

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SIDNEY NAIMAN, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

TOTAL MERCHANT SERVICES, INC. and
QUALITY MERCHANT SERVICES, INC.,

Defendants.

Case No. 4:17-cv-03806-CW

**DECLARATION OF ANGIE BIRDSSELL
IN SUPPORT OF PLAINTIFF'S
MOTION FOR ATTORNEYS' FEES,
REIMBURSEMENT OF COSTS AND
SERVICE AWARD**

I, Angie Birdsell, declare and state as follows:

1. I am a Project Manager employed by Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the appointed Settlement Administrator for the above-captioned case. I received Bachelor of the Arts and Bachelor of Science degrees from Arizona State University. Prior to joining Epiq, I had 10 years’ experience as a Project Manager in bankruptcy case administration and banking systems management. The following is based on my personal knowledge, and, if called as a witness, I could and would testify competently thereto.

2. Epiq was established in 1968 as a client services and data processing company. Epiq has been administering bankruptcies since 1985 and settlements since 1993, including settlements of class actions, mass tort litigations, Securities and Exchange Commission enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation. Epiq has administered more than 1,000 settlements, including some of the largest and most complex cases ever settled. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment and implementation of notice fulfillment services, coordination with the United States Postal Service (“USPS”), notice website development and maintenance, dedicated

phone lines with recorded information and/or live operators, receipt and processing of opt-outs, claims database management, claim adjudication, funds management, and award calculations and distribution services. Epiq works with the settling parties, the Court, and the class members in a neutral facilitation role to implement settlement administration services based on the negotiated terms of a settlement.

3. This Declaration details the estimated awards to class members based on the number of calls received to affected phone numbers.

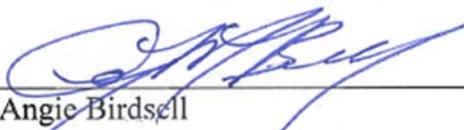
ESTIMATED AWARDS TO CLAIMANTS

4. The Parties agreed to a \$7,500,000 settlement fund. After deducting expected administration costs and Service Award, and anticipating 10% of the class will file complete and timely claims, the estimated award per call is \$225. Affected Phone Numbers received an average of 4 calls.

5. There were a total of 235,278 calls to the Affected Phone Numbers. 272 Affected Phone Numbers received 18 calls or more. The estimated award for the Class Members with these Affected Phone Numbers is \$4,050.

6. One Affected Phone Number received 28 calls, the highest number of calls received by any Affected Phone Number. The estimated award for the Class Member with this Affected Phone Number is \$6,300.

I declare under penalty of perjury under the laws of the United States and the State of Oregon that the foregoing is true and correct and that this Declaration was executed on December 12, 2018 in Beaverton, Oregon.



Angie Birdsell
Project Manager
Epiq Class Action & Claims Solutions, Inc.