

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ROBERT COTHRAN,

Plaintiff,

vs.

**GEORGE M. ADAMS, JR. , SANDRA
BROCK, SHAKER BROCK, KELLY A.
POUND and HAROLD IRWIN,**
Defendants.

Case No: 8:23-cv-518-CEH-CPT

**DECLARATION OF JEFFREY
MITCHELL IN SUPPORT OF
PLAINTIFF’S UNOPPOSED MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Jeffrey Mitchell, declare and state as follows:

1. I am currently a Project Manager for Analytics Consulting LLC (hereinafter “Analytics”), located at 18675 Lake Drive East, Chanhassen, Minnesota 55317. Analytics provides consulting services to the design and administration of class action and mass tort litigation settlements and notice programs. The settlements Analytics has managed over the past twenty-five years range in size from fewer than 100 class members to more than 40 million, including some of the largest and most complex notice and claims administration programs in history.

2. Analytics’ clients include corporations, law firms (both plaintiff and defense), the Department of Justice, the Securities and Exchange Commission, and the Federal Trade Commission, which since 1998 has retained Analytics to administer and provide expert advice regarding notice and claims processing in their settlements/distribution of funds.

3. In my capacity as Project Manager, I am responsible for matters relating to

the settlement administration for the above-captioned litigation.

4. Analytics has been engaged in this matter to provide settlement administration services, including (among other things) the distribution of the Court-approved Settlement Notices, the establishment and maintenance of a Settlement Website, the establishment and operation of a telephone call center facility and email response program, and the distribution of settlement benefits to Class Members (following final approval).

5. The Court approved Analytics as the Settlement Administrator in this matter in its Order Granting Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement.

6. On February 26, 2024, Analytics issued CAFA Notice to the U.S. Attorneys General Office, all State AG Offices (including Washington D.C. and Puerto Rico), the U.S. Department of Justice, and the Office of the Comptroller of the Currency.

Class Notice

7. On or about February 13, 2024, Analytics received a spreadsheet containing Settlement Class Member names, addresses, social security numbers, and distribution data from 2016-2021 ("Class Data").

8. Analytics cross-referenced the Class Member addresses with the United States Postal Service National Change of Address ("NCOA") database. The class list was then updated with any new addresses that were identified. The class data totaled 197 unique Class Members.

9. After updating the relevant addresses, on June 28, 2023, Analytics mailed

the Court-approved Notice of Proposed Class Action Settlement (“Notice”) to the 197 Settlement Class Members. A copy of the template of the Notice is attached hereto as **Exhibit 1**. Additionally, Analytics included with the Notice a Rollover Form to Class Members. A copy of the template of the Rollover Form is attached hereto as **Exhibit 2**.

10. To date, 14 Notices were undeliverable by the U.S. Postal Service without a forwarding address. Analytics conducted a skip trace in an attempt to ascertain a valid address for the affected Class Members. As a result of these efforts, 6 new addresses were identified for Class Members. Defendants provided an updated address for a Class Member with an undeliverable notice.

11. In total, out of 197 Class Members, only 8 were ultimately undeliverable for Notice as of the date of this declaration, according to Analytics’ records, despite Analytics’ efforts to verify address information in advance of mailing and to update address information and re-mail the Notices if they were initially returned. Analytics’ records accordingly show a Notice delivery success rate of over 95%.

Settlement Website, Email Inquiries, and Telephone Information Line

12. Beginning on or prior to the date of the Notice mailing, to the present, Analytics has maintained a Settlement Website relating to this action. The internet address for this Settlement Website is <https://electricssuppliesopsettlement.com/>. To date, there have been 72 unique visitors to this website. Among other things, the Settlement Website includes: (1) a “Frequently Asked Questions” page containing a clear summary of essential case information; (2) a “Home” page and “Important Dates” page, each containing clear notice of applicable deadlines; (3) a “Court Documents” page, which includes case and

settlement documents for download (including the Complaint, the Settlement Agreement, Settlement Notices, Rollover Form, Plaintiff's Motion for Preliminary Approval and supporting declarations and exhibits, the Court's Preliminary Approval Order, and Plaintiff's Motion for Approval of Attorneys' Fees, Costs, & Administrative Expenses and supporting declarations and exhibits); (4) contact information for Class Counsel and the Defendants' Counsel; and (5) email, phone, and U.S. mail contact information for Analytics.

13. Beginning on the date of the Notice mailing, Analytics has also maintained a toll-free telephone support line as a resource for Class Members seeking information about the Settlement. The toll-free number for the telephone support line is 1-888-424-5540. This telephone number was referenced in the Settlement Notices and also appears on the Settlement Website. To date, Analytics has received 24 calls related to the Settlement.

No Objections

14. As of the date of this Declaration, I am not aware of any objections to the Settlement. Nor am I aware of any Class Members expressing concerns with the Settlement.

15. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: September 4, 2024

DocuSigned by:

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Jeffrey Mitchell
Project Manager for Analytics Consulting, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of September, 2024, the foregoing was electronically filed using the CM/ECF system, causing a Notice of Electronic Filing to be transmitted to all counsel of record.

/s/Mark E. Thomson
Mark E. Thomson