

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

ANTONIO PAYERO and ADAM
MALDONADO, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

MATTRESS FIRM, INC. and GLOBAL
HOME IMPORTS, INC.,

Defendants.

Case No. 7:21-cv-03061-VLB

Hon. Vincent L. Briccetti

**SUPPLEMENTAL DECLARATION OF
TERESA Y. SUTOR OF RG/2 CLAIMS ADMINISTRATION LLC
IN SUPPORT OF FINAL APPROVAL OF SETTLEMENT**

I, Teresa Y. Sutor, hereby declare and state as follows:

1. I am a Project Manager of RG/2 Claims Administration LLC, the Settlement Administrator appointed in the above-captioned case, whose principal office is located at 30 South 17th Street, Philadelphia, PA 19103. I am over the age of 21 and am authorized to make this declaration on behalf of RG/2 and myself. The following statements are based on my personal knowledge and information provided by other experienced RG/2 employees working on this case. This declaration is being filed in support of the pending motion for final approval of the class action settlement in this matter.

2. RG/2 is a full-service class action settlement administrator that provides, among other things, notice, claims processing, allocation, distribution, tax reporting, and class action settlement consulting services. RG/2's experience includes the provision of notice and administration services for numerous settlements relating to antitrust, consumer fraud, civil rights, employment, negligent disclosure, and securities fraud class action lawsuits. Since 2000,

RG/2 has administered and distributed in excess of \$1.8 billion in class action settlement proceeds.

3. On June 12, 2023, RG/2 submitted a Declaration detailing the Notice process. This Supplemental Declaration is provided to update information regarding claims received, undeliverable Notices and objections.

4. On June 30, 2023, RG/2 submitted a Supplemental Declaration updating the Notice process and detailing the Claims received and processed to June 30, 2023.

5. On August 4, 2023, RG/2 submitted a Supplemental Declaration detailing the claims, objections and exclusions filed to August 4, 2023.

6. RG/2 created a dedicated Settlement website entitled www.bedtechsettlement.com (the "Settlement Website"). The Settlement Website "went live" on May 31, 2023, and contains details of the Settlement, all related court documents, the time and date of the Final Approval Hearing, copies of the Notices, and allows Settlement Class members an opportunity to file a Claim Form online. As of August 15, 2023, the website has received 11,252 unique visits.

6. As of August 15, 2023, RG/2 has received 3,438 of the mailed Postcard Notices returned as undeliverable by the USPS. Of the 3,438 returned notices, 124 Postcard Notices were returned with forwarding addresses for the Settlement Class Members, and a new Postcard Notice was promptly re-mailed to those Settlement Class Members. Through standard skip-tracing procedures, RG/2 mailed new Postcard Notices to 2,044 Settlement Class Members for whom updated addresses were located.

7. Settlement Class Members had the right to exclude themselves from the Settlement. Their request must have been postmarked by May 4, 2023. As of August 15, 2023, RG/2 has received 4 timely filed requests for exclusion submissions.

8. Settlement Class Members had the right to object to the Settlement and file their objection with the Court by May 4, 2023. To date, and to RG/2's knowledge, no timely objections have been filed with the Court.

9. The Notice advised Class Members that they had until August 4, 2023 to either submit a claim through the claims portal or have their mailed Claim Form postmarked on or before August 4, 2023. Through August 15 2023, RG/2 has received a total of 899 paper and electronic Claims. As of the filing of this Supplemental Declaration, claims are still being reviewed for validity, and additional paper claims with timely postmarks are still being received.

10. Of the 899 claims received to date, 474 claims filed for the Gift Card Award and 390 claims filed for the Cash Award. 35 of the claims received have no option selected or are unclear and require clarification from the claimant. Deficiency letters have been sent to the Class Members to select an award type.

11. RG/2 is currently communicating and working with Class Members who submitted either deficient or denied claims, and making final determinations of the claims filed; thus, the final claims value is not yet known.

I declare under penalty of perjury under the laws of Pennsylvania that the foregoing is true and correct to the best of my knowledge and that this Supplemental Declaration was executed on August 15, 2023 in Philadelphia, PA.

Teresa Y. Sutor

TERESA Y. SUTOR