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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALICIA HERNANDEZ, et al.,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 3:18-cv-07354 WHA

**DECLARATION OF SETTLEMENT
ADMINISTRATOR JENNIFER M.
KEOUGH REGARDING DISTRIBUTION
OF SETTLEMENT BENEFITS AND
INTERIM ACCOUNTING**

I, JENNIFER M. KEOUGH, declare as follows:

1. I am the Chief Executive Officer (CEO) of JND Legal Administration, a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases. As CEO of JND, I am involved in all facets of our Company's operations, including monitoring the implementation of our notice and claims administration programs. JND was chosen as the Settlement Administrator¹ in this case after participating in a competitive bidding process.

¹ Capitalized terms used and not otherwise defined herein shall have the meanings given such terms in the Stipulation of Class Action Settlement.

1 2. This Declaration is based on my personal knowledge and information provided to me
2 by experienced JND employees, and if called to do so, I could and would testify competently thereto.

3 3. This Declaration is intended to supplement my Declaration of Jennifer M. Keough
4 Regarding Settlement Administration (“Administration Declaration”), dated August 10, 2020. The
5 Administration Declaration provided details regarding, among other things, the notice mailing in this
6 matter, claims received, exclusions received and objections received. The Administration Declaration
7 is incorporated by reference herein and pertinent information in the Administration Declaration is
8 summarized in the Post-Distribution Accounting, filed concurrently with this declaration, which
9 provides the information required by the Northern District of California’s *Procedural Guidance for*
10 *Class Action Settlements*. See [https://www.cand.uscourts.gov/forms/procedural-guidance-for-class-](https://www.cand.uscourts.gov/forms/procedural-guidance-for-class-action-settlements)
11 [action-settlements](https://www.cand.uscourts.gov/forms/procedural-guidance-for-class-action-settlements), at Post-Distribution Accounting, ¶ 1 (requiring specific information about the
12 settlement distribution process be provided in an easy-to-read chart). This chart will be posted on the
13 Settlement Website – <http://www.homeloanmodificationsettlement.com> – as required by the
14 *Procedural Guidance for Class Action Settlements*. See *id.*, ¶ 1.b.

15 **Court Approval of Distribution**

16 4. On October 12, 2020, the Court entered the Order re Motion for Final Approval of Class
17 Settlement and Motion for Attorney’s Fees and Expenses (“Order”), approving the distribution of
18 payments to Class Counsel and the Settlement Class. On January 15, 2021, the Court entered the Order
19 Granting Unopposed Request for Supplemental Distribution to Class Members (“Supplemental Order”),
20 approving a further distribution of \$7,500 on a pro rata basis to Settlement Class Members.

21 5. Pursuant to the Settlement Agreement, an Escrow Account was established in the amount
22 of \$18,500,000.00. On May 7, 2020, JND received \$6,000.00 via wire transfer into the established
23 *Hernandez v. Wells Fargo Bank Settlement Fund* (“Settlement Fund”). On November 18, 2020, JND
24 received \$18,494,000.00 via wire transfer into the Settlement Fund.

25 **Class Counsel Fees and Expenses**

26 6. On October 12, 2020, the Court awarded Class Counsel \$4,525,000 in attorneys’ fees
27 and \$335,000 in expenses in its Order.
28

1 been deposited. JND answered Class Member questions, reminded them to cash their checks and, where
2 appropriate, reissued payments.

3 12. On February 2, 2021, JND mailed 508 additional Economic Damages checks
4 (“Supplemental Checks”) pursuant to the Court’s Supplemental Order. Class Members were provided
5 with a 120-day period to deposit these checks before they became void after June 2, 2021.

6 13. On February 5, 2021, JND sent a reminder notice postcard (“Postcard Notice”) to 120
7 Class Members whose Economic Damages or Emotional Distress payment was not returned to JND
8 as undeliverable but remained uncashed. The Postcard Notice informed Class Members how they
9 could request a replacement check and encouraged them to cash their awards.

10 14. As of the date of this Declaration, 570 payments have been cashed, totaling
11 \$12,340,814.42 (a cash rate of 90.1%). Thus, \$1,234,194.21 remains uncashed, representing 62
12 payments.³ JND will continue to research current Class Member mailing addresses and conduct
13 outreach via phone and e-mail to Class Members as needed in order to reissue payments with a void
14 date of June 2, 2021.

15 15. JND will provide an updated accounting within three weeks following the final void date
16 of June 2, 2021.

17
18 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
19 correct.

20 Executed on April 27, 2021 at Seattle, Washington.

21
22 

23 _____
JENNIFER M. KEOUGH

24
25
26 ³ The totals and amounts in this paragraph include only the initial economic damages payments and
27 emotional distress payments issued in December 2020, which voided on April 6, 2021 (these counts
28 do not include the small checks from the \$7,500 supplemental payments which will void on June 2,
2021).