

EXHIBIT A

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

SHANA GUDGEL and CRAIG WOOLARD,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

-against-

REYNOLDS CONSUMER PRODUCTS,
INC. and REYNOLDS CONSUMER
PRODUCTS, LLC,

Defendant.

Case No. 23LA00000486

**SUPPLEMENTAL DECLARATION OF CAMERON R. AZARI, ESQ REGARDING
IMPLEMENTATION AND ADEQUACY OF NOTICE PLAN**

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 have served as an expert in hundreds of federal and state cases involving class action notice plans.

3. I am a Senior Vice President of Epiq Class Action and Claims Solutions, Inc. (“Epiq”) and the Director of Legal Notice for Hilsoft Notifications, a firm that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. Hilsoft Notifications is a business unit of Epiq.

4. This declaration provides updated settlement administration statistics following the successful implementation of the Notice Plan (“Notice Plan”) and notices (“Notices”) for *Gudgel et al. v. Reynolds Consumer Products, Inc. et al.*, Case No. 23LA00000486, in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. I previously executed my *Declaration of Cameron R. Azari, Esq. Regarding Notice Plan*, on August 10, 2023, which described the Notice

Plan, 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, I executed my *Declaration of Cameron R. Azari, Esq. Regarding Implementation and Adequacy of Notice Plan* (“Implementation Declaration”) on October 10, 2023, which described the successful implementation of the Notice Plan and provided settlement administration statistics.

5. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq.

NOTICE PLANNING METHODOLOGY

6. Illinois Code of Civil Procedure Sec. 2-803 states, “Upon a determination that an action may be maintained as a class action, or at any time during the conduct of the action, the court in its discretion may order such notice that it deems necessary to protect the interests of the class and the parties.”¹ The Notice Plan satisfied this requirement by providing the best notice practicable with a digital/internet notice program (digital notice and social media).

7. As detailed in my Implementation Declaration, the Notice Plan reached the greatest practicable number of Settlement Class Members, reaching approximately 70% of the class with a digital/internet notice program (digital notice and social media). The reach was enhanced further by internet sponsored search listings, an informational release, and a Settlement Website, which were not included in the reach calculation. In my experience, the reach of the Notice Plan was consistent with other court-approved notice plans, was the best notice practicable under the circumstances of this case, and was designed to satisfy the requirements of due process, including its “desire to actually inform” requirement.²

¹ 735 ILCS 5/2-803.

² *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950) (“But when notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected . . .”).

NOTICE PLAN IMPLEMENTATION

Media Plan Summary

8. The Media Plan included various forms of notice including a digital/internet notice program (digital notice and social media), internet sponsored search listings, and an informational release. The combined measurable reach of the overall Notice Plan, including a comprehensive Media Plan (accounting for digital notice and social media only) is approximately 70% of Adults, Aged 18+ in the United States who recycle, and an average of 2.9 times each. This encompasses both Hefty branded and Great Value branded recycling bags and anyone who may have used the recycling bags at some point but is no longer using them. “Reach” refers to the estimated percentage of the unduplicated audience exposed to the notice. “Frequency,” in contrast, refers to how many times, on average, each member of the target audience had the opportunity to view the notice. The reach was enhanced further by internet sponsored search listings, an informational release, and a Settlement Website.

Internet Digital Notice Campaign

9. As detailed in my Implementation Declaration, the Notice Plan included targeted Digital Notice advertising on the selected advertising networks *Google Display Network* and the *Yahoo Audience Network*, which together represent thousands of digital properties across all major content categories. The Digital Notices were targeted to selected target audiences and were designed to encourage participation by Settlement Class Members—which linked directly to the Settlement Website, allowing visitors easy access to relevant information and documents. Consistent with best practices, the Digital Notices used language from the notice headline, which allowed users to identify themselves as potential members of the Settlement Class. The Digital Notices were also placed on the social media sites *Facebook* and *Instagram*.

10. The Digital Notices were distributed to a variety of target audiences, including those relevant to individuals’ demonstrated interests and/or likes. All Digital Notices appeared on desktop, mobile, and tablet devices. Digital Notices on *Google Display Network* and the *Yahoo Audience Network*, *Facebook*, and *Instagram* were targeted nationwide to reach Settlement Class

Members. Digital Notices were also targeted (remarketed) to people who clicked on a Digital Notice.

11. Details regarding the target audiences, distribution, and specific ad size of the Digital Notices and the number of delivered impressions are included in the following table.

<i>Network/Property</i>	<i>Target</i>	<i>Ad Size</i>	<i>Delivered Impressions</i>
<i>Google Display Network</i>	Adults 18+	728x90, 300x250, 300x600 & 970x250	44,374,703
<i>Google Display Network</i>	Adults 18+ and Custom Affinity ³ for Hefty recycling bags, Great Value recycling bags, recycling and/or Walmart	728x90, 300x250, 300x600 & 970x250	76,562,316
<i>Google Display Network</i>	Adults 18+ and Custom Intent ⁴ for Hefty recycling bags and/or Great Value recycling bags	728x90, 300x250, 300x600 & 970x250	34,771,339
<i>Yahoo Audience Network</i>	Adults 18+ with a focus on household products and Walmart shoppers	728x90, 300x250, 300x600 & 970x250	38,098,659
<i>Facebook</i>	Adults 18+	Newsfeed & Right Hand Column	50,523,554
<i>Facebook</i>	Adults 18+ with interest in Hefty, recycling and/or Walmart	Newsfeed & Right Hand Column	72,972,154
<i>Instagram</i>	Adults 18+	Newsfeed	20,488,834
<i>Instagram</i>	Adults 18+ with interest in Hefty, recycling and/or Walmart	Newsfeed	36,693,690
TOTAL			374,485,249

12. Combined, more than 374.4 million impressions were generated by the Digital Notices.⁵ The internet advertising campaign ran from September 14, 2023, through October 25,

³ Custom Affinity Audiences allow Digital Notices to be targeted to specific websites, keywords, and/or content that our target may be viewing.

⁴ Custom Intent Audiences allow Digital Notices to be targeted to specific individuals who have searched and/or researched Hefty or Great Value recycling bags.

⁵ The third-party ad management platform, ClickCease, is being used to audit digital Banner Notice ad placements. This type of platform tracks all Banner Notice ad clicks to provide real-time ad monitoring, fraud traffic analysis, blocks clicks from fraudulent sources, and quarantines dangerous IP addresses. This helps reduce wasted, fraudulent or otherwise invalid traffic (e.g., ads being seen by ‘bots’ or non-humans, ads not being viewable, etc.).

2023. Clicking on the Digital Notices linked the readers to the Settlement Website, where the readers could easily obtain detailed information about the case.

Sponsored Search Listings

13. As detailed in my Implementation Declaration, sponsored search listings were acquired on the three most highly visited internet search engines: *Google, Yahoo!* and *Bing*. The sponsored search listings were available nationwide. All sponsored search listings linked directly to the Settlement Website.

14. The sponsored search listings began on September 14, 2023, and will run through December 13, 2023. As of October 26, 2023, the sponsored listings have been displayed 24,827 times, which resulted in 1,265 clicks that displayed the Settlement Website.

Informational Release

15. As detailed in my Implementation Declaration, on September 14, 2023, a party-neutral Informational Release (in both English and Spanish) was issued nationwide over *PR Newswire* to approximately 5,000 general media (print and broadcast) outlets, including local and national newspapers, magazines, national wire services, television and radio broadcast media across the United States as well as approximately 4,500 websites, online databases, internet networks, and social networking media.

Settlement Website

16. The Settlement Website (www.RecyclingBagSettlement.com) continues to be available 24 hours per day, 7 days per week. Relevant documents are posted on the Settlement Website, including the Long Form Notice (English and Spanish), the Settlement Agreement, Preliminary Approval Order, Complaint, Claim Form (English and Spanish), Exclusion Form (English and Spanish), and the Product List. The Settlement Website also provides the ability for Settlement Class Members to file an online Claim Form. In addition, the Settlement Website includes relevant dates, such as the Final Approval Hearing, claim filing deadline, and exclusion request deadline, and answers to frequently asked questions (“FAQs”), instructions for how Settlement Class Members could opt-out (request exclusion) from or object to the Settlement prior

to the deadline, contact information for the Claim Administrator, and how to obtain other case-related information. As of October 27, 2023, there have been 827,018 unique visitor sessions to the case website, and 3,021,124 web pages have been presented.

Toll-Free Telephone Number

17. The toll-free telephone number (1-877-272-3437) established for the Settlement continues to allow callers to hear an introductory message and also have the option to learn more about the Settlement in the form of recorded answers to FAQs, and to request that a Claim Package (Long Form Notice and Claim Form) in English or Spanish be mailed to them. The automated telephone system continues to be available 24 hours per day, 7 days per week. As of October 27, 2023, there have been 186 calls to the toll-free telephone number, representing 335 minutes of use.

18. As detailed in my Implementation Declaration, a Claim Package (Long Form Notice and Claim Form) in English or Spanish were mailed to all persons who request one via the toll-free telephone number or other means. As of October 27, 2023, Epiq has mailed 79 Claim Packages as a result of such requests.

19. A postal mailing address continues to be available to allow Settlement Class Members the opportunity to request additional information or ask questions.

Requests for Exclusion

20. The deadline to request exclusions from the Settlement or to object to the Settlement was October 25, 2023. As of October 27, 2023, Epiq has received one request for exclusion. The Exclusion Report is included as **Attachment 1**. As of October 27, 2023, I am aware of no objections to the Settlement.

Claim Submission

21. The deadline for Settlement Class Members to file a Claim Form is December 13, 2023. As of October 27, 2023, Epiq has received 787,992 Claim Forms (787,799 online and 193 paper). Since the claim filing deadline has not yet passed, these numbers are preliminary. As standard practice, Epiq is in the process of conducting a complete review and audit of all Claim

Forms received. There is a likelihood that after detailed review, the total number of Claim Forms received will change due to duplicate and denied Claim Forms.

COSTS OF NOTICE AND ADMINISTRATION

22. To date, Epiq has invoiced \$234,894.83 to provide notice and settlement administration services (this amount includes \$164,256.00 for implementing the media notice efforts and \$70,638.83 for activities related to settlement administration, claims processing, etc.). Additional costs will be incurred as Epiq continues to complete the settlement administration. All costs are subject to the Service Contract under which Epiq is retained as the Claims Administrator, and the terms and conditions of that agreement.

CONCLUSION

23. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by state and local rules and statutes, and further by case law pertaining to notice. This framework directs that the notice plan be optimized to reach the greatest practicable number of potential class members and, that the notice or notice plan provide class members with easy access to the details of how the class action may impact their rights. All of these requirements were met in this case.

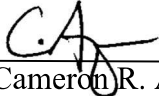
24. The Notice Plan reached approximately 70% of the Settlement Class Members with a digital/internet notice program (digital notice and social media). The reach was further enhanced by internet sponsored search listings, an informational release, and a Settlement Website, which were not included in the reach calculation. The Notice Plan was nationwide. The Federal Judicial Center's ("FJC's") Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide, which is relied upon for federal cases, states that, "the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a

high percentage of the class. It is reasonable to reach between 70–95%.”⁶ Here, we have developed and implemented a Notice Plan that readily achieved a reach within that standard.

25. The Notice Plan provided the best notice practicable under the circumstances of this case, conformed to all aspects of Illinois Code of Civil Procedure Sec. 2-803, comported with the guidance for effective notice articulated in the Manual for Complex Litigation 4th Ed and FJC guidance, and met the requirements of due process, including its “desire to actually inform” requirement.

26. The Notice Plan schedule afforded enough time to provide full and proper notice to the Settlement Class Members before any opt-out deadline.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 30, 2023.



Cameron R. Azari, Esq.

⁶ FED. JUDICIAL CTR, JUDGES’ CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-and-claims-process-checklist-and-plain-language-guide-0>.

Attachment 1



Exclusion Report

Gudgel v Reynolds Consumer Products

Number	First Name	Middle	Last Name
1	Tara	L	James