

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MEGANNE NATALE and CHELSEA
CHENG, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

9199-4467 QUEBEC INC., d/b/a EARTH
RATED,

Defendant.

Case No. 2:21-cv-6775-JS-SIL

Hon. Joanna Seybert

**SUPPLEMENTAL DECLARATION OF HEATHER FOLLENSBEE REGARDING
SETTLEMENT ADMINISTRATION**

I, HEATHER FOLLENSBEE, declare and state as follows:

1. I am an Assistant Director at JND Legal Administration (“JND”). JND is a legal administration service provider with its headquarters in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action matters.

2. JND is serving as the Settlement Administrator¹ in the above-captioned litigation (the “Action”), pursuant to the Court’s Order Granting Preliminary Approval of Class Action Settlement Agreement, dated May 14, 2024 (“Order”).

¹ Capitalized terms used and otherwise not defined in this Declaration shall have the meanings given to such terms in the Class Action Settlement Agreement.

3. This Supplemental Declaration is meant to supplement Ryan Bahry's previous declarations dated September 9, 2024 (the "Declaration") and September 10, 2024 (the "Bahry Supplemental Declaration"). This Supplemental Declaration is based on my personal knowledge and information provided to me by experienced JND employees and, if called on to do so, I could and would testify competently thereto.

REQUESTS FOR EXCLUSION

4. As detailed in the Declaration, the Notices informed recipients that any Class Member who wished to exclude themselves from the proposed Settlement ("opt-out") must do so on or before September 23, 2024.

5. As of the date of this declaration, JND has received nine (9) timely requests for exclusion. A list of the names of the Settlement Class Members who requested exclusion is attached hereto as **Exhibit A**.

OBJECTIONS

6. As detailed in the Declaration, the Notices informed recipients that any Class Member who wished to object to the proposed Settlement must do so on or before September 23, 2024.

7. As of the date of this declaration, JND has not received any objections.

CLAIMS RECEIVED

8. As detailed in the Declaration, Settlement Class Members were required to file a Claim Form by mail or electronically on the Settlement Website, postmarked or submitted on or before December 9, 2024.

9. As of the date of this Supplemental Declaration, JND received a total of 1,624,255 Claim Forms (1,624,057 Claim Forms were submitted electronically and 198 Claim Forms were

submitted by mail). As discussed with the Parties, JND used an hCaptcha score to preliminarily determine the validity of the electronically submitted Claim Forms.

10. As of the date of this Supplemental Declaration, JND has preliminarily identified 171,097 potentially valid claims with an approximate claimed total dollar amount of \$996,792.00. The Parties and JND anticipate that additional review may be necessary to evaluate the existing potentially valid claims. JND is in the process of receiving, reviewing, and validating additional Claim Form submissions.

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

Executed on October 16, 2024, in Seattle, Washington.



Heather Follensbee

EXHIBIT A

EXCLUSIONS		
Name	City, State	Date
Andy Lin	Baltimore, MD	6/15/2024
Chandler Haukap	Laramie, WY	6/22/2024
Carlton N Sanders	Grayson, GA	6/28/2024
Marva Terry	New Haven, CT	6/30/2024
Frankie Tolentino	Elmhurst, IL	7/10/2024
Eddie Gallon	Madison, FL	7/17/2024
Kathleen Leines	Brockton, MA	8/28/2024
Rosie Rodriguez	Clovis, CA	8/29/2024
David Padilla	Hemet, CA	9/1/2024