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19 *Attorneys for Plaintiffs and Settlement Class*

20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA

22 CORLYN DUNCAN, et al.,

23 Plaintiffs,

24 v.

25 THE ALIERA COMPANIES, INC., f/k/a
26 ALIERA HEALTHCARE, INC., a Delaware
27 corporation; TRINITY HEALTHSHARE,
28 INC., a Delaware corporation; and
ONESHARE HEALTH, LLC, formerly known
as UNITY HEALTHSHARE, LLC and as
KINGDOM HEALTHSHARE MINISTRIES,
LLC, a Virginia limited liability corporation,

Defendants.

Case No. 2:20-CV-00867-TLN-KJN

**SUPPLEMENTAL DECLARATION OF
TINAMARIE FEIL IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF SETTLEMENT
AGREEMENT**

Hearing

Date: January 11, 2024

Time: 1:30 p.m.

Courtroom: 2

Hon. Troy L. Nunley

1 Tinamarie Feil states:

2 1. I am over eighteen years of age, and I believe the statements contained herein are
3 true based on my personal knowledge. I am President of Client Services at BMC Group, Inc., and
4 my business address is c/o BMC Group, Inc., 3732 West 120th Street, Hawthorne, CA 90250.

5 2. BMC was appointed Settlement Administrator by this Court's Order dated June 15,
6 2023. ECF No.114. In accordance with that Order, BMC emailed and mailed class notices to class
7 members as outlined in my Declaration dated September 14, 2023, and filed with this Court as
8 ECF No. 120.

9 3. The Court's Order set November 12, 2023, as the date by which class claims had
10 to be received by BMC. Because November 12, 2023, was a Sunday, BMC considered any claim
11 received by Monday November 13, 2023, as timely.

12 4. ***Timely Claims Received.*** BMC received a total of 1,795 claims on or before
13 November 13, 2023 ("Timely Claims"). This number includes claims that were mistakenly sent to
14 the Court on or before November 13, 2023, and forwarded to BMC by Class Counsel. The total
15 dollar amount of the Timely Claims is \$19,421,058.87. Of that amount, \$13,580,964.29 was
16 claimed for monthly premium payments, and \$5,840,094.58 was claimed for unpaid medical
17 expenses.

18 5. ***Late Claims Received.*** BMC continued to accept late-filed claims through
19 December 13, 2023 ("Late Claims"), including Late Claims received by the Court during that
20 period and forwarded to BMC by Class Counsel. BMC received a total of 209 Late Claims. The
21 total dollar amount of the Late Claims is \$2,380,280.19. Of that amount, \$1,430,979.30 was
22 claimed for monthly premiums, and \$949,300.89 was claimed for unpaid medical expenses.

23 6. ***Total Claims Received.*** BMC received a total of 2,004 claims on or before
24 December 13, 2023, with a total dollar amount of \$21,801,339.06.

25 7. ***Preliminary Estimate of Claims Within Class Period.*** BMC has not yet
26 adjudicated the claims, but it appears that many of the claims received are outside the class period.
27 Because the class definition requires a member to have purchased an Alera/Unity plan on or before
28

1 August 10, 2018, BMC sorted all claims based on the date claimants stated they first became
2 members. Many claims stated the claimant first became a member after August 10, 2018, or
3 provided no date as to when they first became members. After filtering out the claims that appear
4 to be outside the Class Period:

5 (a) 1,059 of the Timely Claims, totaling \$10,615,481.49, are within the Class
6 Period. The average amount of these Timely Claims is \$10,024.06.

7 (b) 100 of the Late Claims, totaling \$ 1,061,821.97, are within the Class Period.

8 (c) 1,159 of all claims received by December 13, 2023, totaling
9 \$11,677,303.46, are within the Class Period. The average amount of all claims within the Class
10 Period is \$ 10,075.33.

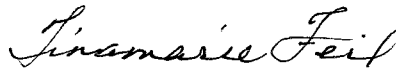
11 8. ***Adjudication is ongoing.*** The numbers set forth in paragraph 7 above are
12 preliminary and will change as the claims are fully adjudicated. Claimants whose claims appear to
13 fall outside the Class Period and were not included in the numbers above will be notified and given
14 an opportunity to provide additional information to establish that their claims are within the Class
15 Period. Other claims, or portions of the claims, that are included in the numbers in Paragraph 7
16 above may, upon full adjudication, fall outside the Class Period or be unsupported by
17 documentation provided.

18 9. ***Opt-Outs.*** BMC received only one Exclusion Request.

19 10. ***BMC Costs.*** BMC's cost for providing class notice is \$11,190. BMC's cost of
20 claims administration through December 13, 2023, is \$20,070. BMC requests that this Court allow
21 payment of \$31,260 from the Settlement Fund. BMC estimates that it will cost approximately
22 \$120,000 to fully adjudicate the claims received and to make two disbursement payments to
23 members.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 DATED: December 20, 2023, at Seattle, Washington.

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