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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

STEVE CHAMBERS, *et al.*, all of whom sue in their individual capacities and for all others similarly situated,

Plaintiff,

vs.

WHIRLPOOL CORPORATION, *et al.*,

Defendants.

Case No: 8:11-cv-01733-FMO (ANx)

**SUPPLEMENTAL DECLARATION OF
LANA LUCCHESI RE: CLAIMS FILING**

The Honorable Fernando M. Olguin

I, **LANA LUCCHESI**, declare:

1. I am a Vice President at Kurtzman Carson Consultants LLC ("KCC"), located in San Rafael, California. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto. This declaration supplements the declarations KCC executed on February 19, 2016, March 1, 2016 and July 7, 2016, and is to provide the Court with updated information regarding the Claims Filing for the *Chambers, et al. v Whirlpool Corporation, et al.*, settlement following the Preliminary Approval.

Claim Forms

2. The deadline for Class Members to submit a claim was a postmarked or online filing deadline of June 27, 2016 or a deadline of August 17, 2016 for Kenmore consumers. The preliminary claims validation process was performed and per the parties' request, a small sample of the adjudicated claims will be audited by Counsel before KCC proceeds further. As a result, the counts and amounts provided herein may change as processing continues.

3. As of the date of this declaration, KCC has received a total of 136,965 filed Claims, of which 129,018 were submitted online through the website and the remainder were submitted in hardcopy via mail. Of the 136,965 claims filed, 2,432 have been identified as duplicative Claims, 2,731 are untimely filed claims and 42 claims were received recently, which are still going through the data entry process and have not yet been categorized.

4. **Prequalified Claims.** As of the date of this declaration, KCC has received a total of 573 claims filed by individuals who have been identified as Prequalified Class Members or Prequalified Owners. The total face value of the expense amounts for these 573 Prequalified Class Members and Prequalified Owners is approximately \$173,667.42. This overall count includes 8 untimely filed Prequalified claims (total face value of approximately \$2,340). If a Prequalified Class Member or Prequalified Owner requests reimbursement of an amount that is higher than the prequalified amount, they must submit documentation supporting that higher amount. KCC has determined that of the 565 timely-filed Prequalified claims received, the approved expense amount is \$115,597.31. Of these, there are 370 timely-filed Prequalified claims that claimed an amount higher than the prequalified amount and was not supported by sufficient documentation. Assuming these 370 timely-filed Prequalified claims provided sufficient documentation, an additional amount of approximately \$55,730.11 could be approved.

5. KCC has not begun the deficiency process yet as the parties have requested to review a small subset of claims before proceeding (as discussed in paragraph 2 above).

6. **Non-Prequalified Reimbursement Claims.** As of the date of this declaration, KCC has received a total of 23,520 non-duplicative Reimbursement claims. The total face value of the Reimbursement claims is approximately \$6,540,451 but this includes claims submitted without any

1 supporting documentation, claims with insufficient documentation, and otherwise deficient claims. (For
2 the few outlier claimants claiming amounts greater than permitted under the Settlement, KCC estimated
3 a value at \$300 in order to estimate a reasonable face value of deficient claims.) Of the total 23,520 non-
4 duplicative Reimbursement claims, 750 were untimely filed (total face value of approximately
5 \$207,904.72). Of the 22,770 timely-filed non-duplicative Reimbursement claims, 10,196 provided some
6 form of supporting documentation. Of these, 7,069 appear to be valid claims as sufficient documentation
7 was provided representing a total value of \$1,540,838.79 and 3,127 provided some form of supporting
8 documentation but were determined to be deficient representing a total value of approximately
9 \$1,055,613.61. The remaining 12,574 timely-filed non-duplicative Reimbursement claims did not
10 provide any supporting documentation and were determined to be deficient representing a total value of
11 approximately \$3,736,093.88.

12 7. The Settlement provides that if a Reimbursement claimant does not provide the
13 supporting documentation required by the Settlement, the Settlement Administrator will search Sears',
14 Whirlpool's, and the CPSC's service databases. KCC has completed the process of searching Sears',
15 Whirlpool's or CPSC's databases. For the Reimbursement claims that KCC was unable to locate the
16 necessary documentation in those database or determines that there are other deficiencies with the claim,
17 KCC intends to send a deficiency letter to any claimant who submitted a claim that does not comply
18 with the Settlement Agreement in an attempt to obtain any necessary missing information. Thus, at this
19 time KCC is unable to estimate how many claims will be rejected after the time to correct deficiencies
20 has passed.

21 8. KCC has evaluated the majority of all submitted claims (excluding the 42 newly received
22 claims as discussed in paragraph 3 above) to determine whether they are eligible for settlement benefits.
23 KCC will send a deficiency letter to any claimant who submitted a claim that does not comply with the
24 Settlement Agreement. For example, some claimants may have failed to sign their Claim Forms. If so,
25 KCC will send those claimants a letter providing the claimants an opportunity to cure the deficiency.
26 While it is impossible to predict with certainty, based on KCC's experience, we assume approximately
27 15%-20% of deficient claims might be cured. After KCC has determined which claims are Valid and
28 the parties complete their audit review of the sample subset (as discussed in paragraph 2 above), KCC

1 will calculate each claimant's reimbursement amount and mail checks.

2 *Notice and Administration Costs*

3 9. To date, KCC has incurred \$2,199,562.23 in total administration costs including, but not
4 limited, to the cost of sending Notice. As of the date of this declaration, KCC estimates its total cost of
5 administration to be \$2,576,550.84. This amount includes costs to date as well as through the
6 completion of this matter.

7 10. KCC's estimated fees and charges are based on certain information provided to KCC by
8 the parties as well as significant assumptions. Accordingly, the estimate is not intended to limit KCC's
9 actual fees and charges, which may be less or more than estimated due to the scope of actual services or
10 changes to the underlying facts or assumptions.

11 I declare under penalty of perjury pursuant to the laws of the State of California that the
12 foregoing is true and correct to the best of my knowledge and that this declaration was executed this 15th
13 day of June 2021 at San Rafael, California.

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16 Lana Lucchesi
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