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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PATRICIA WECKWERTH, et al.,
Plaintiff,
vs.
NISSAN NORTH AMERICA, INC.,
Defendant.

Case No. 3:18-cv-0588

CLASS ACTION

**DECLARATION OF LANA LUCCHESI
RE: NOTICE PROCEDURES**

1 I, LANA LUCCHESI, declare and state as follows:

2
3 1. I am a Director with KCC Class Action Services, LLC (“KCC”), located at 3301
4 Kerner Boulevard, San Rafael CA 94901. Pursuant to the Preliminary Approval Order of Class
5 Action Settlement (the “Preliminary Approval Order”) dated July 16, 2019, the Court appointed
6 KCC as the Claims Administrator in connection with the proposed Settlement of the above-
7 captioned Action.¹ I have personal knowledge of the matters stated herein and, if called upon,
8 could and would testify thereto.

9 **CAFA NOTIFICATION**

10 2. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. Section
11 1715, KCC compiled a CD-ROM containing the following documents: Unopposed Motion for
12 Preliminary Approval [Dkt No. 71], [Proposed] Preliminary Approval Order [Dkt No. 71-1],
13 Memorandum in Support of Preliminary Approval [Dkt No. 72], Declaration of Cody Padgett
14 [Dkt No. 74], Settlement Agreement filed in this Action [Dkt No. 74-2], Exhibit A – Expedited
15 Resolution Notice [Dkt No. 74-3], Exhibit B – Claim Form [Dkt No. 74-4], Exhibit C – Long
16 Form Notice [Dkt No. 74-5], Exhibit D – Summary Notice [Dkt No. 74-6], Exhibit E – Proposed
17 Preliminary Approval Order [Dkt No. 74-7], Exhibit F – Proposed Final Approval Order and
18 Judgment [Dkt No. 74-8], Declaration of KCC’s Carla Peak [Dkt No. 80], Class Action
19 Complaint [Dkt No. 1], First Amended Class Action Complaint [Dkt No. 68], and Second
20 Amended Class Action Complaint [Dkt No. 83], which accompanied a cover letter and Exhibit A,
21 an identification of all CAFA recipients (collectively, the “CAFA Notice Packet”). A copy of the
22 cover letter and identification list is attached hereto as Exhibit 1.

23 3. On June 27, 2019, KCC caused fifty-eight (58) CAFA Notice Packets to be mailed
24 via Certified Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on
25 Exhibit 2, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and the
26 District of Columbia, the Attorneys General of the 5 recognized U.S. Territories, as well as

27 _____
28 ¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in
the Settlement Agreement, dated June 7, 2019 (the “Settlement Agreement”) and/or the
Preliminary Approval Order.

1 parties of interest to this Action.

2 4. In further compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C.
3 Section 1715, KCC drafted a supplemental notification providing an estimate of potential class
4 members by state of residence accompanied by a cover letter and Exhibit A, which identified all
5 Supplemental CAFA recipients (collectively, the “Supplemental CAFA Notice”). A copy of the
6 supplemental cover letter and recipient identification list are attached hereto as Exhibit 3.

7 5. On November 25, 2019, KCC caused fifty-eight (58) CAFA Notice Packets to be
8 mailed via Certified Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed
9 on Exhibit 4, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and
10 the District of Columbia, the Attorneys General of the 5 recognized U.S. Territories, as well as
11 parties of interest to this Action.

12 6. As of the date of this declaration, KCC has received no response to the CAFA
13 Notice Packet or Supplemental CAFA Notice Packet from any of the recipients identified in
14 paragraphs 3 or 5 above.

15 **CLASS LIST**

16 7. On August 1, 2019, Defendant provided KCC with Vehicle Identification Number
17 (VIN) information for all Class Vehicles. Using this VIN information provided by Nissan, KCC
18 utilized the services of a third-party vendor, IHS Markit, formerly known as R.L. Polk (“IHS”), to
19 obtain mailing address data for the Settlement Class in preparation for mailing. A total of
20 2,950,944 records were returned by IHS. An additional 16,643 records were provided by Nissan
21 directly. These supplemental records represent the information Nissan was able to pull for the
22 VINs for which IHS returned with missing name and/or address information.

23 8. KCC identified and removed 203 records from the Class Member List. These
24 records were removed as they were duplicative on VIN, Name, and Address. The total records
25 remaining on the Class Member List is 2,967,384.

26 9. KCC also identified and withheld 74,788 records from the Notice Mailing but
27 maintained in the Class Member List. Of these 74,788 records, 61,805 were withheld because it
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1 was a record related to a Nissan facility, 11,943 records had missing or incomplete address data,
2 and 2,040 records received from Nissan directly were duplicative on VIN, Name, and Address.

3 10. IHS caused the addresses in the Class Member List to be updated using the
4 National Change of Address database (“NCOA”) maintained by the U.S. Postal Service
5 (“USPS”). A total of 124,056 addresses were found and updated. Upon receipt of the mailing
6 address data for the Settlement Class provided by IHS, KCC entered the Class Member List
7 information into its proprietary database and prepared a data file for the initial mailing.

8 **MAILING OF THE SETTLEMENT NOTICE PACKET**

9 11. On November 1, 2019, KCC caused the Postcard Notice to be printed and mailed
10 to the 2,892,596 names and mailing addresses in the Class List. A true and correct copy of the
11 Postcard Notice is attached hereto as Exhibit 5.

12 12. Since mailing the Postcard Notice to the Class Members, KCC has received
13 38,318 Postcard Notices returned by the USPS with forwarding addresses. KCC promptly caused
14 Postcard Notices to be re-mailed to the forwarding addresses supplied by the USPS.

15 13. Since mailing the Postcard Notices to the Class Members, KCC has received
16 205,102 Postcard Notices returned by the USPS with undeliverable addresses. Through credit
17 bureau and/or other public source databases, KCC performed address searches for these
18 undeliverable Postcard Notices and was able to find updated addresses for 31,069 Class
19 Members. KCC promptly re-mailed Postcard Notices to the found new addresses.

20 **SETTLEMENT WEBSITE**

21 14. On or about October 30, 2019, KCC established a website
22 [www.SentraVersaCVTSettlement.com] dedicated to this proposed settlement to provide
23 information to the Class Members and to answer frequently asked questions. The website URL
24 was set forth in the Postcard Notice, Long-Form Notice, and Claim Form. Visitors of the website
25 can download copies of the Long-Form Notice, Claim Form, and other case-related documents.
26 Visitors can also submit claims online and upload supporting documentation. As of January 23,
27 2020, the website has received 153,201 visits.
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 23rd at San Rafael, California.



LANA LUCCHESI