

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT
Case Type: Personal Injury

Jason Zimmerman, on behalf of himself
and others similarly situated,

Plaintiff,

v.

Civil File No. 02-CV-19-6522

Riverplace Counseling Center, Inc.,

Defendant.

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 Settlement Administrator and to otherwise comply with the provisions set forth in the Settlement Agreement and the Order Granting Preliminary Approval of Class Action Settlement. I was responsible for overseeing the dissemination of Notice of Settlement to class members, claims processing, exclusion processing, and all other matters required as Settlement Administrator.
3. **Class List Receipt and Processing.** On October 4, 2021, ALCS received the mailing list (“Class List”) from counsel for the Defendant. The Class List contained 9,307 records with the membership numbers, names and street addresses. ALCS reviewed and processed the data. A total of 57 duplicates were identified and removed based on a combination of name and address. The final Class List for Noticing contained 9,250 class members after the duplicates were removed. Throughout the noticing process, ALCS utilized several means of ensuring the most accurate mailing addresses for class members. These methods included National Change of Address through the USPS, skip-tracing, and manual updates from class members. And additional 243 duplicates were identified after the skip-trace process. The final number of class members is 9,007.
4. **Initial Class Notice.** On October 15, 2021, ALCS mailed the Class Notice, which included the Claim Form, substantially in the form approved by the Court (attached hereto as Exhibit A), to 9,007 class members.

5. **Returned Mail Handling.** ALCS processed all Class Action 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 Class Action Notice were 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 a nationally recognized location service to attempt to locate new addresses for these class members. Of the 9,007 Notices mailed, 3,413 were returned by USPS as of the date of this declaration. ALCS has re-mailed 3,259 Notices to updated addresses. Of the 3,259 re-mailed Notices, 1,024 were returned by USPS as of the date of this declaration.
6. **Noticing Campaign Summary.** The following is a summary of the noticing, as of the date of this Declaration:
 - Class Notice initially mailed via USPS: 9,007
 - Class Notice returned by USPS: 3,413
 - Class Notice re-mailed via USPS: 3,259
 - Re-mailed Class Notice returned as UAA: 1,024
 - Total number of mailed Class Notice deemed undeliverable: 1,178
 - Percentage of Class Notice deemed delivered: 86.92%
7. **Website.** ALCS created a case website www.riverplacedatabreachsettlement.com that provided further information as stated in the Notice. The website contained sections for Important Court Documents, Key Dates and FAQs. Class members had an opportunity to update their address and/or submit their claim online.
8. **Toll-Free Telephone.** ALCS established a toll-free telephone line 800-636-5429 for class members to contact with questions about the settlement or update their address. As of the date of this declaration, ALCS received 95 phone calls on this case dedicated line.
9. **Claims.** The Class Action Notice instructed class members who wish to receive settlement benefits must upload on the case website or mail (postmark) the claim form to the Settlement Administrator by no later than January 13, 2022. The claim form was included with the Class Action Notice. As of this date of this declaration, ALCS has received 76 claims. If ALCS deemed that a claim is deficient, ALCS contacted the class member notifying them why the claim is deficient and how to correctly submit the claim form.
 - Total claims received: 83
 - Valid claims: 65
 - Invalid & Deficient claims: 10
 - Late claims: 7

Of the 10 invalid claims, 2 are invalid for missing signature, 6 are invalid for missing documentation for reimbursement, 1 is invalid for missing documentation of reimbursement and missing signature, and 1 is a duplicate claim.

10. **Exclusions.** The Class Action Notice instructed those who wish to opt out of the settlement to write to the Settlement Administrator stating that the class member does not wish to participate. It further states that an opt out request must be postmarked by December 14, 2021. As of the date of this declaration, we have not received any requests for exclusions for this case.
11. **Objections.** The Class Action Notice informed class members who wish to object to the settlement to file their written objection with the Court by December 14, 2021. I am not aware of any objections being filed with the Court as of the date of this declaration.

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 March 10, 2022 in Jacksonville, Florida.


Snehal Indra

Exhibit A

This is a Court approved Legal Notice. This is not an advertisement.

***Zimmerman v. Riverplace Counseling Center, Inc.*, Civil File No. 02-CV-19-6522
MINNESOTA TENTH JUDICIAL DISTRICT COURT**

TO: All individuals who were notified by Riverplace Counseling Center, Inc. (“Riverplace”) that their personal information may have been compromised in the cybersecurity incident initially disclosed by Riverplace in April 2019.

A class action settlement has been proposed in litigation against Riverplace relating to a cybersecurity incident that was disclosed on or about April 2019. The class action lawsuit alleges that in January 2019, Riverplace discovered that malware had been installed on its systems resulting in the potential exposure of sensitive personal and health related information of current and former patients. The lawsuit alleges that Riverplace was responsible for the cybersecurity incident. Riverplace denies the claims and any wrongdoing. **You are receiving this notice because you may be entitled to benefits from the settlement.**

If approved, the settlement may provide Settlement Class Members with either 2 years of identity theft/credit monitoring services or an alternative cash payment of \$30 as reimbursement if you previously purchased those services. The settlement will also reimburse Settlement Class Members who submit claims for out-of-pocket losses and compensation for time spent that resulted from the cybersecurity incident up to \$950. Total reimbursement under this settlement is subject to an aggregate cap of \$300,000 for all claims.

If you are a Settlement Class Member and you want to receive benefits, you must complete and timely submit a valid Claim Form along with any required supporting information. Claim Forms can be found and completed on this website: www.riverplacedatabreachsettlement.com. The deadline to submit a Claim Form is January 13, 2022.

Settlement Class Members may also request exclusion (also known as opt-out) from the settlement or object to it. Requests for exclusion are due by December 14, 2021. Settlement Class Members who do not request exclusion can object to the settlement. Objections are due by December 14, 2021. The Court will hold a Final Settlement Approval Hearing on **March 11, 2022 at 9:00 a.m.** in Courtroom TBD, Anoka County Government Center, 2100 3rd Avenue, Anoka, MN 55303, to consider whether to approve the settlement. Please check the website www.riverplacedatabreachsettlement.com for any updates regarding the Final Settlement Approval Hearing. The Court will hear objections, determine if the settlement is fair, and consider Class Counsel’s request for attorneys’ fees, costs, and expenses of \$150,000 and a service award of \$5,000 for the Representative Plaintiff. You or your own lawyer may ask to appear at the hearing to be heard by the Court, but you do not have to. The Motion for Attorneys’ Fees and Costs and Service Award for the Representative Plaintiff will be posted on the website after it is filed with the Court.

The Court has appointed the following Class Counsel to represent the Settlement Class in this Lawsuit: Kate M. Baxter-Kauf of Lockridge Grindal Nauen P.L.L.P, 100 Washington Avenue South, Suite 2200, Minneapolis, MN 55401, 612-339-6900; and Jean S. Martin of Morgan & Morgan Complex Litigation Group, 201 N. Franklin St., 7th Fl., Tampa, FL 33602, 813-559-4908.

This is only a summary. For detailed information visit www.riverplacedatabreachsettlement.com or call **800-636-5429**. You may contact the Settlement Administrator at Riverplace Counseling, Cybersecurity Incident Settlement, PO Box 23369, Jacksonville, FL 32241.

Riverplace Cybersecurity Incident Claim Form

Notice ID: «noticeid»

Credit Monitoring or Alternative Cash Payment

To obtain identity theft/credit monitoring services or alternative cash payment from the settlement, you must select ONE AND ONLY ONE of the options below:

Please select one of the options below.

- Option 1: Identity Theft/Credit Monitoring Services:** I wish to receive identity theft/credit monitoring services. I understand identity theft/credit monitoring services will be provided for two years, starting when I activate the services. I understand I will receive an activation code and instructions on how to enroll in the credit monitoring services from the Claims Administrator later. Instructions will be sent by email unless I did not provide an email address, in which case instructions will be sent by U.S. mail.
- Option 2: Alternative Cash Payment:** I purchased identity theft/credit monitoring services during the period of April 1, 2020, and February 18, 2021, and wish to receive an alternative cash payment of \$30 as reimbursement for these expenses. I understand that I must provide documentation of my purchase during this time period.

**Reimbursement for Out-of-Pocket Losses:
Money You Lost or Spent and Time You Spent**

If you incurred out-of-pocket losses or time spent trying to prevent or recover from fraud or identity theft caused by the Riverplace cybersecurity incident, you can receive reimbursement for up to \$950. You must send supporting documentation that shows what happened and how much you lost or spent in order to be repaid.

To look up more details about how cash payments work, visit www.riverplacedatabreachsettlement.com or call toll-free 800-636-5429. You will find more information about the types of costs and losses that can be paid back to you, what documents you need to attach, and how the Claims Administrator decides whether to approve your payment.

Examples of Loss Type and Documents	Amount and Date	Description of Out-of-Pocket Losses and Supporting Documentation (Identify what you are attaching, and why it's related to the Riverplace cybersecurity incident.)
Costs, expenses, and losses due to identity theft, fraud, or misuse of your personal information <i>Examples: Account statement with unauthorized charges highlighted; police reports; IRS documents; FTC Identity Theft Reports; letters refusing to refund fraudulent charges; credit monitoring services you purchased</i>	\$ _____ _____ <i>Date</i>	_____ _____ _____
Fees paid to address identity theft or due to restricted access to funds <i>Examples: late fees, overdraft fees, decline payment fees, returned check fees, card cancellation or replacement fees</i>	\$ _____ _____ <i>Date</i>	_____ _____ _____
Costs of credit monitoring and identity theft protection purchased from April 1, 2020, and February 18, 2021, if the amount is greater than \$30 (only the amount greater than \$30 will be reimbursed) <i>Examples: Receipts or statements for credit monitoring services</i>	\$ _____ _____ <i>Date</i>	_____ _____ _____

Riverplace Cybersecurity Incident Claim Form

Notice ID: «noticeid»

Examples of Loss Type and Documents	Amount and Date	Description of Out-of-Pocket Losses and Supporting Documentation (Identify what you are attaching, and why it's related to the Riverplace cybersecurity incident.)
<p>Other expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges related to the cybersecurity incident</p> <p><i>Examples: Phone bills, receipts, detailed list of places you traveled (i.e. police station, bank), reason why you traveled there (i.e. police report or fraudulent charges on your bank account) and number of miles you traveled</i></p>	<p>\$ _____</p> <p>_____</p> <p style="text-align: center;"><i>Date</i></p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

Time spent exclusively dealing with the cybersecurity incident (for example, placing or removing credit freezes on your credit files, purchasing credit monitoring services, calling your bank, or taking other actions), you can be compensated \$20 per hour for up to two hours. You must describe the actions you took.

By filling out the boxes below, you are certifying that the time you spent does not relate to other security incidents.

Explain what you did and why and how much time you spent on each action:	Number of Hour & Minutes
<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p style="text-align: center;">_____ : _____</p> <p style="text-align: center;"><i>Hours Minutes</i></p>

Signature

I affirm under the laws of the United States that the information supplied in this claim form is true and correct to the best of my knowledge and that any documentation that I have submitted in support of my claim is a true and correct copy of the original documentation.

I understand that I may be asked to provide more documents and information by the Claims Administrator before my claim is complete.

Signature

Date (MM/DD/YYYY)

	-	-	2	0	2
Printed Name					

Claims must be submitted online at www.riverplacedatabreachsettlement.com or mailed by January 13, 2022.

Use this address for mailed claims and documents:

**RIVERPLACE COUNSELING
CYBERSECURITY INCIDENT SETTLEMENT
PO BOX 23369
JACKSONVILLE FL 32241-3369**

RIVERPLACE COUNSELING
CYBERSECURITY INCIDENT SETTLEMENT
PO BOX 23369
JACKSONVILLE FL 32241-3369



Submit your claim online at
www.riverplacedatabreachsettlement.com
NO LATER THAN
JANUARY 13, 2022

«fname» «lname»
«addrline1»
«addrcity», «addrstate» «addrzip»

Your Notice ID: «noticeid»

Your PIN: «pin»

For Administrator Use — Do Not Write Below This Line

(docket number)

(received date)

(postmarked date)

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