

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION**

**JENNIFER FORD, ERIC BEARD, and
BRIAN OTTERS**, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

**VETERANS GUARDIAN VA CLAIM
CONSULTING, LLC,**

Defendant.

Case No. 1:23-cv-756-CCE-LPA

CLASS ACTION

PLAINTIFFS' SECOND CLASS NOTICE REPORT

On February 9, 2026, the Court issued an Order (ECF No. 147) approving the form and manner of class notice, and requiring that, by no later than May 22, 2026, Class Counsel or the notice administrator file a report showing compliance with the Order and providing details on the number of undeliverable notices and the number of class members choosing to opt-out of the Classes.

I. APRIL 2, 2026 CLASS NOTICE REPORT

Plaintiffs' filed their Notice Of Compliance With Class Notice Order on April 2, 2026. (ECF No. 162). As stated therein, the Court-approved notice administrator, American Legal Claim Services, LLC ("ALCS"), received and processed a class list from Defendant containing 69,714 records of Class members. (ECF No. 162). On March 10, 2026, ALCS disseminated email notice, in the form approved by the Court, and 64,298 email notices were successfully delivered. *Id.* On March 19, 2026, ALCS mailed postcard

notice to 5,416 Class members for whom email notice was undeliverable or unavailable, consistent with the Court's Order requiring postcard notice as a backup method. *Id.* Of the 5,416 postcard notices mailed, 21 were returned by the United States Postal Service as undeliverable as of April 2, 2026. *Id.* ALCS undertook additional address searches and re-mailing efforts where updated addresses were available, and as of April 2, 2026 notice was successfully delivered to approximately 99.97% of the Class. *Id.* The Notice informed Class members of their right to request exclusion by May 4, 2026.

II. MAY 22, 2026 CLASS NOTICE REPORT

As of May 13, 2026, ALCS has deemed 80 Class Notices to be undeliverable and has deemed 99.89% of the Class Notices as having been delivered. *See* Exhibit A, Supplemental Declaration of American Legal Claim Services, LLC Regarding Due Diligence in Noticing.

ALCS has received 687 timely requests from individuals asking to be excluded from the Class.¹ As of May 13, 2026, ALCS has also received an additional 6 requests for exclusion postmarked or emailed to ALCS after the May 4, 2026, deadline for Class Members to request exclusion from the Classes. Plaintiffs do not oppose honoring those late requests for exclusion. ALCS has already served the exclusion list on counsel for the parties. Plaintiffs will submit the exclusion lists to the Court upon request.

¹ This list includes one individual who ALCS was not able to confirm was a member of the Class and omits duplicate requests for exclusion and four individuals who timely withdrew their requests for exclusion.

Accordingly, the notice program approved by the Court has been fully implemented in compliance with the Court's Order and Federal Rule of Civil Procedure 23.

WHEREFORE, Plaintiffs respectfully submit this second report in compliance with this Court's Order, (ECF No. 147).

Date: May 22, 2026

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***Appointed Class Counsel for Plaintiffs
and the Class***

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2026, a copy of the foregoing document was filed using CM/ECF which will serve an electronic copy on all counsel of record.

/s/ Christopher J. Brochu
Christopher J. Brochu

EXHIBIT A

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

JENNIFER FORD, ERIC BEARD,
and BRIAN OTTERS, individually
and on behalf of all others similarly
situated,

Plaintiffs,

Case No. 1:23-CV-756

-vs.-

VERTERANS GUARDIAN VA
CLAIM CONSULTING, LLC,

Defendant.

**SUPPLEMENTAL DECLARATION OF AMERICAN LEGAL CLAIM SERVICES, LLC
REGARDING DUE DILIGENCE IN NOTICING**

I, Snehal Indra, declare as follows:

1. I am a competent adult, over the age of eighteen, and this declaration is based on my personal knowledge.
2. I am a Case Manager for American Legal Claim Services, LLC ("ALCS"). ALCS was selected to serve as the Class Notice Administrator and to otherwise comply with the provisions set forth in the Memorandum Opinion and Order. I was responsible for overseeing the dissemination of the Court Approved Legal Notice ("Notice") to class members, exclusion processing, and all other matters required as Class Notice Administrator.
3. **Initial Class Notice:** On March 10, 2026, ALCS emailed the Notice, substantially in the form approved by the Court (attached hereto as Exhibit A), to 64,816 class members. On March 19, 2026 ALCS mailed a postcard notice to 5,416 class members whose email notice bounced due to an invalid email address or where a valid email address was unavailable.

4. **Returned Mail Handling:** ALCS processed all postcard Notices returned by USPS. A minority of the mail included an updated address provided by the USPS (“FOE”). For these, the class member addresses were updated, and the Notice will be re-mailed to the updated address provided. The remainder of the mail returned by the USPS did not contain an updated address (“UAA”). For these, ALCS conducted address searches using commercially available location services to attempt to locate new addresses for these class members through batch skip tracing. Of the 5,416 postcards mailed, 251 postcards were returned by USPS as of the date of this declaration. ALCS has remailed 190 Notices to an updated address. 19 remailed notices were returned by USPS as of the date of this declaration.
5. **Noticing Campaign Summary:** The following is a summary of the noticing, as of the date of this Declaration:
- Total Class Members: 69,714
 - Number of Email Notices deemed delivered: 64,298
 - Number of Postcard Notices mailed via USPS: 5,416
 - Postcard Notice returned by USPS: 251
 - Postcard Notice remailed via USPS: 190
 - Rемаiled Notice returned as UAA: 19
 - Total number of Notices deemed undeliverable: 80
 - Percentage of Notice deemed delivered: 99.89%
6. **Exclusions:** The Notice instructed those who wish to opt out of the settlement to write to the Class Notice Administrator stating that the class member does not wish to participate. It further states that an opt out request must be postmarked by May 4, 2026. As of the date of this declaration, we have received 756 requests for exclusion for this case. The exclusions were provided to counsel as they were processed.
- Total Exclusions Processed: 756
 - Valid Exclusions: 686
 - Duplicate Exclusions: 59
 - Withdrawn Exclusions: 4
 - Late Exclusions: 6
 - Exclusions Filed by Individuals not Definitively Identifiable: 1

I declare under penalty of perjury pursuant to the laws of the State of Florida that the foregoing is true and correct to the best of my knowledge. Executed on May 13, 2026 in Jacksonville, Florida.


Snehal Indra