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Attorneys for Plaintiff URIEL OREGEL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

URIEL OREGEL, as an individual and on behalf
of all employees similarly situated,

Plaintiff,

v.

DIABLO RANGE FRAMING, INC., a California
Corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. C23-00697

[Assigned for all purposes to Hon. Charles
S Treat, Dept. 12]

CLASS AND PAGA REPRESENTATIVE
ACTION

**DECLARATION OF ERIC SPRINGER
ON BEHALF OF SIMPLURIS, INC.
(PROPOSED SETTLEMENT
ADMINISTRATOR)**

Action Filed: March 29, 2023
Trial: Not Set

DECLARATION OF ERIC SPRINGER ON BEHALF OF SIMPLURIS, INC. (PROPOSED SETTLEMENT
ADMINISTRATOR)

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I, ERIC SPRINGER, declare as follows:

1. I have personal knowledge of the facts set forth herein and if called upon to testify, I could and would do so competently under oath.

2. I am employed by Simpluris, Inc. (“Simpluris”), as the Director of Client Services for Simpluris Inc., (“Simpluris”). I am over 18 years of age and authorized to make this declaration on behalf of Simpluris and myself, and make this declaration based upon my own personal knowledge.

3. I personally have over thirteen (13) years of experience in claims management and administration of class and collective action matters.

4. Simpluris has never had any financial interests in nor affiliation with the parties or counsel in this matter.

SIMPLURIS BACKGROUND AND EXPERIENCE

5. Simpluris has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities fraud, property damage, employment discrimination, employment wage and hour, product liability, insurance and consumer issues. Simpluris specializes in pre-settlement consultation, data management, legal notification, call center support, claims processing and tax reporting.

6. We have provided notification and/or claims administration services in more than 8,000 cases. Over the past fifteen (15) years, Simpluris has handled approximately \$7 billion in settlements. A true and correct copy of Simpluris' company resume ("Simpluris Resume") is attached as **Exhibit A**.

7. Simpluris is committed to the security of not only our data and information but the Parties' data and information as well. A true and correct copy of our SOC 2 Compliance demonstrating our commitment to security is attached to our bid on **Exhibit B**. Additionally, Simpluris maintains insurance coverage in the amount of \$3,000,000 for Errors and Omissions.

1 **NOTICE PLAN**

2 8. Simpluris has been selected by counsel to serve as the class action Settlement
3 Administrator for this case. In this capacity, Simpluris will be charged with, among other
4 responsibilities: (a) establishing and maintaining a fund for Class Members; (b) calculating all
5 amounts due to each Class Member pursuant to the Settlement; (c) processing checks and
6 mailing payments to Class Members; (d) preparing, processing, and filing all applicable tax
7 forms and tax returns; (e) establishing and maintaining a calendar of administrative deadlines
8 and responsibilities; (f) printing and mailing by First-Class Mail the Notice of Pendency of a
9 Class Action Settlement (“Notice of Settlement”) to Class Members in English and Spanish; (g)
10 conducting a National Change of Address (“NCOA”) database search prior to mailing the Notice
11 of Settlement to Class Members and performing a skip-trace on any Notice of Settlement
12 returned as Undeliverable; (h) receiving and validating written requests to be excluded from the
13 Settlement (“Requests for Exclusion”), written objections to the Settlement, and disputes
14 regarding the number of workweeks or pay periods that a Class Member worked for Defendant;
15 (i) providing weekly reports to counsel; and (j) performing any other tasks necessary to carry out
16 its responsibilities as set forth in the Settlement, as the Parties mutually agree, or as the Court
17 orders Simpluris to perform.

18 9. Simpluris will use information from counsel for Defendant to mail the Notice of
19 Settlement and settlement checks, e.g., spreadsheets of the Class Members’ names, last known
20 address, last known telephone number, and dates of employment (“Employee List”).

21 10. Simpluris will process and update the mailing addresses contained in the
22 Employee List utilizing the National Change of Address Database (“NCOA”) maintained by the
23 U.S. Postal Service. The NCOA contains requested changes of address filed with the U.S. Postal
24 Service. In the event that any individual filed a U.S. Postal Service change of address request,
25 Simpluris will update the mailing address listed in the Employee List and Information with the
26 mailing address obtained through the NCOA and use the updated address in connection with the
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mailing of the Notice of Settlement. Upon approval from the Court, Simpluris will mail the Notices of Settlement via First Class mail, postage prepaid.

11. Any Notice of Settlement returned to Simpluris as non-delivered on or before the Response Deadline shall be re-mailed to the forwarding address affixed thereto. If a Class Member's Notice of Settlement is returned by the USPS as undeliverable and without a forwarding address, Simpluris will perform an advanced address search (i.e., skip trace) on the Class Member, using the Class Member's name and previous address to locate a current mailing address. Through the advanced address searches (i.e., skip-trace), Simpluris will promptly re-mail any undeliverable Notices to those updated addresses.

12. In addition to the above-referenced duties, Simpluris is committed to performing any other tasks necessary to carry out its responsibilities as set forth in the Settlement, as the Parties mutually agree, or as the Court orders Simpluris to perform.

13. This Administration project has a fixed rate of \$8,000.00, which includes costs associated with mailing the Notice Packet. If the scope of work increases or decreases significantly, Simpluris will inform the parties and request approval of an adjustment, whether increased or decreased respectively, to the capped costs. Attached hereto as **Exhibit C** is a true and correct copy of Simpluris' bid for administering this matter which includes how the fee was calculated based on an itemized breakdown of the tasks as set forth in the bid

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this Declaration was executed this 21st day of December, 2023, in Melbourne, Florida.

Eric Springer

Eric Springer

EXHIBIT A

Simpluris, an award winning claims administrator, has administered over 9,000 matters, managed over \$8 billion in settlement funds, and provided its services for over 15 years. Our beginning-to-end services include complete project management, mailings & notification campaigns, contact center, legal intake, data management, disbursements & tax reporting, among others.

Services

Class Action Administration

Simpluris class action and claims administration offers comprehensive settlement planning, execution, and reporting. When you bring a case to Simpluris, our team reviews each matter independently. Our subject matter experts leverage their experience to develop a settlement framework designed to meet the unique aspects of your matter. We take a consultative approach to address your challenges and support preliminary hearing preparation.

Mass Arbitration Administration

Simpluris can provide the technology and operational fulfillment resources needed to manage mass arbitrations from intake to payment in a cost-effective and efficient manner. At Simpluris, we pride ourselves on having an average of 93.5% signed releases. We have experience administering some of the largest mass arbitration cases, including Uber, Lyft, Instacart, Grubhub, Postmates, and DoorDash. Simpluris delivers solutions for matters of any size and complexity.

Regulatory Remediation

Whether internally initiated or formally required by a consent order, Simpluris aids respondents in meeting critical obligations and deadlines. Simpluris is prepared to plan and execute remediation actions tailored to your institution's size and needs. As a third-party administrator, we understand the importance of swift remediation and provide "white glove" customer service from planning, to execution, through final reporting.

Legal Corporate Services

Simpluris' services scale and adapt to meet our client's challenges. We excel at comprehensive settlement administration and remediation; however, we understand that our client's needs include a combination of many legal corporate services. No matter how simple or complex, we ask you to bring us your unique challenges so we may develop a custom solution to fit your needs.

Data Security

Simpluris is committed to the security and overall protection of its customer's data and information. We maintain SOC 1 and SOC 2 certification which requires us to adhere to strict policies and procedures surrounding information security including processing and storage of confidential customer data. Simpluris has and maintains a comprehensive, written Information Security Program that complies with all applicable laws and regulations (e.g. HIPAA, Gramm-Leach-Bliley Act, MA 201 CMR 17.00).

Executive Team

Simpluris' history is rooted in class action settlement administration and our management team's experiences are vast and diverse. The Simpluris executive leadership team boasts more than 100 years of experience in corporate, financial and legal administration, including:

- Executive management of the largest legal administration operation in the world that produced 200+ million notifications, 10+ million claims and \$5+ billion funds disbursed per year on average.
- A few of the most notable matters our leadership team has presided over include the largest data breach responses, corporate restructures and antitrust settlement administrations in US history.
- Oversight of the largest consent orders handed down from OCC, DOJ, CFPB & FTC over the last decade.
- Fostering hundreds of client relationships with the premier government entities, law firms and financial institutions in the world.

The Simpluris executive team - Kevin Lee, President, COO; Doug Norman, CFO; Zach Hoffman, Founder, CTO; Patrick Ivie, CSE; Wes Alford, SVP; and Paul Saroj, SVP - are experienced industry experts. Leveraging our past experiences, Simpluris is prepared to handle matters of every scope and scale.

Technology

From Simpluris' inception, our founders had a vision to develop a single comprehensive platform, purpose-built to serve the legal administration industry. Today, our proprietary technology platform, named Cadence, increases data security, mitigates errors caused by siloed databases, and speeds processes by improving transparency and collaboration between departments. Cadence is an innovative and evolving administration engine that sets our case management apart from all other legal administrators. From data ingestion, noticing, and claims processing, through disbursement, taxation, and final reporting, our project management processes are conducted inside Cadence. We see the future of legal tech evolving and are continuously developing our solutions to meet the administration needs of tomorrow.

Client Service

The Simpluris administration team is best known for their dedication to delivering premium service. When you partner with Simpluris, you work alongside a dedicated client service representative. This Simpluris team member will guide you through the settlement life cycle. Your client service representative is your administration conductor, adjusting the tempo as your case progresses. With a comprehensive view of your matter, your client service representative can respond swiftly to changes in your case, proactively notify you of upcoming milestones, and most importantly, be accountable for the successful completion of your matter.

Our team is available any time of day with offices across the nation, including two corporate hubs in Costa Mesa, CA and Orlando, FL.



(800) 779-2104
3194-C Airport Loop Dr., Costa Mesa, CA 92626
[simpluris.com](https://www.simpluris.com)

Exhibit B

Simpluris Security Summary – White Paper

Simpluris is committed to the security and overall protection of not only our data and information but our client's data and information, as well. As a demonstration of our commitment, we maintain SOC 2 Certification which requires strict adherence to policies and procedures surrounding information security, including processing and storage of confidential customer data. Simpluris supports a comprehensive, written Information Security Program that complies with all applicable laws and regulations (e.g. HIPAA, Gramm-Leach-Bliley Act, MA 201 CMR 17.00) and is designed to (a) ensure the security, privacy and confidentiality of Client and Class Member Information, (b) protect against any reasonably anticipated threats or hazards to the security or integrity of Client or Class Member Information, and (c) protect against unauthorized access to, use, deletion, or modification of Class Member Information. Simpluris has designated specific employees to be responsible for the administration of its Information Security Program. Also, Simpluris regularly and routinely monitors, tests, and updates our Information Security Program.

Simpluris uses Client and Class Member Information only for the purposes for which its' clients provide it, as described in any Agreements or Court Orders governing the provision of Simpluris' services in any particular case. Simpluris maintains a process for identifying, assessing, and mitigating the risks to Class Member Information in each relevant area of Simpluris' operations. At Simpluris, we continuously evaluate the effectiveness of the safeguards for controlling these risks to data and bank accounts. Simpluris restricts access to Class Member Information only to those employees, agents, or subcontractors who need to know the information to perform their jobs. Simpluris performs background checks of all its employees that will have access to Sensitive Personal Information, including a review of their references, employment eligibility, education, and criminal history to ensure they do not pose a risk to the security of Client or Class Member Information.

Simpluris adheres to the following industry best practices to safeguard its systems which process, store or transmit Client and Class Member Information:

- Identity and Access Management;
- Complex passwords are routinely and regularly changed;
- Role-based access control systems to limit individual employee access to network applications and systems based on their particular job role and function;
- Data Loss Prevention and Intrusion Prevention System software at multiple layers to prevent from internal and external threats of data leaks, malicious activity, and policy violations
- Encryption of Class Member Information if transmitted over public or wireless networks (e.g., via email, FTP, the Internet, etc.);
- Implementation of a Secure File Transfer system (using SSL encryption) for transmitting documents back and forth to clients;
- Encryption of servers, portable media, laptops, desktops, smartphones, mobile devices, and new technologies that store Class Member Information;
- Complex password authentication for remote access to Company's networks;
- Upon hire and annually after that, training of all employees with access to Class Member Information, (including any agents, and subcontractors with access to Class Member Information) about their obligations to implement the Information Security Program;
- Strict disciplinary measures for employees who violate the Information Security Program;
- Preventing terminated employees from accessing Class Member Information;
- Appropriately configured and updated firewall, antivirus, and spyware software;
- Prompt application of vendor-recommended security patches and updates to systems and other applications to avoid any adverse impact on Class Member Information;
- Separation of Duties;
- Infrastructure and Physical Security;
- Business Continuity Planning;
- Disaster Recovery Planning

EXHIBIT C



3194-C Airport Loop Drive
Costa Mesa, CA 92626
800-779-2104
www.simpluris.com

Estimate Number:	20231212-PJI-02	Prepared By:	Patrick J. Ivie
Estimate Date:	12/12/2023	Telephone Number (mobile):	310.995.6455
Estimate Expiration Date:	3/11/2024	Email:	pivie@simpluris.com

Attorney Contact
Attorney: **Lilit Tunyan, Esq.**
Firm: Tunyan Law APC
Email: ltunyan@tunyanlaw.com

Opposing Counsel Contact
Attorney:
Firm:
Email:

Case Name: Oregel v. Diablo Range Framing, Inc. - WH Settlement

Assumptions

In addition to the assumptions enumerated below, this estimate assumes that

- (1) Simpluris will receive data in a single, complete file; (2) there will be no substantial change to class size or in response rate;
- (3) administration costs will be paid from the QSF, and (4) Simpluris will submit revisions to this estimate to account for any material changes to scope.

Anticipated Class Size:	950	Undeliverable Rate:	10%
Claims Rate:	N/A	Mail Skip Trace Success Rate:	85%
Opt-out Rate:	1%	Call Rate:	4%
Language(s) for Communication	EN/SP	Average Call Length:	3 Minutes
Check Cashing Reminder Mailing:	N/A	Fund Distribution:	Simpluris
Unclaimed Funds:	Escheat	Number of Distributions:	1
State(s):	CA	Tax Year(s):	1
Length of Administration:	9 Months		

Case Setup

- Case Document Web Posting for key documents such as Agreements and Judgments
- Data compilation: develop case-specific response tracking

Category	Unit Value	# of Units	Total
Project Manager - Case Setup	\$110.00	1	\$110.00
Case Document Web Postings	\$250.00	1	\$250.00
Database Manager - Initial Data Analysis	\$125.00	1	\$125.00
Total:			\$485.00

Notice and Communications

- NCOA/CASS/LACS prior to the Mailing
- Spanish Translation of the class Notice
- 6-page class notice, 1-page payment estimate sheet, 1-page potential objection form, mailed in English and Spanish

Category	Unit Value	# of Units	Total
Spanish Translation assuming 3,800 words	\$0.25	3,800	\$950.00
NCOA/CASS/LACS	\$0.20	950	\$190.00
Bilingual Notice Packet - assuming 16 images	\$3.00	950	\$2,850.00
Postage	\$0.57	950	\$541.50
Undeliverable Processing and Skip Trace	\$0.50	95	\$47.50
Remail Notice (assuming 85% skip trace success)	\$4.00	81	\$323.00
Remail Postage	\$0.62	81	\$50.07
Mailing Supervisor	\$50.00	1	\$50.00
Total:			\$5,002.07

Contact Center

- Establish case-specific toll-free number and 24/7 IVR
- Assuming 3-minute calls

Category	Unit Value	# of Units	Total
IVR Call Center Setup	\$450.00	1	\$450.00
IVR Monthly Maintenance	\$100.00	9 Months	\$900.00
IVR (includes toll-free number charges)	\$15.00	2	\$30.00
Subtotal			\$1,380.00

Administration

- Process incoming class and counsel communications, opt-outs, and objections

Category	Unit Value	# of Units	Total
Database Manager	\$125.00	1	\$125.00
Project Manager	\$110.00	1	\$110.00
Opt-out Processing	\$3.50	10	\$35.00
Reporting to Counsel (hours)	\$100.00	1	\$100.00
Total:			\$370.00

Award Disbursement

- Establish 26 CFR § 1.468B-1 compliant Qualified Settlement Fund ("QSF")
- Disburse award payments and tax documents
- Conduct regular and annual IRS-mandated QSF reporting and reconciliation (one per calendar year)
- Complete all required filings with state and federal tax authorities

Category	Unit Value	# of Units	Total
Disbursement Data Preparation	\$125.00	1	\$125.00
Disbursement Manager - Data Validation	\$90.00	1	\$90.00
Setup Banking Account/QSF	\$675.00	1	\$675.00
QSF Monthly Reconciliation and Maintenance	\$100.00	6	\$600.00
Print & Mail Distribution Check and Tax Docs	\$0.65	950	\$617.50
Postage	\$0.57	950	\$541.50
Process Returned Checks (assuming 5%)	\$0.25	48	\$12.00
NCOA/CASS/LACS	\$0.20	48	\$9.60
Skip Trace Search Undeliverable Checks	\$0.50	48	\$24.00
Remail Checks (includes postage)	\$1.60	48	\$76.80
Escheat uncashed to CA Unclaimed Property Fund	\$500.00	1	\$500.00
QSF Reporting and Final Declaration	\$500.00	1	\$500.00
QSF Annual Tax Reporting and Reconciliation	\$1,350.00	1	\$1,350.00
Distribution Manager	\$90.00	1	\$90.00
Total:			\$5,211.40

Case Completion

- Final audit and review
- Send final declaration and reporting to counsel

Category	Unit Value	# of Units	Total
Data Manager-Final Reporting	\$125.00	1	\$125.00
Clerical-Clean Up Any Misc.	\$50.00	1	\$50.00
Project Manager-Wrap-up Final Issues	\$110.00	1	\$110.00
Total:			\$285.00

Total Estimated Cost of Administration:	\$12,733
Less Client Courtesy Discount:	-\$4,733
Not-to-Exceed Total, with Discount:	\$8,000

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3) ss
4 COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of 18
6 and not a party to the within action; my business address is 535 N Brand Blvd. Suite 285
Glendale, CA 91203. On January 22, 2024, I served the foregoing document described as:

7 On the date indicated below, I served the document described as: **DECLARATION OF ERIC**
8 **SPRINGER ON BEHALF OF SIMPLURIS, INC. (PROPOSED SETTLEMENT**
9 **ADMINISTRATOR)** on the interested parties in this action by sending a true copy thereof to
interested parties as follows and as stated on the attached service list:

10 Jeffery C. Long
Jeffery.Long@llg-law.com

11 Teresa Boyd
teresa.boyd@llg-law.com

12 Shawn C. Loorz
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16 Christina Nelson
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17 **LEVANGIE LAW GROUP**
2969 Prospect Park Drive, Suite 125
Rancho Cordova, CA 95670
Telephone: (916) 443-4849

19 *Attorneys for Defendant DIABLO RANGE FRAMING, INC.*

20 [✓] **BY E-MAIL:** I hereby certify that this document was served from Glendale, California,
21 by e-mail delivery on the parties listed herein at their most recent known e-mail address
or e-mail of record in this action.

22 [✓] **BY ELECTRONIC SERVICE:** Based on an agreement of the parties to accept electronic
23 service, I caused the documents to be sent to the persons at the electronic service addresses listed
24 above via electronic mail. I did not receive an error message.

25 I declare under penalty of perjury under the laws of the State of California that the
above is true and correct. Executed on January 22, 2024 at Glendale, California.

26
27 Lilit Tunyan

28 Name



Signature