

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KARLA MAREE and MOURAD GUERDAD, on
behalf of themselves and all others similarly situated,

Plaintiffs,

v.

DEUTSCHE LUFTHANSA AG, a
German public limited company,

Defendant.

C.A. No. 20-1548-RGA

**DECLARATION OF DANA BOUB
REGARDING NOTICE TO THE CLASS**

I, Dana Boub, hereby declare and state as follows:

1. I am a Project Manager of Claims Administration for RG/2 Claims Administration LLC (“RG/2”), whose address is 30 South 17th Street, Philadelphia, PA 19103. I am over the age of 18, have personal knowledge of the matters set forth herein, and if called upon to do so, could testify competently to them.

2. In my role as Project Manager of Claims Administration, I oversaw the notice program set forth below, regarding the Notice Plan, and am fully familiar with the facts contained herein.

3. RG/2 is an experienced and full-service class action settlement administrator offering 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 settlements arising from antitrust, consumer fraud, civil rights, employment, negligent disclosure, and securities fraud allegations. Since 2000, RG/2 has administered and distributed in excess of \$1.8 billion in class action settlement proceeds. The executive profiles and the company overview are available at www.rg2claims.com.

4. The purpose of this declaration is to provide the Court with a summary of the work RG/2 performed related to the Notice Program.

5. As approved in the Court's Order granting Preliminary Approval dated January 9, 2023, the Parties agreed to have RG/2 be responsible for: Publications; mailing of the Notice; Processing claim forms received and; processing any requests for exclusion received. Subsequent to this Order, RG/2 has performed the services detailed below.

6. As required by the Class Action Fairness Act ("CAFA"), on August 26, 2022, RG/2 caused to be served by Federal Express or Certified Return Receipt Requested First-Class mail, where applicable, a Notice of Proposed Settlement to the United States Attorney General and the Attorneys General of all 50 states, the District of Columbia, and the five U.S. territories. A copy of the CAFA Notice, without enclosures, is attached hereto as **Exhibit A**.

7. No state or federal officials have responded to the CAFA Notice or provided any comments to RG/2 regarding the Settlement.

8. On February 15, 2023, RG/2 Claims received from Defendants' counsel the notice database, an electronically searchable and readable file containing the names and last known contact information for the individuals identified as Class Members. In order to locate the most recent addresses for Class Members, RG/2 Claims ran the Class List of mailing addresses only of 4,663 through the United States Postal Service's National Change of Address database ("NCOA") and updated the Class List with any new addresses received.

9. On March 10, 2023, RG/2 arranged for a Notice Postcard to be mailed to 4,663 potential Class Members. A copy of the Notice Postcard is attached hereto as **Exhibit B**. The Notice was also emailed to 112,201 potential Class Members for whom an email address was provided. A copy of the Email Notice is attached hereto as **Exhibit C**

10. Subsequent to emailing the Email Notice to 112,201 potential Class members, 11,012 Notice Postcards were mailed to valid addresses for those Class Members.

11. Subsequent to mailing the Postcard Notice to Class Members 1,345 Notice Postcards were returned by the U.S. Postal Service as undeliverable. RG/2 performed a standard skip-trace procedure and re-mailed 638 Postcard Notices for whom an updated address was located.

12. RG/2 delivered notice by email successfully to 90,528 class members, a delivery rate of (81%). Notice was delivered by postcard notice to an additional 15,675 Class Members, a delivery rate of 98%. In total, direct notice reached approximately 106,203 Class Members.

13. On March 13, 2023, RG/2 arranged for a Media campaign that included paid search on Google and Bing, the Google Display Network, Facebook/Instagram and YouTube. The campaign ran through April 9, 2023. Overall, the digital media campaign resulted in 8,593,820 million online impressions targeting the class demographic.

14. On March 14, 2023, RG/2 arranged for a Press Release in the Global News Wire which was viewed a total of 6,592 times. A copy of the Press Release is attached hereto as **Exhibit D**.

15. In total, the direct notice, the digital notice campaign and the settlement press release was delivered and/or viewed a total of 8,706,615 times. In total, the direct notice, the digital notice campaign and the settlement press release was delivered and/or viewed a total of 8,706,615 times. The combined notice campaign across multiple platforms reached over 75% of the Class and is consistent with the Federal Judicial Center's 2010 Judges' Class Action Notice and Claims Process Checklist And Plain Language Guide.

16. The Settlement website, **www.cancelledflightsettlement.com**, was created by RG/2 Claims and (*i.e.*, Homepage, Court Documents, etc.) went live on March 13, 2023. The website allowed potential Class Members to obtain information regarding the Settlement. The Settlement website consists of a Homepage, a Notice page, a Claim Form

Filings page, a Court Documents page and a Contact Information page.

17. The settlement website “Contact Information” page provides a contact email address “cancelledflightsettlement@rg2claims.com” and the following toll free hotline: 1-(888)-290-8313. The hotline is accessible 24 hours a day, 7 days a week. To date, RG/2 has received 132 emails and 393 phone calls.

18. The Notice advised Class Members of their right to exclude themselves from the Settlement, provided that their request be postmarked and received by May 15, 2023. An extension was granted and the deadline for Class Members to exclude themselves from the Settlement changed to June 8, 2023. To date, RG/2 has received eleven (11) total Requests for Exclusion from the Settlement from the following Class Members, Jana Berntgen, Marina Buzuk, Anthony Castanares, Ryan Geoffrey Croker, John Pierre Grzeschick, Melrose Harden, Marcelo Marchetti, Dean Puskarich, Irena Puskarich, Sonia Puskarich, and Kristin Sullivan

19. The Notice advised Class Members of their right to object to the Settlement, provided that their objection be postmarked and received by May 15, 2023. An extension was granted and the deadline for Class Members to object to the Settlement changed to June 8, 2023. To date, RG/2 has not received or been notified of any objections to the Settlement.

20. Class members have until June 8, 2023 to either submit a claim through the claims portal or have their mailed Claim Form postmarked. To date, RG/2 has received 20,505 claims. Of the 20,505 claims filed, 17,712 selected the Cash Option, 1,894 selected the Voucher Option, 899 indicate that they have Open Tickets and would like to obtain a refund. RG/2 is still in the process of conducting a review of the filed claims to determine their validity and whether any claims have curable deficiencies that are appropriate for remediation.

21. On April 28, 2023, RG/2 arranged for email reminders with extended deadlines be sent to 89,164 valid email addresses.

22. On May 5 2023, RG/2 arranged for the mailing of reminder postcards with extended deadlines to 15,496 valid mailing addresses.

23. On May 24 2023, RG/2 received an additional potential Class member spreadsheet containing 934 email addresses. On May 25, 2023, RG/2 arranged for the emailing of the Notice with extended deadlines to the 934 additional email addresses provided.

24. To date, RG/2's incurred costs to date are \$118,308 and our estimated cost to complete the settlement administration are approximately \$64,000.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on June 5, 2023 at Philadelphia, Pennsylvania

A handwritten signature in cursive script, reading "Dana Boub", is written over a solid horizontal line.

Dana Boub, Declarant

EXHIBIT A



DLA Piper LLP (US)
401 B Street, Suite 1700
San Diego, California 92101-4297
www.dlapiper.com

Christopher M. Young
christopher.young@dlapiper.com
T 619.699.2700
F 619.699.2701

August 26, 2021

VIA «Via_Mail»

«First» «Last», Esq.

«Title»

«Street_1»

«Street2»

«City», «State1» «Zip»

**Re: *Karla Maree et al. v. Deutsche Lufthansa AG*
Case No. 8:20-cv-00885-MWF-MRW (C.D. Cal.)
Notice of Class Action Settlement under 28 U.S.C. § 1715**

Dear Attorney General:

Notice of Class Action Settlement

We are writing to you on behalf of Deutsche Lufthansa AG (“Lufthansa”), the defendant in *Karla Maree et al. v. Deutsche Lufthansa AG*, No. 8:20-cv-00885-MWF-MRW (C.D. Cal.) (the “*Maree* Litigation”), to provide notice of a proposed class action settlement filed with the Court on August 16, 2021. This proposed settlement is subject to the Class Action Fairness Act of 2005, 28 U.S.C. § 1711 et seq. (“CAFA”), and this letter constitutes the notice that must be sent to the appropriate federal and state officials pursuant to Section 1715(b) of CAFA.

The proposed settlement resolves the *Maree* Litigation, which Ms. Karla Maree and Mourad Guerdad brought on behalf of a putative class of purchasers of flights operated by Lufthansa.¹ They allege that Lufthansa breached its General Conditions of Carriage (“GCC”) by failing to refund customers at all or failing to refund them within a reasonable time for flights cancelled by Lufthansa due to Covid-19.

Lufthansa denies that it did anything wrong, denies each and every one of the plaintiffs’ allegations of wrongful conduct and damages, asserted numerous defenses, and disclaims any wrongdoing or liability whatsoever. Lufthansa maintains that it did not breach the GCC, and regardless, it issued refunds within

¹ The proposed Settlement Class is comprised of: all residents of the United States who purchased a flight on Lufthansa scheduled to operate to or from the United States from January 1, 2020 to the Class Notice Date whose flights were cancelled by Lufthansa.



Attorney General
August 26, 2021
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a reasonable amount of time particularly in light of the Covid-19 pandemic. Nevertheless, Lufthansa has agreed to settle the *Maree* Litigation solely to avoid the cost, delay, and uncertainty of further litigation.

Settlement Consideration

The proposed settlement provides the Settlement Class with economic consideration.

Settlement Class Members² who have received a refund from Lufthansa shall have the option to submit a Claim Form electing either: (1) the Cash Option: \$10 per person; or (2) the Voucher Option: a voucher for future travel on Lufthansa in the amount of \$45.

Settlement Class Members who have not received a refund, but are entitled to one, will be reminded through the Notice Plan that they are eligible to receive a refund and provided the option to request a refund, with one percent interest, on the Claim Form. Upon submission of a Valid Claim, Lufthansa will pay them: (1) the full amount of their refund, and (2) an additional payment of one percent (1%) of the refund due (the “Interest Payment”). Settlement Class Members who have not received a refund from Lufthansa and do not fill out a Claim Form in a timely fashion, will not release their claims for a refund. Rather, they may still later request a refund from Lufthansa, but without interest; whether that refund will be paid will depend on the circumstances of the flight, its fare rules, and the time that has passed since the flight was cancelled.

Lufthansa has agreed to pay the value of all Valid Claims made for Cash Options, Voucher Options, and Interest Payments up to a maximum capped dollar amount of \$3,500,000.00, minus attorneys’ fees, expenses, and costs to be awarded, any service awards to be awarded to the Plaintiffs, and any Claims Administration Expenses (the “Net Claim Amount”). If, however, the claims submitted for the Cash Option, Voucher Option, and Interest Payments exceed the Net Claim Amount, these payments will be reduced pro rata. The refunds provided to those Settlement Class Members who request a refund and submit a Claim Form do not count against the maximum capped dollar amount and shall be paid separately by Lufthansa.

Section 1715(b) Information

Pursuant to Section 1715(b), Lufthansa provides the following information regarding the proposed settlement of this class action:

1. A copy of the original Complaint, filed on May 12, 2020 and attached hereto as Exhibit 1.

² Capitalized terms not otherwise defined herein have the meaning ascribed to them in the Settlement Agreement.



Attorney General
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Page Three

2. A copy of the First Amended Complaint, filed on July 31, 2020 and attached hereto as Exhibit 2.
3. A copy of the Second Amended Complaint, filed on October 21, 2020 and attached hereto as Exhibit 3.
4. A copy of the Third Amended Complaint, filed on August 12, 2021 and attached hereto as Exhibit 4.
5. Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Proposed Settlement, attaching a supporting memorandum with exhibits, including the Settlement Agreement and proposed plan of notification to the Settlement Class Members, attached hereto as Exhibit 5. The proposed plan of notification informs the Settlement Class Members of their right to request exclusion from the class action.
6. The Preliminary Approval hearing has not yet been set.
7. The parties estimate that there are approximately 166,360 Settlement Class Members in total. For some Settlement Class Members, Lufthansa possesses: (a) no contact information; (b) contact information only in the form of e-mail addresses, as opposed to physical addresses; or (c) multiple physical addresses that may have conflicting states of residence. As a result, it is not feasible to provide the names of all Settlement Class Members who reside in each state. A chart listing the number of Settlement Class Members that Lufthansa estimates likely reside in each state is attached hereto as Exhibit 6.

The Court's full docket and case information is publicly available on the PACER system at <https://pacer.gov>. The Settlement Claims Administrator will also maintain a settlement website, www.cancelledflightsettlement.com, which will be operational shortly and will contain updated materials pertinent to the settlement and the Court approval process.

Very truly yours,

DLA PIPER LLP (US)

/s/ _____
Christopher M. Young
Keara M. Gordon
Colleen Carey Gulliver

Attorneys for Defendant Deutsche Lufthansa AG

EXHIBIT B

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
Maree et al. v. Deutsche Lufthansa AG, 8:20-cv-00885-MWF-MRW

If you purchased a flight on Lufthansa scheduled to fly to or from the United States between January 1, 2020 and August 16, 2021 and your flight was cancelled by Lufthansa, you may be eligible for benefits from a class action settlement.

A federal court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

A Settlement has been reached in a class action lawsuit. In the lawsuit, Plaintiffs allege Deutsche Lufthansa AG (“Lufthansa”) breached its General Conditions of Carriage (“GCC”) by failing to refund them for cancelled flights at all or within a reasonable amount of time. Lufthansa maintains that it did not breach the GCC, that it did provide refunds within a reasonable amount of time particularly given Covid-19’s impact on Lufthansa’s operations and the airline industry generally, and it denies that it did anything wrong. The Court has not decided who is right. Instead, the Parties agreed to a Settlement. Defined terms (with initial capitals) used herein and not otherwise defined have the same meaning as set forth in the Settlement Agreement.

Who is included? You received this Summary Notice because Lufthansa’s records indicate that you may be a Settlement Class Member. The Settlement Class includes all United States residents who purchased tickets for travel on a Lufthansa flight scheduled to operate to or from the United States between January 1, 2020 and the Date of Notice whose flights were cancelled by Lufthansa.

What are the Settlement Terms? Under the Settlement, Settlement Class Members who have already received a refund from Lufthansa and who submit a Claim Form will have the option to elect either (1) the Cash Option: \$10 per person, or (2) the Voucher Option: a Voucher for future travel on Lufthansa, Swiss International Airlines, Austrian Airlines, or Brussels Airlines in the amount of \$45. Settlement Class Members who have not, to date, received a refund (but are entitled to one) can request a refund on the Claim Form and, upon submission of a Valid Claim, Lufthansa will pay (i) the full amount of the refund, and (ii) an additional Interest Payment of one percent (1%) of the refund. Settlement Class Members may submit a Claim Form through the mail or at cancelledflightsettlement.com.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself or “opt out” by May 15, 2023. If you do not opt out, you will release Claims that were or could have been made against Lufthansa related to this case. If you stay in the Settlement, you may object to it by May 15, 2023. The Long Form Notice on the website explains how to opt out or object. The Court has scheduled a hearing on June 5, 2023 to consider whether to approve the Settlement. You can appear at the hearing, but you do not have to do so. More information, including the Long Form Notice and information about attorneys’ fees being sought, is available at the website and the toll-free number below.

www.cancelledflightsettlement.com 1-888-290-8313

Cancelled Flight Settlement
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479

Class Member Identifier: Barcode
<<Claimant Name>>
<<Addr1>>
<<Addr2>>
<<City>> <<State>> <<ZIP>>

EXHIBIT C

Email Notice

Subject Line: Cancelled Flight Settlement - Maree et al. v. Deutsche Lufthansa AG

To: **Name**

Class Member Identifier: **Barcode**

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
Maree et al. v. Deutsche Lufthansa AG, 8:20-cv-00885-MWF-MRW

If you purchased a flight on Lufthansa scheduled to fly to or from the United States between January 1, 2020 and August 16, 2021 and your flight was cancelled by Lufthansa, you may be eligible for benefits from a class action settlement.

A federal court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

A Settlement has been reached in a class action lawsuit. In the lawsuit, Plaintiffs allege Deutsche Lufthansa AG (“Lufthansa”) breached its General Conditions of Carriage (“GCC”) by failing to refund them for cancelled flights at all or within a reasonable amount of time. Lufthansa maintains that it did not breach the GCC, that it did provide refunds within a reasonable amount of time particularly given Covid-19’s impact on Lufthansa’s operations and the airline industry generally, and it denies that it did anything wrong. The Court has not decided who is right. Instead, the Parties agreed to a Settlement. Defined terms (with initial capitals) used herein and not otherwise defined have the same meaning as set forth in the Settlement Agreement.

Who is included? You received this Summary Notice because Lufthansa’s records indicate that you may be a Settlement Class Member. The Settlement Class includes all United States residents who purchased tickets for travel on a Lufthansa flight scheduled to operate to or from the United States between January 1, 2020 and August 16, 2021 whose flights were cancelled by Lufthansa.

What are the Settlement Terms? Under the Settlement, Settlement Class Members who have already received a refund from Lufthansa and who submit a Claim Form will have the option to elect either (1) the Cash Option: \$10 per person, or (2) the Voucher Option: a Voucher for future travel on Lufthansa, Swiss International Airlines, Austrian Airlines, or Brussels Airlines in the amount of \$45. Settlement Class Members who have not, to date, received a refund (but are entitled to one) can request a refund on the Claim Form and, upon submission of a Valid Claim, Lufthansa will pay (i) the full amount of the refund, and (ii) an additional Interest Payment of one percent (1%) of the refund. Settlement Class Members may submit a Claim Form through the mail or at cancelledflightsettlement.com.

To Submit a Claim Form please click [here](#).

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself or “opt out” by May 15, 2023. If you do not opt out, you will release Claims that were or could have been made against Lufthansa related to this case. If you stay in the Settlement, you may object to it by May 15, 2023. The Long Form Notice on the website explains how to opt out or object. The Court has scheduled a hearing on June 5, 2023 to consider whether to approve the Settlement. You can appear at the hearing, but you do not have to do so. More information, including the Long Form Notice and information about attorneys’ fees being sought, is available at the website and the toll-free number below.

www.cancelleflightsettlement.com 1-888-290-8313

EXHIBIT D

RG2 Claims Administration, LLC Announces Class Action Settlement on Behalf of Lufthansa Customers whose Flight was Cancelled Due to the Pandemic

Your publication date and time will appear here. | Source: [RG/2 Claims Administration LLC](#)

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA|
*Karla Maree et al. v. Deutsche Lufthansa AG, Case No. 8:20-cv-00885-MWF-MRW***

If you purchased tickets for travel on a Lufthansa flight scheduled to fly to or from the United States between January 1, 2020 and August 16, 2021 and your flight was cancelled by Lufthansa, you may be entitled for benefits from a class action settlement.

PHILADELPHIA, March 14, 2023 (GLOBE NEWSWIRE) --

- A Settlement has been reached in a class action lawsuit. In the lawsuit, Plaintiffs allege that Deutsche Lufthansa AG (“Lufthansa”) breached its General Conditions of Carriage (“GCC”) by failing to refund them for flights cancelled due to Covid-19 at all or within a reasonable amount of time. Lufthansa maintains that it did not breach the GCC, that it did provide refunds within a reasonable amount of time particularly given Covid-19’s impact on Lufthansa’s operations and the airline industry generally, and it denies that it did anything wrong. The United States District Court for the Central District of California, which is overseeing this lawsuit, has not decided who is right. Instead, the parties agreed to a compromise.
- The Settlement only impacts you if you are a Settlement Class Member. A Settlement Class Member is a United States resident who purchased tickets for travel on a Lufthansa flight scheduled to operate to or from the United States between January 1, 2020 and August 16, 2021 and whose flights were cancelled by Lufthansa (the “Settlement Class”). Settlement Class Members consist of two categories of individuals: (1) Settlement Class Members who have received refunds from Lufthansa for Qualifying Flights; and (2) Settlement Class Members who have not, to date, received a refund for Qualifying Flights.
- Under the Settlement, Settlement Class Members who have already received a refund from Lufthansa and who submit a Claim Form will have the option to elect either (1) the Cash Option: \$10, or (2) the Voucher Option: a Voucher for future travel with Lufthansa, Swiss International Airlines, Austrian Airlines, or Brussels Airlines in the amount of \$45. Settlement Class Members who have not, to date, received a refund (but are entitled to one) can request a refund on

the Claim Form and, upon submission of a valid Claim Form, Lufthansa will (i) provide them with a full refund, and (ii) provide an additional Interest Payment of one percent (1%) of the refund due. The Cash Option, Voucher Option, and Interest Payment are subject to a cap of \$3.5 million (which is inclusive of all Attorneys' Fees, expenses, service awards, and Claims Administration Expenses). Refunds available for Settlement Class Members that had not yet received a refund are not subjected to the cap. If the value of the total Valid Claims exceeds the Net Claim Amount, Settlement Class Members who submitted a Valid Claim will receive a cash or voucher amount payout on a *pro rata* basis until the total Net Claim Amount has been paid.

- To obtain any Settlement Consideration, you must submit a valid Claim Form by the Claims Deadline – **no later than May 9, 2023**.
- Whether you act or not, your legal rights as a Settlement Class Member are affected by the Settlement. Your rights and options—and the deadlines to exercise them—are explained in this Class Notice. Please read the following Class Notice carefully in its entirety. Defined terms have the meanings in the Settlement Agreement.
 - If you do not want to be legally bound by the Settlement, you must exclude yourself or “opt out” by May 15, 2023. If you do not opt out, you will release Claims that were or could have been made against Lufthansa related to this case. If you stay in the Settlement, you may object to it by May 15, 2023. The Long Form Notice on the website explains how to opt out or object. The Court has scheduled a hearing on June 5, 2023 to consider whether to approve the Settlement. You can appear at the hearing, but you do not have to do so. More information, including the Long Form Notice and information about attorneys' fees being sought, is available at the website and the toll-free number below.

www.cancelleflightsettlement.com

1-888-290-8313

SETTLEMENT CLASS MEMBERS' LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT

YOUR RIGHTS AND OPTIONS	WHAT THEY MEAN	DEADLINES
DO NOTHING	If you are a Settlement Class Member and do not take any action, you will not receive anything under the Settlement. However, if the Settlement is finally approved, you will be bound by the Court's Final Judgment and the release of claims explained in the Settlement Agreement.	None
SUBMIT A CLAIM FORM	You must submit a Valid Claim to select either the \$10 cash payment or \$45 voucher if you have already received a refund for your cancelled flight from Lufthansa, or to receive your refund plus one percent of the refund due if you have not received a refund from Lufthansa to date.	Received on or before May 9, 2023.
EXCLUDE YOURSELF (OPT OUT)	Get no benefits from the Settlement. Requesting exclusion from the Settlement (also called “opting out”) would allow you to file or continue your own lawsuit against Lufthansa about the legal claims involved in the Settlement, individually.	Received on or before May 15, 2023.
OBJECT OR COMMENT	Write to the Court about why you do or do not like the Settlement.	Filed and served on or before May 15, 2023.
GO TO FINAL APPROVAL HEARING	Whichever of the above options you choose, you may also ask to speak in Court about the Settlement.	Served on or before May 15, 2023.

Tags

[class action](#)

[airline](#)

[class settlement](#)

[Class Action](#)



Related Links

- https://www.cancelledflightsettlement.com/?utm_source=intrado&utm_medium=press%20release&utm_content=lufthansa%20press%20release&utm_campaign=rg2-lufthansa-fy23