

# EXHIBIT 2



2. This Affidavit is based upon my personal knowledge and information provided by Class Counsel, my associates, and A.B. Data staff members. The information is of a type reasonably relied upon in the fields of media, advertising, and communications.

3. This Affidavit details a notice plan for the Settlements (the “Proposed Notice Plan”) designed to provide adequate notice to members of the Settlement Class, which is defined as follows:

All Persons who purchased, sold, held, traded, or otherwise had any interest in Euroyen-Based Derivatives<sup>3</sup> during the period of January 1, 2006 through June 30, 2011 (“Class Period”). Excluded from the Class are: (i) Defendants and any parent, subsidiary, affiliate, or agent of any Defendant or any co-conspirator whether or not named as a defendant; and (ii) the United States Government.

4. The Proposed Notice Plan (attached as Exhibit A) includes print media, electronic media, and direct mail notice.

5. The print media notice efforts include placements in the following:

- Financial newspapers;
- Financial magazines; and
- A news release.

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<sup>3</sup>“Euroyen-Based Derivatives” means: (i) a Euroyen TIBOR futures contract on the Chicago Mercantile Exchange (“CME”); (ii) a Euroyen TIBOR futures contract on the Tokyo Financial Exchange, Inc. (“TFX”), Singapore Exchange (“SGX”), or London International Financial Futures and Options Exchange (“LIFFE”) entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (iii) a Japanese Yen currency futures contract on the CME; (iv) a Yen-LIBOR- and/or Euroyen TIBOR-based interest rate swap entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (v) an option on a Yen-LIBOR- and/or a Euroyen TIBOR-based interest rate swap (“swaption”) entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (vi) a Japanese Yen currency forward agreement entered into by a U.S. Person, or by a Person from or through a location within the U.S.; and/or (vii) a Yen-LIBOR- and/or Euroyen TIBOR-based forward rate agreement entered into by a U.S. Person, or by a Person from or through a location within the U.S.

6. The electronic media notice efforts include the following:

- “Banner” ads on financial websites;
- An email “blast” to subscribers of financial newsletters; and
- “Banner” ads on financial E-newsletters.

7. The full-length notice will be mailed directly to the following potential members of the Settlement Class:

- Euroyen-Based Derivative counterparties of Settling Defendants;
- Euroyen-Based Derivative counterparties of BTMU;
- Euroyen-Based Derivative counterparties of MUTB;
- Euroyen-Based Derivative counterparties of Citi;
- Euroyen-Based Derivative counterparties of HSBC;
- Euroyen-Based Derivative counterparties of Deutsche Bank;
- Euroyen-Based Derivative counterparties of JPMorgan;
- Agents and brokers selling FOREX services;
- Senior executives of hedge funds, investment banks, and real estate companies;
- Currency traders dealing with yen;
- Pension-fund managers and derivative traders;
- FOREX market traders;
- The largest traders on the Chicago Mercantile Exchange;
- ISDA members; and
- The largest banks and brokerage houses.

8. All printed notices will include a toll-free telephone number and the web address of the case website noted below for potential members of the Settlement Class to request or access the notices. The online banner and text ads will each include the website address and a link to the case website.

9. A case-specific website will be listed with major search engines to enable members of the Settlement Class to get information on the Settlements. Members of the Settlement Class will also have access through this website to relevant case information, updates, key documents, and applicable deadlines.

10. A.B. Data will maintain a case-specific toll-free telephone number to support the Settlements, with live operators during business hours. Services will specifically include the following:

- a. Inbound toll-free line;
- b. Interactive voice response system;
- c. Live operators during business hours;
- d. Call scripts developed by our experts and approved by Class Counsel; and
- e. Detailed reporting.

#### **RELEVANT EXPERIENCE**

11. As the Vice President, Media for the Class Action Administration Company of A.B. Data, Ltd., I provide a broad range of services, including market research and analysis, creative development, advertising, and marketing planning. My curriculum vitae is attached as Exhibit B.

12. I have developed and directed some of the largest and most complex national notification plans in the United States. The scope of my work includes notification plans in

securities settlements, antitrust litigation, and consumer, ERISA, and insurance settlements. I have developed or consulted on more than 100 notification plans, placing millions of dollars' worth of media notice. Selected cases include the following:

- a. **Securities Settlements Notice Plans:** *Hicks v. Morgan Stanley & Co.*, 01 Civ. 10071 (RJH), United States District Court, Southern District of New York; *High Tide Harry's, Inc. v. Waste Management Inc. of Florida*, 05-CA-009441, 9th Judicial Circuit, State of Florida; *In re: Campbell Soup Co. Securities Litigation*, 00-152-JEI, United States District Court, District of New Jersey; *Abrams v. Van Kampen Funds, Inc.*, 01-C-7538, United States District Court, Northern District of Illinois; *Stevelman v. Alias Research, Inc.*, 591-CV-00682 (EBB), United States District Court, District of Connecticut; *In re: Nuko Information Systems, Inc.*, C-97-20471 EAI, United States District Court, Northern District of California; *In Re: General Electric Co. Securities Litigation*, Civ. No. 09-CIV-1951 (DLC) ECF CASE, United States District Court, Southern District of New York; *In Re: PAR Pharmaceutical Securities Litigation*, Master File No. 2:06-03226 (ES) (SCM), United States District Court, District of New Jersey; *In Re: ING Groep, N.V. ERISA Litigation*, Master File No. 1:09-CV-00400-JEC, United States District Court, Northern District of Georgia; *In Re: Fannie Mae 2008 Securities Litigation*, Case No. 08-CV-7831, United States District Court, Southern District of New York; *In Re: Massey Energy Co. Securities Litigation*, Civil Action No. 5:10-cv-00689-ICB, United States District Court, Southern District of West Virginia; and

- b. **Antitrust/Commodities Settlements Notice Plans:** *Laydon v. Mizuho Bank, Ltd., et al.*, Docket No. 12-cv-3419 (GBD) and *Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*, Docket No. 15-cv-5844 (GBD), United States District Court, Southern District of New York (“Euroyen-Based Derivatives” Cases); *Sullivan v. Barclays plc et al.*, No. 13-cv-2811 (PKC), United States District Court, Southern District of New York; *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)*, 10-cv-3617 (WHP) (“Futures Action”), United States District Court, Southern District of New York; and *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)*, 10-cv-3617 (WHP) (“Physical Action”), United States District Court, Southern District of New York; *In re: Crude Oil Commodity Futures Litigation*, 11-cv-3600, United States District Court, Southern District of New York; *In re Polyurethane Foam Antitrust Litigation*, MDL Docket No. 2196, United States District Court, Northern District of Ohio; *In re: Terazosin Hydrochloride Antitrust Litigation*, 99-MDL-1317, United States District Court, Southern District of Florida; *In re: Cardizem CD Antitrust Litigation*, 99-MD-1278, United States District Court, Eastern District of Michigan; *In re: Remeron Antitrust Litigation*, 03-CV-00085, United States District Court, District of New Jersey; *In re: Relafen Antitrust Litigation*, 01-12239-WGY, United States District Court, District of Massachusetts; *In re: Buspirone Antitrust*, 01-MD-01413, United States District Court, Southern District of New York; *In Re: Potash Antitrust Litigation (II)*, Case No. 1:08-CV-6910, United States District Court, Northern District of Illinois; *In re: Optiver Commodities Litigation*, Case No.

1:08-cv-06842-LAP, United States District Court, Southern District of New York;  
*In re: Rough Rice Commodity Litigation*, Case No. 11-cv-00618, United States  
District Court, Northern District of Illinois; and

- c. **Consumer Settlements Notice Plans:** *Picant v. Premier Cruise Lines*, 96-06932-  
CA-FN, 18th Judicial Circuit, State of Florida; *In Re: Benzion v. Vivint, Inc.*, Case  
No. 12-cv-61826-WJZ, United States District Court, Southern District of Florida;  
and *In Re: ADT Security Services, Inc.*, Case No. 1:11-cv-1925, United States  
District Court, Northern District of Illinois.

13. Additionally, A.B. Data and its staff members have developed and implemented notice plans in numerous antitrust cases, including *In re: Marine Hose Antitrust Litigation*, 08-MDL-1888, United States District Court, Southern District of Florida; *Ace Marine Rigging v. Virginia Harbor Services, Inc.*, SA-CV-11-00436, United States District Court, Central District of California; *In re: Iowa Ready-Mix Concrete Antitrust Litigation*, 5:10-CV-004038-MWB, United States District Court, Northern District of Iowa; *In re Ready-Mixed Concrete Antitrust Litigation*, Case No. 1:05-cv-00979-SEB-JMS, United States District Court, Southern District of Indiana; and *In re LIBOR-Based Financial Instruments Antitrust Litigation*, 11 MDL 2262 (NRB), United States District Court, Southern District of New York (Exchange-Based Action).

14. A.B. Data has also been appointed as Notice, Claims, and/or Settlement Administrator in hundreds of high-volume securities, antitrust, consumer, civil rights, insurance, ERISA, and wage and hour cases, administering some of the largest and most complex class action settlements of all time, involving all aspects of media, direct, and third-party notice plans, data management, claims administration, and settlement fund distribution.

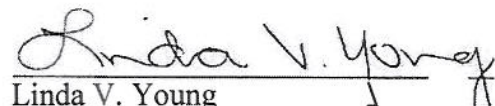


CONCLUSION

15. It is my opinion that the Proposed Notice Plan is adequate and reasonable and will effectively reach members of the Settlement Class. This Proposed Notice Plan conforms to the standards employed by A.B. Data in similar notification plans designed to reach groups or classes that trade in securities and commodities. The Proposed Notice Plan as designed is fully compliant with Rule 23 of the Federal Rules of Civil Procedure.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of September, 2019.

  
Linda V. Young

SUBSCRIBED and SWORN before me on the 5th day of September, 2019.



Steve Straub, Notary Public

My commission expires 5/18/2020.



**EXHIBIT A**



A.B. Data, Ltd.  
Class Action Administration  
Company  
600 A.B. Data Drive  
Milwaukee, WI 53217

Proposed Notice Plan

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*Laydon v. Mizuho Bank, Ltd. et al.*

No. 12-cv-3419 (GBD)

United States District Court for the Southern District of New York

September 5, 2019

## NOTICE PLAN OVERVIEW

### Case Background

This Proposed Notice Plan is submitted by A.B. Data, Ltd. (“A.B. Data”) in connection with the Settlement with Defendants The Bank of Yokohama, Ltd. (“The Bank of Yokohama”), Shinkin Central Bank (“Shinkin”), The Shoko Chukin Bank, Ltd. (“Shoko Chukin”), Sumitomo Mitsui Trust Bank, Ltd. (“Sumitomo”),<sup>1</sup> and Resona Bank, Ltd. (“Resona”), and the Settlement with Defendants Mizuho Bank, Ltd., Mizuho Corporate Bank, Ltd.,<sup>2</sup> and Mizuho Trust & Banking Co., Ltd. (collectively, “Mizuho”), The Norinchukin Bank (“Norinchukin”), and Sumitomo Mitsui Banking Corporation (“SMBC,” and collectively with The Bank of Yokohama, Shinkin, Shoko Chukin, Sumitomo, Resona, Mizuho, and Norinchukin, the “Settling Defendants”) in *Laydon v. Mizuho Bank, Ltd. et al.*, No. 12-cv-3419 (GBD) (“*Laydon*”) before the United States District Court for the Southern District of New York. This document outlines the efforts that will be made to provide notice of settlements to reach potential Class members.

A proposed Settlement Class has been certified in these cases regarding all persons and entities who purchased, sold, held, traded or otherwise had any interest in Euroyen-Based Derivatives<sup>3</sup> between January 1, 2006, through June 30, 2011, inclusive.

Because direct notice in this case may not reach all potential Class members, a paid-media Notice Plan targeting unidentified Class members is necessary.

### Class Definition

The Settlement Class or Class members for this Notice Plan include the following:

All Persons who purchased, sold, held, traded, or otherwise had any interest in Euroyen-Based Derivatives during the period of January 1, 2006 through June 30, 2011 (“Class Period”). Excluded from the Class are Defendants and any parent, subsidiary, affiliate, or agent of any Defendant or any co-conspirator whether or not named as a defendant, and the United States Government.

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<sup>1</sup> Sumitomo Mitsui Trust Bank, Limited was formerly known, and was sued as The Sumitomo Trust and Banking Co., Ltd. (“STB”). The Chuo Mitsui Trust and Banking Company, Limited, which was also sued in the *Laydon* action, merged into STB prior to the action to form Sumitomo Mitsui Trust Bank, Limited.

<sup>2</sup> On July 1, 2013, Mizuho Bank, Ltd. merged with Mizuho Corporate Bank, Ltd. After the merger, Mizuho Corporate Bank, Ltd. was the surviving entity and Mizuho Bank, Ltd. dissolved. The new entity was renamed Mizuho Bank, Ltd.

<sup>3</sup> “Euroyen-Based Derivatives” means: (i) a Euroyen TIBOR futures contract on the Chicago Mercantile Exchange (“CME”); (ii) a Euroyen TIBOR futures contract on the Tokyo Financial Exchange, Inc. (“TFX”), Singapore Exchange (“SGX”), or London International Financial Futures and Options Exchange (“LIFFE”) entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (iii) a Japanese Yen currency futures contract on the CME; (iv) a Yen-LIBOR- and/or Euroyen TIBOR-based interest rate swap entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (v) an option on a Yen-LIBOR- and/or a Euroyen TIBOR-based interest rate swap (“swaption”) entered into by a U.S. Person, or by a Person from or through a location within the U.S.; (vi) a Japanese Yen currency forward agreement entered into by a U.S. Person, or by a Person from or through a location within the U.S.; and/or (vii) a Yen-LIBOR- and/or Euroyen TIBOR-based forward rate agreement entered into by a U.S. Person, or by a Person from or through a location within the U.S.

## Plan Components

This document summarizes the recommended notice-of-settlement plan for the Settlements. This proposed plan is consistent with the requirements set forth in Rule 23 of the Federal Rules of Civil Procedure and the prior plan used for earlier settlements in *Laydon* and the related case, *Sonterra Capital Master Fund Ltd. et al. v. UBS AG et al.*, No. 15-cv-5844 (GBD) (S.D.N.Y).

A.B. Data recommends the following Notice Plan:

- Paid-Media-Based Notice  
A.B. Data recommends national, targeted paid-media notice consisting of print and Internet vehicles that will reach the Class members, including the following:
  - a. Direct mail notice.
  - b. Dealer notification.
  - c. Targeted financial newspapers.
  - d. Targeted financial magazines.
  - e. Internet banner ads on targeted websites.
  - f. Dedicated email blasts.
  - g. E-newsletter banner ads.
  - h. A news release.

A dedicated informational case website has been developed to complement the Notice Plan and to ensure Class members' easy access to updated information. The case website will be keyword-optimized, providing the opportunity for it to be listed on the first page of results from search engines such as Google and Bing.

## Direct Mail

Notice will be sent directly to a list of approximately 100,000 U.S.-based derivatives market participants, including: (1) members of the International Swaps and Derivatives Association ("ISDA"), a global trade association for OTC derivatives responsible for maintaining the standardized ISDA Master Agreement used in OTC Euroyen-Based Derivatives transactions; (2) senior executives at hedge funds, investment banks, and real estate companies – the commercial end-users of OTC Euroyen-Based Derivatives; (3) financial executives, including pension fund managers and derivatives traders, responsible for managing yen exposure; (4) individual traders and brokers who have transacted in the Euroyen market during the Class Period; (5) the CME's list of large traders, including those who transacted in Euroyen TIBOR and yen currency futures contracts; and (6) a proprietary list of banks, brokers, and other investors. This list is several times larger than the anticipated number of OTC Euroyen-Based Derivatives market participants and should effectively reach a large percentage of the Class.

Notice will be provided to counterparties to Euroyen-Based Derivatives that the Settling Defendants transacted with during the Class Period to the extent such counterparties are identifiable. Notice will also be sent to the BTMU and MUTB Defendants', Deutsche Bank Defendants', JPMorgan Defendants', Citi Defendants' and HSBC Defendants' counterparties in Euroyen-Based Derivatives that were previously provided under the terms of their respective settlement agreements.

## **Dealer Notification**

In addition to the direct mail notice described above, notice will be sent to the approximately 30 largest foreign-exchange and interest-rate-derivatives dealers in the United States with instructions to either (a) forward the Notice on to their customers or (b) provide a customer list that the Settlement Administrator can notify directly. The list of dealers notified will come from the Federal Reserve Bank of New York's triennial survey of turnover in the U.S. foreign-exchange and interest-rate derivatives markets.<sup>4</sup> Because these dealers collectively account for at least 90% to 95% of turnover in the OTC market, this method will reach almost all Class members who transacted in OTC Euroyen-Based Derivatives.

## **Paid-Media/Earned-Media Plan**

To reach unidentifiable Class members, A.B. Data recommends the use of paid- and earned-media. Paid-media advertising is guaranteed to appear. Paid-media also allow for limited control of the content, timing, and positioning of the message. Newspapers, magazines, newsletters, and the Internet, among other sources, offer paid-media opportunities.

A.B. Data researched data regarding the target audience's media consumption, determining the most appropriate media vehicles that would best deliver potential Class members and provide them with the opportunity to see and respond to the Notice.

National financial newspapers, national targeted financial magazines, targeted Internet advertising, and direct mail to key industry names and addresses will deliver an efficient and effective plan for reaching potential Class members. A.B. Data reviewed available magazines, newspapers, and online advertising for the target audience, as well as compatibility of the editorial content.

A.B. Data recommends the following components for the Notice Plan:

- National financial newspapers.
- National financial magazines.
- National targeted financial websites.
- Email notice through an email "blast."
- National sponsorship of selected financial newsletters.
- Earned-media, including the dissemination of a news release via *PR Newswire* to financial media sources.
- Direct mail to key financial names and addresses.

To complement the Notice Plan and to ensure Class members' easy access to updated information, A.B. Data will develop a dedicated informational case website.

## **Paid-Media Placement Summary**

The following list provides a summary of A.B. Data's recommended paid-media placements for this case. Detailed information about each publication and its coverage of the target audience in this case is available upon request.

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<sup>4</sup>See, e.g., *The Foreign Exchange and Interest Rate Derivatives Markets: Turnover in the United States*, Federal Reserve Bank of New York, at Annex II, April 2007 (listing more than 30 dealers, including G14 dealers).

## Print Media

### Financial Newspapers

Newspaper ads will be placed in each of the following publications:

- *The Wall Street Journal* (U.S. audience only)
- *Investor's Business Daily*
- *Financial Times* (U.S. audience only)

### Financial Magazines

Print ads will be placed in each of the following financial publications:

- *Barron's*
- *Global Capital*
- *Hedge Fund Alert*
- *Grant's Interest Rate Observer*

## Digital Media

Banner ads will be purchased on the following websites:

- [Zacks.com](http://Zacks.com)
- [Traders.com](http://Traders.com)
- [HFAlert.com](http://HFAlert.com)
- [GlobalInvestorGroup.com](http://GlobalInvestorGroup.com)
- [GlobalCapital.com](http://GlobalCapital.com)

All banner ads will include an embedded link to the case-specific website. The banner ads produced will be colorful and appealing, while including detailed text about the case and the settlement.

## **E-Newsletter Notice**

A.B. Data will schedule banner ads for the following e-newsletters:

- *Global Investor Group*
- *Stocks & Commodities*
- *Zacks.com*
- *Barchart.com*

The newsletters are emailed by the publications to "opt-in" subscribers. Banner ads will be placed at the tops of these newsletters in prominent positions so that subscribers see them as they access the e-newsletters.

### **Custom Email “Blast”**

The case news release will be sent as an email “blast” to “opt-in” subscribers of the following publications:

- *Stocks & Commodities*
- *Zacks.com*

### **Earned-Media**

In addition to the notice efforts involving print publications and digital media, A.B. Data recommends that a news release be disseminated via *PR Newswire*'s US1 Finance Newswire distribution list to announce the Notice of Settlement. This news release will be distributed via *PR Newswire* to the financial news desks of more than 10,000 newsrooms, including print, broadcast, and digital websites across the United States.

### **Due Process**

The Notice Plan summarized in this document provides a reach and frequency similar to those that courts have approved and that are recommended by the Federal Judicial Center's *Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide*. This summarized Notice Plan is the best practicable for the Class and meets due process requirements.

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Scheduling

Proposed Notice Scheduling 2019

Publication	September					October				November			
	2	9	16	23	30	7	14	21	28	4	11	18	25
<b>PR Newswire</b> USI Newswire			9/18										
<b>Financial Times</b>					9/30	10/9							
<b>The Wall Street Journal</b>				9/23	10/2								
<b>Investor's Business Daily</b>					9/30	10/7							
<b>Barron's</b>						10/7		10/21					
<b>Stocks &amp; Commodities/Traders.com</b> Website Banner Ads Custom Email Blast - Date TBD Enewsletter Banner Ad - Date TBD					9/30 - 10/30								
<b>GlobalInvestorGroup.com</b> Website Banner Ads Enewsletter Banner Ad - Date TBD					9/30 - 10/30								
<b>Hedge Fund Alert</b> Issue Date Website Banner Ads					10/7		10/21						
<b>Global Capital</b> Issue Dates Website Banner Ads					10/4		10/18		11/1				
<b>Zacks.com</b> Website Banner Ads Enewsletter Banner Ad - Date TBD Custom Email Blast - Date TBD					9/30 - 10/30								
<b>Barchart.com</b> Enewsletter Banner Ad - Dates TBD													
<b>Grant's Interest Rate Observer</b> Issue Dates								11/1					



# EXHIBIT B

**LINDA V. YOUNG**  
[Linda.Young@abdata.com](mailto:Linda.Young@abdata.com)

**EXPERIENCE**

**A.B. Data, Ltd., Milwaukee, WI**

Vice President, Media

Lead the A.B. Data Class Action Administration media team in research, development, and implementation of media notice plans for settlements and other class action administrations. Cases include the following:

**Antitrust Settlements Notice Programs**

- *In re Liquid Aluminum Sulfate Antitrust Litigation* No. 16-md-2687 (JLL) (JAD), United States District Court, District of New Jersey
- *In re Aggrenox Antitrust Litigation* No. 3:14-md-02516 (D. Conn.)
- *In re Solodyn (Minocycline Hydrochloride) Antitrust Litigation (All End-Payor Actions)* MDL No. 14-MD-2503-DJC, United States District Court for the District of Massachusetts
- *In re Capacitors Antitrust Litigations: All Indirect Purchaser Actions* No 14-CV-03264-JD
- *In re Polyurethane Foam Antitrust Litigation* MDL Docket No. 2196, United States District Court, Northern District of Ohio
- *In re Medco Health Solutions, Inc., Pharmacy Benefits Management Litigation* MDL No. 1508, United States District Court, Southern District of New York
- *In re Warfarin Sodium Antitrust Litigation*, MDL No. 98-1232 (SLR), United States District Court, District of Delaware
- *Blevins v. Wyeth-Ayerst Laboratories, Inc. and American Home Products Corp.* No. 324380, Superior Court of California for the County of San Francisco
- *In re Terazosin Hydrochloride Antitrust Litigation* 99-MDL-1317, United States District Court, Southern District of Florida
- *In re Cardizem CD Antitrust Litigation* 99-MD-1278 United States District Court, Eastern District of Michigan
- *In re High Pressure Laminate Antitrust Litigation*, Civil Action No. 00C-1989 and Related Cases, Second Circuit Court for Davidson County, Tennessee, 20<sup>th</sup> Judicial District at Nashville
- *In re Pennsylvania Baycol Third-Party Payor Litigation*, September Term, 2001 No. 001874 Court of Common Pleas, Philadelphia County, South Carolina
- *In re Remeron End-Payor Antitrust Litigation*, Master File No. 02-CV-2007 (FSH), United States District Court, District of New Jersey
- *In re Relafen Antitrust Litigation* 01-12239-WGY United States District Court, District of Massachusetts
- *In re Buspirone Antitrust* 01-MD-01413, United States District Court, Southern District of New York
- *Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham*

*Corporation* No. 2:02cv442, United States District Court, Eastern District of Virginia

- *Cipro Cases I and II*, Judicial Council Coordination Proceedings Nos. 4154 and 4220, Superior Court of the State of California, County of San Diego
- *In re Potash Antitrust Litigation (II)* No. 1:08-CV-6910, United States District Court for the Northern District of Illinois
- *In re Optiver Commodities Litigation* No. 1:08-CV-06842-LAP, United States District Court, Southern District of New York
- *In re: Rough Rice Commodity Litigation* No. 11-CV-00618, United States District Court, Northern District of Illinois
- *In re Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)* 10-CV-3617 (WHP) (“Futures Action”) United States District Court, Southern District of New York
- *In re Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)* 10-CV-3617 (WHP) (“Physical Action”), United States District Court, Southern District of New York
- *Kamakahi and Levy v. American Society for Reproductive Medicine and Society for Assisted Reproductive Technology* No. 3:11-CV-1781 JCS, United States District Court, Northern District of California
- *Mahoney v. Endo Health Solutions, Inc., et al.* No. 15-CV-9841 (DLC) United States District Court, Southern District of New York
- *State of New York, et al, v. Cephalon, Inc., et al.*, Civil Action No. 16-CV-01833, United States District Court, Eastern District of Pennsylvania

### **Securities Settlements Notice Programs**

- *Elkin v. Walter Investment Management Corp.*, No. 2:17-cv-02025-JCJ, United States District Court, Eastern District of Pennsylvania
- *In re Starz Stockholder Litigation*, No. 12584-VCG, The Court of Chancery of the State of Delaware
- *In re Quality Systems, Inc. Securities Litigation*, No. 8:13-cv-01818-CJC-JPR, United States District Court, Central District of California, Southern Division
- *In re PTC Therapeutics, Inc. Securities Litigation*, No. 16-1224 (KM)(MAH), United States District Court, District of New Jersey
- *Aude, et al., v. Kobe Steel, Ltd., et al.*, United States District Court, Southern District of New York No. 17-CV-10085-VSB
- *Rahman v. GlobalSCAPE, Inc., et al.*, United States District Court, Western District of Texas No. 5:17-cv-00753-XR
- *In re CytRx Corporation Securities Litigation* United States District Court, Central District of California No. 2:16-CV-05519-SJO-SK
- *In re CPI Card Group Inc. Securities Litigation*, United States District Court, Southern District of New York No. 16-cv-04531 (LAK)
- *Singh v. 21Vianet Group, Inc.* United States District Court, Eastern District of Texas, Marshall Division No. 2:14-cv-00894-JRG-RSP
- *Kasper v. AAC Holdings, Inc., et al.*, United States District Court, Middle District of Tennessee, Nashville Division No. 3:15-CV-00923-JPM
- *Euroyen-Based Derivatives, Laydon v. Mizuho Bank Ltd., et al.*, 12-CV-3419 (GBD)

*Southern District of New York and Sonterra Capital Master Fund, Ltd., et al. v. UBS AG, et al.* 15-CV-5844 (GBD), Southern District of New York

- *In re Facebook, Inc. IPO Securities and Derivative Litigation*, United States District Court Southern District of New York, MDL No. 12-2389
- *GFI Group, Inc. Securities Litigation*, United States District Court Southern District of New York No. 1:14-CV-09438 WHP
- *In re Juno Therapeutics Inc.*, United States District Court Western District of Washington at Seattle No. C16-1069 RSM
- *Straight Path Communications, Inc.*, United States District Court, District of New Jersey No. 2:15-CV-08051-JMV-MF
- *In re DFC Global Corp. Securities Litigation*, United States District Court Eastern District of Pennsylvania, Civ. A. No. 2:13-CV-06731-BMS
- *In re Berkshire Realty Company, Inc. Shareholder Litigation*, C.A. No. 17242, Court of Chancery for the State of Delaware in and for New Castle County
- *Lipson v. Simon et al.*, CV 98 4573 (TCP), United States District Court, Eastern District of New York
- *In re Service Corporation International*, Civil Action H-99-280, United States District Court, Southern District of Texas
- *Hicks v. Morgan Stanley & Co.* 01 Civ. 10071 (RJH), United States District Court, Southern District of New York
- *High Tide Harry's, Inc. v. Waste Management Inc. of Florida* 05-CA-009441, 9<sup>th</sup> Judicial Circuit, State of Florida
- *In re Campbell Soup Co. Securities Litigation* 00-152-JEI, United States District Court, District of New Jersey
- *Abrams v. Van Kampen Funds, Inc.* 01-C-7538, United States District Court, Northern District of Illinois
- *In re Seitel, Inc. Securities Litigation* No. 02-1566, United States District Court, Southern District of Texas
- *Stevelman v. Alias Research, Inc.* 591-CV-00682 (EBB), United States District Court, District of Connecticut
- *In re Phoenix Leasing Limited Partnership Litigation* No. 173739, Superior Court of the State of California, County of Marin
- *In re Nuko Information Systems, Inc.* C-97-20471 EAI, United States District Court, Northern District of California
- *In re PriceSmart Securities Litigation*, Master File No. 03-CV-2260-JAH- (BLM), United States District Court, Southern District of California
- *In re General Electric Co. Securities Litigation*, Civ. No. 09-CIV-1951 (DLC) ECF CASE, United States District Court, Southern District of New York
- *In re PAR Pharmaceutical Securities Litigation*, Master File No. 2:06-03226 (ES) (SCM), United States District Court, District of New Jersey
- *In re ING Groep, N.V. ERISA Litigation*, Master File No. 1:09-CV-00400-JEC, United States District Court, Northern District of Georgia
- *In re Fannie Mae 2008 Securities Litigation* No. 08-CV-7831, United States District Court, Southern District of New York
- *In re Massey Energy Co. Securities Litigation*, Civil Action No. 5:10-CV-00689-ICB,

United States District Court, Southern District of West Virginia

- *In re 2014 Avon Products, Inc. ERISA Litigation*, United States District Court, Southern District of New York
- *In re BioScrip, Inc. Securities Litigation*, Civil Action No. 13-CV-6922-AJN, United States District Court, Southern District of New York
- *In re BP plc Securities Litigation* No. 4:10-MD-02185, United States District Court, Southern District of Texas
- *The Department of the Treasury of the State of New Jersey and Its Division of Investment v. Cliffs Natural Resources Inc., et al.* No. 1:14-CV-1031, United States District Court, Northern District of Ohio
- *Laydon v. Mizuho Bank, Ltd., et al.* No. 12-CV-3419 (GBD) and *Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.* No. 15-CV-5844 (GBD), United States District Court, Southern District of New York
- *Sullivan, et al. v. Barclays plc, et al.*, No. 13-CV-02811 (PKC), United States District Court, for the Southern District of New York
- *In re Eastman Kodak ERISA Litigation* Master File No. 6:12-CV-06051 DGL, United States District Court, Western District of New York
- *In re NII Holdings, Inc. Securities Litigation*, Civ. No. 1:14-CV-00227-LMB-JFA, United States District Court, Eastern District of Virginia
- *In re Nu Skin Enterprises, Inc., Securities Litigation* Master File No. 2:14-CV-00033-JNP-BCW, United States District Court, District of Utah
- *Första AP-Fonden and Danske Invest Management A/S v. St. Jude Medical, Inc., et al.* Civil, No. 12-3070 (JNE/HB), United States District Court, District of Minnesota
- *In re TIBCO Software Inc. Stockholders Litigation, Consolidated C.A.* No. 10319-CB, Court of Chancery, State of Delaware

### **Consumer Settlements Notice Programs**

- *MSPA Claims I, LLC v. Ocean Harbor Cas. Ins. Co.* No. 2015-1946 CA-01, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida
- *Valle v. Popular Community Bank*, No. 653936/2012, Supreme Court, State of New York, County of New York
- *Bizarro, et al., v. Ocean County* No. OCN-1644-17, Superior Court of New Jersey, Law Division, Ocean County
- *Christina Martin et al. v. the State of Washington, et al.*, Superior Court, State of Washington, County of Spokane, No 14-2-00016-7
- *Picant v. Premier Cruise Lines*, 96-06932-CA-FN, 18<sup>th</sup> Judicial Circuit, State of Florida
- *McParland and Picking v. Keystone Health Plan Central, Inc.* Civil Action No. 98-SU-00770-01, Court of Common Pleas, York County, Pennsylvania
- *Smith v. American Family Mutual Automobile Insurance Co.* No. 00-CV-211554, Circuit Court of Jackson County, Missouri
- *Duncan v. The Unity Life and Accident Insurance Association, et al.*, Civil Action No. 00-CIV-7621, United States District Court, Southern District of New York
- *Duncan v. Columbian Protective Association of Binghamton, New York, and Columbian Mutual Life Insurance Company* No. 00 CIV. 7236 (JGK), United States District Court, Southern District of New York

- *Watkins, as Executrix of the Estate of Hines, and as Beneficiary of the Adult Whole Life Industrial Policy of Hines, v. Columbian Mutual Life Insurance Company, a Subsidiary of Columbian Financial Group, and Golden Eagle Mutual Life Insurance Corporation* No. 03 CIV. 8620 (JGK), United States District Court, Southern District of New York
- *In re: Benzion v. Vivint, Inc.* No. 12-CV-61826-WJZ, United States District Court, Southern District of Florida
- *In re: ADT Security Services, Inc.* No. 1:11-CV-1925, United States District Court, Northeastern District of Illinois
- *The State of Illinois v. Au Optronics Corporation, et al.* No. 10 CH 34472, Circuit Court of Cook County, Illinois
- *State of Washington v. AU Optronics Corporation, et al.* No. 10-2- 29164-4 SEA, King County Superior Court, Washington
- *Mey v. Interstate National Dealer Services, Inc., et al.* No. 1:14-CV-01846-ELR, United States District Court, Northern District of Georgia
- *Estakhrian, et al., v. Obenstine, et al.* No. CV11-3480-FMO (CWx), Nevada District Court
- *Krakauer v. DISH Network, L.L.C.*, Civil Action No. 14-CV-333, United States District Court, Middle District of North Carolina
- *Lofton v. Verizon Wireless (VAW) LLC* No. 13-CV-05665-YGR, United States District Court, Northern District of California
- *Lyons, et al., v. Litton Loan Servicing, LP, et al.*, No. 13-CV-00513, United States District Court, Southern District of New York; *Katz, et al. v. Live Nation, Inc., et al.*, Civil Action No. 1:09-CV-003740-MLC-DEA, United States District Court, District of New Jersey
- *Bergman, et al. v. DAP Products Inc., et al.* No. 14-CV-03205-RDB, United States District Court, District of Maryland

#### **Mile Marker Zero, LLC, Greenville, SC**

Principal

Directed the development of marketing and advertising plans for national and local clients, including the following:

- **Complete Claim Solutions, Inc.**
  - Developed media recommendations and implemented newspaper, magazine, and press release notice programs with budgets ranging from \$500 to as high as \$2 million for third-party-payor settlements, including settlements regarding Terazosin Hydrochloride (Hytrin), Coumadin-Warfarin, Augmentin, Cardizem, Remeron, Relafen, Buspar, and Taxol.
  - Developed and implemented media plans for securities settlements in cases involving such firms as Morgan Stanley, First Central Financial, Waste Management, Campbell Soup, Van Kampen, Alias Research, and Nuko Information Systems. Some plans included running newspaper ads in more than 50 city newspapers over a single two-week period.
  - Developed media recommendations and implemented newspaper and magazine advertising campaigns on both regional and national levels for consumer and

insurance settlements in cases involving such firms as Premier Cruise Lines and Unity Life Insurance Company.

Mile Marker Zero worked with Complete Claim Solutions, Inc., for six years as its sole media planning and buying partner. Mile Marker Zero developed and implemented national and international print and earned media notice programs to support the notification of consumers and third-party payors in cases such as the following:

- Coumadin-Warfarin
  - Hytrin
  - Cardizem
  - Buspar
  - Nuko
  - Columbian Mutual Life
  - Freeport-McMoRan Sulphur, Inc.
  - Relafen
  - Remeron
  - Service Corporation International
  - Premarin
  - Taxol
  - Waste Management
  - Campbell Soup
  - Alias Research
  - Augmentin
  - Keystone Health Plan
  - Seitel, Inc. Securities
  - 3M-Scotch
  - Baycol
  - SmartForce, PLC
  - PriceSmart
  - Van Kampen
  - Unity Life Insurance Co.
  - Premier Cruise Lines
  - MedCo
  - Berkshire Realty
  - Platinol
  - Transaction System Architects
  - Eaton Vance Corp.
  - Cipro
  - American Family Mutual Automobile Insurance Co.
  - Morgan Stanley
- **The Arthritis Foundation** – the largest U.S. not-for-profit organization that supports research regarding more than 100 types of arthritis and related conditions.
    - Wrote and produced national sponsorship programs to generate financial support for the Foundation.
    - Wrote and produced collateral materials to support national Foundation events such as *Joints in Motion* and the *Arthritis Walk*.
  - **Papa Murphy’s Pizza** – the fifth-largest pizza chain in the U.S., with over 1,000 units in the U.S. and Canada.
    - Developed and implemented grand opening advertising plans for more than 50 stores in 40 cities.
    - Utilized direct mail, local newspapers, outdoor/billboard advertising, and local radio to promote grand opening activities.
  - **FIERO** (Fire Industry Equipment Research Organization) – national fire services association.
    - Developed collateral material and advertising campaign to generate awareness of association and to announce its annual symposium on fire station design and safety. Symposium exceeded FIERO goals by hosting more than 500 fire-fighting support personnel. FIERO also saw a 25% increase in membership during this period.
  - **TeamPoint Systems, Inc.** – a global software company with over 20,000 users.
    - Directed graphic design, writing, and development of

company website, [www.teampointsystems.com](http://www.teampointsystems.com), which received over 8,000 visits monthly.

- Produced brochures, signage, and promotional materials for attendance at the national SITEK convention.
- Interviewed TeamPoint customers and wrote case studies about their successful use of TeamPoint's products. After putting the case studies on the website, visit time lengthened from an average of three minutes to more than eight minutes per visit. Sales also increased by 45% and have risen steadily.

### **Denny's Corporation, Spartanburg, SC**

Senior National Advertising Manager

- Partnered with Brand Marketing Director of major worldwide restaurant chain in the development of new product promotions and determined all marketing materials needed to support business initiatives and ensure message consistency; directed five national U.S. advertising agencies and one Canadian agency in development and implementation of advertising and media strategies, objectives, and tactics. Ensured that all advertising reinforced brand positioning and marketing mission.

### **The Coca-Cola Company, Atlanta, GA**

Advertising Services Manager

- Presented and reinforced general market, African-American, and Hispanic brand strategies, objectives, and positioning for both carbonated soft drinks and noncarbonated beverages to company's bottler system and local agencies; developed local vendor promotions with bottlers and agencies that strengthened brand positioning and increased case volume, including development of POP materials, merchandising displays, and broadcast creative advertising.

### **McCann Erickson, Atlanta, GA**

Media Supervisor

- Supervised six advertising professionals in media planning and buying for travel, B2B, consumer retail, and consumer packaged goods accounts.

### **EDUCATION**

Bachelor of Business Administration, University of North Dakota