

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALASKA ELECTRICAL PENSION FUND;
GENESEE COUNTY EMPLOYEES'
RETIREMENT SYSTEM; COUNTY OF
MONTGOMERY, PENNSYLVANIA; COUNTY
OF WASHINGTON, PENNSYLVANIA; CITY OF
NEW BRITAIN, CONNECTICUT; UNIQA
CAPITAL MARKETS GMBH ON BEHALF OF
UNIQA DOLLAR BOND; PENNSYLVANIA
TURNPIKE COMMISSION; ERSTE
ABWICKLUNGSANSTALT (EAA); AND
PORTIGON AG on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A.; BARCLAYS BANK
PLC; BNP PARIBAS; CITIGROUP INC.; CREDIT
SUISSE AG, NEW YORK BRANCH; DEUTSCHE
BANK AG; THE GOLDMAN SACHS GROUP,
INC.; HSBC BANK PLC; ICAP CAPITAL
MARKETS LLC; JPMORGAN CHASE & CO.;
MORGAN STANLEY & CO. LLC; NOMURA
SECURITIES INTERNATIONAL, INC.; ROYAL
BANK OF SCOTLAND PLC; UBS AG; and
WELLS FARGO BANK, N.A.,

Defendants.

Civil Action No. 14-cv-7126 (JMF)

**SUPPLEMENTAL DECLARATION OF SANDRA ADAMS REGARDING SELF-
MAILING OF CLASS NOTICE BY CERTAIN FOREIGN HSBC AFFILIATES IN
CONNECTION WITH PROPOSED SETTLEMENT AGREEMENT¹**

I, Sandra M. Adams, declare and state as follows:

1. I am a legal assistant for Locke Lord LLP, which represents Defendant HSBC in the above matter. In this capacity, I was responsible for mailing notice approved by the Court to potential Settlement Class Members who were customers of

¹ This declaration pertains to an additional "Proposed Settlement Agreement" that has recently been preliminarily approved by the Court on behalf of "Newly Settling Defendants," and not the "Approved Settlements" for which HSBC self-mailed notice on January 25, 2018. I, Sandra M. Adams, previously executed a declaration pertaining to HSBC's self-mailing in connection with the Approved Settlements on March 28, 2018.

non-party HSBC affiliates located in Australia, Austria, Belgium, Belize, Canada, the Cayman Islands, China, Denmark, Finland, France, Germany, Honduras, Hong Kong, India, Indonesia, Ireland, Japan, Luxembourg, Macau, Malaysia, Mauritius, the Netherlands, New Zealand, Norway, the Philippines, Republic of Korea, Singapore, South Africa, Spain, Sweden, Switzerland, Taiwan, Thailand, the United Kingdom, the United States of America, Vietnam, and the Virgin Islands.

2. I was provided with a list of names and addresses of 1,297 potential Settlement Class Members who were customers of the foregoing non-party HSBC affiliates. That list of names was generated by extracting relevant transactions (and by extension, entities) from larger spreadsheets provided by HSBC. Those entities were then compiled into a list that I used to conduct HSBC's self-mailing.

3. On August 14, 2018, I caused to be mailed a "Notice Packet" to each of the names and addresses supplied for the 1,297 customers referenced above. This Notice Packet consisted of the Court-approved Notice of an Additional Proposed Settlement of Class Action and a Proof of Claim and Release Form, along with an insert stating these materials were available in translated languages on the specified Settlement website. The packages were mailed with prepaid postage via first class United States mail (or the International equivalent).

4. As of October 17, 2018, 61 of the Notice Packets that I mailed were returned by the post office as undelivered. I performed internet searches to obtain an updated address for each of the returned packages, and if new information was found, I re-mailed the returned package to the updated address within one week after each package was returned.

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

Executed this 17th day of October, 2018, in Dallas, Texas.



Sandra M. Adams

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALASKA ELECTRICAL PENSION FUND,
et al.,

Plaintiffs,

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

Lead Case No.: 14-cv-7126 (JMF)

**SUPPLEMENTAL DECLARATION OF JAMUNA D. KELLEY
REGARDING MAILING OF THE
SETTLEMENT NOTICE AND PROOF OF CLAIM FORMS**

JAMUNA D. KELLEY declares, pursuant to 28 U.S.C. §1746:

1. I am a member of the bar of this Court and associated with the law firm of Friedman Kaplan Seiler & Adelman LLP (“FKSA”), which is counsel to defendant Wells Fargo Bank, N.A. (“Wells Fargo”) in the above-captioned action. I submit this supplemental declaration to provide the Court with updated information regarding the mailing of the Notice of an Additional Proposed Settlement of Class Action (“Notice”) and the Proof of Claim and Release Form (“Claim Form”).

2. The Court’s Order Preliminarily Approving an Additional Settlement and the Related Plan of Distribution, and Approving the Manner and Forms for Notice, entered on June 26, 2018, Dkt. No. 669, (“Notice Order”), authorized Wells Fargo or its agent to mail the Notice and Claim Form (together, along with an insert stating translated versions of these documents were available on the Settlement website, the “Notice Packet”) on or before August 14, 2018, to potential members of the Settlement Class whose disclosure was not clearly permitted by law and/or presented the risk of violating other privacy considerations. Notice Order ¶¶ 12, 15.

3. On or about August 13, 2018, I caused one hundred and eleven (111) Notice Packets to be mailed to potential Settlement Class Members that were identified through a diligent search of relevant transactional records in the custody of Wells Fargo. Mailings were sent to addresses in twenty-eight (28) countries outside the United States.

4. On or about September 21, 2018, I executed a declaration (filed in the above-captioned action as Docket No. 688) informing the Court of the number of returned Notice Packets and Wells Fargo's efforts to resend those returned Notice Packets to updated, publicly-available addressees to the appropriate recipients, as of that date.

5. As of the date of this supplemental declaration, I understand that four (4) additional Notice Packets have been returned undeliverable as addressed. Also as of the date of this supplemental declaration, I have caused those same four (4) additional returned Notice Packets to be re-mailed to potential Settlement Class Members at new addresses that were identified through updated searches of publicly available records. These new mailings were sent to three (3) addressees in two (2) countries outside the United States, and to one (1) address in the United States for an entity that is domiciled outside of the United States but also appears to maintain a United States address.

Executed this 16th day of October 2018
in New York, New York.



Jamuna D. Kelley

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALASKA ELECTRICAL PENSION FUND,
et al.,

Plaintiffs,

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

Lead Case No.: 14-cv-7126 (JMF)

**SUPPLEMENTAL DECLARATION OF JASON RABE REGARDING
MAILING OF THE PROPOSED SETTLEMENT NOTICE AND PROOF OF
CLAIM FORMS TO CERTAIN SETTLEMENT CLASS MEMBERS**

Jason Rabe, declares and states as follows:

1. I am a Program Manager at Rust Consulting, Inc. (“Rust”). I am over 21 years of age and am not a party to the above-captioned action (“Action”). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. I submit this supplemental declaration to provide the Court with updated information regarding, among other things, the mailing of the Notice of an Additional Proposed Settlement of Class Action (“Notice”), the Proof of Claim and Release Form (“Claim Form”), and a slip sheet insert stating the Notice and Claim Form were available in certain translated languages on the Settlement Website (collectively, the “New Notice Packet.”).

3. Rust entered into separate agreements with certain Settling Defendants¹ to act as their agent in providing notice as a result of the new and additional proposed settlement reached between Plaintiffs and Defendants: BNP Paribas; ICAP Capital Markets LLC; Morgan Stanley & Co. LLC; Nomura Securities International, Inc.; and Wells Fargo Bank, N.A. Acting as an agent for certain Settling Defendants, Rust is responsible for the distribution of the New Notice Packet to certain potential members of the Settlement Class, whose disclosure to Plaintiffs was not clearly permitted by law and/or presented the risk of violating other privacy considerations.

4. On September 27, 2018, I executed my original declaration as to the new and additional proposed settlement (the “Rabe Mailing Declaration”) that was filed with the Court on September 28, 2018 (Dkt. No 689), attesting, to among other things, the mailing of the New Notice Packet.

UPDATE ON MAILING OF NOTICE PACKETS

5. Through the execution of the Rabe Mailing Declaration, Rust had mailed a total of 20,032 New Notice Packets to potential Settlement Class Members. Since the Rabe Mailing Declaration was filed, Rust has received approximately 534 additional mailings returned as undeliverable.

6. The mailings with a United States (“U.S.”) address that were returned as undeliverable without a forwarding address from the United States Postal Service were sent to the National Change of Address (“NCOA”) service for address updates. A skip trace was performed afterwards, through an information supplier to which Rust subscribes, for mailings returned from NCOA without any results.

¹ The Settling Defendants with which Rust entered into separate agreements to act as their agent include: Bank of America, Barclays, BNP Paribas, Citigroup, Credit Suisse, Goldman Sachs, HSBC, JPMorgan, and RBS (collectively, the “Settling Defendants”).

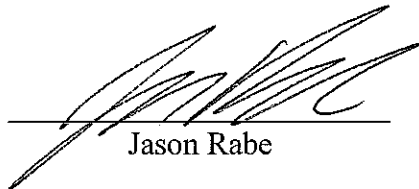
7. For mailings with a non-U.S. address returned undeliverable without a forwarding address, Rust conducted online research in an effort to obtain updated addresses for these potential Settlement Class Members.

8. As a result of the efforts outlined above in ¶5 through ¶7, Rust has re-mailed a total of 789 additional New Notice Packets² to potential Settlement Class Members at their updated addresses since the execution of the Rabe Mailing Declaration.

9. Therefore, as of October 15, 2018, Rust has mailed a total of 20,821 New Notice Packets to potential Settlement Class Members.

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

Executed this 22nd day of October, 2018 in Minneapolis, Minnesota.



Jason Rabe

² This count also includes the re-mailing of certain undeliverable mailings that were previously reported in the Rabe Mailing Declaration, where an updated address has since been identified.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALASKA ELECTRICAL PENSION FUND,
et al.,

Plaintiffs,

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

Lead Case No.: 14-cv-7126 (JMF)

**SUPPLEMENTAL DECLARATION OF CAMERON R. AZARI, ESQ., ON THE
IMPLEMENTATION AND ADEQUACY OF
CLASS NOTICE PLAN FOR PROPOSED SETTLEMENT**

I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am a nationally recognized expert in the field of legal notice and I have served as an expert in dozens of federal and state cases involving class action notice plans.

3. I am the Director of Legal Notice for Hilsoft Notifications (“Hilsoft”); a firm that specializes in designing, developing, analyzing and implementing large-scale, un-biased, legal notification plans. Hilsoft is a business unit of Epiq Class Action & Claims Solutions, Inc. (“Epiq”). I also hold the title of Vice President and Director of Legal Notice of Epiq, which I understand has been appointed by the Court to serve as Claims Administrator in this matter.

4. I have issued three prior declarations in this matter related to settlement agreements previously reached between the Plaintiffs and Defendants Bank of America, N.A.; Barclays Bank PLC and Barclays Capital Inc.; Citigroup Inc.; Credit Suisse AG, New York

Branch; Deutsche Bank AG; The Goldman Sachs Group, Inc.; HSBC Bank USA, N.A.; JPMorgan Chase & Co.; Royal Bank of Scotland PLC.; and UBS AG. I understand the Court has granted final approval to these settlements, and therefore collectively refer to them herein as the “Approved Settlements.”

5. Specifically, as to the Approved Settlements, on September 29, 2017, I executed my *Declaration of Cameron R. Azari, Esq. on Proposed Settlement Class Notice Program* in which I detailed Hilsoft’s class action notice experience and attached Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions and my ability to render opinions on overall adequacy of notice programs. Subsequently, on March 29, 2018, I executed my *Declaration of Cameron R. Azari, Esq., on Implementation and Adequacy of Settlement Class Notice Plan*, and on May 10, 2018, I executed my *Supplemental Declaration of Cameron R. Azari, Esq., on Implementation and Adequacy of Settlement Class Notice Plan*, which detailed the successful implementation of the notice efforts for those settlements.

6. In addition, on June 22, 2018, I executed my *Declaration of Cameron R. Azari, Esq. on Proposed Settlement Class Notice Program*, which detailed the proposed Notice Plan and efforts related to the new, subsequent settlement (the “Proposed Settlement”) reached between Plaintiffs and Defendants B.N.P. Paribas SA; ICAP Capital Markets LLC (now known as Intercapital Capital Markets LLC); Morgan Stanley & Co. LLC; Nomura Securities International, Inc.; and Wells Fargo Bank, N.A. (collectively, the “Newly Settling Defendants”). Subsequently, on September 26, 2018, I executed my *Declaration of Cameron R. Azari, Esq., on the Implementation and Adequacy of Class Notice Plan for Proposed Settlement*, which detailed the successful implementation of the notice efforts for the Proposed Settlement.

7. This declaration will provide updated administration details for the implementation of the Notice of Proposed Settlement of Class Action (“the Notice Plan”) for the Proposed Settlement¹ with the Newly Settling Defendants, in the above-captioned litigation in the United States District Court for the Southern District of New York. The facts in this declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues from Hilsoft and Epiq, who worked with me to implement the Notice Plan.

Individual Notice – Direct Mail Notice

8. On August 14, 2018, Epiq mailed Notice Packets² for the Proposed Settlement via first class mail or an international equivalent to 39,973 reasonably identifiable Settlement Class Members based on counterparty data provided by the Defendants. Address updating (both prior to mailing and on undeliverable pieces) and re-mailing protocols meet or exceed, in my experience, those used in other class action settlements.

9. On August 14, 2018, Epiq supplemented the direct notice data from the Banks with this list and mailed 1,358 Notice Packets, together with a Notice specific to Brokers, Banks, and Other Nominees (the “Broker Notice”). The Broker Notice provided information about the Proposed Settlement, the definition of the Settlement Class, and required the broker or other nominee who performed the trades for the beneficial purchaser to, within twenty-five (25) days

¹ The capitalized terms not defined in this declaration have the same meaning as defined in the Settlement Agreement, which is available at www.ISDAfixAntitrustSettlement.com.

² The “Notice Packet” for the Proposed Settlement consisted of a Court-approved Notice of an Additional Proposed Settlement of Class Action (“Notice”) and Proof of Claim and Release Form (“Claim Form”), as well as a “Buck Slip” insert that contained instructions in twelve (12) translated languages as to how to obtain the Notice and Claim Form in these languages on the settlement website.

of receipt of the Notice Packet and Broker Notice, either provide Epiq with a list of names and last known addresses for, or send copies of the Notice Packet to, all beneficial owners.

10. Furthermore, a Notice Packet was mailed to all Persons who requested one via the telephone numbers established as part of the Notice Plan, or by mail. As of October 12, 2018, 4 additional Notice Packets for the Proposed Settlement have been mailed as a result of such requests. The Notice and Claim Form for the Proposed Settlement are also available to download or print at the dedicated settlement website.

11. The return address on the Notice Packet is a post office box maintained by Epiq. As of October 12, 2018, Epiq and the United States Postal Service (the “USPS”) have re-mailed 247 Notice Packets for addresses that were corrected through the USPS. For Notice Packets that were returned as undeliverable, Epiq undertook additional public record research, using a third-party lookup service (“ALLFIND”, maintained by LexisNexis), which as of October 12, 2018, has resulted in the re-mailing of 2,666 Notice Packets that were not returned as undeliverable after the re-mailing effort. Address updating and re-mailing for any undeliverable Notice Packets is ongoing and will continue through the Fairness Hearing as to the Proposed Settlement, currently set pursuant to the Court’s Order³ for November 8, 2018.

Internet Sponsored Search Listings and Investor Publications

12. To assist Settlement Class Members in locating the settlement website, sponsored search listings were acquired on Google, Yahoo! and Bing. When search engine visitors search for common keyword combinations, the sponsored search listing is generally displayed at the top

³ On June 26, 2018, the Court entered an Order Preliminarily Approving an Additional Settlement and the Related Plan of Distribution, and Approving the Manner and Forms for Notice (referred to herein as the “Order”), which granted preliminary approval to the terms of the Proposed Settlement with the Newly Settling Defendants and the Notice Plan (*see* Dkt. Entry No. 669).

of the page, prior to the search results or in the upper right hand column. The sponsored search listings serve the same geographic regions targeted by the print plan (United States, London, Singapore and Hong Kong).

13. The sponsored search listings ran from August 14, 2018 until the October 13, 2018, the Exclusion and Objection deadline set by the Court's Order. As of October 13, 2018, the sponsored listings have been displayed 1,501 times, resulting in 220 clicks that displayed the settlement website.

14. The Notice Plan also included a highly visible international print program. On August 14, 2018 a ¼ page Summary Notice appeared one time in newspapers targeting financial markets in the United States and abroad. The Notice also appeared as a full page notice in the monthly publication *Risk Magazine* on September 14, 2018.⁴

Settlement Website, Telephone Numbers, and Postal Mailing Address

15. On January 18, 2018, a dedicated settlement website was launched (www.ISDAfixAntitrustSettlement.com) for the Approved Settlements. On August 13, 2018, the settlement website was updated with information about the Proposed Settlement. On the website, Settlement Class Members can obtain detailed information about the litigation and review case documents, including the Proposed Settlement Notice and the Claim Form, the Summary Notice, and answers to frequently asked questions ("FAQs"). Settlement Class Members have the opportunity to submit a claim online at the settlement website, or if they

⁴ *Risk Magazine* delayed publication of the current issue to September 14, 2018, due to editorial issues. Given that *Risk Magazine* is a relatively small publication with a circulation of only 25,000, and constitutes only one minor aspect of the overall, extensive Notice Plan, it is my opinion that this publishing delay will not impact the overall effectiveness of the extensive Notice Plan implemented for the Proposed Settlement.

choose, they can download and print a physical Claim Form for filing via mail or email. The settlement website address was displayed prominently in the Notice Packet, as appropriate.

16. As of October 12, 2018, there have been 28,153 visitors to the settlement website and over 89,382 website pages presented. Additionally, the Notice for the Proposed Settlement was downloaded 465 times.

17. On January 18, 2018, a toll-free telephone number (1-844-789-6862), and an additional telephone number (1-503-597-5526) for international callers, were established for the Approved Settlements. These phone lines have allowed Settlement Class Members to call for additional information, listen to answers to FAQs, and request that the Notice and Claim Form be mailed to them. Live operators are also available to callers. On August 13, 2018, the recorded content for the phone numbers was updated to include information regarding the Proposed Settlement. The phone numbers were prominently displayed in the Notice Packet, as appropriate.

18. As of October 12, 2018, the toll-free number (1-844-789-6862) has handled 1,302 calls, representing 12,571 minutes of use, and live operators have handled 917 calls, representing 10,716 minutes of use. As of October 12, 2018, the international telephone number (1-503-597-5526) has handled 193 calls, representing 1,538 minutes of use, and live operators have handled 90 calls, representing 1,400 minutes of use.

19. The same post office box established for the Approved Settlements in January 2018 has also continued to be available for the Proposed Settlement, to allow Settlement Class Members to contact the Claims Administrator by mail with any specific requests or questions. The same email address established in January 2018 for the Approved Settlements, info@ISDAfixAntitrustSettlement.com, has also continued to be available for the Proposed

Settlement, to allow Settlement Class Members to contact the Claims Administrator with any questions or requests.

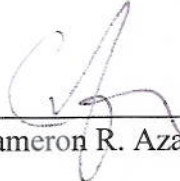
Exclusions and Objections

20. The Exclusion and Objection deadline set by the Court's Order was October 13, 2018. As of October 23, 2018, Epiq has received a total of four (4) requests for exclusion from the Proposed Settlement that were deemed timely. An exclusion report is included as **Attachment 1**. I am aware of a single objection to the Proposed Settlement at the time of this declaration. I have reviewed the objection and it does not relate to notice.

CONCLUSION

21. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes, and further by case law pertaining to notice. This framework directs that the Notice Plan be designed to reach the greatest practicable number of potential Settlement Class Members and, in a settlement class action notice situation such as this, that the Notice or Notice Plan itself not limit knowledge of the availability of benefits—nor the ability to exercise other options—to Settlement Class Members in any way. All of these requirements were met in this case. The Notice Plan as implemented provided the best notice practicable under the circumstances of this case, conformed to all aspects of Federal Rule of Civil Procedure 23, and comported with the guidance for effective notice articulated in the Manual for Complex Litigation 4th.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 23, 2018.



Cameron R. Azari, Esq.

Attachment 1

Alaska Electrical Pension Fund et al. v. Bank of America, N.A. et al.,
Lead Case No. 14-cv-7126 (JMF)
Requests for Exclusion

ID	Name
1	ANADARKO PETROLEUM CORPORATION
2	COMMONWEALTH BANK OF AUSTRALIA
3	QANTAS AIRWAYS LIMITED
4	METROPOLE EUROPEENNE DE LILLE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALASKA ELECTRICAL PENSION FUND, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

No. 14-cv-7126 (JMF)

**SUPPLEMENTAL DECLARATION OF ALAN S. GRUBER REGARDING MAILING
OF THE PROPOSED SETTLEMENT NOTICE AND PROOF OF CLAIM FORMS**

Pursuant to 28 U.S.C. § 1746, **ALAN S. GRUBER**, declares as follows:

1. I am Executive Director, Litigation at Nomura Holding America Inc., and serve as counsel to defendant Nomura Securities International, Inc. (“Nomura”). I submit this declaration to provide an update concerning the submission of the Notice of an Additional Proposed Settlement of Class Action (the “Notice”) and Proof of Claim and Release Form (the “Claim Form”) to potential class members whose disclosure to plaintiffs was not clearly permitted by law and/or presented the risk of violating other privacy considerations, which Nomura or its agent was required to send by August 14, 2018.¹

2. Since my declaration of September 26, 2018, one (1) Notice Packet was returned undeliverable as addressed. With the assistance of outside counsel, I performed internet searches to obtain an updated address for the Notice Packet and caused it to be re-mailed to the updated address on October 15, 2018.

¹ The Notice and Claim Form, along with an insert stating these materials were available in specified translated languages on the Settlement website that was also included in each mailing, are collectively referred to herein as the “Notice Packet.”

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

Executed on October 17, 2018.


ALAN S. GRUBER

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALASKA ELECTRICAL PENSION FUND, et
al.,

Plaintiffs,

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

Lead Case No.: 14-cv-7126 (JMF)

ECF Case

**SUPPLEMENTAL DECLARATION OF MATTHEW POPOWSKY REGARDING
MAILING OF THE ADDITIONAL SETTLEMENT
NOTICE AND PROOF OF CLAIM FORM**

I, Matthew Popowsky, declare and state as follows:

1. I am Executive Director and Counsel at UBS AG (“UBS”). I am over 21 years of age. I have either personal knowledge of the facts set forth herein or have knowledge of the facts set forth herein based on information and belief.

2. I respectfully submit this declaration in order to provide the Court with information regarding the sending of the Notice of an Additional Proposed Settlement of Class Action (the “Notice”) and the Proof of Claim and Release Form (the “Claim Form”) in connection with the above-captioned action (the “Action”).

3. All terms in initial capitalization used in this declaration shall have the same meanings as set forth in the Stipulation and Agreement of Settlement with UBS and the Court’s

June 26, 2018 Order Preliminarily Approving an Additional Settlement and the Related Plan of Distribution, and Approving the Manner and Forms for Notice (the “Notice Order”) (Dkt 669).

4. Paragraph 12 of the Notice Order provides that the Claims Administrator (Epiq), or UBS (to the extent required in Paragraph 15), was required to mail a copy of the Notice and Claim Form to all members of the Settlement Class who can be identified through reasonable effort.

5. Paragraph 15 of the Notice Order provides that, “Class Counsel shall seek to arrange reasonable alternative means of notification for reasonably identifiable counterparties of Defendants that are purported to be protected by foreign countries’ bank secrecy laws, data privacy laws, and/or similar confidentiality protections, such as notice being provided by a Defendant itself, or through the use of an agent with experience in providing notice in class actions.” Per this provision, and per its practice in connection with the Approved Settlements, UBS determined to provide notice of the Proposed Settlement directly to certain members of the Settlement Class in jurisdictions where applicable bank secrecy and data privacy laws prevent UBS from disclosing, among other things, their names and addresses to Class Counsel or the Claims Administrator (“Foreign Jurisdictions”). UBS identified potential members of the Settlement Class in Foreign Jurisdictions as those either: (a) having established their banking relationship with an UBS entity in a Foreign Jurisdiction; or (b) having established their banking relationship with a now-defunct or unidentifiable UBS entity, having a domicile in a Foreign Jurisdiction (together, “Foreign Potential Settlement Class Members”).

6. Using files provided by Class Counsel, the Claims Administrator, and/or available on the Claims Administrator’s dedicated settlement website for this Action, available at <https://www.isdafixantitrustsettlement.com>, a UBS entity printed copies of the Notice and Claim Form, as well as a brief cover letter in a form agreed to by Class Counsel and a slip sheet provided

by Class Counsel containing links to the settlement website with foreign language translations of the Notice and Claim Form (together, the “Notice Packet”), to send to Foreign Potential Settlement Class Members.

7. I am informed that, using the contact information found in the records of UBS entities, on or before September 4, 2018 (per the Court’s August 13, 2018 Order (Dkt. 675)), Notice Packets were mailed by UBS entities to approximately 501 Foreign Potential Settlement Class Members who established their banking relationship with UBS in the Asia-Pacific region.

8. I am informed that on or before September 4, 2018 (*see id.*), using the contact information found in the records of UBS entities, Notice Packets were mailed by a UBS entity to approximately 148 Foreign Potential Settlement Class Members who established their banking relationship with UBS in Switzerland.

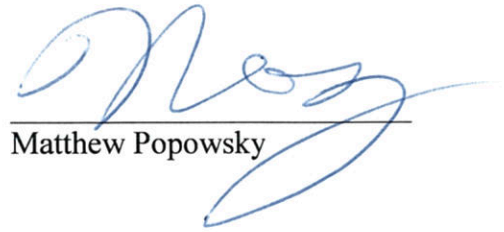
9. Due to bank secrecy and/or data privacy laws, UBS did not send a Notice Packet to former or dormant UBS clients whose banking relationship with UBS was established in a jurisdiction where applicable bank secrecy and data privacy laws prevented UBS from doing so. Additionally, no Notice Packet was mailed to Foreign Potential Settlement Class Members for whom no valid address information was available.

10. I am informed that, as of October 18, 2018, three (3) Notice Packets were returned as undeliverable to the individuals who are tracking the returned mail for UBS: 2 of the 501 Asia-Pacific mailings, and 1 of the 148 Switzerland mailings. UBS does not have updated contact information for these addressees. UBS will continue to record the number of Notice Packets sent to Foreign Potential Settlement Class Members that are returned to a UBS entity as undeliverable.

I declare under penalty of perjury under the laws of the United States of America that the

foregoing statements are true and correct.

Executed this 19th day of October, 2018 in New York, New York.



Matthew Popowsky

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

_____ X	
ALASKA ELECTRICAL PENSION FUND,	: Lead Case No. 14-cv-07126 (JMF)
et al.	: :
	: Consolidated Cases:
Plaintiffs,	: :
	: 14-cv-7907 (JMF)
vs.	: 14-cv-8342 (JMF)
	: 14-cv-8365 (JMF)
BANK OF AMERICA CORPORATION, et al.	: 14-cv-8576 (JMF)
	: :
Defendants.	: :
_____ X	

**SUPPLEMENTAL DECLARATION REGARDING
MAILING OF THE NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION**

I, AMANDA STERNBERG, declare as follows:

1. I am a Senior Project Manager at Garden City Group (“GCG”). My business address is 1201 Third Ave, Suite 500, Seattle, Washington 98101. I am familiar with, and have personal knowledge of, the matters stated in this Declaration and am competent to testify about them if called upon to do so.

2. I submit this supplemental declaration to provide the Court with updated information regarding, among other things, the mailing of the Notice of Proposed Settlement of Class Action (“Notice”) and the claim form (collectively referred to as the “Notice Packet”).

3. GCG was retained by counsel for Defendant Deutsche Bank AG (“Deutsche Bank”) to act as a notice administrator in connection with the proposed additional

settlement of the above-captioned actions to effect mailing of the Notice and Notice Packet to certain members of the Settlement Class, as described more fully below.¹

4. On September 21, 2018, Loree Kovach executed an original declaration (the “Mailing Declaration”) that was filed with the Court on September 28, 2018 (Dkt. No. 690), attesting, among other things, to the mailing of the Notice Packet.

UPDATE ON MAILING OF NOTICE

5. On August 9, 2018, counsel for Deutsche Bank provided GCG with a list of 400 unique names and addresses of identified potential Settlement Class Members.²

6. On or before August 15, 2018, GCG mailed copies of the Notice by first-class mail to 395 potential Settlement Class Members.³ This mailing was performed using the London-based facilities of Epiq.^{4,5}

¹ All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed to them in the Order Preliminarily Approving an Additional Settlement and the Related Plan of Distribution, and Approving the Manner and Forms for Notice, dated June 26, 2018 (the “Order”).

² I have been informed by counsel for Deutsche Bank that Deutsche Bank retained GCG to directly provide notice to these potential Settlement Class Members who entered into ISDAFix Instrument transactions with Deutsche Bank during the Settlement Class Period. I have further been informed by counsel for Deutsche Bank that Deutsche Bank provided the names of U.S.-based potential Settlement Class Members and potential Settlement Class Members who transacted with a U.S.-based Deutsche Bank entity to the Claims Administrator, which was retained by the Plaintiffs, but retained GCG to provide notice to potential Settlement Class Members who may be domiciled outside of the United States and transacted with a non-U.S.-based Deutsche Bank entity (the “Foreign Domiciliaries”), and whose names and addresses Deutsche Bank therefore preferred not to provide to the Claims Administrator.

³ Five entries did not contain valid address information, and notice by mail could not be effectuated to these entities.

⁴ In order to protect the privacy of the Foreign Domiciliaries, none of their data was saved or stored on any database or system within Epiq that is available to any Epiq employees administering the settlement on behalf of plaintiffs, or otherwise made available to any such employee.

⁵ GCG was acquired by Epiq on June 15, 2018.

7. The Notice requested any brokerage firms, swaps dealers or trustees receiving the Notice Packet, and through whom ISDAFix Instruments were traded during the Settlement Class Period for the benefit of others, to send the Notice and accompanying documents to the ultimate beneficiary(ies) or to provide a list of the names and addresses of the ultimate beneficiary(ies) to the Claims Administrator at the address listed in the Notice, so that the Claims Administrator may do so.

8. As a result of the efforts described above, as of September 7, 2018, GCG mailed a total of 395 Notices.

9. Since the Mailing Declaration was filed, GCG received one mailing returned as undeliverable, for which no alternative address could be found.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2018
New York, New York

By: 
Amanda Sternberg