

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE**

-----X
TRS RECOVERY SERVICES, INC., and MDL 2426
TELECHECK SERVICES, INC., Fair Master File Civ. No. 2:13-md-2426-DBH
Debt Collections Practices Act (FDCPA)
Litigation
-----X

**DECLARATION OF LORI L. CASTANEDA CONCERNING DISTRIBUTION OF
SETTLEMENT FUNDS**

I, Lori L. Castaneda, declare as follows:

1. I am Vice President, Operations of Garden City Group, LLC (“GCG”). The following statements are based on my personal knowledge and information provided by other knowledgeable GCG employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

2. As noted in my December 29, 2015 Declaration Concerning Class Member Notification Program, No. 2:13-md-2426-DBH (ECF No. 122), GCG was appointed as the Settlement Administrator pursuant to Section 1.1.u. of the Agreement of Compromise and Settlement (the “Settlement Agreement”).

FUNDS DISTRIBUTION

3. On February 11, 2016, the Court issued the Final Judgment and Order of Dismissal (the “Final Order”). Pursuant to paragraph 3 on page 5 of the Final Order, GCG was instructed to distribute funds to Settlement Class Members in accordance with the Settlement Agreement.

4. After reviewing all submitted claim forms, GCG determined 39,313 claims to be valid and eligible under the terms of the Settlement. In accordance with the Settlement Agreement and the Final Order, on May 12, 2016, GCG distributed 39,313 checks, totaling

1 \$1,896,276.46, to Settlement Class Members. The checks were issued with a 90 day stale date.

2 5. As of the date of this Declaration, 34,207 checks totaling \$1,677,501.02 have
3 been cashed. In addition, 584 checks totaling \$24,065.40 have been returned as undeliverable by
4 the U.S. Post Office without any forwarding address information. There are 4,522 checks
5 totaling \$194,710.04 that are uncashed and have not been returned by the U.S. Post Office.

6 6. Of the 4,522 checks that are uncashed and have not been returned by the U.S. Post
7 Office as undeliverable, all checks but six (6) checks are stale. These negotiable checks total
8 \$279.50. All checks will be stale on November 27, 2016.

9 7. Pursuant to Section 4.15 of the Settlement Agreement, GCG will begin preparing
10 a *cy pres* donation once all checks have become stale. Pending approval by the Court, 85% of the
11 *cy pres* donation is designated to be distributed to the National Endowment for Financial
12 Education and 15% is designated to be distributed to Pine Tree Legal Assistance, Inc.

13
14 I declare under the penalty of perjury that the foregoing is true and correct.

15
16 Executed on September 28, 2016 at Seattle, Washington.

17
18 

19
20 LORI L. CASTANEDA