

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

IN RE USAA DATA SECURITY
LITIGATION

No. 7:21-cv-05813-VB

DECLARATION OF JAZMINEE SHUMWAY
RE: IMPLEMENTATION OF NOTICE PLAN, ESTIMATED ADMINISTRATION
COSTS AND ESTIMATED SETTLEMENT PAYMENT AMOUNT

I, Jazminee Shumway, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an Associate Project Manager with Angeion Group, LLC (“Angeion”), the Settlement Administrator retained in this matter, whose headquarters 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.

2. Angeion was retained by the Parties and appointed by this Court to serve as Settlement Administrator pursuant to the Order Preliminarily Approving the Proposed Class Action Settlement, Scheduling Hearing for Final Approval Thereof and Approving the Proposed Form and Plan of Class Notice (Dkt. No. 89) and Amended Order (Dkt. No. 92).

3. Angeion is not related to or affiliated with the Plaintiff, Class Counsel, the Defendant, or Counsel for the Defendant.

4. The purpose of this Declaration is to provide the Court with a summary of the work performed by Angeion to disseminate notice to the Settlement Class and associated administrative tasks, and to provide the Court with an estimate of the total notice and administration costs and estimated preliminary Settlement Payment amounts.

CLASS LIST

5. On or about January 7, 2025, Defendant’s Counsel provided Angeion with six (6) separate data files containing the names and mailing addresses of Class Members. Angeion reviewed the data files, and removed duplicative records, resulting in 22,646 unique records (the “Class List”).

DIRECT NOTICE

Mailed Notice

6. On February 6, 2025, Angeion caused the Short Form Notice and Settlement Payment Election (collectively, the “Notice”) to be mailed via the United States Postal Service (“USPS”) first class mail, postage prepaid, to the 22,641 Class Members with mailing addresses on the Class List, as five (5) of the unique records did not contain a mailing address. A true and accurate copy of the Notice is attached hereto as **Exhibit A**.

7. Prior to mailing, the mailing addresses were processed through the USPS National Change of Address database to identify updated addresses for individuals who have moved within the last four years and who filed a change of address card with the USPS.

8. Notices that were returned by the USPS as undeliverable with a forwarding address were re-mailed to that forwarding address. Notices that were returned by the USPS without a forwarding address were subjected to an address verification search (“skip trace”) in an attempt to locate an updated address. As a result of the above-described efforts, of the 3,446 Notices returned as undeliverable by the USPS, 2,880 were re-mailed to updated addresses.

SETTLEMENT WEBSITE

9. On February 6, 2025, Angeion activated the case-specific website dedicated to this Settlement, www.USAADataSettlement.com (the “Settlement Website”). The Settlement Website allows Class Members to securely file a Settlement Payment Election via a secure customized portal. Class Members can also download and print the Settlement Payment Election from the Settlement Website, which can then be completed and submitted via mail. The Settlement Website was designed to be user-friendly, allowing Class Members to easily find general information about this Settlement, including answers to frequently asked questions, review relevant Court documents, and view important dates and deadlines pertinent to the Settlement. The Settlement Website also has a “Contact Us” page whereby Class Members can send an email with any additional questions to a dedicated email address, info@USAADataSettlement.com.

10. As of the date of this declaration, the Settlement Website has received 158,526 website visits by 130,058 unique users totaling 264,802 pageviews.

TOLL-FREE HOTLINE

11. On February 6, 2025, Angeion activated the following toll-free number dedicated to this Settlement: 1-888-464-4086. The toll-free hotline utilizes an interactive voice response (“IVR”) system to provide Class Members with responses to frequently asked questions and provide essential information regarding the Settlement. This hotline is accessible 24 hours a day, 7 days a week.

12. As of the date of this declaration, Angeion has received 3,570 calls totaling 15,257 minutes.

SETTLEMENT PAYMENT ELECTIONS

13. The deadline for Class Members to submit a Settlement Payment Election is April 7, 2025. As of the date of this declaration, Angeion has received 2,144 Settlement Payment Election submissions. These submissions are still subject to final audits, including a review for duplicate submissions. Angeion will continue to report to the Parties the number of Settlement Payment Election submissions it receives and processes.

EXCLUSIONS & OBJECTIONS

14. The deadline for Class Members to request exclusion from the Settlement is April 7, 2025. As of the date of this declaration, Angeion has received one (1) timely request for exclusion. Attached hereto as **Exhibit B** is a list containing the name of the individual who submitted a request for exclusion.

15. The deadline for Class Members to object to the Settlement is April 7, 2025. As of the date of this declaration, Angeion has not received nor been made aware of any written objections to the Settlement.

16. Angeion will continue to report all requests for exclusion and objections to the Parties.

ESTIMATED NOTICE & ADMINISTRATION COSTS

17. Based on the current status and assumptions as to what steps will be required to execute the remainder of the administration, the expected total cost is estimated to be \$98,500.00¹. This estimate

¹ The estimated total cost for notice and administration includes the remaining administration costs associated with the initial distribution of Settlement Payments to Authorized Claimants. In the event there are funds remaining from uncashed checks that will require a reallocated distribution pursuant to §7.4.3., of the Stipulation and Agreement of Class Action Settlement (Dkt. No. 82-1), Angeion will provide the Parties with a cost estimate for that additional distribution of Settlement Payments. The costs associated with an additional distribution would be payable from the funds available to be reallocated and would not affect the Settlement Payment amounts distributed in the initial distribution.

includes costs for a single distribution, typical success rate for the deliverability of payments, as well as other associated remaining administrative tasks requiring the estimated level of effort for this matter, including but not limited to the handling of Class Member communication, reporting to the Parties and/or the Court, issuing Settlement Payments to Authorized Claimants, and performing all requisite tax reporting for the Qualified Settlement Fund.

ESTIMATED SETTLEMENT PAYMENT AMOUNT

18. Pursuant to the terms of the Settlement, the Settlement Amount is \$3,250,000. For purposes of this estimate, Class Counsel's Attorneys' Fees were calculated as being thirty-three and one-third percent (33 1/3 %) of the Settlement Amount (a total of \$1,083,333.33), Class Counsel's Expenses in the amount of \$25,772.69, and assumed a \$10,000.00 Service Award.

19. Based on the above assumptions, the estimated amount available for the distribution of Settlement Payments to Authorized Claimants is \$2,032,393.98, which was calculated by deducting Attorneys' Fees & Costs, Administration and Costs, and the Service Award from the Settlement Amount to arrive at the Net Settlement Fund (illustrated in the chart below).

Description	Amount
Settlement Amount	\$3,250,000.00
Attorneys' Fees & Expenses	-\$1,109,106.02
Estimated Administration and Notice Costs	-\$98,500.00
Service Award	-\$10,000.00
Net Settlement Fund	\$2,032,393.98

20. The Net Settlement Fund will then be divided on a *pro rata* basis among Authorized Claimants, *e.g.*, Class Members who have not filed a written request for exclusion and have either submitted a Settlement Payment Election or have a valid mailing address on file.

21. As of the date of this declaration, Angeion estimates of the 22,646 class members, 22,070, will receive a Settlement Payment. 575 possible class members could not receive a Notice due to invalid mailing addresses, despite skip-tracing efforts made. Angeion has exhausted all search options with the

data received. There are 22,070 Authorized Claimants who are eligible to receive an equal share of the Net Settlement Fund. Using the Net Settlement Fund estimated above, the Settlement Payment for each Authorized Claimant is currently calculated to be approximately \$92.09.

22. If the costs to provide notice and administration exceed the current estimate, up to the limit set forth in Section 4.2. of the Stipulation and Agreement of Class Action Settlement (\$300,000.00), then the estimated Settlement Payment for each Authorized Claimant is currently calculated to be approximately \$82.96.

23. Angeion will keep the Parties apprised of any updates to the number of Authorized Claimants and the status of administration and notice costs.

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

Dated: MARCH 24, 2025.



JAZMINEE SHUMWAY

EXHIBIT A

COURT APPROVED LEGAL NOTICE

If your personal information was compromised in the unauthorized third-party access to United Services Automobile Association's ("USAA") insurance quotation platform identified on or around May 6, 2021 (the "Data Incident"), your rights may be affected by a pending class action settlement, and you may be entitled to a portion of the settlement fund.

This Summary Notice is to alert Settlement Class Members to a proposed \$3.25 million settlement reached with USAA in a class action, *In re USAA Data Security Litigation*, Case No. 7:21-cv-5813-VB, pending in the U.S. District Court for the Southern District of New York (the "Action").

What is this lawsuit about and what does the Settlement provide?

Plaintiff brought this Action against Travelers, an insurance company that operates throughout the United States. This Action arises Plaintiff brought this Action against USAA, a company that operates throughout the United States. This Action arises out of the Data Incident, which Plaintiff alleges caused Class Members' Personal Information to be accessed, stolen, or compromised. Plaintiff filed a complaint that asserted legal claims for negligence, negligence *per se* under the Federal Trade Commission Act (15 U.S.C. § 45), the Driver's Privacy Protection Act, 18 U.S.C. §§ 2721, *et seq.* ("DPPA"), and the New York Shield Act (N.Y. Gen. Bus. Law § 899-aa, *et seq.*), violation of the DPPA, violation of New York Business Law § 349, and for declaratory and injunctive relief. USAA denies all material allegations of the Action and denies, among other things, that it failed to properly protect any personal data, had inadequate data security, or that it violated any state or federal laws, including the DPPA.

To avoid the uncertainty and risk of further litigation and the duration, expense, difficulties, and delays inherent in such litigation, the Parties have agreed to settle the claims in this lawsuit. USAA will pay a total of \$3.25 million (the "Settlement Fund") to settle this Action. If the Settlement is approved, each Settlement Class Member that has not timely filed a written request for exclusion and is entitled to payment pursuant to the Settlement Agreement will receive an equal (*pro rata*) share of the Settlement Fund after administration and notice costs, court-awarded attorneys' fees, costs, expenses, and any service award are deducted.

Who is a member of the Settlement Class?

The proposed Settlement Class consists of all individuals of the United States who were previously sent notice by Travelers that The proposed Settlement Class consists of all individuals of the United States whose Personal Information was accessed, stolen, or compromised as a result of the Data Incident, as reflected on the Class List.

The capitalized terms used in this Summary Notice are defined in the Settlement Agreement, which is available with additional details concerning the Settlement at www.USAADataSettlement.com.

If you are not sure if you are included in the Settlement Class, you can get more information, including the Long Form Notice, at www.USAADataSettlement.com or by calling toll-free 1-888-464-4086.

Who represents me?

The U.S. District Court for the Southern District of New York (the "Court") authorized this Summary Notice and has appointed the lawyers listed below to represent the Settlement Class in this Action ("Class Counsel"):

Thomas J. McKenna
Gregory M. Egleston
Christopher Brain
GAINEY MCKENNA & EGLESTON
260 Madison Avenue, 22nd Floor
New York, NY 10016
Tel: (212) 983-1300
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gegleston@gme-law.com
cbrain@gme-law.com

Christian Levis
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Anthony M. Christina
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44 South Broadway, Suite 1100
White Plains, NY 10601
Tel: (914) 733-7205
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achristina@lowey.com

Gary F. Lynch
Nicholas A. Colella
LYNCH CARPENTER LLP
1133 Penn Ave., Floor 5
Pittsburgh, PA 15222
Tel: (412) 322-9243
gary@lcllp.com
nick@lcllp.com

If you want to be represented by your own lawyer, you may hire one at your expense.

Will I get a payment?

If you are a Settlement Class Member and do not exclude yourself, you will be entitled to receive a payment. Please file a Settlement Payment Election at the below settlement website to ensure you receive your share of the money from the Net Settlement Fund. You also may obtain more information at www.USAADataSettlement.com or by calling toll-free **1-888-464-4086**. Settlement Payment Election forms must be postmarked by **APRIL 7, 2025**, or submitted online at **www.USAADataSettlement.com** on or before 11:59 p.m. Eastern time on **APRIL 7, 2025**. If you do not file an eligible Settlement Payment Election, you will receive a payment *only* if the Settlement Administrator can identify a valid mailing address for you.

What are my rights?

If you do not want to be legally bound by the Settlement, you must exclude yourself from it by **APRIL 7, 2025**, or you will not be able to sue, or continue to sue USAA about the legal claims this Settlement resolves. If you exclude yourself, you cannot get benefits from the Settlement. If you do not exclude yourself, then you can tell the Court that you do not agree with the Settlement or some part of it by objecting to it by **APRIL 7, 2025**. The Long Form Notice available at **www.USAADataSettlement.com** explains how to exclude yourself or object and describes the released claims in detail.

When is the Final Approval Hearing?

The Court will hold the Final Approval Hearing on **May 21, 2025**, at **10:00 A.M.** at the U.S. District Court for the District of the Southern District of New York, in Courtroom 620, located at 300 Quarropas Street, White Plains, NY 10601, to consider whether to finally approve the proposed Settlement, the application for an award of Attorneys' Fees and Expenses, and the application for a Service Award for Plaintiff. The Final Approval Hearing may be moved to a different location, date, or time without notice to you. The Final Approval Hearing may be conducted remotely. Although you do not need to attend, if you plan to do so, you should check the Settlement Website before making travel plans. You or your lawyer may ask to appear and speak at the hearing at your own expense, but you do not have to. Any changes to the time and place of the Final Approval Hearing, or other deadlines, will be posted to **www.USAADataSettlement.com** as soon as is practicable.

**For more information, call toll-free 1-888-464-4086 or visit www.USAADataSettlement.com
YOU MAY ALSO WRITE THE SETTLEMENT ADMINISTRATOR AT:
Angeion Group LLC, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103**

******* Please do not call the Court or the Clerk of the Court for information about the Settlement. *******

«First Name» «Last Name»
«Address1»
«Address2»
«City», «State» «Zip»
«Country»

Claimant Identification Code: «Claimant Identification Code»
Confirmation Code: «Confirmation Code»

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

IN RE USAA DATA SECURITY LITIGATION

Case No. 7:21-cv-05813-VB

SETTLEMENT PAYMENT ELECTION

Prior to completing this form, it is important that you review the **Notice of Proposed Class Action Settlement, May 21, 2025, Fairness Hearing Thereon and Class Members’ Rights** (“Notice”) and the Stipulation and Agreement of Settlement between Plaintiff and USAA, which are available at the Settlement Website, www.USAADataSettlement.com.

Please submit a Settlement Payment Election **online at the Settlement Website by 11:59 p.m. Eastern Time on April 7, 2025, OR complete, postmark and mail this form to the Settlement Administrator no later than April 7, 2025**. If you are unable to submit the required information as described below or have any questions, you should call or email the Settlement Administrator for further instructions.

I. CLAIMANT INFORMATION

The Settlement Administrator will use this information for all communications relevant to this Settlement Payment Election. If this information changes after the submission of this form, please notify the Settlement Administrator in writing. If you are completing and signing this Settlement Payment Election on behalf of the Claimant, you must attach documentation showing your authority to act on behalf of Claimant.

Please use the fields below to provide updated or missing contact information.

<input type="text"/>	<input type="text"/>	
First Name	Last Name	
<input type="text"/>		
Street Address		
<input type="text"/>	<input type="text"/>	<input type="text"/>
City	State	Zip Code
<input type="text"/>	<input type="text"/>	
Email Address	Phone Number	

Claimant Identification Code: «Claimant Identification Code»

II. PAYMENT ELECTION

For payment of reimbursement of your *pro rata* cash payment, I wish to receive my payment, if approved, by (select one):

PayPal - Enter your PayPal email address: _____

Venmo - Enter the mobile number associated with your Venmo account: ____-____-____

Zelle - Enter the mobile number or email address associated with your Zelle account:

Mobile Number: ____-____-____ or Email Address: _____

Virtual Prepaid Card - Enter your email address: _____

Physical Check - Payment will be mailed to the pre-populated address on page 1 of this form. Please be sure to complete the Claimant Information section if you need to update your address.

I CERTIFY THAT ALL THE INFORMATION PROVIDED BY ME ON THIS PAYMENT ELECTION FORM IS TRUE, CORRECT, AND COMPLETE AND THAT THE DATA SUBMITTED IN CONNECTION WITH THIS SETTLEMENT PAYMENT ELECTION ARE TRUE AND CORRECT COPIES OF WHAT THEY PURPORT TO BE.

Signature of Claimant

Print Name of Claimant

Date: _____
MM/DD/YY

REMINDER: YOUR SETTLEMENT PAYMENT ELECTION AND REQUIRED DATA MUST BE SUBMITTED ONLINE BY 11:59 P.M. EASTERN TIME ON APRIL 7, 2025 OR POSTMARKED AND MAILED NO LATER THAN APRIL 7, 2025 TO:

Angeion Group LLC, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

QUESTIONS? PLEASE VISIT WWW.USAADATASETTLEMENT.COM OR CALL TOLL-FREE 1-888-464-4086.



«Country»
«City», «State», «Zip»
«Address2»
«Address1»
«Notice Name»

Confirmation Code: «Confirmation Code»
Claimant Identification Code: «Claimant Identification Code»

EXHIBIT B

IN RE USAA DATA SECURITY LITIGATION
Case No. 7:21-cv-5813-VB
U.S. District Court for the Southern District of New York

Exclusion Report
As of 3/24/2025

No.	First Name	Last Name
1	Luis	Lorenzo