

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

VASSILIOS KUKORINIS,
individually and on behalf of all
others similarly situated,

Plaintiff,

v.

No. 8:22-cv-02402

WALMART, INC.,

Defendant.

**CLASS COUNSEL’S UNOPPOSED MOTION FOR AN ORDER
AUTHORIZING DISTRIBUTION OF THE NET CLASS SETTLEMENT
FUND**

Class Counsel, on behalf of the certified Settlement Class, respectfully move this Court for an Order:¹

- i. Approving and authorizing the distribution of the Net Class Settlement Fund (SA ¶ 2.25) to Approved Claimants (SA ¶ 2.3) in accordance with the “Plan of Allocation” set forth in paragraph 5.4 of the Settlement (the “Initial Distribution”) and in accordance with *either*:

¹ Unless otherwise noted, all capitalized terms used herein have the definitions provided in the Stipulation and Agreement of Settlement (“Settlement” or “SA ¶ _”) filed at ECF No. 71-2.

- a. The Claims Administrator's *pro rata* Calculation 1, in which case the Court affirms the Claims Administrator's denial, rejection, or partial approval of the 233 claims that requested Court Review (SA ¶ 5(f)); *or*
 - b. The Claims Administrator's *pro rata* Calculation 2, in which case the Court orders the Claims Administrator to deem some or all the Court Review claims as Approved Claimants (*see infra* ¶ 50);
- ii. Authorizing Class Counsel and the Claims Administrator, pursuant to the Settlement paragraph 5.4(b), to:
 - a. Conduct, if feasible, a second distribution of any remaining balance in the Net Class Settlement Fund after a reasonable period of time passes after the date of the Initial Distribution to Approved Claimants ("Second Distribution");
 - b. If a Second Distribution is not feasible or a *de minimis* balance remains in the Net Class Settlement Fund after such Second Distribution, which renders a third distribution not economically feasible, then Class Counsel shall, after consultation with Walmart regarding the appropriate non-profit organization(s), apply to the Court for approval of the payment of such *de minimis* balance to one or more non-profit organizations. SA ¶ 5.4(b);
- iii. Authorizing a reserve of \$635,000 to be held in the Net Class Settlement Fund to cover fees and expenses incurred by the Claims Administrator in connection

with the distribution of the Net Settlement Fund and the Class Settlement Fund's Tax and Tax Expenses; and

- iv. Authorizing the Claims Administrator to (a) destroy case-related paper records and reports, including claim forms and supporting documentation that have been digitally re-created, thirty days following the final check void date; and (b) destroy case-related electronic records and reports, database(s), and images (and paper records if not previously digitally re-created) one year following the final check void date.

In support of this Motion, Class Counsel respectfully submit the declaration of the Claims Administrator, Angeion Group, Senior Project Manager Denise Earle in Connection with the Motion for Distribution of the Net Settlement Fund, and, on behalf of the Settlement Class, Class Counsel state as follows.²

I. Background

1. On June 28, 2024, the Court issued an Order granting final approval of the Settlement and entering a final judgment and order of dismissal ("Judgment") in this action. ECF No. 132.

2. Pursuant to the Judgment, the Court retained jurisdiction over this case until December 31, 2024. *Id.* at 47 ¶ 20. Although that date has passed, as discussed at the Final Approval Hearing, Class Counsel noted that at the conclusion of the Claims

² Walmart disputes Plaintiff's allegations in this Action and takes no position on the allocation, but consistent with the Settlement Agreement, Walmart does not oppose the motion for settlement purposes.

Administration process, they would then need to move the Court to address the instant motion for distribution. *See* June 12, 2024 Hr’g Tr. (ECF No. 135) at 41:3–23. The Judgment also contemplated this motion for distribution. ECF No. 132 at 45 ¶ 15.

3. The Judgment incorporated by reference, among other things, the Settlement and the Notice, Summary Notice, and Declaration of the Claims Administrator with respect to Notice. ECF No. 132 at 39 ¶ 3. The Judgment further authorized and directed implementation and performance of all the terms and provisions of the Settlement and the Judgment. *Id.* at 43 ¶ 11.

4. In a December 31, 2024 status report and January 10, 2025 filing, Class Counsel and the Claims Administrator explained that they anticipated the distribution of the Net Class Settlement Fund could occur approximately at the end of the first quarter or the second quarter of 2025. ECF No. 142 at 2; ECF No. 146 at 11. Although the claims administration has taken longer than anticipated as of that time, overall the process has involved nearly 4 million claims, and, as explained below, necessitated over a hundred thousand follow-up communications with Claimants, sending deficiency notices, review of cure attempts, and, then, final determinations and notices—in addition to implementing a one-time password (“OTP”) fraud review mechanism applied to over 2.3 million claims. *See, e.g., infra* ¶¶ 14–35. In short, the claims administration process, although lengthy, has been detailed, thorough, and thoughtful to address each of the nearly 4 million claims and numerous permutations of submissions.

5. The Plan of Allocation (set forth in SA ¶ 5.4) detailed the protocol by which the Net Class Settlement Fund will be allocated and distributed to Approved Claimants (SA ¶ 2.3).

II. Claims Administration Process

6. In accordance with the Settlement ¶ 5.4 and the Preliminary Approval Order (“PAO”), ECF No. 75 ¶¶ 18–24, the Claims Administrator and Class Counsel conducted the claims administration process. Additionally, as part of preparing for receiving and processing Claim Forms, the Claims Administrator, among other things, trained the review team on the basis of the Settlement, the Claim Form options and expectations, and how to analyze each individual receipt to locate the certain eligible products per the Settlement Agreement Addendums that detailed the UPCs and product descriptions, if present; extensively communicated with Claimants; and manually entered data for mailed Claim Forms. Earle Decl. ¶¶ 8–13.

7. Each Settlement Class Member who wished to be eligible to receive a distribution from the Net Class Settlement Fund was afforded the opportunity to file a Claim Form by submitting it online through the Settlement Website or by mail to the Claims Administrator. *Id.* ¶ 7. The deadline to submit timely Claim Forms was June 5, 2024. PAO ¶ 19. Class Counsel’s filings in support of Preliminary and Final Approval of the Settlement, among other things: (a) detail specifically, consistent with the allegations and claims in the action, that the Settlement (and Release) was with respect to the variable weight meat, poultry, pork and seafood products that are labeled with a price embedded bar code and designated by Walmart as part of its Department

93 products, termed “Weighted Goods,” plus the Bagged Citrus, both delineated specifically by UPC; and (b) the basis for the amounts that each Approved Claimant may be eligible to receive based on the number of Weighted Goods and Bagged Citrus purchased, and how such amounts were based on Class Counsels’ and Plaintiff’s experts analyses of the data reflecting that the average purchase price of Weighted Goods and Bagged Citrus was \$10.30 and that the alleged wrongdoing caused a 2% overcharge on all Weighted Goods and Bagged Citrus. *See e.g.* ECF No. 71 at 16–17 (Preliminary Approval Br.); ECF No. 101 at 16–23 (Final Approval Br.); ECF No. 100-1 ¶¶ 67–71 (KDS Decl. in Support of Final Approval); ECF No. 124 at 9–13 (Suppl. Brief in Support of Final Approval).

8. Pursuant to the Plan of Allocation, the Claim Form permitted Settlement Class Members to select between two tiers of claims based on the number of Bagged Citrus and/or Weighted Goods that a Settlement Class Member attested to having purchased during the Settlement Class Period. SA ¶ 5.4(a); Claim Form, SA Ex. 1B (ECF 71-2 at 66–67).

i. **“Option 1 Claims.”** Without documentation, Settlement Class Members were eligible to submit a Claim Form attesting to having Purchased up to 50, 75, or 100, or more than 100 Weighted Goods and Bagged Citrus products, making them eligible for payments of \$10, \$15, \$20, and \$25, respectively (subject to *pro ration*). SA ¶¶ 5.4(a)(i)–(iv).

ii. **“Option 2 Claims.”** If a Class Member had receipts documenting their Purchases of Weighted Goods and/or Bagged Citrus, such Class Member was

eligible to submit a Claim Form to receive 2% of the total price of all those documented purchases submitted (up to \$500 subject to *pro ration*). SA ¶ 5.4(a)(v).

9. The Claims Administrator received and processed a total of 3,997,413 timely Claim Forms. Earle Decl. ¶ 8. Of those, 3,987,943 were submitted online, and 9,470 were submitted by mail or through Class Counsel. *Id.* at note 3.

III. Claims Administrator's Determinations of the Claim Forms

10. The Earle Declaration describes the detailed processes employed by Claims Administrator staff to receive, process, and audit Claim Forms, including processes unique to Option 2 Claims. Earle Decl. ¶¶ 9–13.

11. Following those processes, the Claims Administrator: (a) approved 1,468,050 claims without the need for further correspondence with the Claimant; (b) determined that 28 claims were withdrawn; (c) denied 51,887 claims that were exact duplicates of other claims; (d) denied one claim that was submitted by a Claimant who also submitted an opt out request; and (e) determined that 2,477,447 required further communication with Claimants and opportunities to cure. *See infra* ¶¶ 14–35.

12. Pursuant to the Settlement Agreement, ¶ 5.4(f), those Claimants who received a final deficiency or rejection notice were notified that if they disagreed with the Claims Administrator's determination, then they could request Court review of the denial ("Court Review"). Only 233 claimants requested Court Review, all of which the Claims Administrator and Class Counsel recommend the Court affirms the Claims Administrator's determinations on each claim. *See infra* ¶¶ 36–42; Earle Decl. ¶¶ 45–49.

13. Ultimately, as summarized below and discussed in further detail in the Earle Declaration, the Claims Administrator has approved **1,590,671** claims for an Approved Claim amount of **\$34,075,109.96**. Notably, because the value of Approved claims is slightly less than the Net Settlement Fund available for the Initial Distribution there will be a *positive pro rata* increase in the payment amount to each Approved Claimant, such that each Claimant will receive between **100% to 103%** of their Claimed Amount.³ Earle Decl. ¶¶ 65–66. As discussed in Plaintiffs’ filings in support of approval of the Settlement, the payments to each Approved Claimant is receiving a substantial recovery. ECF No. 71 at 16–17; ECF No. 100 at 16–17; ECF No. 124 at 9–13.

A. Approved Claims Without Further Correspondence to Class Member

14. The Claims Administrator approved 1,468,050 claims for payment without need for further correspondence to the submitting Settlement Class Member. Earle Decl. ¶ 16.

B. Claims Denied as Duplicate Claims

15. The Claims Administrator determined that 51,887 claims were duplicative of another submission and, therefore, denied. *See* SA ¶ 5.4(e); Earle Decl. ¶ 18.

³ “Claimed Amount” means the claim amount approved by the Claims Administrator.

C. Claims Requiring Further Communication with Claimants and Opportunities to Cure

16. For 2,477,477 claims, the Claims Administrator sent at least one follow up communication (and often multiple), and Claimants were given the opportunity to validate or cure any deficiency with their Claim, if curable, as applicable. Earle Decl. ¶¶ 20–21. Of these, (a) AngeionAffirm flagged 2,372,175 claims as having indicia of fraud; (b) 49,972 claims were identified as having a Household Deficiency (SA ¶ 5.4(e)); and (c) 55,300⁴ claims that were not flagged by AngeionAffirm nor identified as a Household claim but were otherwise determined as partially or fully deficient or denied claims. Earle Decl. ¶ 22.

i. Claim Form Submissions Identified by AngeionAffirm

17. As described in the Earle Declaration and prior declarations (ECF No. 142-1 ¶¶ 7–13 & ECF No. 146-1 ¶¶ 18–23), given the steep increase of online submissions of fraudulent claims in class action settlements, the Claims Administrator developed, and employed in this case, its proprietary fraud detection system: AngeionAffirm. After an *in camera* review of AngeionAffirm analyses, the Southern District of New York has described AngeionAffirm as “robust and appropriately designed to weed out fraudulent claims.” *In re Novartis*, No. 1:18-cv-04361, 2024 U.S.

⁴ This figure only represents claims with a sole deficiency. The actual number of claims that needed follow up was greater, as some claims had overlapping deficiencies. For example, if a fraudulent claim successfully completed the OTP process and was advanced to claim review but was found to have a separate deficiency, the claimant received a notice related to that deficiency (in addition to, and after, the OTP notice they received initially). In those situations, the claim is only reported under the primary deficiency in this paragraph (*e.g.*, the fraudulent category).

Dist. LEXIS 132677, at *15-16 (S.D.N.Y. July 26, 2024). Using AngeionAffirm, the Claims Administrator here identified 2,372,175 as potentially fraudulent claims, which claims were referred to and discussed in the prior Claims Administrator Declarations as the Initially and Supplemental Initially Rejected Claims. Earle Decl. ¶¶ 23–30; ECF Nos. 142-1 & 146-1.

18. Rather than denying these claims without an opportunity to verify their authenticity, in consultation with Class Counsel, the Claims Administrator took several steps to ensure that the Claimants had multiple opportunities to request reconsideration of their claims. *In re Novartis*, 2024 U.S. Dist. LEXIS 132677, at *15-16 (“[T]he notices of claim denial that were provided to persons who filed claims that were flagged as fraudulent provided them ample opportunity to request reconsideration of their claims.”); Earle Decl. ¶¶ 25–30. Specifically, the Claims Administrator engaged in the OTP verification process, which permitted these Claimants to become eligible for reconsideration. *Id.*; ECF Nos. 142-1 & 146-1 (prior Claims Administrator declarations discussing the OTP process).

19. First, the Claims Administrator subjected these claims to an email validation process. This process determined that 393,964 Claims were not associated with a valid email address and were finally denied. Earle Decl. ¶ 24.

20. Second, the remainder of the potentially fraudulent claims (1,978,211) were then sent a Rejection Notice. This notice afforded the Claimants 21 days to log into their existing claim on the Settlement Website and complete the OTP verification. Earle Decl. ¶ 25 & Ex. A.

21. Third, after the 21-day period elapsed, upon consultation with Class Counsel, the Claims Administrator sent those who did not complete the OTP process a Reminder Rejection Notice and provided them with another 21 days to complete the OTP process. Earle Decl. ¶ 26 & Ex. B. The Reminder Rejection Notice also informed the claimants that if they did not complete the OTP verification process, then their claims would be finally denied. *Id.*

22. There were 1,558,607 Claimants who failed to complete the OTP process. The Claims Administrator denied their claims according to the Rejection and Reminder Rejection Notices. *Id.* ¶¶ 27–28. That 79% did not complete the simple OTP process is consistent with AngeionAffirm’s initial identification of fraud. *Id.* ¶ 28.

23. There were 419,604 Claimants who completed the OTP process, and they were then subjected to a final review for fraud and, if passed, processed for approval. *Id.* ¶¶ 27–29. Of those, 74,227 passed the fraud review and moved to claims processing.⁵ *Id.* ¶ 27. If necessary, these claimants were then issued the applicable deficiency or denial notice. *Id.*; *see infra* ¶¶ 26–32.

24. Finally, as reported in the Earle Declaration, ¶ 29, there were 345,377 remaining Claimants who completed the OTP process but had unresolved indicia of fraud from which the Claims Administrator determined with “an extremely high degree of confidence that these claims are fraudulent.” These Claimants were then sent

⁵ Of the total amount of claims flagged by AngeionAffirm as potentially fraudulent, only 3% were verified by the OTP process and then passed the subsequent fraud review. This outcome indicates that AngeionAffirm is effective at weeding out fraudulent claims.

a Final Fraud Denial Notice, which informed them that if they disagreed with the determination, then they could request Court Review. Earle Decl. ¶ 30 & Ex. C. As discussed below, only 173 of the Claims identified by the Claims Administrator as fraudulent requested Court Review in response. *See infra* ¶¶ 36–42.

25. Thus, after providing multiple opportunities for requesting review of the of the potentially fraudulent claims, the Claims Administrator denied 1,903,984 Claim Forms as fraudulent.⁶ *See* Earle Decl. ¶¶ 23–30.

ii. Household Claims

26. The Settlement only permits one payment per household absent sufficient proof of separate purchases by individual Claimants residing at the same address. SA ¶ 5.4(e). The Claims Administrator identified 49,972 submissions from different unique Claimants that appear to reside at the same household. Earle Decl. ¶ 31.

27. These Claimants were sent a Household Notice that provided 21 days to submit documentation showing they were a different person than the one associated with the first approved claim and that they purchased different products. Earle Decl. ¶¶ 31–32 & Ex. D.

28. For Claimants who did not respond, the Claims Administrator considered for processing only the first claim submitted from the Household. For the Claimants who responded, the Claims Administrator continued their claim through

⁶ As a percentage of the Claim Form submissions, the amount of claims denied as fraudulent (approximately 47%) is less than other recent settlement. *See* ECF No. 142-1 ¶ 9; ECF No. 146-1 ¶¶ 22–23.

processing. If those responding had no additional deficiencies, then those claims were approved. If a claimant responded and there were additional deficiencies, then they were provided with an additional notice and an opportunity to cure, as discussed in the next section below. *Id.* ¶¶ 33–34.

iii. Deficient and Partially Deficient Claims

29. The Claims Administrator determined that 71,197 Claim Forms were either fully or partially deficient, and, as noted above, some of these were also initially flagged by AngeionAffirm or identified as Household claims but proceeded to processing. Earle Decl. ¶ 35. These include, as detailed in the Earle Declaration, the Claim Forms determined to be (1) fully deficient; (2) partially deficient; and (3) claims denied for other reasons. *Id.*

30. After careful analysis and categorization of the reasons for deficiency or denial, the Claims Administrator issued to these Claimants a different deficiency or denial notice depending on the nature of the identified deficiency. Earle Decl. ¶¶ 36–44; Earle Decl. Exs. E, G, I. These deficiency or denial notices identified the specific deficiency, or reason for denial, and provided the Claimant with an opportunity to cure. SA ¶ 5.3(f); Earle Declaration ¶¶ 36–44.

31. Notably, for the Claims determined to be partially deficient, the partial deficiency notice sent to the Claimants informed them that their Claims had been partially approved for a specified amount and identified the reason for the partial approval. These notices also informed the Claimants that if they did not respond, then

their claim would be approved at the stated amount (subject to *pro ration*). Earle Decl. ¶ 39–41; Earle Exs. G–H.

32. If the Claimant attempted a cure but was unsuccessful, then the Claims Administrator issued to the Claimant a subsequent denial notice, which identified the reason for denial and included the option to request Court Review. Earle Decl. ¶¶ 36–44; Earle Decl. Exs. F, H, J. Sixty claimants responded requesting Court Review. Earle Decl. ¶¶ 38, 41, 44; *see infra* ¶¶ 36–42.

D. Total Number of Approved Claimants and Value Before *Pro Ration*

33. The Claims Administrator determined that of the total Claims Forms submitted, 1,590,671 are Approved Claimants. Earle Decl. ¶ 51.

34. To ensure the accuracy of its determinations, the Claims Administrator engaged in a quality assurance review of its claim determinations, including, e.g., internal audits of Claim Form determinations. Earle Decl. ¶ 50.

35. Before *pro ration*, the total face value of the Approved Claims is **\$34,075,109.96**, which is comprised of \$33,665,380.00 in Option 1 Claims and \$409,729.96 in Option 2 Claims. *Id.* ¶ 51.

E. The Court Should Deny the Claims that Requested Court Review

36. There were 233 Claimants who, in response to receiving notification that their claims were partially or fully denied, requested Court Review of the Claims Administrator's determinations. Earle Decl. ¶ 45. Based on the Claims

Administrator's review of these claims, Class Counsel and the Claims Administrator recommend that the Court affirm the Claims Administrator's determinations.

37. The Claims Administrator has analyzed each claim and request for Court Review. As detailed in the Earle Declaration, the Claims Administrator identified three categories of reasons for deficiencies or rejections for these claims. *Id.* ¶¶ 46–48.

38. The Claims Administrator determined—with an extremely high degree of confidence—that 173 of the Court Review claims were fraudulent claims, for which indicia of fraud are still present, such that the Claims Administrator denied these claims. *Id.* ¶ 46.

39. The Claims Administrator determined that 19 Court Review claims were deficient or denied. These 19 claims (which were all Option 2 Claims) were denied because they were not eligible for benefits under the Settlement's terms (e.g., failure to identify any eligible Weighted Goods or Bagged Citrus purchase). *Id.* ¶ 47.

40. Finally, of the Court Review Claims, the Claims Administrator partially approved 41 Option 2 claims. *Id.* ¶ 48. The Claims Administrator only partially approved these claims because either (a) the total amount paid for the Weighted Goods and/or Bagged Citrus on the documentation submitted did not demonstrate that the claimant was entitled to more than the payment the Claims Administrator calculated (i.e., 2% of the documented amount paid for eligible Weighted Goods and/or Bagged Citrus) or (b) the documentation provided did not validate the number of Weighted Goods and/or Bagged Citrus, or the price paid for those products, that the claimant put on the Claim Form. *Id.*

41. Even after opportunities to cure and submission of the Court Review requests, these 233 Court Review claims have not cured the identified deficiency or reason for denial. *Id.* ¶¶ 35–44, 47–48. Accordingly, given the Claims Administrator’s detailed analysis given to each claim consistent with the terms of the Settlement, the Claims Administrator and Class Counsel recommend that the Court affirm the Claim Administrator’s decisions to partially approve and/or deny these claims. *Id.* ¶ 45.

42. If, however, the Court determines that any of these claims (or category of Claims) should be deemed Approved Claimants, the Claims Administrator will make the adjustment to the *pro rata* distribution discussed below to account for and include such additional Approved Claimants. Because the number of these claims is relatively nominal, even assuming the Court deems all such claims to be Approved Claimants, the *pro rata* distribution is virtually unimpacted, as demonstrated below in paragraph ¶ 50.

IV. Claims Administration Fees and Expenses and Tax Expenses

43. Throughout the claims administration process, the Claims Administrator has provided Class Counsel with reports on and invoices for the work it performed with respect to the administration of the Settlement. Pursuant to the Settlement paragraph 5.3(f), Class Counsel was authorized to pay all Notice and Administrative costs as incurred. As set forth in the Earle Declaration, the costs of Notice and Administration for this Settlement through June 2025 was \$2,227,117.08. Earle Decl. ¶ 57. The Claims Administrator estimates that it will bill an additional \$630,000 to complete the administration of this Settlement, the bulk of which is the cost to issue

electronic payments and checks to the Approved Claimants. *See id.* ¶ 58.⁷ In addition, the Claims Administrator estimates a reserve of \$5,000 is necessary to pay future Class Settlement Fund's Tax and Tax Expenses and any unforeseen claim payments. *Id.* ¶ 59; SA ¶¶ 2.51, 2.52, 5.3(b).

V. Current Balance in the Net Class Settlement Fund

44. In accordance with Settlement paragraph 5.1, Walmart paid into the Escrow Account \$45 million.

45. To date, and in accordance with the Court's Order granting final approval and awarding fees and expenses (ECF No. 132 at 43 ¶¶ 11–13) and the Settlement paragraph 5.3(a)–(c), the Class Settlement Fund has been applied as follows: (a) to pay Notice and Administration costs and the Class Settlement Fund's Taxes and Tax Expenses (\$2,227,117.08); and (b) to pay the Court-approved attorneys' fees and expenses and interest accrued thereon (\$9,309,778.00). Earle Decl. ¶ 60.

⁷ In Class Counsel's papers filed in support of the motion for final approval, Class Counsel estimated the total cost of claims administration would be between \$2.2 million and \$2.6 million depending on whether 3.5 or 4.5 million total claims were submitted, respectively. ECF No. 100-1 ¶ 95. The Claims Administrator's current total cost to complete is about \$2.85 million at almost 4 million total claims submitted. The most significant explanation for the increased cost over the earlier estimate is the OTP verification process and addressing potentially fraudulent claims. When, in May 2024, Class Counsel submitted the final approval papers with the initial claims administration cost estimate, the Claims Administrator had not anticipated the amount of potentially fraudulent claims that necessitated the OTP process. At that time, the number of claims flagged as potentially fraudulent was only 526,200. ECF No. 100-2 ¶ 36. A month later, in June 2024, the number of potentially fraudulent claims climbed to 1,240,998. ECF No. 124-7 ¶ 20. When Class Counsel filed status reports in the beginning of 2025, wherein Class Counsel and the Claims Administrator described the OTP process necessary to permit affected Claimants to request reconsideration of their claims, the estimated number of potentially fraudulent claims had increased to 2,372,248 claims. ECF No. 142-1 ¶¶ 10–13; ECF No. 146 at 5; ECF No. 146-1 ¶¶ 26–32.

46. In addition, the Class Settlement Fund has earned approximately \$2,336,970.66 in interest (excluding the interest on attorneys' fees and expenses). *Id.* ¶ 61.

47. Accordingly, the current amount of the Net Class Settlement Fund is approximately \$35,800,075.58. *Id.* ¶ 62.

VI. Proposed Distribution Plan

48. Based on the foregoing and the information in the Earle Declaration, Class Counsel requests that the Court approve the following distribution plan set forth below.

A. Initial Distribution

49. Prior to making the Initial Distribution, the Claims Administrator will reserve from the Net Class Settlement Fund approximately \$635,000 to pay the estimated cost-to-complete Notice and Administrative Expenses and to pay the Class Settlement Fund's Taxes and Tax Expenses set forth in paragraph 43 above. Therefore, the Net Class Settlement Fund to be distributed will be about \$35,165,075.58. Earle Decl. ¶ 63.

50. The Claims Administrator will then conduct the Initial Distribution of the remaining Net Class Settlement Fund, in accordance with the Plan of Allocation (SA ¶ 5.4(a); *see also* ECF No. 71-2 at p.54–55 (Notice)), by the following procedure:

i. The Claims Administrator has calculated each Approved Claimant's *pro rata* share of the Net Class Settlement fund depending on whether the

Court affirms the Claims Administrator's determinations of Court Review claims ("Calculation 1") or directs the Claims Administrator to deem them as Approved Claimants ("Calculation 2"). Earle Decl. ¶ 64; SA ¶ 5.4(a).

- **Calculation 1.** If the Court affirms the Claims Administrator's determinations of the Court Review claims, then the *pro rata* share for all Approved Claimants ranges between **100% and 103%** of the Claimed Amount. Earle Decl. ¶ 65. For example, those who claimed up to 50 Weighted Goods and/or Bagged Citrus to receive \$10, will instead receive \$10.32; and those who claimed 101 or more Weighted Goods and/or Bagged Citrus to receive \$25, will instead receive \$25.80. *Id.*

- **Calculation 2.** Alternatively, if the Court directs the Claims Administrator to deem all, or any subset of, Court Review claims as Approved Claimants, then the *pro rata* share for all Approved Claims still ranges between **100% and 103%**. *Id.* ¶ 66. Accordingly, if the Court determines that one or more subsets of the Court Review claims should be deemed Approved, then the additional dollar amount to be included in the Initial Distribution ranges between \$357.59 and \$8,117.81. *Id.*

ii. This *pro rata* share is the Approved Claimant's "Distribution Amount." The Claims Administrator will then send each Approved Claimant her Distribution Amount via the method selected by the Approved Claimant either electronically (i.e., Venmo, Zelle, ACH, or virtual pre-paid MasterCard) or paper

check (in which case the paper check will prominently display that the check is void if not cashed within 120 days). Earle Decl. ¶¶ 51–56.

iii. The Claims Administrator will, if feasible, perform follow-up with each Approved Claimant whose electronic payment method was initially unsuccessful (e.g., undeliverable) or a check is uncashed or returned as undeliverable. *Id.* ¶ 67.

iv. At such time that Class Counsel and the Claims Administrator determine that the Claims Administrator's reasonable and diligent follow up efforts have been exhausted, but no sooner than three months after the Initial Distribution, the payments to Approved Claimants whose electronic payments were unsuccessful or who do not cash their checks will revert back to the Net Class Settlement fund, and those Approved Claimants will irrevocably forfeit all recovery from the Settlement. *Id.* ¶ 68.

B. The Second Distribution and/or *Cy Pres*

51. Thereafter, but in no event earlier than three months after the Initial Distribution, if there is any balance remaining in the Net Class Settlement fund after completion of the Initial Distribution, Class Counsel and the Claims Administrator will determine whether a Second Distribution is feasible and economical or whether a Second Distribution is not feasible and economical because there is a *de minimis* balance remaining in the Net Class Settlement Fund. *See* Earle Decl. ¶ 69.

52. If a Second Distribution is feasible and economical, at the direction of Class Counsel, the Claims Administrator will conduct a Second Distribution. After

payment of any Notice and Administration Expenses and to pay Class Settlement Fund's Taxes and Tax Expenses, the Claims Administrator will distribute the remaining funds on a *pro rata* basis to Approved Claimants who successfully received electronic payments or who cashed their distribution check in the Initial Distribution.

53. If a Second Distribution is not economical or there is a *de minimis* balance remaining in the Net Class Settlement Fund after a Second Distribution that is not economical to distribute, then, according to the Settlement, Class Counsel shall, after consultation with Walmart regarding the appropriate non-profit organization(s), apply to the Court for approval of the payment of such *de minimis* balance to one or more non-profit organizations. SA ¶ 5.4(b).

VII. Disposal of Claim Forms and Supporting Documentation

54. Unless otherwise ordered by the Court, the Claims Administrator will (a) destroy case-related paper records and reports, including claim forms and supporting documentation that have been digitally re-created, thirty days following the final check void date; and (b) destroy case-related electronic records and reports, database(s), and images (and paper records if not previously digitally re-created) one year following the final check void date. Earle Decl. ¶ 70.

VIII. Conclusion

Based on the foregoing, Class Counsel, on behalf of the Settlement Class, respectfully move this Court for an Order:

- i. Approving and authorizing the Initial distribution of the Net Class Settlement Fund (SA ¶ 2.25) to Approved Claimants (SA ¶ 2.3) in

accordance with the “Plan of Allocation” set forth in paragraph 5.4 of the Settlement and in accordance with either:

- a. The Claims Administrator’s *pro rata* **Calculation 1**, in which case the Court affirms the Claims Administrator’s denial, rejection, or partial approval of the 233 claims that requested Court Review; or
 - b. The Claims Administrator’s *pro rata* **Calculation 2**, in which case the Court orders the Claims Administrator to deem some or all the Court Review claims as Approved Claimants;
- ii. Authorizing Class Counsel and the Claims Administrator to, pursuant to the Settlement paragraph 5.4(b):
- i. Conduct, if feasible, a Second Distribution of any remaining balance in the Net Class Settlement Fund, after a reasonable period of time passes after the date of the Initial Distribution to Approved Claimants;
 - ii. If a Second Distribution is not feasible or a *de minimis* balance remains in the Net Class Settlement Fund after such Second Distribution, which renders a third distribution not economically feasible, then Class Counsel shall, after consultation with Walmart regarding the appropriate non-profit organization(s), apply to the Court for approval of the payment of such *de minimis* balance to one or more non-profit organizations. SA ¶ 5.4(b);

- iii. Authorizing a \$635,000 reserve to be held in the Net Settlement Fund to cover fees and expenses incurred by the Claims Administrator in connection with the distribution and the Class Settlement Fund's Tax and Tax Expenses; and
- iv. Authorizing the Claims Administrator to (a) destroy case-related paper records and reports, including claim forms and supporting documentation that have been digitally re-created, thirty days following the final check void date; and (b) destroy case-related electronic records and reports, database(s), and images (and paper records if not previously digitally re-created) one year following the final check void date.

Dated: August 8, 2025

Respectfully submitted,
/s/ Kimberly M. Donaldson-Smith
Kimberly M. Donaldson-Smith
Kimdonaldsonsmith@chimicles.com
Nicholas E. Chimicles
Nick@chimicles.com
Zachary P. Beatty
zpb@chimicles.com
**Chimicles Schwartz Kriner &
Donaldson-Smith LLP**
361 W. Lancaster Avenue
Haverford, PA 19041
Telephone: (610) 642-8500
Fax: (610) 649-3633

Attorneys for the Settlement Class

LOCAL RULE 3.01(g) CERTIFICATION

This certifies that Plaintiff's counsel conferred with Walmart's counsel regarding this Motion, and Walmart's counsel does not oppose the relief requested herein.

/s/ Kimberly M. Donaldson-Smith
Kimberly M. Donaldson-Smith

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2025, the foregoing document was served on Defendant's counsel by the Court's electronic filing system.

/s/ Kimberly M. Donaldson-Smith
Kimberly M. Donaldson-Smith

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

VASSILIOS KUKORINIS, on behalf of
himself and any others similarly situated,

Plaintiff,

v.

WALMART INC.,

Defendant.

Case No. 8:22-cv-02402-VMC-TGW

**Declaration of Denise Earle
In Connection With the Motion for Distribution
of the Net Settlement Fund**

I, Denise Earle, hereby declare the following pursuant to 28 U.S.C. §1746:

1. I am a Senior Project Manager with Angeion Group (“Angeion”), located at 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Angeion is the Court-appointed Settlement Administrator in the above captioned action. I am over 21 years of age and am not a party to this action, and I am fully familiar with the facts contained herein based upon my personal knowledge, as well as information that has been provided to me by my colleagues in the ordinary course of business at Angeion.

2. The purpose of this declaration is to provide the Court with information pertaining to the proposed distribution of the Net Settlement Fund to Approved Claimants.¹

3. Pursuant to this Court’s Preliminary Approval Order (ECF No. 75 ¶ 11) and the Order Granting Final Approval of the Settlement and entering a final judgment and order of dismissal (ECF No. 132) (“Judgment”), Angeion was authorized to act as the Claims Administrator for the Settlement in the above-captioned action. Since that time, Angeion has, among other things: (a) disseminated Notice pursuant to the Notice Plan; (b) handled Claimant

¹ Unless otherwise noted, all capitalized terms used herein have the definitions provided in the Stipulation and Agreement of Settlement (“Settlement” or “SA ¶2”) filed at ECF No. 71-2.

inquiries and general claims administration where applicable; (c) received, processed, and reviewed Claim Forms and all supporting documentation; (d) calculated expected remaining expenses and taxes and fees; and (e) determined the payments to be paid to Approved Claimants.

I. Dissemination of Notice and Class Member Contact

4. As more fully described in previous Angeion Declarations,² Angeion executed the Notice Plan by, among other things, (a) sending the Email Notice to over 81 million email addresses; (b) disseminating about 76 million Reminder Email Notices; (c) commencing a digital media campaign; (d) establishing the Settlement Website and toll-free telephone support number; (e) causing to be published, on March 18, 2024, a half-page notice in People magazine.

5. The comprehensive media notice plan, combined with the direct notice efforts, exceeded expectations by achieving an approximate 81.43% reach with an average frequency of 3.47 times each. This approximate 81.43% reach is independent from, and does not include, the Settlement Website, toll-free telephone support or press release. This reach percentage exceeds the guidelines as set forth in the Federal Judicial Center's Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide to effectuate a notice program which reaches a high degree of class members. See Supplemental Notice Implementation Declaration, ECF No. 124-7 ¶¶ 10, 28.

6. As of July 29, 2025, Angeion received over 32,000 email inquiries, approximately 44,983 calls to the dedicated toll-free line for this Settlement and approximately 5,137 voicemails, which were handled where applicable.

II. Claims Filing

7. Under the terms of the Preliminary Approval Order and as set forth in the Notice, each Class Member who wished to be eligible to receive a distribution from the Net Settlement Fund was required to complete and submit to Angeion a properly executed Claim Form on or before June 5, 2024.

² See *Declarations of Steven Weisbrot*, ECF Nos. 71-4, 74-3, 100-2, and 124-7.

8. As of the date of this Declaration, Angeion has received a total of 3,997,591 Claim Form submissions. On August 6, 2024, the acceptance of claims for processing was closed to allow adequate time for the collective processing, matching, householding, and deduplication of all submitted claims. Of the 3,997,591 total Claim Form submissions, there were 178 that were received after this August 6, 2024 date, and thus they were excluded from Angeion's claims processing analysis, were denied as untimely, and no further review was performed on these. Accordingly, a total of 3,997,413 Claim Form submissions were considered timely and accepted for processing.³

III. Determinations on the Claim Form Submissions

9. Pursuant to the Settlement, Claimants could submit undocumented claims ("Option 1 Claims") or documented claims ("Option 2 Claims").

10. Angeion reviewed all claim submissions to identify any duplicates and flagged those accordingly. Further, Angeion reviewed the claims to group by Household to determine if multiple were claimed for the same Household. Angeion also reviewed claims to determine if the opt out requests had, despite opting out, additionally submitted a claim. As part of the initial claim review process, Angeion identified the claims where further action was needed.

11. In preparation for receiving and processing Claim Forms, Angeion determined the necessary fields for claim completion. Further, Angeion reviewed the Claim Forms to ensure all submitted claims selected either Option 1 or Option 2, as well as a payment option and provided all necessary information. Angeion also analyzed the claims to determine any discrepancies or issues where, for example, a Claimant elected both Option 1 and Option 2, or elected multiple tiers under Option 1, resulting in an unclear Claim Form and benefit election and necessitated follow-up by Angeion. Further, all claims received by mail (which were either handwritten or typed) were manually entered into Angeion's database established for this Action. In preparation

³ Of the 3,997,413 Claim Form submissions considered for processing, 3,987,943 were submitted through the Settlement Website, and 9,470 were received by mail or via Class Counsel. These 9,470 claims required additional processing to capture the information provided on the Claim Forms.

for Angeion's review of supporting documentation for Option 2 Claims, the review team was trained on the basis of the Settlement, the Claim Form options and expectations, and how to analyze each individual receipt to locate the certain eligible products per the Settlement Agreement Addendums that detailed the UPCs and product descriptions, if present. In certain instances, claims contained upwards of 100 individual receipts, and in some situations, they were in small and/or faded print even if enlarged. A small number of claims contained hundreds of receipts. When legitimate in-store receipts were presented, the time it took to review those, even for a single claim, was significant. The time to review varied, however, depending on the number of receipts presented, which varied amongst Option 2 Claims.

12. Option 1 Claims were reviewed and processed based on the tier selected by the Claimant on the Claim Form. Claims that selected the "up to 50 Weighted Goods and/or Bagged Citrus" tier were approved for a \$10 payment (subject to *pro ration*) where their claim had no other issues. Claims that selected the "51 to 75 Weighted Goods and/or Bagged Citrus" tier were approved for a \$15 payment (subject to *pro ration*) where their claim had no other issues. Claims that selected the "76 to 100 Weighted Goods and/or Bagged Citrus" tier were approved for a \$20 payment (subject to *pro ration*) where the claim had no other issues. Claims selecting the highest tier, "101 or more Weighted Goods and/or Bagged Citrus," were approved for a \$25 payment (subject to *pro ration*) where the claim had no other issues. For the Option 1 Claims where there were no issues, no further action was taken. For the Option 1 Claims where there were issues, Angeion took further action, which is described below at paragraphs 15–49.

13. Option 2 Claims were reviewed and processed based on the supporting documentation included with the Claim Form, where applicable, to determine (a) whether the receipts were legible, valid, and included eligible products; and (b) whether the amount claimed was correct. To support an Option 2 Claim, Claimants were required to submit documentation confirming: that purchases of the eligible products (the Weighted Goods and/or Bagged Citrus) were made in-person at a Walmart store between October 19, 2018 and January 19, 2024, the number of Weighted Goods and/or Bagged Citrus they purchased, and the total amount paid for

those eligible items. The foregoing information was needed and used to calculate the amount of the Claimant's claim under the plan of allocation, *e.g.* 2% of the total amount paid for the Weighted Goods and/or Bagged Citrus (capped at \$500), as stated on the Claim Form. Claims without any documentation were deemed deficient and no further review was completed. A deficiency notice was sent, and the Claimant was given an opportunity to amend their claim and/or provide documentation. Also, if the Claimant indicated on the Claim Form that the total amount they paid for the eligible Weighted Goods and/or Bagged Citrus would result in a claim of less than \$25 (*e.g.* They stated they purchased \$750 of Weighted Goods), then the Claimant was given an opportunity to amend their claim to select Option 1. *See infra* ¶¶ 36–44. If the Claimant indicated on the Claim Form that the total amount they paid for the eligible Weighted Goods and/or Bagged Citrus would result in a claim of more than \$25, then the submitted documentation was reviewed. If the total sum of eligible purchases matched the amount paid stated by the Claimant, the claim was approved for a 2% payout based on that amount. If the total sum was less than the amount paid as stated by the Claimant, a partial deficiency notice was sent, and the Claimant was given a chance to amend their claim. *See infra* ¶¶ 36–44.

14. Angeion has completed review of the 3,997,413 total Claim Form submissions that were considered accepted for processing.

15. As discussed below, of these claims: (a) 1,468,050 were approved as is with no further action needed; (b) 28 were withdrawn; (c) 51,887 were duplicative, and thus they were denied; (d) one claim was submitted by a Claimant who submitted an opt out request and was accordingly denied; and (e) 2,477,447 were identified as needing further action.

A. Approved Claims

16. 1,468,050 claims were approved as submitted, so no further action was needed.

B. Withdrawn Claims

17. 28 claims were withdrawn by the Claimant, so no further action was needed.

C. Duplicate Claims

18. 51,887 claims were duplicative of another submission, and therefore, were denied

without further correspondence.

D. Exclusion Request & Claim

19. One claim was submitted by an individual who requested to be excluded from the Settlement, and thus the claim was denied and not reviewed otherwise.

E. Claims Form Submissions Needing Further Action

20. 2,477,447 claims required notice be sent to the Claimants to indicate action was needed on their part to update, support, or validate their claim.

21. As detailed in ¶¶ 23–44 below, each of the remaining 2,477,447 Claim Form submissions were sent at least one follow-up communication from Angeion, and Claimants were given the opportunity to cure any deficiency with their Claim, if curable.

22. Of the 2,477,447 Claim Form submissions, Angeion identified: (a) 2,372,175 claims were flagged by AngeionAffirm as having indicia of fraud; (b) 49,972 claims identified as having a Household Deficiency; and (c) 55,300⁴ claims that were not flagged by AngeionAffirm nor identified as a Household claim but were otherwise determined as partially or fully deficient or denied claims.

i. Claim Form Submissions Flagged by AngeionAffirm and Given the Opportunity to Complete the OTP Verification Process

23. AngeionAffirm is Angeion’s proprietary real-time fraud detection system. Additional information about AngeionAffirm is provided in the Declaration of Denise Earle Re: Settlement Administration (ECF No. 146-1, ¶¶ 18–23). Courts have recognized the success of AngeionAffirm. By way of example, in United States Magistrate Judge Stewart D. Aaron has stated, “The Court finds that the claims process administered by Angeion has integrity and has been carried out in a diligent and thorough manner.... Based upon the Court’s review of the

⁴ This figure only represents claims with a sole deficiency. The actual number of claims that needed follow-up was greater, as some claims had overlapping deficiencies. For example, if a fraudulent claim successfully completed the OTP process and was advanced to claim review but was found to have a separate deficiency, the Claimant received a notice related to that deficiency (in addition to, and after, the OTP notice they received initially). In those situations, the claim is only reported under the primary deficiency in this paragraph 22 (*e.g.*, the fraudulent category).

record, the Court finds that Angeion has taken prudent and necessary steps to address the fraudulent claims submitted in this case... Angeion's fraud detection system is robust and appropriately designed to weed out fraudulent claims." *See In re: Novartis and Par Antitrust Litigation*, No. 1:18-cv-04361-AKH-SDA, S.D.N.Y, Report and Recommendation, ECF No. 667.

24. Of the 2,372,175 claims flagged by AngeionAffirm, there were 393,964 in which the email address used to submit the claim was determined to be invalid, and thus no further action was taken.

25. Between December 2, 2024, and January 18, 2025, the remaining 1,978,211 claims flagged as having indicia of fraud by AngeionAffirm were issued an initial rejection notice ("Rejection Notice") along with a one-time password ("OTP") verification process with instructions on how to respond to the identity verification issue. Claimants were provided with twenty-one (21) days to complete the OTP verification process. The OTP verification process was discussed in the Declaration of Denise Earle Re: Settlement Administration (ECF No. 146-1, ¶ 29–30). A true and correct copy of the Rejection Notice is attached hereto as **Exhibit A**.

26. Angeion sent a reminder notice ("Reminder Rejection Notice") along with OTP instructions to 1,756,395 of these Claimants who had not responded to the initial Rejection Notice. Claimants were provided with an additional twenty-one (21) days to complete the OTP verification process. The Reminder Rejection Notice also informed the claimants that if they did not complete the OTP verification process, then their claims would be finally denied. A true and correct copy of the Reminder Rejection Notice is attached hereto as **Exhibit B**.

27. Upon review of the claims following the expiration of the response periods, Angeion determined the following final status:

- 1,558,607 claims were denied due to failure to complete the OTP process. *See infra* ¶ 28.
- 345,377 claims were denied after completing the OTP process, but which continued to reflect several other indicia of fraudulent claims. *See infra* ¶ 29.

- 74,227⁵ claims were reviewed further and allowed to continue to be processed. These claims are described in each processing category discussed in the sections below. *See infra* ¶¶ 31–44.

28. As to the first category (1,558,607 claims), the fact that 79% did not complete the simple OTP process is consistent with AngeionAffirm’s initial identification as fraudulent.

29. As to the second category above (345,377 claims), although these Claimants completed the OTP process, these claims were denied because the indicia of fraud associated with the Claimant and Claim submission, as identified by AngeionAffirm, remained. Specifically, the OTP resolve behavior and connected metadata of each of the 345,377 Claimants was analyzed in conjunction with each of their original claim submission metadata. These claims had *multiple* indicia of fraud that—especially when taken together—strongly suggest fraud. Angeion, in its extensive experience, has an extremely high degree of confidence that these claims are fraudulent. They were, therefore, rejected. Should the Court require additional details regarding the fraud determinations, Angeion could submit its proprietary, AngeionAffirm analysis for confidential *in camera* review. *See In re: Novartis and Par Antitrust Litigation*, No. 1:18-cv-04361-AKH-SDA, S.D.N.Y, Report and Recommendation, ECF No. 667. If the specific details regarding Angeion’s anti-fraud efforts are publicly disclosed, it will undermine its ability to combat fraudulent claims submissions by providing insight into the methods and techniques employed by Angeion. Further, the details pertaining to Angeion’s proprietary fraud detection and prevention system, AngeionAffirm, are competitively sensitive, and if made publicly available, will be detrimental to Angeion in the marketplace.

30. On March 31, 2025, a denial notice (“Final Denial Notice”) was sent to the 345,377 claims that were denied after completing the OTP process but failing to sufficiently validate their personal information. The Final Denial Notice indicated that if they disagreed with the determination pursuant to the Settlement ¶ 5.4, that they could request Court Review of the

⁵ Of these, 67,641 were Option 1 Claims submitted without any additional deficiencies. Accordingly, these claims were approved.

denial (“Court Review”). *See infra* ¶¶ 45–49. A true and correct copy of the Final Denial Notice is attached hereto as **Exhibit C**. Angeion received one hundred seventy-three (173) requests for Court Review in response to the Final Denial Notices.

ii. Household Claims

31. The Settlement only permits one payment per household absent sufficient proof of separate purchases by individual Claimants residing at the same address. SA ¶ 5.4(e). Angeion identified 49,972 claim submissions from Claimants who appeared to reside at the same household.

32. Between December 20, 2024, and April 25, 2025, Angeion sent Household Notices to the 49,972 Claimants, reminding them that only one payment per household is allowed unless there is proof of separate purchases by different individuals at the same address. Claimants were provided with twenty-one (21) days to submit documentation showing they were a different person than the one associated with the first approved claim and that they purchased different products. Claimants were able to respond by logging into their existing Claim Form via the Settlement Website or by email/mail to the Claims Administrator. A true and correct copy of the Household Notice is attached hereto as **Exhibit D**.

33. For Claimants who did not respond, only the first claim submitted from the Household was considered for processing.

34. For the Claimants who responded to the Household Notice, their claims were allowed to continue to be processed. For the claimants with an Option 1 or Option 2 Claim who responded to the Household Notice and had no additional deficiencies, those claims were approved. If a claimant responded to the Household Notice, and there were additional deficiencies, then they were provided with an additional notice and an opportunity to cure. These claims, where applicable, are described in more detail in *subsection iii* below.

iii. Deficient and Partially Rejected Claims

35. Of the Claims requiring notice to indicate action was needed on their part to

update, support, or validate their claim: (1) 2,086 claims were identified as fully deficient; (2) 63,458 claims were identified as partially deficient; and (3) 5,653 claims were denied. All claimants, regardless of the above categorization, were provided with a notice and opportunity to cure or disagree.⁶

a. Fully Deficient Claim Submissions

36. A total of 2,086 claims were identified by Angeion as fully deficient for at least one of the following reasons: (1) for an Option 1 Claim, the Claimant failed to select a specific tier indicating the number of Weighed Goods and/or Bagged Citrus purchased; (2) both Option 1 and Option 2 benefits were selected on the Claim Form; (3) for an Option 2 Claim, the Claim Form did not provide the correct total amount paid for the Weighted Goods and/or Bagged Citrus; or (4) for an Option 2 Claim, supporting documentation was not provided or was deficient because it was illegible, or did not reflect or verify the total number of eligible Weighted Goods and/or Bagged Citrus products claimed or the total amount paid for them.

37. Between December 20, 2024, and April 25, 2025, Angeion sent the 2,086 fully deficient claims a Deficiency Notice which identified the deficiency reason(s) and afforded each Claimant twenty-one (21) days to cure the identified deficiency. Claimants were given the option to log into their existing Claim Form via the Settlement Website to provide the necessary information and/or to email or mail their responses to Angeion. The Deficiency Notice informed the Claimants that if they did not respond, then their Claim would be denied. A true and correct copy of the Deficiency Notice is attached hereto as **Exhibit E**.

38. A total of 103 claimants⁷ responded to the Deficiency Notice but failed to cure the claim deficiency. Accordingly, between March 10, 2025, and May 22, 2025, the 103 claimants were sent a Deficiency Denial Notice which informed them of the reason for the denial and that

⁶ These figures reflect overlapping claim deficiencies, as further explained in footnote 4, above.

⁷ For 77 of these claims, the Claimant first received the initial Household Notice. After responding, they were sent a follow-up partial deficiency notice. Upon review of their response to the follow-up partial deficiency notice a more thorough review was completed and the claims were ultimately determined to be fully deficient, and a final deficiency denial notice was sent.

if they disagreed with the determination, they could request Court Review. A true and correct copy of the Deficiency Denial Notice is attached hereto as **Exhibit F**. Angeion received eleven (11) requests for Court Review in response to the Deficiency Denial Notice.

b. Partially Deficient Claim Submissions

39. A total of 63,458 claims were identified by Angeion as partially deficient for at least one of the following reasons: (1) the documentation provided to support the Option 2 Claim did not validate the total number of goods and/or the total amount paid for the goods that was claimed; (2) the amount claimed as the total paid for eligible Weighted Goods and/or Bagged Citrus did not justify an Option 2 Claim amount over \$25; (3) the Option 1 Claim did not include a selected tier for the number of goods purchased in-store.

40. Between December 20, 2024, and April 25, 2025, Angeion sent the 63,458 Claimants a Partial Deficiency Notice which informed them that their claims were partially approved for a specified amount and identified the reason for the partial deficiency. The Partial Deficiency Notice informed them that if they did not respond, then their claim would be approved at the stated amount. A true and correct copy of the Partial Deficiency Notice is attached hereto as **Exhibit G**.

41. Angeion received a total of 1,777 responses to the Partial Deficiency Notice that failed to cure the partial deficiency reasons. Between March 10, 2025, and May 22, 2025, these Claimants were then sent a Final Determination Notice, which informed them they will receive the payment amount listed in the Partial Deficiency Notice and indicated that Court Review could be requested if they disagreed with the determination. A true and correct copy of the Final Determination Notice is attached hereto as **Exhibit H**. Angeion received forty-one (41) requests for Court Review in response to the Final Determination Notice.

c. Denied Claims

42. A total of 5,653 claims were denied because (1) the Claim Form was not postmarked by the submission deadline; (2) no eligible products were claimed; (3) the purchases claimed were ineligible (*e.g.*, not made in-store); or (4) the purchases were made outside of the

Settlement Class Period.

43. Between December 20, 2024, and April 25, 2025, Angeion sent Denial Notices to the 5,653 Claimants. The Denial Notice identified the reason for the claim's denial and afforded the Claimant twenty-one (21) days to cure the denial. A true and correct copy of the Denial Notice is attached hereto as **Exhibit I**.

44. On March 31, 2025, a Final Denial Notice was sent to the 55 Claimants who responded to the Denial Notice. The Final Denial Notice informed them of the reason for the denial and included the option to request Court Review. A true and correct copy of the Final Denial Notice is attached hereto as **Exhibit J**. Angeion received eight (8) requests for Court Review in response to the Final Denial Notice.

IV. Claimants that Requested Court Review

45. As of July 9, 2025, there are 233 Claimants who requested Court Review of Angeion's determination in response to receiving notification(s) that their Claims were partially or fully deficient or denied. As discussed below, it is Angeion's recommendation that its review and determination of the 233 claims at issue be affirmed as fully adjudicated by the Court.

Category	Count
Fraudulent Claims	173
Deficient Claims – Option 2	11
Denied Claims – Option 2	8
Partially Approved Claims – Option 2	41
Total Claims Requesting Court Review	233

46. AngeionAffirm identified 173 claims as fraudulent. As explained above, AngeionAffirm identified multiple indicia of fraud in each of these claims, which were not cured through the OTP or any other review process, and, therefore, Angeion—with an extremely high degree of confidence—denied these claims as fraudulent. *See supra* ¶¶ 23–30.

47. There are 19 total claims that fall into the Deficient Claim and Denied Claim categories. All 19 were Option 2 Claims. These claims were deemed Deficient or Denied because either they failed to identify any eligible Weighted Goods or Bagged Citrus purchases or did not

make qualifying in-store purchases. Therefore, they were not eligible to participate in the Settlement. Nothing in their request for Court Review cured this deficiency.

48. The 41 claims in the Partially Approved Claim category are Option 2 Claims. For each of the 41 claims, Angeion calculated the amount of the claim (subject to *pro ration*) based on the plan of allocation. Specifically, each of the 41 Claims was approved, but for less than the Claimant sought, either because: (a) the total amount paid for the Weighted Goods and/or Bagged Citrus on the documentation submitted did not demonstrate that the Claimant was entitled to more than the payment Angeion calculated (*i.e.*, 2% of the documented amount paid for eligible Weighted Goods and/or Bagged Citrus) or (b) the documentation provided did not validate the number of Weighted Goods and/or Bagged Citrus, or the price paid for those products, that the Claimant put on the Claim Form. These Claimants were given the opportunity to submit updated documentation or amend their claim to an Option 1 Claim (which required no documentation). None of the 41 Claimants submitted any further documentation with their request for Court Review that changed Angeion's determination.

49. If the Court determines that any of these 233 claims or any of the category of claims should be approved, Angeion will adjust the distribution list accordingly. *See infra* ¶ 66.

V. Quality Assurance and Final Claims Auditing

50. In preparation for final claim reporting, Angeion performed internal audits to ensure each claim that needed further action was sent at least one notice, where applicable.⁸ Based on follow-up review, each claim was assigned a final determination and a claim value. All approved claims were further analyzed to confirm if a payment method was present.

VI. Claim Value and Payment Methods

51. As a result of the above-described claims review efforts, there are a total of 1,590,671 claims approved for payment, broken down as follows:

⁸ 393,964 claims flagged by AngeionAffirm contained an email address that was determined to be invalid, and thus no further action was taken. *See supra* ¶ 24.

Claim Type	Count	Approved Value
Option 1 Claims	1,528,931	\$33,665,380.00
Option 2 Claims	61,740	\$409,729.96
Total	1,590,671	\$34,075,109.96

52. Under this settlement, Claimants could select between multiple electronic payment methods, *i.e.*, Venmo, Zelle, ACH, virtual pre-paid MasterCard, or a physical check. Approved Claimants elected the following payment methods:

- Venmo: 338,774
- Zelle: 338,119
- ACH: 156,042
- Virtual Pre-Paid MasterCard: 643,540
- Mailed Checks: 114,196⁹

53. There is a general societal trend of moving away from the use of paper checks¹⁰ and towards utilization of digital payment platforms¹¹ given their speed and ease of use. Additionally, an FDIC National Survey estimated that 5.6 million U.S. households were “unbanked” in 2023, meaning that no one in the household had a checking or saving account at a bank or credit union.¹² The same study estimated that 14.2% of U.S. households (approximately 19 million households) were “underbanked” in 2023, meaning that the household had a checking or savings account at a bank or credit union in the past 12 months but still used at least one nonbank financial services, *i.e.*, money order, check cashing service. These nonbank financial services are disproportionately used by *unbanked* households to meet their transaction and credit

⁹ 178 claims did not elect a payment method; thus, they were defaulted to Mailed Check.

¹⁰ Less than 4% of transactions made in 2022 utilized a paper check. *See* <https://www.washingtonpost.com/business/2023/09/15/paper-checks-who-uses/>.

¹¹ Nearly 9 in 10 Americans are now using digital payment platforms. *See* <https://www.mckinsey.com/industries/financial-services/our-insights/banking-matters/consumer-trends-in-digitalpayments>.

¹² *See* <https://www.fdic.gov/analysis/household-survey/index.html>.

needs¹³, inferring that those classified as “underbanked” may actually be “unbanked.” For example, individuals who do not have a bank account would likely need to use a check-cashing service in order to cash their check. The fees for that service (often about 3%) may also be a deterrent to selecting payment via check.

54. Digital options such as Venmo, ACH, and Zelle allow for payments to be electronically deposited into designated accounts as indicated on the Claimant’s Claim Form submission. If the electronic payment is unsuccessful or expires before being claimed, the Claimant will have another opportunity to receive their payment digitally if they choose a different payment method or update the existing one during the “second chance” process where the Claimant will be contacted at the email address they submitted on their Claim Form to invite them to update or change their payment method information. If ultimately the electronic payment cannot be delivered, a physical check will be issued if a valid mailing address was present on the claim record.

55. Virtual MasterCard payment notifications are sent to the email address provided by the Claimant on the Claim Form. In the event an email notification is undeliverable, the card will be cancelled and the funds returned to the Settlement Fund. Pursuant to the Court-approved Settlement distribution protocol, a physical check will then be mailed to the Claimant’s postal address on file. Compliant disclosures about the terms and any applicable fees are included on the settlement website during the payment election stage of the online claim submission process and are presented again at the time of payment notification. These disclosures include the cardholder agreement, fee schedule, and instructions for use. As disclosed, an inactivity fee of \$0.95/month is assessed after 12 consecutive months with no transaction activity. However, if the card is used at least once within that period, no inactivity fee will be charged. A proactive reminder email will be sent to cardholders after 11 months of inactivity to notify them of the upcoming assessment and encourage timely use. Additionally, an annual audit is performed to identify cards that

¹³ *Id.*

incurred one or more months of inactivity fees but were later used in a transaction. For such cards, any assessed inactivity fees are credited back to the card. To support accessibility and usage, payment notification emails include links to FAQs and step-by-step instructions, including how to transfer the available balance—at any time and at no cost—to a bank account or other financial platform. The card issuer is responsible for compliance with escheatment obligations under applicable state laws.

56. Physical check payments are mailed to the most current address as provided by the Claimant. The paper check will prominently display that the check is void if not cashed within 120 days. If the check is returned undeliverable, Angeion will subject the undeliverable mailing address to an address verification search (commonly referred to as “skip tracing”) utilizing a wide variety of data sources, including public records, real estate records, electronic directory assistance listings, etc., to locate an updated address. Angeion will subsequently reissue the payment to the updated address, where applicable. If the checks are otherwise undeliverable or are not cashed within 120 days, then the amount will revert back to the Net Settlement Fund and will be used for the Second Distribution or *Cy Pres*, as described below at paragraph ¶¶ 67–69.

VII. Claims Administration Fees and Expenses and Tax Expenses

57. Through June 30, 2025, the cost to provide notice and administration services has totaled \$2,227,117.08. Angeion has provided Class Counsel with detailed invoices of the work performed. Upon request, Angeion can provide those to the Court for confidential *in camera* review.

58. Angeion estimates that it will bill an additional \$630,000 for the remaining work in this Settlement, including conducting calculations, making the distribution of the Net Settlement Fund to Claimants as detailed above and post distribution services, handling Class Member communications, maintaining the Settlement Website and toll-free line, and all final close out work. Upon request, Angeion can provide to the Court, for confidential *in camera* review, the itemized estimate to complete. This amount will be deducted from the Settlement Fund to calculate the Net Settlement Fund amount for distribution to Approved Claimants.

59. In addition, Angeion estimates that a reserve of \$5,000.00 is necessary to pay for any potential Settlement Fund Taxes and Tax Expenses and any unforeseen additional approved claim payments that may be necessary.

VIII. Distribution Plan for the Net Settlement Fund

60. To date and in accordance with the Court's Order and Settlement Agreement, the \$45 million Class Settlement Fund has been applied as follows: (a) to pay Notice and Administration Expenses through June 2025 (\$2,227,117.08); and (b) to pay Court-approved fees and expenses and related interest (\$9,309,778.00).

61. In addition, as of June 30, 2025, the Settlement Fund has earned \$2,336,970.66 in interest.

62. Accordingly, as of July 22, 2025, the current balance in the Settlement fund is approximately \$35,800,075.58, from which, as discussed above, \$635,000 will be reserved for future claims administration and Net Settlement Fund distribution costs and any potential Settlement Fund Taxes and Tax Expenses.

63. Therefore, if approved to deduct such amount, the Net Settlement Fund available for distribution will be **\$35,165,075.58**.

A. Initial Distribution

64. Angeion has calculated two alternative calculations for the initial distribution depending on whether the Court agrees with Angeion's determination on the Court Review claims ("Calculation 1") (*see supra* ¶¶ 45–49) or the Court rejects Angeion's determinations as to the 233 Court Review claims and instructs Angeion to consider them (or any subset) fully Approved ("Calculation 2").

65. **Calculation 1** – This calculation applies if the Court accepts Angeion's recommendation rejecting the Court Review Claims. *See supra* ¶¶ 45–49. Pursuant to the Court-approved plan of allocation, Angeion has calculated each Approved Claimant's payment amount. Because the value of Approved claims (\$34,075,109.96) is slightly less than the Net Settlement Fund available for distribution (\$35,165,075.58), there will be a *positive pro rata* increase in the

payment amount to each Approved Claimant, such that each Claimant will receive between 100% to 103% of their claim value. Accordingly, if the Court approves Calculation 1, then the payment amounts will be as follows:

- **Option 1 Approved Claimants**
 - o For Approved Claimants who claimed up to 50 Weighted Goods and/or Bagged Citrus to receive \$10, will instead receive **\$10.32**.
 - o For Approved Claimants who claimed between 51 and 75 Weighted Goods and/or Bagged Citrus to receive \$15, will instead receive **\$15.48**.
 - o For Approved Claimants who claimed between 76 and 100 Weighted Goods and/or Bagged Citrus to receive \$20, will instead receive **\$20.64**.
 - o For Approved Claimants who claimed 101 or more Weighted Goods and/or Bagged Citrus to receive \$25, will instead receive **\$25.80**.
- **Option 2 Approved Claimants** will receive between **100%** and **103%** of their approved amount.

66. **Calculation 2** – If the Court determines that any of the Court Review claims should be deemed Approved, then Angeion will include them in the distribution. Since the number of those claims is nominal, the *pro rata* distribution would be affected so minimally that the *pro rata* distribution percentage remains between 100% and 103%.

Category	Type	No.	Partially Approved Amount¹⁴	Additional Amount if Approved in Full¹⁵	Total Value of Approved Claims + Additional Amount if Court Review Claims Approved in Full
Fraud	Option 1	164	\$0.00	\$3,875.00	\$34,078,984.96

¹⁴ The amount listed in this column reflects the approved partial payment that is already being made to the Claimant. See *supra* ¶ 48.

¹⁵ The Additional Amount if Approved in Full of the Option 2 Court Review claims is the 2% calculation of what was claimed on the Claim Form as the total amount paid for Weighted Goods and/or Bagged Citrus. The value of Option 1 Court Review claims is based on the specific tier selected by the claimant on the Claim Form.

Fraud	Option 2 ¹⁶	9	\$0.00	\$357.59	\$34,075,467.55
Partially Approved	Option 2	41	\$440.07	\$438.92	\$34,075,548.88
Deficient	Option 2	11	\$0.00	\$1,446.46	\$34,076,556.42
Denied	Option 2	8	\$0.00	\$1,999.84	\$34,077,109.80
Totals		233	\$440.07	\$8,117.81	\$34,083,227.77

B. The Second Distribution and/or *Cy Pres*

67. Angeion will, if feasible, perform follow-up with Approved Claimants whose electronic payment method was initially unsuccessful (*e.g.*, undeliverable) or if a check is uncashed or returned by the USPS as undeliverable. *See supra* ¶¶ 51–56.

68. At such time that Class Counsel and Angeion determine that the reasonable follow-up efforts have been exhausted, but no sooner than three months after the Initial Distribution, the payments to Approved Claimants whose electronic payments were unsuccessful or who do not cash their checks will revert back to the Net Class Settlement fund and those Approved Claimants will irrevocably forfeit all recovery from the Settlement.

69. Angeion will inform Class Counsel of the balance of the Settlement Fund for further evaluation whether a second distribution or *cy pres* distribution is appropriate in accordance with the terms of the Settlement.

70. Unless otherwise ordered by the Court, Angeion will dispose of the paper copies of Claims and all supporting documentation thirty (30) from the final check void date and will dispose of electronic copies of the same one (1) year after the final check void date.

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

August 6, 2025



Denise Earle

¹⁶ Given Angeion determined these claims to be fraudulent, the supporting documentation provided with these claims, if applicable, was not reviewed.

Exhibit A

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Rejected Claim in the Walmart Weighted Goods Settlement

WALMART WEIGHTED GOODS SETTLEMENT

CLAIM REJECTION NOTICE

CLAIM #: [CLAIM #]-REJ

CONFIRMATION CODE: [CONFIRMATION CODE]

[FIRST NAME] [LAST NAME]

We received your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement. However, the information that was provided on your Claim Form could not be validated. As such, your Claim has been rejected.

If you disagree with this determination, you may log back in to your existing claim through the Submit Claim page at www.WalmartWeightedGroceriesSettlement.com by within **21 days of the date of this notice**. Simply use the Claim Number and Confirmation Code located above your name to login and complete the on-screen process. We will review the information you submit, and if it validates your claim, we will re-process your Claim Form. All Denials will be final after **21 days from the date of this notice**.

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement

Claims Administrator

www.WalmartWeightedGroceriesSettlement.com

Exhibit B

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of Email: Reminder Notice of Rejected Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM REJECTION REMINDER NOTICE**

CLAIM #: [CLAIM #]-REJ

CONFIRMATION CODE: [CONFIRMATION CODE]

[FIRST NAME] [LAST NAME]

Between December 5, 2024, and December 20, 2024, you were sent a Notice that informed you that your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement was received and rejected.

As of today, we have not received a response from you. Please note that from December 5, 2024, to December 10, 2024, some claimants may have been unable to complete the One-Time Passcode (OTP) process on the Settlement website if they attempted to use a phone number different from the one originally provided on their Claim Form.

If you have reason to believe the rejection of your claim is improper, you may present a request for review to the Court. Alternatively, you may log back in to your existing claim through the Submit Claim page at www.WalmartWeightedGroceriesSettlement.com by **February 3, 2025**. Simply use the Claim Number and Confirmation Code located above your name to login and complete the on-screen process. We will review the information you submit, and if it validates your claim, we will re-process your Claim Form. All Denials will be final after **February 3, 2025**.

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement

Claims Administrator

www.WalmartWeightedGroceriesSettlement.com

Exhibit C

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Final Claim Denial Notice in the Walmart Weighted Goods Settlement

WALMART WEIGHTED GOODS SETTLEMENT

FINAL CLAIM DENIAL NOTICE

**CLAIM #: [CLAIM #]-FDEN
[FIRST NAME] [LAST NAME]**

We have reviewed your response to the Claim Rejection Notice in the *Kukorinis v. Walmart, Inc.* Settlement and reprocessed your Claim. After a thorough review, we are unable to substantiate your claim sufficiently to overturn the original denial. This may be due to one or more of the following reasons:

- We could not verify your identity based on the information provided;
- There were patterns in the claim indicative of bulk submissions; or
- The Claim contained inconsistencies or incomplete information.

If you disagree with our final determination and request Court review you must, by **[DATE]**, respond to this notice via email at Info@WalmartWeightedGroceriesSettlement.com or by mail (to the address below), stating your grounds for contesting the denial. If an issue concerning your claim cannot be otherwise resolved, your request that the Court review the determination will be submitted to the Court. All denials will be final after **[DATE]**.

Walmart Weighted Goods Settlement
Attn: Contestations
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit D

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Deficient Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM DEFICIENCY NOTICE**

CLAIM #: [CLAIM #]-DEF

CONFIRMATION CODE: [CONFIRMATION CODE]

[FIRST NAME] [LAST NAME]

We received your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement. After review, it appears that more than one claim was submitted by your household. As per the terms of the Settlement, the Claims Administrator must limit the number of payments per household absent sufficient documentation or proof of separate purchases by individuals residing at the same address. Therefore, we will proceed with processing the first claim that was submitted from your household (i.e. Claim Number <<PARENT 00 ID>>).

The additional claims have been identified as deficient. To proceed with further processing of these additional claims, you will need to provide the following information:

- 1. Proof of Identity:** Each additional claimant must demonstrate that they are a different person from the individuals associated with the first approved claim noted above.
- 2. Proof of Product Purchase:** Each additional claimant must also provide evidence that they purchased different products than those purchased under the first approved claim noted above.

If you wish to cure your Deficient Claim, you must respond by January 10, 2025. If you do not respond by **January 10, 2025**, your claim will be Denied. All claims are subject to pro-rata reductions based on the number and value of claims.

For your convenience, you may cure your Deficient Claim electronically through the Submit Claim page at www.WalmartWeightedGroceriesSettlement.com. Simply login using the Claim Number and Confirmation Code located above your name and clarify your claim option and/or add the requested information to your existing claim. We will review the information you submit, and if it cures the noted deficiency, we will re-process your Claim Form.

If you do not wish to use the online portal, you may respond to your Deficient Claim by email at: Info@WalmartWeightedGroceriesSettlement.com or by mail as described below. Be sure to include your Claim Number, found at the top of this email, in all correspondence.

Walmart Weighted Goods Settlement
Attn: Deficiency Responses
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit E

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Deficient Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM DEFICIENCY NOTICE**

CLAIM #: [CLAIM #]-DEF

CONFIRMATION CODE: [CONFIRMATION CODE]

[FIRST NAME] [LAST NAME]

We received your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement. After review, your claim was found to be deficient for the reason(s) below. Unless you timely respond and cure your deficient claim it will be denied.

Please note: An Option 2 claim amount is calculated by multiplying the total amount you paid for the eligible products by 2%. For example, if you submit receipts showing you paid \$500 for eligible products, your claim is valued at \$10. As a result, if you selected Option 2, your claim amount may be lower than if you had selected Option 1. Not all products purchased at Walmart are eligible; the eligible products are only Weighted Goods and Bagged Citrus products which are described on the Settlement Website in FAQ #2, and at the Product Descriptions tab.

____ You did not include a proper total amount paid for your Weighted Good and/or Bagged Citrus products (i.e. a U.S. dollar amount) or you left the amount field blank.

____ You did not provide documentation to support your Option 2 claim. You must provide receipts, proof of purchase, or other documentation that documents your purchase and the price you paid for each eligible Weighted Good and/or Bagged Citrus product that you purchased in-person in a Walmart Store from October 19, 2018 through January 19, 2024. If you do not have documentation and otherwise wish to amend your claim to instead select Option 1, you may do so.

____ You submitted a claim for both Option 1 AND Option 2. Since only one option can be chosen, please clarify which option you intended to select by updating your Claim to either Option 1 OR Option 2 (and provide the necessary documentation for Option 2). If you do not timely amend your Claim, it will be denied.

____ The documentation you submitted for your Option 2 claim was illegible, not relevant or missing, thus your claim could not be reviewed for validation. Please resubmit clearer documentation so that your Claim can be reviewed, or, if you do not have clearer documentation, respond to amend your Claim to select Option 1.

If you wish to cure your Deficient Claim, you must respond by January 10, 2025. If you do not respond by **January 10, 2025**, your claim will be Denied. **All claims are subject to pro-rata reductions based on the total number and value of approved claims.**

For your convenience, you may cure your Deficient Claim electronically through the Submit Claim page at www.WalmartWeightedGroceriesSettlement.com. Simply login using the Claim Number and Confirmation Code located above your name and clarify your claim option and/or add the requested information to your existing claim. We will review the information you submit, and if it cures the noted deficiency, we will re-process your Claim Form.

If you do not wish to use the online portal, you may respond to your Deficient Claim by email at: Info@WalmartWeightedGroceriesSettlement.com or by mail as described below. Be sure to include your Claim Number, found at the top of this email, in all correspondence.

Walmart Weighted Goods Settlement
Attn: Deficiency Responses
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit F

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Denied Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM DENIAL NOTICE**

**CLAIM #: [CLAIM #]-DEN
[FIRST NAME] [LAST NAME]**

We received your response to the Claim Notice we sent in the *Kukorinis v. Walmart, Inc.* Settlement. As a result, your claim was processed further to determine eligibility. Upon review of your Claim submission, however, your claim was found to be Denied for the following reason(s) marked with an “X”:

____ You did not claim any eligible products. To view a list of eligible products in this Settlement, please refer to FAQ #5, Addendum A (Weighted Goods UPCs), and Addendum B (Bagged Citrus UPCs) available on the Settlement website at www.WalmartWeightedGroceriesSettlement.com.

____ You did not make any eligible purchases (i.e. your purchases were not made in-store).

If you disagree with our determination and request Court review you must, by **March 31, 2025**, respond to this notice via email at Info@WalmartWeightedGroceriesSettlement.com or by mail (to the address below), stating your grounds for contesting the rejection. If an issue concerning your claim cannot be otherwise resolved, your request that the Court review the determination will be submitted to the Court. All Denials will be final after **March 31, 2025**.

Walmart Weighted Goods Settlement
Attn: Contestations
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

All claims are subject to pro-rata reductions based on the number and value of claims. For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit G

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Partial Deficient Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM PARTIAL DEFICIENCY NOTICE**

CLAIM #: [CLAIM #]-PDEF

CONFIRMATION CODE: [CONFIRMATION CODE]

[FIRST NAME] [LAST NAME]

We received your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement. After review, your Claim was determined to be *partially* approved for \$**XX.XX**, **subject to pro-rata reductions** based on the total number and value of approved claims. Your Claim was *partially* Deficient for the reason(s) below. **Please note:** An Option 2 claim amount is calculated by multiplying the total amount you paid for the eligible products by 2%. For example, if you submit receipts showing you paid \$500 for eligible products, your claim is valued at \$10. As a result, if you selected Option 2, your claim amount may be lower than if you had selected Option 1. Not all products purchased at Walmart are eligible; the eligible products are only Weighted Goods and Bagged Citrus products which are described on the Settlement Website in FAQ #2 and at the Product Descriptions tab.

____ The documents you provided to support your Option 2 claim did not validate the total number of Weighted Goods and/or Bagged Citrus you claimed and/or the total amount paid for the Weighted Goods and/or Bagged Citrus you claimed. You must *either* (a) provide receipts, proof of purchase, or other documentation that documents your purchase and the price you paid for each eligible Weighted Good and/or Bagged Citrus you purchased in-person in a Walmart Store from October 19, 2018 through January 19, 2024, or (b) amend your Claim to select Option 1. Otherwise, your Claim value will be the amount listed above.

____ The amount you claimed as the total amount paid for Walmart Weighted Goods and/or Bagged Citrus does not support an Option 2 claim amount higher than \$25 (i.e. the maximum claim amount for Option 1). For more information on how Claims are calculated, see note above and please review FAQ #8 on the Settlement website www.WalmartWeightedGroceriesSettlement.com. You may submit an updated claim amount along with supporting documentation, or you can amend your Claim to an Option 1 Claim. Otherwise, your Claim value will be the amount listed above.

____ You submitted an Option 1 claim but did not select one of the tiers that specifies the number of Weighted Goods and/or Bagged Citrus you attest to having purchased in-store. Thus, your Claim will be processed using the amount listed above, which is the Option 1 tier for 76 to 100 Weighted Goods and/or Bagged Citrus purchased from a Walmart Store from October 19, 2018 through January 19, 2024. If you disagree with that, you may timely respond and choose an updated Option 1 tier amount. Otherwise, your Claim will be the amount listed above.

If you wish to cure your *partially* Deficient Claim, you must respond by January 10, 2025. If you do not respond by **January 10, 2025**, your claim will be valued at \$**XX.XX**, as listed above, subject to pro-rata reductions based on the total number and value of approved claims, and the rest of your claim will be Rejected.

For your convenience, you may cure your Deficient Claim electronically through the Submit Claim page at www.WalmartWeightedGroceriesSettlement.com. Simply login using the Claim Number and Confirmation

Code located above your name and add the requested information to your existing claim. We will review the information you submit, and if it cures the noted deficiency, we will re-process your Claim Form.

If you do not wish to use the online portal, you may respond to your Deficient Claim by email at: Info@WalmartWeightedGroceriesSettlement.com or by mail as described below. Be sure to include your Claim Number, found at the top of this email, in all correspondence.:

Walmart Weighted Goods Settlement
Attn: Deficiency Responses
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit H

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Partially Approved Claim in the Walmart Weighted Goods Settlement

WALMART WEIGHTED GOODS SETTLEMENT
CLAIM PARTIALLY APPROVED NOTICE

CLAIM #: [CLAIM #]-CREV
[FIRST NAME] [LAST NAME]

We received your response to the Claim Notice we sent pertaining to the *Kukorinis v. Walmart, Inc.* Settlement. As a result, your claim was processed further to determine eligibility. Upon review of your Claim submission, your Claim was determined to be partially approved for \$[**PAYMENT AMOUNT**], subject to pro-rata reductions based on the total number and value of approved claims. Please note: An Option 2 claim amount is calculated by multiplying the total amount you paid for the eligible products by 2%. For example, if you submit receipts showing you paid \$500 for eligible products, your claim is valued at \$10. As a result, if you selected Option 2, your claim amount may be lower than if you had selected Option 1. Not all products purchased at Walmart are eligible; the eligible products are only Weighted Goods and Bagged Citrus products which are described on the Settlement Website in FAQ #2 and on the Product Descriptions tab.

If you disagree with our determination and request Court review, you must, by **June 12, 2025**, respond to this notice via email at Info@WalmartWeightedGroceriesSettlement.com or by mail (to the address below), stating your grounds for contesting the partial approval. If an issue concerning your claim cannot be otherwise resolved, your request that the Court review the determination will be submitted to the Court. If you do not respond by **June 12, 2025**, your claim will be valued at \$[**PAYMENT AMOUNT**], as listed above, subject to pro-rata reductions based on the total number and value of approved claims.

Walmart Weighted Goods Settlement
Attn: Contestations
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit I

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Denied Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM DENIAL NOTICE**

**CLAIM #: [CLAIM #]-DEN
[FIRST NAME] [LAST NAME]**

We received your Claim Form in the *Kukorinis v. Walmart, Inc.* Settlement. However, after review, your Claim was determined to be Denied for the following reason(s) marked with an "X":

____ Your Claim Form was not postmarked by the deadline.

____ You did not claim any eligible products. To view a list of eligible products in this Settlement, please refer to FAQ #5, Addendum A (Weighted Goods UPCs), and Addendum B (Bagged Citrus UPCs) available on the Settlement website at www.WalmartWeightedGroceriesSettlement.com.

____ You did not make any eligible purchases (i.e. your purchases were not made in-store).

____ Your purchases were made outside of the Settlement Class Period (i.e. your purchase was made before October 19, 2018 or after January 19, 2024).

If you feel as though you received this Notice in error, you may contact the Claims Administrator by **January 10, 2025**. You can contact them via email at Info@WalmartWeightedGroceriesSettlement.com, by phone at 1-833-987-9998, or by mail as described below. All Denials will be final after **January 10, 2025**.

Walmart Weighted Goods Settlement
Attn: Claim Denials
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

All claims are subject to pro-rata reductions based on the number and value of claims. For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com

Exhibit J

From Name: Claims Administrator

From Email: donotreply@walmartweightedgroceriessettlement.com

Subject Line of email: Notice of Denied Claim in the Walmart Weighted Goods Settlement

**WALMART WEIGHTED GOODS SETTLEMENT
CLAIM DENIAL NOTICE**

**CLAIM #: [CLAIM #]-CREV
[FIRST NAME] [LAST NAME]**

We received your response to the Claim Notice we sent in the *Kukorinis v. Walmart, Inc.* Settlement. As a result, your claim was processed further to determine eligibility. Upon review of your Claim submission, however, your claim was found to be Denied for the following reason(s) marked with an "X":

____ You did not claim any eligible products. To view a list of eligible products in this Settlement, please refer to FAQ #5, Addendum A (Weighted Goods UPCs), and Addendum B (Bagged Citrus UPCs) available on the Settlement website at www.WalmartWeightedGroceriesSettlement.com.

____ You did not make any eligible purchases (i.e. your purchases were not made in-store).

____ You did not provide documentation to support your claim.

If you disagree with our determination and request Court review you must, by **June 12, 2025**, respond to this notice via email at Info@WalmartWeightedGroceriesSettlement.com or by mail (to the address below), stating your grounds for contesting the rejection. If an issue concerning your claim cannot be otherwise resolved, your request that the Court review the determination will be submitted to the Court. All Denials will be final after **June 12, 2025**.

Walmart Weighted Goods Settlement
Attn: Contestations
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
Info@WalmartWeightedGroceriesSettlement.com

All claims are subject to pro-rata reductions based on the number and value of claims. For more information about this Settlement, you may view the Settlement Agreement and FAQs by visiting the website www.WalmartWeightedGroceriesSettlement.com or calling 1-833-987-9998.

Sincerely,

Walmart Weighted Goods Settlement
Claims Administrator
www.WalmartWeightedGroceriesSettlement.com