

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HILARY REMIJAS and JOANNE KAO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THE NEIMAN MARCUS GROUP, LLC, a
Delaware limited liability company,

Defendant.

Case No. 1:14-cv-01735

**DECLARATION OF STEVEN PLATT
OF THE ANGEION GROUP, LLC,
REGARDING NOTICE
DISSEMINATION AND SETTLEMENT
ADMINISTRATION**

I, Steven Platt, pursuant to section 1746 of title 28 of the United States Code, declare as follows:

1. I am a Project Manager with Angeion Group (“Angeion”), the claims administrator retained in this matter. Angeion’s office is located at 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.
2. Angeion was appointed by the Court to serve as Settlement Administrator and to among other tasks, send Notice to class members via Email and USPS where applicable; establish and maintain a case specific website and email address; establish and maintain a toll-free hotline; respond to Class Member inquiries; and perform other duties as specified in the Settlement Agreement, following the Court’s November 15, 2019, Order Certifying a Settlement Class, Preliminarily Approving Class Action Settlement, and Directing Notice to the Settlement Class (Dkt. 224).
3. Angeion has administrated class action settlements involving millions of class members. A representative list of the settlements administered by Angeion is available at <http://www.angeiongroup.com/cases.htm>. Through the administration of the settlements referenced above, Angeion has received, processed and secured data from defendants and other

sources. Angeion has analyzed settlement class member data including performing deduplication, National Change of Address Searches (“NCOA”) and skip traces. Angeion has successfully implemented noticing campaigns involving direct mail notice, email notice, text noticing, printed media and digital media for millions of potential class members. Further, Angeion has analyzed and reported on class member data obtained through claim forms submitted via mail and through online claims filing, class member correspondence, objections to settlements, exclusion requests and other means. Angeion is experienced in the application of complex claim calculations and, where applicable, tax withholding and reporting, as required by federal, state, and local taxing authorities, as well as in reviewing settlement agreements and court orders. Angeion has been responsible for the management of Qualified Settlement Funds and has served as escrow agent for numerous settlement distributions.

4. Angeion is not related to or affiliated with any of the attorneys comprising Class Counsel or counsel for Defendants.

Class List

5. The Defendant provided Angeion with detail records of their customer and the transactions that occurred during the Class Period. Angeion analyzed this data and compiled the Class List which comprised of 970,892 Potential Class Member names, mailing addresses, email addresses and their transaction details.

Dissemination of the Settlement Notice

Email Notice

6. On March 13, 2020, Angeion caused the email notice to be sent via email to the email addresses of Potential Class Members who had an email address listed in the data provided by Defendant. In total, 807,983 Potential Class Members were sent email notices. A Copy of the email notice that was sent is attached hereto as Exhibit “A”.

7. Of the emails sent, 22,486 emails were not delivered either due to bounce-backs, technical errors, invalid email addresses or ISP blocks.

Mailed Notice

8. Angeion, identified 162,909 Potential Class Members for whom the email address on the Class List appeared to be potentially invalid or was not present. Angeion caused the mailing address information for these Potential Class Members to be updated utilizing the National Change of Address (“NCOA”) database, which provides updated addresses for all individuals who have moved during the previous four years and filed a change of address with the United States Postal Service (“USPS”). The postcard notice was mailed to these 162,909 Potential Class Members on the March 13, 2020. Attached hereto as Exhibit “B” is a copy of the postcard notice that was mailed.

9. On March 18, 2020, Angeion caused the address information to be updated utilizing the NCOA database for the 22,486 Potential Class Members for whom email notice was attempted but not successful. On March 25, 2020, Angeion caused the mailing of the postcard notice via USPS First-Class mail to the 22,486 Potential Class Members. A copy of the postcard notice that was send is attached hereto as Exhibit “B”.

Publication Notice

10. Angeion caused the Short Form Notice to be published in *People* Magazine in the March 13, 2020 edition. This edition was made available for sale to general public on March 14, 2020 and was delivered to in home subscribers. A copy of the publication is attached hereto as Exhibit “C”.

Internet Banner Notice

11. On March 13, 2020, Angeion caused the internet banner notice portion of the notice program to be implemented utilizing a mobile internet advertising campaign. The Internet Banner Notice utilized standard Interactive Advertising Bureau (“IAB”) sizes (160x600, 300x250, 728x90, 300x600, 320x50 and 300x50). A copy of the banner advertisements is attached hereto as Exhibit “D”.

Settlement Website

12. On March 12, 2020, Angeion updated the website devoted to this Settlement: <http://www.NMSettlement.com>. The Settlement Website contains general information about the Settlement, allows Class Members to submit a Claim Form online, and contains Court documents (including the Long-Form Class Notice and the Settlement Agreement) and important dates and deadlines pertinent to this matter. The Settlement Website also has an eligibility search feature that allows the Potential Class Members to enter the last 4 digits of their credit card, location of used and date of use to determine potential eligibility along with, a “Contact Us” page whereby Class Members can contact Angeion via email to submit additional questions regarding the Settlement. Angeion worked with Class Counsel and counsel for Defendants to formulate the information provided on the Settlement Website.

Toll Free Number

13. On March 12, 2020, Angeion established the following toll-free telephone line: 855-234-2611. The toll-free line utilizes an interactive voice response (“IVR”) system to provide Class Members with responses to frequently asked questions and important information regarding the settlement. The toll-free line is accessible 24 hours a day, 7 days a week. As of April 28, 2020, the toll-free line has received 1,193 calls totaling 5,220 minutes.

Claim Form Submissions

14. Potential Class Members can file Claim Forms by mail or via an online portal on the Settlement Website. As of April 28, 2020, Angeion has received and processed 11,324 Claims.

15. Additionally, Angeion received 19,678 Claim Forms from settlement Class Members under the Initial Settlement preliminarily approved by the Court on June 21, 2017.

16. The claim filing deadline in this revised settlement currently runs through October 1, 2020, not including the 28-day extension under the Northern District of Illinois’ Third Amended General Order 20-0012 (Dkt. No. 235). Angeion will continue to receive and process claims through the claim filing deadline. Once the claim filing deadline has passed, Angeion will analyze and remove any duplicative claims.

Requests for Exclusion and Objections

17. As of the date of this declaration, Angeion has received 5 requests for exclusion. Angeion has not received and has not been made aware of any objections to the Settlement. The deadline to request exclusion from the settlement or object is May 18, 2020.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed this 28th day of April in Jacksonville, FL.

Steven Platt

Steven Platt

EXHIBIT A

NOTICE ID:	NM123456
CONFIRMATION CODE:	12345678

LEGAL NOTICE

If You Used A Credit Or Debit Card At A Neiman Marcus Group Store Between July 16, 2013 And January 10, 2014, You May Be Entitled To Up To \$100 From, And Your Rights May Be Affected By, A Class Action Settlement.

To File a Claim, click [here](#).

Read this notice carefully, as it affects your rights.
For more information, visit www.NMSettlement.com or call 1-855-234-2611

A proposed Settlement has been reached in a class action lawsuit involving Neiman Marcus Group LLC (“Neiman Marcus”). You may be entitled to a payment of up to \$100. The Settlement resolves litigation over an alleged Cybersecurity Incident involving malware that was successfully inserted into Neiman Marcus’s system by hacker(s). Malware means the malicious software that was capable of collecting credit or debit card data from Neiman Marcus’s computer system. The Parties have agreed to settle the Action in its entirety, without any admission of liability by Neiman Marcus. The case is known as *Hilary Remijas and Joanne Kao v. The Neiman Marcus Group, LLC*, Case No. 1:14-CV-01735 (N.D. Ill.).

Who’s included in the Settlement Class? The proposed Settlement Class includes all United States residents who held a credit or debit card account that was used in a Neiman Marcus Store at any time from July 16, 2013 to October 30, 2013. Neiman Marcus Store means stores at physical locations operating under the “Neiman Marcus”, “Bergdorf Goodman”, “Cusp”, and “Last Call” names, but excluding all restaurants operating in any such stores, and excluding any website or online store.

Who’s excluded from the Settlement Class? The Settlement Class does not include United States residents who held a credit or debit card account used in a Neiman Marcus store only between October 31, 2013 and January 10, 2014. Such persons were included in a prior proposed settlement that was not approved. Neiman Marcus has stipulated that *American Pipe & Construction v. Utah*, 414 U.S. 538 (1974), and its progeny apply to claims of such persons, and have done so since the initial filing of this litigation on January 14, 2014. The claims of such persons tolled under *American Pipe* and its progeny shall continue to be tolled between January 14, 2014 and March 14, 2020.

What benefits does the Settlement provide? The Settlement provides for a Settlement Fund in the amount of up to \$1,600,000 to pay the Claims of Settlement Class Members who submit valid and timely Claims, the costs to administer and give notice of the Settlement, taxes due on interest accrued on the Settlement Fund (if any), and any attorneys’ fees and expenses and Class Representative Service Awards approved by the Court.

Each Settlement Class Member who submits a valid and timely Claim will receive a payment up to \$100 if their credit or debit card was used at a Neiman Marcus Store on a date and at a time that the Malware was operating in that store. Other Settlement Class members who submit valid and timely claims will receive a payment up to \$25.00.

If the remaining amount is insufficient to pay all claimants in full, the payments will be reduced on a *pro rata* basis.

How do I receive Settlement benefits? In order to receive monetary benefits under this Settlement, Settlement Class Members should complete and submit a Claim Form to the Settlement Administrator. To submit a Claim Form online, please [Click Here](#). The deadline for submitting Claim Forms is **September 10, 2020** if submitted online, or it must be postmarked by **September 10, 2020** if submitted by U.S mail to the Settlement Administrator at:

NM Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103.

Claim Forms can also be downloaded by [Clicking Here](#), by calling toll-free 1-855-234-2611, emailing the Settlement Administrator at NMSettlement@AdministratorClassAction.com, or by mailing a request to the Settlement Administrator.

Who represents me? The Court appointed the law firms of Ahdoot & Wolfson, PC and Morgan & Morgan as Class Counsel to represent the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

Your options. If you are included in the Settlement Class and do not submit a Claim Form, your rights will be affected and you may not receive any benefits from this Settlement. If you do not want to be legally bound by the Settlement, you must exclude yourself from the Settlement by **April 27, 2020**, by following the instructions in the detailed Long Form Notice available by [Clicking Here](#) or you won't be able to sue, or continue to sue, Neiman Marcus about the legal claims in this case. If you do not exclude yourself from the Settlement, you may object to it by **April 27, 2020**, by following the instructions in the detailed Long Form Notice available by [Clicking Here](#). The Settlement Agreement and other documents relevant to this case are available at the Settlement Website, www.NMSettlement.com.

The Final Approval Hearing. The Court will hold a hearing on **May 19, 2020, at 9 a.m** to consider whether to approve the Settlement, award Class Counsel Attorneys' Fees and Expenses up to \$530,000, and award the two Class Representatives up to \$2,500 each for their service. If approved, these amounts will be deducted from the Settlement Fund. Please check www.NMSettlement.com for updates as the Court may continue the date of the hearing.

Want More Information? Call toll-free 1-855-234-2611, visit www.NMSettlement.com, or write to NM Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

PLEASE DO NOT CONTACT THE COURT.

Call Toll-Free 1-855-234-2611

www.NMSettlement.com

EXHIBIT B

A proposed Settlement has been reached in a class action lawsuit involving Neiman Marcus Group LLC ("Neiman Marcus"). The Settlement resolves litigation over an alleged Cybersecurity Incident involving malware that was successfully inserted into Neiman Marcus's system by hacker(s). Malware means malicious software that was capable of collecting credit or debit card data. The parties have agreed to settle the Action without any admission of liability by Neiman Marcus. The case is known as Hilary Remijas and Joanne Kao v. The Neiman Marcus Group, LLC, Case No. 1:14-CV-01735 (N.D. Ill.).

Who's included in the Settlement Class? The Settlement Class includes all United States residents who held a credit or debit card account that was used in a Neiman Marcus Store at any time from July 16, 2013 to October 30, 2013. Neiman Marcus Store means stores at physical locations operating under the "Neiman Marcus", "Bergdorf Goodman", "Cusp", and "Last Call" names, but excluding all restaurants operating in any such stores, and excluding any website or online store.

Who's excluded from the Settlement Class? The Settlement Class does not include U.S. residents who held a credit or debit card account used in a Neiman Marcus store only between October 31, 2013 and January 10, 2014. Such persons were part of a prior proposed settlement that was not approved. The statute of limitations for certain claims of such persons has been tolled between January 14, 2014 and March 14, 2020.

What benefits does the Settlement provide? The Settlement provides for a Settlement Fund in the amount of up to \$1,600,000 to pay Settlement Class Members, the costs to administer and give notice of the Settlement, taxes due on interest accrued on the Settlement Fund, and any attorneys' fees and expenses and Class Representative Service Awards approved by the Court. Each Settlement Class Member who submits a valid and timely Claim will receive a payment up to \$100 if their credit or debit card was used at a Neiman Marcus Store on a date and at a time that the Malware was operating in that store. Other Settlement Class members who submit valid and timely claims will receive a payment up to \$25.00. If the Settlement Fund is insufficient to pay all claimants in full, the payments will be reduced.

How do I receive Settlement benefits? In order to receive benefits under this Settlement, Settlement Class Members should complete and submit a Claim Form to the Settlement Administrator. The deadline for submitting Claim Forms is **September 10, 2020** if submitted online via www.NMSettlement.com, or must be postmarked by **September 10, 2020** if submitted by U.S. mail to the Settlement Administrator. Claim Forms can be obtained from www.NMSettlement.com, by calling toll-free 1-855-234-2611, emailing the Settlement Administrator at NMSettlement@AdministratorClassAction.com, or by mailing a request to the Settlement Administrator.

Who represents me? The Court appointed the law firms of Ahdoot & Wolfson, P.C. and Morgan & Morgan to represent the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

Your options. If you are a Settlement Class Member and do nothing, your rights will be affected and you may not receive any benefits from this Settlement. If you are a Settlement Class Member and do not want to be legally bound by the Settlement, you must exclude yourself from the Settlement by **April 27, 2020**, by following the instructions in the detailed Long Form Notice available at www.NMSettlement.com or you won't be able to sue Neiman Marcus about the legal claims in this case. If you do not exclude yourself, you may object to the Settlement by submitting a written objection by **April 27, 2020**, following the instructions in the Long Form Notice available at www.NMSettlement.com. The Settlement Agreement and relevant documents are available at www.NMSettlement.com.

Final Approval Hearing. The Court will hold a hearing on **May 19, 2020, at 9 a.m.** to consider whether to approve the Settlement, award Class Counsel attorneys' fees and expenses up to \$530,000, and award each Class Representative up to \$2,500. If approved, these amounts will be paid from the Settlement Fund. Please check www.NMSettlement.com for updates as the Court may reschedule the hearing.

Want More Information? Call toll-free 1-855-234-2611, visit www.NMSettlement.com, or write to NM Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

NM Settlement
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
1(855) 234-2611

LEGAL NOTICE

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A federal court authorized this notice. This is not a solicitation from a lawyer.

For more information on the proposed settlement, how to file a claim or an objection, or how to exclude yourself, visit www.NMsettlement.com, or contact the Claims Administrator

Do not contact the Court, Neiman Marcus, or Neiman Marcus' Counsel about this notice or for information about the settlement *Hilary Remijas and Joanne Kao v. The Neiman Marcus Group, LLC*, Case No. 1:14-CV-01735 (N.D. Ill.).

NOTICE ID: NM123456
CONFIRMATION CODE: 12345678

[BAR CODE CLAIM NUMBER]
[NAME]
[STREET]
[CITY STATE ZIP]
[POSTAL BAR CODE]

EXHIBIT C

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Want More Information? Call toll-free 1-855-234-2611, visit www.NMSettlement.com, or write to NM Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

PLEASE DO NOT CONTACT THE COURT.

Call Toll-Free 1-855-234-2611

www.NMSettlement.com

EXHIBIT D

**IF YOU USED A
CREDIT CARD
OR DEBIT CARD AT A
NEIMAN MARCUS
GROUP* STORE
BETWEEN**

**JULY 16, 2013 AND
JANUARY 10, 2014,**

you may be entitled
to up to \$100 from,
and your rights may
be affected by,
a class action
settlement.

*INCLUDING
NEIMAN MARCUS,
BERGDORF GOODMAN,
CUSP, AND LAST
CALL STORES

**CLICK HERE
for more
information.**

IF YOU USED A CREDIT CARD OR DEBIT CARD AT A **WEINAN MARCUS GROUP*** STORE BETWEEN JULY 16, 2013 AND JANUARY 10, 2014, you may be entitled to up to \$100 from, and your rights may be affected by, a class action settlement.

*INCLUDING WEINAN MARCUS, BERSDORF GOODMAN, CUSP, AND LAST CALL STORES

[CLICK HERE](#)
for more information.

**IF YOU USED A CREDIT CARD OR DEBIT
CARD AT A **NEIMAN MARCUS GROUP*** STORE
BETWEEN JULY 16, 2013 AND
JANUARY 10, 2014, you may be entitled to
up to \$100 from, and your rights may be
affected by, a class action settlement.**

*** INCLUDING NEIMAN MARCUS, BERGDORF GOODMAN,
CUSP, AND LAST CALL STORES**

**[CLICK HERE](#)
for more information.**

**IF YOU USED A CREDIT
CARD OR DEBIT CARD
AT A NEIMAN MARCUS
GROUP* STORE BETWEEN
JULY 16, 2013 AND
JANUARY 10, 2014,**

you may be entitled to up to
\$100 from, and your rights
may be affected by,
a class action settlement.

*INCLUDING NEIMAN MARCUS,
BERGDORF GOODMAN, CUSP,
AND LAST CALL STORES

**[CLICK HERE](#)
for more information.**

IF YOU USED A CREDIT CARD OR DEBIT CARD AT A NEIMAN MARCUS GROUP* STORE BETWEEN JULY 16, 2013 AND JANUARY 10, 2014, you may be entitled to up to \$100 from, and your rights may be affected by, a class action settlement.

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[CLICK HERE](#)
for more information.

IF YOU USED A CREDIT CARD OR DEBIT CARD AT A NEIMAN MARCUS GROUP* STORE BETWEEN JULY 16, 2013 AND JANUARY 10, 2014, you may be entitled to up to \$100 from, and your rights may be affected by, a class action settlement.

*INCLUDING NEIMAN MARCUS, BERGDORF GOODMAN, CUSP, AND LAST CALL STORES

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