearson, et al. v. NBTY Inc., et al.**, Case No. 1:11-cv-07972, U.S. District Court for the Northern District of Illinois
- **Pet Food Products Liability Litigation**, Civil Action No. 07-2867 (NLH) (All Cases), MDL No. 1850, in the United States District Court for the District of New Jersey
- **Rinky Dink Inc v. Electronic Merchant Systems Inc.**, Case No.2:2013-cv-01347, US District Court for the Western District of Washington
- **Robbins v Gencor Nutrients, Inc.**, Case No. 16AC-CC00366, Circuit Court of Cole County, Missouri
- **Ross v. American Express Co.**, Case No. 04-cv-5723, United States District Court for the Southern District of New York
- **Sarah Martin, et al. v. Starbucks Corp., et al.**, Case No. BC582335, Superior Court of the State of California for the County of Los Angeles
- **Schering-Plough Corporation Securities Litigation**, Master File No. 01-CV-0829(KSH/MF), United States District Court for the District of New Jersey





- ***Simms v. ExactTarget, LLC***, Case No: 1:14-cv-00737, United States District Court Southern District of Indiana
- ***Smith, et al. v. The City of Baltimore, et. al.***, Case No.: GLR-15-2921, United States District Court for the District of Maryland
- ***Takiguchi et al v. MRI International, Inc. et al***, Case No. 2:2013-cv-01183, United States District Court for the District of Nevada
- ***The TurboTax Consumer Rights Class Action Lawsuit is Rubin v. Intuit Inc.***, Case No. 3:16-CV-02029, in the U.S. District Court for the District of New Jersey
- ***Thomas Laumann, et al. v. National Hockey League, et al.***, Case No. 1:12-cv-01817, U.S. District Court for the Southern District of New York.
- ***Townsend v Blue Diamond Growers***, CV 14-958-4, Circuit Court of Washington County, Arkansas - Civil Division
- ***Yahoo! Inc. Customer Data Security Breach Litigation Settlement.***, No. 5:16-MD-02752-LHK, U.S. District Court Northern District of California
- ***Zoey Bloom v. Jenny Craig Inc.***, Case No. 1:18-cv-21820, United States District Court Southern District of Florida