

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

MATHEW LaPRADE, individually and on )  
behalf of all others similarly situated, )

*Plaintiff,* )

v. )

INDECK POWER EQUIPMENT )  
COMPANY, )

*Defendant,* )

Case No.: 2021-CH-00805

The Honorable Eve M. Reilly

**DECLARATION OF DUE DILIGENCE**

I, Caroline P. Barazesh, pursuant to 735 ILCS 5/1-109, state as follows:

1. I am over the age of twenty-one. I am competent to give this declaration. This declaration is true and correct to the best of my knowledge, information and belief.

2. I am currently a Director for Analytics Consulting LLC (hereinafter "Analytics"), located at 18675 Lake Drive East, Chanhassen, Minnesota, 55317. In my capacity as Director, I am responsible for claims administration in the above-captioned litigation.

3. Analytics was engaged to provide settlement administration services in the *Mathew LaPrade v. Indeck Power Equipment Company* case. In this capacity, Analytics was charged with (a) establishing and maintaining a related settlement fund account; (b) establishing and maintaining a calendar of administrative deadlines and responsibilities; (c) printing and mailing the Notices of Class Action Settlement; (d) receiving and validating Requests for Exclusion or Objections submitted by Settlement Class Members; (e) processing and mailing payments to Settlement Class Members and Class Counsel; and (f) other tasks as the Parties mutually agree or the Court orders Analytics to perform.

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4. On January 9, 2023, Analytics received the Court-approved Notice of Class Action Settlement (“Class Notice”). The Notice advised Settlement Class Members of their right to request exclusion from the Settlement, object to the Settlement and the implications of each such action. The Notice advised Settlement Class Members of applicable deadlines and other events, including the Final Approval Hearing, and how they could obtain additional information. The Class Notice was received in web format for posting to the Settlement Website and was formatted as a postcard by Analytics for the Notice mailing.

5. On January 9, 2023, Counsel for Defendant provided Analytics with a mailing list (“Class List”) containing names, last known mailing addresses, and email addresses where available for 66 Settlement Class Members.

6. The mailing addresses contained in the Class List were processed and updated utilizing the National Change of Address Database (“NCOA”) maintained by the U.S. Postal Service. The NCOA database contains requested changes of address filed with the U.S. Postal Service. In the event that any individual had filed a U.S. Postal Service change of address request, the address listed with the NCOA database would be utilized in connection with the mailing of the Class Notices.

7. On April 7, 2023, Analytics mailed the approved postcard version of the Class Notice to the most current mailing address of 66 Settlement Class Members via USPS First Class Mail. A copy of the postcard Class Notice is attached hereto as Exhibit 1 and the web Notice, available at the case website, is attached as Exhibit 2.

8. On April 7, 2023, Analytics established a case-specific website at [www.IndeckBIPASettlement.com](http://www.IndeckBIPASettlement.com) (“Settlement Website”). The Settlement Website includes information related to the Settlement, and relevant downloadable documents (including the Settlement Agreement, Notice, Preliminary Approval Order, Plaintiff’s Declaration and Motion for Attorneys’ Fees).

9. The Settlement Website also provided Settlement Class Members with the ability to submit an exclusion form and update their mailing address.

10. As of the date of this declaration, the Settlement Website has received 1,925 page views by 1,110 unique users<sup>1</sup>. Five address updates have been received from Settlement Class Members.

11. Analytics also established a dedicated email address, [info@IndeckBIPASettlement.com](mailto:info@IndeckBIPASettlement.com) to receive and respond to Settlement Class Member inquiries.

12. If a Class Notice was returned by the USPS as undeliverable and without a forwarding address, Analytics sent an email notice to the Class Member, and if no email was available or no response was received, Analytics performed an advanced address search on these addresses by using Experian, a reputable research tool. Seven Class Notices were returned to Analytics as undeliverable by the Post Office. Seven updated addresses were found as result of the address research, and the Class Notice was promptly mailed to the updated addresses. One Class Notice was again returned as undeliverable by the Post Office.

13. 65 Settlement Class Members out of 66 Settlement Class Members (98.48%) received direct notice via USPS First Class Mail.

14. Settlement Class Members could opt out of the settlement by submitting an online exclusion form at the Settlement Website no later than 11.59 p.m. on May 15, 2023 or by mailing a letter to Analytics postmarked by May 15, 2023. No requests for exclusion were received by Analytics.

15. Settlement Class Members could object to the proposed settlement by filing a letter or brief objecting to the settlement with the Court, and sending a copy of the letter to Class Counsel and Defense Counsel by May 15, 2023. Zero objections were received by Analytics.


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<sup>1</sup> Information regarding this settlement appeared on a website that aggregates information regarding class action settlements. Consequently, the Settlement Website received visits from individuals who are not class members. Because the class action aggregation site programs links so that the source of the traffic is unknown, I am unable to segregate out and report on traffic from only class members.

16. Analytics' costs incurred to date are \$3,916. Total costs for services in connection with the administration of this Settlement, including fees incurred and anticipated future costs for completion of the administration, are estimated to be \$6,500. This amount will be paid by Defendant from the Gross Fund. Analytics' work in connection with this matter will continue with the issuance and mailing of the settlement checks and to do the necessary tax reporting for the settlement fund.

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

Dated: June 13, 2023

  
Caroline P. Barazesh