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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST DISTRICT**

11 **COLIN HIGGINS PRODUCTIONS,**  
12 **LTD.,**

13 **Plaintiff,**

14 **v.**

15 **PARAMOUNT PICTURES**  
16 **CORPORATION, and DOES 1-100,**

17 **Defendant.**

CONFORMED COPY  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

OCT 28 2016

Sherri R. Garter, Executive Officer/Clerk  
By: Stephanie Amador, Deputy  
Stephanie Amador

Case No. **BC499179** (related to BC499181,  
BC500040, BC499182, and BC540146)

*Assigned to the Honorable Elishu M. Berle,  
Dept. 323*

**CLASS ACTION**

**SUPPLEMENTAL DECLARATION OF  
BRIAN DEVERY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT AND ATTORNEYS'  
FEES, COSTS AND INCENTIVE  
AWARDS**

Date: November 7, 2016  
Time: 10:00 a.m.  
Dept.: 323

Action Filed: January 16, 2013  
Trial Date: None

1 I, Brian Devery, declare as follows:

2 1. I am a Project Manager with Angeion Group (“Angeion”), the claims administrator  
3 retained in this matter, located at 1801 Market Street, Suite 660, Philadelphia, PA 19103. I am over  
4 21 years of age and am not a party to this action.

5 2. The purpose of this Declaration is to supplement my initial Declaration in Support  
6 of Plaintiffs’ Motion for Final Approval of Class Action Settlement and Attorneys’ Fees, Costs and  
7 Incentive Awards, which was previously submitted to the Court regarding the work performed by  
8 Angeion regarding the Notice Procedures in this case.

9 **Dissemination of Mailed Notice**

10 3. On August 8, 2016, the mailing of Notices to Class Members who were identified in  
11 the Class List was completed via First Class Mail postage prepaid.

12 4. As of October 25, 2016, Angeion has received a total of 22 Notices returned as  
13 undeliverable from the U.S. Postal Service (“USPS”) without a forwarding address and no Notices  
14 with a forwarding address.

15 5. Angeion performed a skip trace on 17 Notices returned as undeliverable which  
16 resulted in updated addresses for four Class Members. Angeion updated its database and re-mailed  
17 Notices to the updated addresses. Of the four re-mailed Notices, one was returned by the USPS as  
18 undeliverable a second time. Also, five Notices were not skip traced, as the address associated to  
19 these class members was outside the United States and/or they were returned as undeliverable on or  
20 after the October 7, 2016 filing deadline. A total of 19 Notices remain undeliverable where either  
21 the Notice was returned as undeliverable and no updated address was located or where an address  
22 was updated and the Notice was returned as undeliverable a second time.

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**Publication**

**Print**

6. There is no supplemental information to provide to the Court regarding print publication as it was completed on August 8, 2016.

**E-newsletter**

7. There is no supplemental information to provide to the Court regarding E newsletter publication as it was completed on August 8, 2016.

**Social Media**

8. As stated in my initial Declaration, on August 8, 2016, Angeion commenced a Social Media campaign utilizing Facebook, Twitter and LinkedIn to target class members likely to be affected by the settlement.

9. As of October 7, 2016, Facebook has generated 2,552,999 impressions with an average frequency of 16.37 and 394 clicks through to the website; Twitter has generated 12,893 impressions; and LinkedIn has generated 68,039 impressions and 223 clicks and 23 social actions.

**Toll-Free Telephone Number**

10. As stated in my initial Declaration, on August 8, 2016, Angeion established a toll-free telephone number, 844-312-5233, that Class Members can call and listen to Frequently Asked Questions. Class Members also had the option to connect directly to Angeion in order to get additional information or request a Claim Form be mailed to them. As of October 7, 2016, the IVR has received 30 calls for a total of 65 minutes. No class members have utilized the ability to connect to Angeion through the settlement line.

**Case Specific Website**

11. As stated in my initial Declaration, on August 8, 2016, Angeion established the following website devoted to this Settlement: [www.ParamountHomeVideoSettlement.com](http://www.ParamountHomeVideoSettlement.com).

12. As of October 7, 2016, the website has received 4,224 page views.

13. As of October 7, 2016, the website has received 3,886 visitors.

14. As of October 7, 2016, the website has received 12 email inquiries from visitors.

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**Requests for Exclusion, and Objections**

15. As stated in my initial Declaration, the settlement website contains a Claim Form putative class members may utilize if they believe they may be a member of the Settlement Class. As of October 7, 2016, three Claim Forms have been received. These claim forms have been forwarded to the parties for further investigation.

16. As of October 7, 2016, Angeion has received two requests for exclusion from the same class member, participant Tony Curtis, and no objections. The exclusion requests have been forwarded to the parties.

**Distribution and Remaining Tasks**

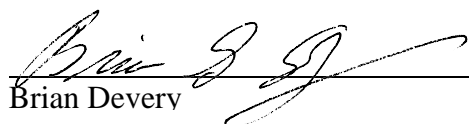
17. Angeion has prepared a preliminary calculation for the Recouped Class Members. Those calculations show that the average payout will be \$25,740.63.

18. Paramount will be performing the calculations relating to the Unrecouped Class Members.

19. Upon the issuance of the Order of this Court, Angeion will prepare the final distribution list for all eligible Class Members in accordance with the terms of the Settlement Agreement, including withholding and distributing taxes to the proper taxing authority as required. Additionally, upon the achievement of the Effective Date, Angeion will cause the distribution of settlement benefits to take place in accordance with the terms of the Settlement Agreement.

I declare under penalty of perjury pursuant to the laws of the State of California, that the above is true and correct to the best of my knowledge.

Executed this 26th day of October, 2016 at Oakdale, NY.

  
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Brian Devery

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 8648 Wilshire Boulevard, Beverly Hills, CA 90211-2910.

On October 28, 2016, I served true copies of the following document(s) described as **SUPPLEMENTAL DECLARATION OF BRIAN DEVERY IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND ATTORNEYS' FEES, COSTS AND INCENTIVE AWARDS** on the interested parties in this action as follows:

**BY ELECTRONIC SERVICE VIA CASE ANYWHERE:** In accordance with the Court's ruling governing Los Angeles Superior Court Case No. BC499180 and related actions requiring all documents to be served upon interested parties via Case Anywhere Service system.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 28, 2016, at Beverly Hills, California.

  
\_\_\_\_\_  
Jessica Mendez