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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

LOUIS NORIEGA and THERESA MOORE,
individuals, on behalf of themselves and on behalf
of all persons similarly situated,

Plaintiffs,

vs.

QVC, INC., a Corporation; and DOES 1 through
50, inclusive.

Defendants.

Case No.: CIVSB2319032

Assigned for all Purposes to:
Hon. Jessica Morgan
Dept. S-26

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

Date: _____, 2024
Time: 8:30 a.m.
Dept.: S-26

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1. I have personal knowledge of the facts set forth herein and if called upon to

I could and would do so competently under oath.

3. I personally have over fifteen (15) years of experience in claims management and administration of class and collective action matters.

SIMPLURIS BACKGROUND AND EXPERIENCE

6. We have provided notification and/or claims administration services in more than 9,000 cases. Over the past seventeen (17) years, Simpluris has handled approximately \$8 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.

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NOTICE PLAN

8. Simpluris has been selected by counsel to serve as the class action Settlement Administrator for this case. In this capacity, Simpluris will be charged with, among other responsibilities: (a) establishing and maintaining a fund for Class Members; (b) calculating all amounts due to each Class Member pursuant to the Settlement; (c) processing checks and mailing payments to Class Members; (d) preparing, processing, and filing all applicable tax forms and tax returns; (e) establishing and maintaining a calendar of administrative deadlines and responsibilities; (f) printing and mailing by First-Class Mail the Notice of Pendency of a Class Action Settlement (“Notice of Settlement”) to Class Members in English and Spanish; (g) conducting a National Change of Address (“NCOA”) database search prior to mailing the Notice of Settlement to Class Members and performing a skip-trace on any Notice of Settlement returned as Undeliverable; (h) receiving and validating written requests to be excluded from the Settlement (“Requests for Exclusion”), written objections to the Settlement, and disputes regarding the number of workweeks or pay periods that a Class Member worked for Defendant; (i) providing weekly reports to counsel; and (j) establishing and maintaining an informational settlement website; (k) 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.

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

10. Simpluris will process and update the mailing addresses contained in the Employee List utilizing the National Change of Address Database (“NCOA”) maintained by the U.S. Postal Service. The NCOA contains requested changes of address filed with the U.S. Postal Service. In the event that any individual filed a U.S. Postal Service change of address request, Simpluris will update the mailing address listed in the Employee List and Information with the

1 mailing address obtained through the NCOA and use the updated address in connection with the
2 mailing of the Notice of Settlement. Upon approval from the Court, Simpluris will mail the
3 Notices of Settlement via First Class mail, postage prepaid.

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

11 SETTLEMENT WEBSITE

12
13 12. Simpluris will create a dedicated settlement website established for the purposes
14 of disseminating the Notice of Class Certification with the contents of the Court-approved
15 Notice and Exclusion Form. Simpluris will work with the counsel to update the case website to
16 finalize the content to for the website. The website will provide Class Members with general
17 information about the Settlement, answers to frequently asked questions, important dates and
18 deadline information, a summary of Settlement benefits, a means by which to download copies
19 of certain Settlement documents (including the Notice, Exclusion Form, Settlement Agreement,
20 and Preliminary Approval Order), and contact information for the Claims Administrator.

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

24 14. This Administration project has a fixed rate of \$16,000.00, which includes costs
25 associated with mailing the Notice Packet. If the scope of work increases or decreases
26 significantly, Simpluris will inform the parties and request approval of an adjustment, whether
27 increased or decreased respectively, to the capped costs. Attached hereto as **Exhibit C** is a true
28

1 and correct copy of Simpluris' bid for administering this matter which includes how the fee was
2 calculated based on an itemized breakdown of the tasks as set forth in the bid
3

4 I declare under penalty of perjury under the laws of the State of California that the above
5 is true and correct and that this Declaration was executed this 30th day of September, 2024, in
6 Melbourne, Florida.

7 *Eric Springer*

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Eric Springer
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EXHIBIT A

Simpluris, an award winning claims administrator, has administered over 9,000 matters, managed over \$9 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 & CEO; Doug Norman, SVP Business Operations; Zach Hoffman, Founder, CTO; Patrick Ivie, CRO; 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



EXHIBIT B



Data Security and Technology

800-779-2104
3194-C Airport Loop Dr., Costa Mesa, CA 92626
inquiries@simpluris.com | simpluris.com



Simpluris utilizes purpose-built proprietary software as well as industry best-of-breed technologies to administer complex matters with accuracy, efficiency, security, scalability, and cost-effectiveness. Our technology stack has been built from the ground up to meet the needs of complex matters including class action and mass arbitration settlements, government regulatory orders, corporate remediations and other mass legal administration engagements.

To fulfill the needs of these matters, Simpluris must be nimble while meeting rigorous security requirements and high-quality standards. Our in-house technologies are continuously refined, tuned, and improved throughout Simpluris' tenure.

Our technology team and entire business prioritize security as one of our major tenants to ensure our client's data remains secure and protected. To protect your data, Simpluris utilizes industry best practice tools and techniques including providing an encrypted secure file transfer (i.e. SFTP) platform for exchanging sensitive documents; encrypting all data at every level possible including encryption in transit, at rest, at hard-disk/block level, database level, and client/network layer; utilization of multi-factor authentication for all employee access; and extensive, ongoing required employee training to ensure our people understand the latest security threats & prevention techniques, and general best practices.



Data Security

Certifications and Attestations

Simpluris maintains a comprehensive information security program to ensure the highest level of care and concern is taken to protect our company and customers' information assets. Simpluris is annually audited by third-party providers for security policy and procedure review to ensure compliance with all necessary controls and requirements.

- SOC 1 Type 1
- SOC 2 Type 1
- SOC 2 Type 2
- HIPAA
- Penetration Testing
- Vulnerability Management

Information Security Program

Simpluris maintains a written Information Security Program (ISP) designed to: (a) ensure the security, privacy and confidentiality of client and investor information; (b) protect against any reasonably anticipated threats or hazards to the security or integrity of client information; and (c) protect against unauthorized access to, use, deletion, or modification of investor information.





Simpluris Information Security Policy Document Index

Acceptable Use Policy

Password Policy

Patch Management / Update Policy

Privacy Policy (Internal)

Change Management Policy

Data Retention Policy

Software Development Lifecycle Policy

HIPAA Security Rule

Wireless Access Policy

Mobile Device Policy

Network Firewall Policy

Antivirus and Malware Policy

Physical Security Policy

Business Continuity Plan

Risk Assessment & Treatment

Roles & Permissions Matrix

HIPAA Oversight Policy

System & Network Configuration Policy

Internal Controls Policy

Information Classification & Handling Policy

Access Control Policy

Audit Policy

Backup Policy

Removable Media Policy

Disaster Recovery Policy

HIPAA Assigned Responsibility

Server Security Policy

Incident Response Policy

Vendor Management Policy

Risk Management Policy

Systems, Processes & Tools



Penetration testing



SIEM, firewall, VPN endpoint, data loss prevention, intrusion prevention



Cloud email security service



Endpoint security



Cloud-hosted email & security



Cloud-hosted endpoint management



IT & development ticketing & documentation



Vulnerability management



Cloud-hosted identity management, storage solutions, MFA, endpoint management



Amazon AWS (EC2, EBS, CloudWatch)
Cloud-hosted virtual servers, file storage, identity management, WAF, website hosting

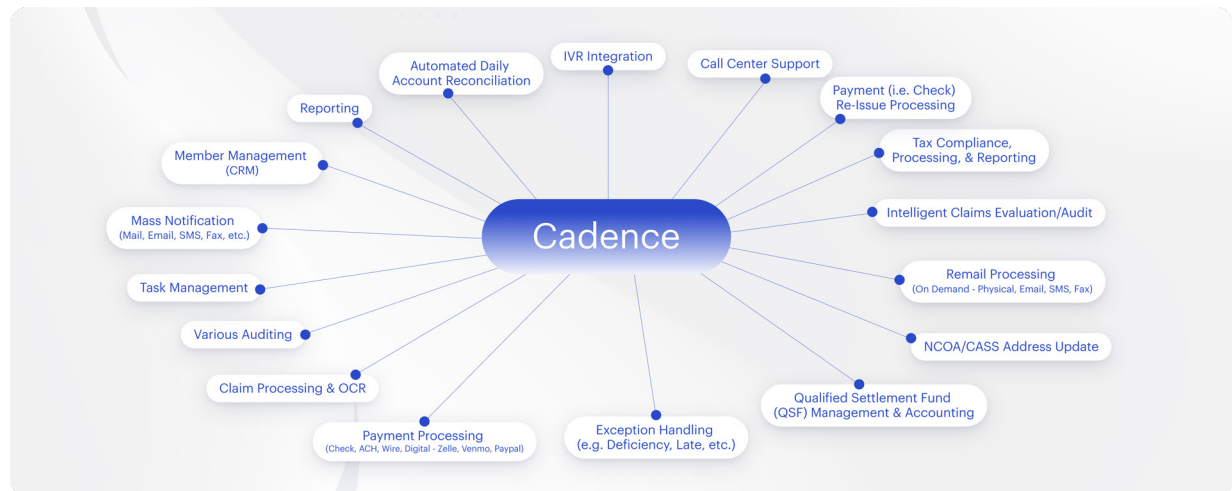


Our Technology Solutions



Cadence

Cadence™, our internally developed complex administration management tool, acts as a single centralized platform for the entire lifecycle of a project. Cadence uses security best practices including a role-based permission model, encryption at rest and in transit, and database and disk encryption. Our internal features include built-in integrated data and address augmentation (NCOA, CASS, Skip Tracing), address validation built-in, deep auditing and logging, maker/checker type validation steps and checkpoints to enforce accuracy and security, and prevent fraud and mistakes.



Case Website and Claims Portal

Cadence enables the development of claims processing websites specifically tailored for highly scalable and redundant situations using serverless, cloud-based technologies built on top of Amazon AWS. Features include login or authentication, multi-language support, milestones, document sharing, custom online claim forms, e-signature and more. Our case websites are ADA/Section 508 compliant while fully implementing security best practices. We perform encryption of all data, actively monitor and scan all incoming and outgoing data for threats both internal and external, as well as auditing and monitoring all systems for suspicious activity to ensure we are providing the highest possible protection and availability of data assets.

Malware, Fraud, & Data Protection:

Simpluris has built an extensive ecosystem using both custom in-house and off-the-shelf tools to protect our customers, class members, and business from the multitude of today's external security threats. Our highly scalable and redundant claims processing website platform has various malware and fraud prevention technologies integrated including duplicate detection and prevention, fraud prevention, and custom Real Time Claim Validation (RTCV) technology to filter prospective logins/claims based on customer-defined rules. This, in conjunction with our plethora of Gartner magic quadrant best-of-breed malware and ransomware prevention tools, ensures that data is protected whether it's processed through case websites, documents, emails, or any other transmission method. Our security specialists are trained and staffed to monitor our systems, applications, and networks 24/7 for any threats and are ready to respond at a moment's notice.





* Our Team

Simpluris technology professionals include information technology administrators, security specialists, data analysts, database administrators, data engineers, developers, and web designers. They continually monitor and adapt our systems and processes according to business needs and ensure our systems are secure and stabilized against the ever-changing threat landscape, and remain current with the latest in industry best practices. In addition, we provide ongoing employee education and training to inform, test, and verify their knowledge of the latest security threats and mitigation strategies.

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.
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- 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 Executive Team



Kevin Lee

Chief Executive Officer & President
klee@simpluris.com



Zach Hoffman

Co-Founder, Chief Technology Officer
zhoffman@simpluris.com



Doug Norman

Senior Vice President, Business Operations
dnorman@simpluris.com



Patrick Ivie

Chief Revenue Officer
pivie@simpluris.com



Wes Alford

Senior Vice President, Client Services
walford@simpluris.com



Paul Saroj

Senior Vice President, Strategic Partnerships
psaroj@simpluris.com



Let's discuss how Simpluris can solve your administration challenges.

Our focus on providing superior customer service, coupled with our experience and ability to create innovative solutions, has given Simpluris a reputation for exceptional settlement administration.

Class Action Administration

Regulatory Remediation

Mass Arbitration Administration

800-779-2104
3194-C Airport Loop Dr., Costa Mesa, CA 92626
inquiries@simpluris.com | simpluris.com

EXHIBIT C

Estimate Number:	20240801-PJI-03	Prepared By:	Patrick J. Ivie
Estimate Date:	8/13/2024	Telephone Number (mobile):	310.995.6455
Estimate Expiration Date:	11/11/2024	Email:	pivie@simpluris.com

Attorney:	<u>Attorney Contact</u> Sepideh Ardestani, Esq.	Attorney:	<u>Additional Attorney Contact</u> Piya Mukherjee, Esq.
Firm:	Crosner Legal PC	Firm:	DeBlouw LLP
Email:	sepideh@crosnerlegal.com	Email:	piya@bamlawca.com

**Case Name: Moore/Noriega v. QVC
Class and PAGA 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:	1,775	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:	4 Minutes
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

- Static class website hosting notice, FAQ, and other class documents
- Maintain and monitor Email to address class member inquiries
- Data compilation: develop case-specific response tracking

Category	Unit Value	# of Units	Total
Project Manager - Case Setup	\$110.00	3	\$330.00
Static Case Website	\$450.00	1	\$450.00
Website Monthly Maintenance	\$90.00	9 Months	\$810.00
Database Manager - Initial Data Analysis	\$125.00	3	\$375.00
Email Set-up for correspondence	\$75.00	2	\$150.00
Total:			\$2,115.00

Notice and Communications

- Spanish Translation of the class Notice
- 9-page class Notice, sent by First Class US Mail, in English and Spanish

Category	Unit Value	# of Units	Total
Spanish Translations - assuming 4,500 words	\$0.25	4,500	\$1,125.00
Bilingual Notice Packet - assuming 18 images	\$3.60	1,775	\$6,390.00
Postage	\$0.72	1,775	\$1,278.00
NCOA/CASS/LACS	\$0.14	1,775	\$248.50
Undeliverable Processing and Skip Trace	\$0.32	178	\$56.96
Remail Notice (assuming 85% skip trace success)	\$4.60	151	\$695.98
Remail Postage	\$0.72	151	\$108.94
Mailing Supervisor	\$55.00	3	\$165.00
Total:			\$10,068.38

Contact Center

- Establish case-specific toll-free number and 24/7 IVR
- Assuming 4-minute calls

Category	Unit Value	# of Units	Total
Call Center Set Up	\$350.00	1	\$350.00
Toll Free Monthly Maintenance	\$95.00	9 Months	\$855.00
IVR (includes toll-free number charges)	\$15.00	5	\$75.00
Subtotal			\$1,280.00

Administration

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

Category	Unit Value	# of Units	Total
Database Manager	\$125.00	3	\$375.00
Project Manager	\$110.00	3	\$330.00
Dispute Processing	\$1.75	89	\$155.31
Opt-out Processing	\$1.75	18	\$31.50
Reporting to Counsel (hours)	\$100.00	5	\$500.00
Total:			\$1,391.81

Award Disbursement

- Establish 26 CFR § 1.468B-1 compliant Qualified Settlement Fund ("QSF")
- Disburse award payments and tax documents
- Uncashed checks to CA Controller's Unclaimed Property Fund
- 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	3	\$375.00
Disbursement Manager - Data Validation	\$90.00	3	\$270.00
Setup Banking Account/QSF	\$675.00	1	\$675.00
QSF Monthly Reconciliation and Maintenance	\$125.00	9	\$1,125.00
Print & Mail Distribution Check and Tax Docs	\$0.60	1,775	\$1,065.00
Postage	\$0.72	1,775	\$1,278.00
Process Returned Checks (assuming 5%)	\$0.20	89	\$17.80
Skip Trace Search Undeliverable Checks	\$0.12	89	\$10.68
Remail Checks (includes postage)	\$1.70	89	\$151.30
Escheat Uncashed Checks	\$500.00	1	\$500.00
QSF Reporting and Final Declaration	\$500.00	1	\$500.00
QSF Annual Tax Reporting and Reconciliation	\$850.00	1	\$850.00
Distribution Manager	\$90.00	2	\$180.00
Total:			\$6,997.78

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	2	\$250.00
Clerical-Clean Up Any Misc.	\$45.00	2	\$90.00
Project Manager-Wrap-up Final Issues	\$110.00	2	\$220.00
Total:			\$560.00

Total Estimated Cost of Administration:	\$22,413
Less Client Courtesy Discount:	-\$6,413
Discounted Total:	\$16,000