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Attorneys for Plaintiffs and Proposed Classes

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

DAN BECK and **BIENVENIDA SALAZAR**,
individually and on behalf of all others similarly
situated,

Plaintiffs,

vs.

UNIVERSITY OF SAN FRANCISCO, a
California Corporation,

Defendant.

Case No. CGC-21-588930

Dept.: 304; Hon. Ethan P. Schulman

**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

2. I am employed by Simpluris, Inc. (“Simpluris”), as the Director of Client

3. I personally have over thirteen (13) years of experience in claims management

4. Simpluris has never had any financial interests in nor affiliation with the parties

SIMPLURIS BACKGROUND AND EXPERIENCE

5. Simpluris has extensive experience in class action matters, having provided

6. We have provided notification and/or claims administration services in more

7. Simpluris is committed to the security of not only our data and information but

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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; (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 mailing address obtained through the NCOA and use the updated address in connection with the

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.

SETTLEMENT WEBSITE

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

13. 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.

14. This Administration project has a fixed rate of \$24,967.00, 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

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2 I declare under penalty of perjury under the laws of the State of California that the above
3 is true and correct and that this Declaration was executed this 21st day of March, 2024, in
4 Melbourne, Florida.

5 *Eric Springer*

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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

Estimate Number:	20240209-PJI-01	Prepared By:	Patrick J. Ivie
Estimate Date:	2/9/2024	Telephone Number (mobile):	310.995.6455
Estimate Expiration Date:	5/9/2024	Email:	pjvie@simpluris.com

Attorney Contact
Attorney: **Polina Brandler, Esq.**
Firm: HammondLaw, PC
Email: pbrandler@hammondlawpc.com

Opposing Counsel Contact
Attorney:
Firm:
Email:

Case Name: Beck v. USF - Opt Out 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.

Class/Aggrieved Employees:	3,740	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	Average Call Length:	3 Minutes
Reminder Mailing:	N/A	Fund Distribution:	Simpluris
Unclaimed Funds:	Cy Pres	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
- Email address to address class member inquiries
- Data compilation: develop case-specific response tracking

Category	Unit Value	# of Units	Total
Project Manager - Case Setup	\$125.00	3	\$375.00
Static Case Website	\$450.00	1	\$450.00
Website Monthly Maintenance	\$100.00	9 Months	\$900.00
Database Manager - Initial Data Analysis	\$140.00	3	\$420.00
Email Set-up for correspondence	\$75.00	4	\$300.00
Total:			\$2,445.00

Notice and Communications

- 10-page class Notice, sent by US postal mail in English

Category	Unit Value	# of Units	Total
Notice Packet - assuming 10 images	\$2.25	3,740	\$8,415.00
Postage	\$0.57	3,740	\$2,131.80
NCOA/CASS/LACS	\$0.20	3,740	\$748.00
Undeliverable Processing and Skip Trace	\$0.50	374	\$187.00
Remail Notice (assuming 85% skip trace success)	\$3.25	318	\$1,033.18
Remail Postage	\$0.62	318	\$197.10
Mailing Supervisor	\$50.00	4	\$200.00
Total:			\$12,912.07

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	8	\$120.00
Subtotal			\$1,470.00

Administration

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

Category	Unit Value	# of Units	Total
Database Manager	\$140.00	4	\$560.00
Project Manager	\$125.00	4	\$500.00
Opt-out Processing	\$3.50	38	\$133.00
Reporting to Counsel (hours)	\$100.00	7	\$700.00
Total:			\$1,893.00

Award Disbursement

- Establish 26 CFR § 1.468B-1 compliant Qualified Settlement Fund ("QSF")
- GSA divided into 3 pots of money based on type of claims
- Disburse award payments and tax documents
- Some of the class members will receive recovery that is designated as non-wage income/interest only; others will also receive wages and penalties/interest
- 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	\$140.00	4	\$560.00
Disbursement Manager - Data Validation	\$90.00	4	\$360.00
Setup Banking Account/QSF	\$675.00	1	\$675.00
QSF Monthly Reconciliation and Maintenance	\$100.00	9	\$900.00
Print & Mail Distribution Check and Tax Docs	\$0.65	3,740	\$2,431.00
Postage	\$0.57	3,740	\$2,131.80
Process Returned Checks (assuming 5%)	\$0.25	187	\$46.75
Skip Trace Search Undeliverable Checks	\$0.50	187	\$93.50
Remail Checks (includes postage)	\$1.60	187	\$299.20
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	3	\$270.00
Total:			\$9,617.25

Case Completion

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

Category	Unit Value	# of Units	Total
Data Manager-Final Reporting	\$140.00	2	\$280.00
Clerical-Clean Up Any Misc.	\$50.00	2	\$100.00
Project Manager-Wrap-up Final Issues	\$125.00	2	\$250.00
Total:			\$630.00

Total Estimated Cost of Administration:	\$28,967
Less Client Courtesy Discount:	-\$4,000
Total Administration Cost, with Discount:	\$24,967