

**COMMONWEALTH OF KENTUCKY
FAYETTE CIRCUIT COURT
FOURTH DIVISION**

Civil Action No. 20-CI-00332

filed electronically

HAYNES PROPERTIES, LLC, *et al.*

PLAINTIFFS

v.

**BURLEY TOBACCO GROWERS
COOPERATIVE ASSOCIATION, *et al.***

DEFENDANTS

**Settlement Class Counsel’s Report re Compliance with
Order for Ending Settlement Administration by Angeion Group LLC**

Settlement Class Counsel, Katherine K. Yunker and Jason R. Hollon, hereby report completion of all of the steps ordered in the 10/2/24 Order for Ending Settlement Administration by Angeion Group LLC (“10/2/24 Order”), and that no further order by this Court is requested by Angeion or necessary to resolve any dispute about whether or how any settlement administration function should be continued. Attached hereto are summary statements about the qualified settlement fund (Exh. 1) and billing and payments for Angeion’s services (Exh. 2), as well as a Declaration from an Angeion assistant project manager (Exh. 3). In addition, Class Counsel state as follows:

1. In the morning of October 2, 2024, the undersigned emailed the 10/2/24 Order to Angeion personnel. (10/2/24 Order ¶1)

2. On October 17, 2024, Angeion transferred all funds remaining in the qualified settlement fund (“QSF”) — in the amount of \$44,924.13 — to an escrow account maintained by the McBrayer PLLC firm. Upon that transfer, Angeion terminated the QSF related to this case. (10/2/24 Order ¶2)

3. Angeion submitted to Class Counsel a full accounting in writing of the funds received into and disbursed from the QSF by November 1, 2024. It has provided to Class Counsel spreadsheets summarizing and detailing receipts and disbursements from the inception of the QSF through the 10/17/24 transfer of the remainder to McBrayer PLLC, and Angeion personnel have discussed the accounting with the undersigned. The summary accounting is attached hereto as Exhibit 1. (10/2/24 Order ¶3)

4. On or before November 8, 2024, Angeion provided to Class Counsel all of its invoices (listing work and expenses), a spreadsheet listing each invoice/order and each payment to Angeion for its services (Exhibit 2) and a description of its work, particularly as to distributions made to Class members (Declaration, Exhibit 3). (10/2/24 Order ¶4a) In addition, on November 8, 2024, Angeion informed Class Counsel in writing that it will not present any further invoice — for work or expenses incurred or projected costs — relating to its settlement administration services in this case. (10/2/24 Order ¶4b)

5. This is a notice filed in the record of steps taken by Angeion in compliance with the 10/2/24 Order, and copies of reports provided by Angeion are attached hereto as Exhibits 1-3. (10/2/24 Order ¶5) Class Counsel anticipate filing further reports, *e.g.*, regarding distributions to Class members and remaining amount of net dissolution proceeds.

6. No court approval is needed for further payment to Angeion, and Angeion has not requested any further order relating to ending its administration in this case; in addition, no dispute has arisen about whether or how particular administrative functions should be continued. The URL for Angeion's case-related website — www.btgcasettlement.com — has been transferred to the McBrayer firm, which now maintains information web pages and links for this case. Thus, no motion is needed to be filed by the deadline of November 22, 2024. (10/2/24 Order ¶6)

7. The \$44,924.13 in funds Angeion transferred from the QSF are being held and will continue to be held by McBrayer PLLC in its client escrow account, awaiting further order of this Court. (10/2/24 Order ¶7)

Respectfully submitted,

/s/ Katherine K. Yunker

Katherine K. Yunker (KBA # 79592)

Jason R. Hollon (KBA # 96148)

MCBRAYER PLLC

201 E. Main Street, Suite 900

Lexington, KY 40507-1361

(859) 231-8780

Settlement Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served this 20th day of November 2024, upon counsel via the e-filing system and electronic mail and upon unrepresented persons via first class U.S. Mail, postage prepaid, as shown on the attached Service List, and that a courtesy copy was sent to Angeion representatives via email.

/s/ Katherine K. Yunker

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Service List

Fayette Cir. 20-CI-00332

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QSF Accounting Summary

Description	Amount
Settlement Funding	\$ 27,219,278.33
Payments to class members	-27,037,818.44
variance on uncashed checks	190.00
Attorney Fees	-125,547.23
Admin fees	-11,163.53
Bank Fee	-15.00
REMAINDER	\$ 44,924.13
Wire to McBrayer to close account	-\$44,924
	\$ 0.00

Angeion Orders and Payments

Posting Date	Document Type	Description	Original Amount
12/14/20	Payment	Deposit No. BD001161	(32,850.56)
12/31/20	Invoice	Order NY005124	38,888.62
1/31/21	Invoice	Order NY005421	12,773.71
2/28/21	Invoice	Order NY005523	5,859.70
3/31/21	Invoice	Order NY005615	4,089.43
4/30/21	Invoice	Order NY005728	4,943.20
5/31/21	Invoice	Order NY005861	2,236.61
6/17/21	Payment	Deposit No. BD001381	(38,888.62)
6/17/21	Payment	Deposit No. BD001381	(12,773.71)
6/17/21	Payment	Deposit No. BD001381	(5,859.70)
6/17/21	Payment	Deposit No. BD001381	(4,089.43)
6/17/21	Payment	Deposit No. BD001381	(4,943.20)
6/30/21	Invoice	Order NY005982	1,914.67
7/31/21	Invoice	Order NY006126	2,114.53
8/31/21	Invoice	Order NY006253	1,499.40
9/30/21	Invoice	Order NY006415	1,394.38
10/31/21	Invoice	Order NY006655	3,541.67
11/30/21	Invoice	Order NY006756	10,146.70
12/31/21	Invoice	Order NY006902	6,452.89
1/31/22	Invoice	Order NY007063	10,704.24
2/28/22	Invoice	Order NY007252	3,959.36
3/31/22	Invoice	Order NY007323	5,874.32
4/30/22	Invoice	Order NY007530	2,948.01
5/31/22	Invoice	Order NY008287	3,289.00
6/15/22	Payment	Deposit No. BD001792	(701.64)
6/15/22	Payment	Deposit No. BD001792	(6,452.89)
6/15/22	Payment	Deposit No. BD001792	(3,959.36)
6/15/22	Payment	Deposit No. BD001792	(5,874.32)
6/15/22	Payment	Deposit No. BD001792	(2,948.01)
6/15/22	Payment	Deposit No. BD001792	(22,428.23)
6/30/22	Invoice	Order NY007886	930.59
7/31/22	Invoice	Order NY008039	1,393.28
8/31/22	Invoice	Order NY008285	1,650.94

Posting Date	Document Type	Description	Original Amount
9/30/22	Invoice	Order NY008286	1,353.96
9/30/22	Credit Memo	Credit Memo NY008286CM	(1,353.96)
9/30/22	Invoice	Order NY008286-1	1,404.25
10/31/22	Invoice	Order NY008378	1,017.29
11/30/22	Invoice	Order NY008477	14,299.54
11/30/22	Invoice	Order NY008485	4,659.22
1/31/24	Credit Memo	Credit Memo NY008477-1CM	(1,600.00)
2/2/24	Invoice	Order NY011151	9,631.01
4/10/24	Payment	Deposit No. BD002769	(4,615.88)
5/1/24	Credit Memo	Credit Memo NY011151CM	(9,631.01)
5/1/24	Invoice	Order NY011151-1	6,547.65
7/31/24	Payment	Deposit No. BD003001	(6,547.65)
		BALANCE	0.00

COMMONWEALTH OF KENTUCKY
FAYETTE CIRCUIT COURT
FOURTH DIVISION
Civil Action No. 20-CI-00332

HAYNES PROPERTIES, LLC,
et al.

PLAINTIFFS

vs.

DECLARATION OF OMEIKIEA LORENZANO
RE: POST- DISTRIBUTION ACCOUNTING

BURLEY TOBACCO GROWERS
COOPERATIVE ASSOCIATION,
et al.

DEFENDANTS

I, Omeikiea Lorenzano, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge:

1. I am an Associate Project Manager with Angeion Group, LLC (“Angeion”), the Claims Administrator retained in this matter, located at 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein.

2. On September 27, 2024, the Court entered an Order for Ending Settlement Administration and directing Angeion to transfer all remaining funds from the QSF to a McBrayer PPLC escrow account no later than October 18, 2024. On October 17, 2024, Angeion wired the remaining funds totaling \$44,924.13 to McBrayer PLLC escrow account and confirmed that it was received.

3. Angeion was also directed to make a full accounting in writing of the funds received into and disbursed from the QSF, from the inception of the QSF through the transfer out of the remaining funds.

4. On December 15, 2021, Angeion sent the first wave of initial settlement payments to claimants who met the requirements for class membership. A copy of the payment letter for the initial distribution is attached as **Exhibit A**. Three additional distributions were made, including a special distribution, each accompanied by its own payment letter. Copies of these letters are attached as **Exhibits B** through **D**.

5. Pursuant to the Court’s Order, Angeion Group, LLC submits the following Post Distribution Accounting Report:

SETTLEMENT DETAILS	
Total Settlement Fund	\$27,219,278.33

SETTLEMENT PAYMENT DETAILS	
Method(s) of Payment to Class Members	Physical Checks sent by the United States Postal Service (“USPS”) first-class mail, postage prepaid.
Total Number of Distributions Issued	4
Total Number of Checks Issued Per Distribution	<ul style="list-style-type: none"> • 1st Distribution: 2,640 • 2nd Distribution: 2,661 • 3rd Distribution: 1,915 • 4th Distribution: 2,629

SETTLEMENT PAYMENT DETAILS	
Total Cash Amount Distributed to Class Members	<ul style="list-style-type: none"> • 1st Distribution: total amount of checks cashed \$14,628,855.81 • 2nd Distribution: total amount of checks cashed \$10,166,434.55 • 3rd Distribution: total amount of checks cashed \$849,682.08 • 4th Distribution: total amount of checks cashed \$1,393,314.89
Smallest Distribution Amount	\$453.89 (special distribution)
Largest Distribution Amount	\$5,670.00 (initial distribution)
Total Administration Costs (paid to Angeion from the QSF)	\$11,163.53
Amount of unused settlement funds	\$44,924.13
Amount of Attorneys' Fees/Expenses paid from the QSF	\$125,547.23
Injunctive or other non-monetary relief	N/A

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 31, 2024.

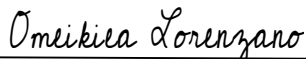

 Omeikia Lorenzano, APM
 Angeion Group, LLC

EXHIBIT A

Payee Name(s): [Borrower Name]

Claim Number: [Claim Number]

Check Number: [Check Number]

Check Date: [Check Date]

Check Amount: [Check Amount]

Enclosed is your settlement payment as a Settlement Class Member in *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, No. 20-CI-332, Fayette Circuit Court, Fourth Division, Lexington, Kentucky

Your portion of the Settlement proceeds has been calculated in accordance with the Stipulation and Agreement of Partial Settlement and applicable Court Orders.

If this check is not negotiated within 90 days from the date of issue, the check will be void. If you fail to cash your check within the time permitted, you may forfeit your right to the Settlement Payment.

We cannot provide individual tax advice regarding this distribution. If you have questions regarding the tax treatment of this distribution, please consult your tax advisor. Please be sure to cash this check immediately. This check will be void 90 days after the date of issue.



EXHIBIT B

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DECLARATION OF OMEIKIEA LORENZANO OF ANGEION GROUP, LLC
RE: POST- DISTRIBUTION ACCOUNTING

Exhibit 3

Payee Name(s): [Borrower Name]

ID Number: [Claim Number]
Check Number: [Check Number]
Check Date: [Check Date]
Check Amount: [Check Amount]

Above is your second payment as a Settlement Class Member in *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, No. 20-CI-332, Fayette Circuit Court, Fourth Division, Lexington, Kentucky.

Your portion of the proceeds available at this point from the dissolution of the Co-op has been calculated in accordance with the Stipulation and Agreement of Partial Settlement and applicable Court Orders. Note that if the amount of your check is less than \$3930.00, then TAGS fees owed to the Co-op have been deducted from the payment to you.

It is anticipated that there will be one other check issued to you, in 2023, with proceeds from the dissolution of the Co-op. Please notify us of any change in your address by calling or e-mailing Settlement Class Counsel at (866) 965-9005 or classcounsel@mcbayerfirm.com.

Please be sure to cash this check immediately. **This check will be void 90 days after the date of issue.**

We cannot provide individual tax advice regarding this distribution. If you have questions regarding the tax treatment of this distribution, please consult a tax advisor.

EXHIBIT C

Above is the payment to you of a proportionate share from a special Fund for which you made a timely, valid election as a Settlement Class Member in *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, No. 20-CI-332, Fayette Circuit Court, Fourth Division, Lexington, Kentucky.

This \$453.89 share has been directed by Court Order to be paid to you and other qualified Settlement Class Members who also made a timely, valid election for it. This is the only payment to be made to Settlement Class Members from the Fund.

A small group of objectors to the Settlement has made a **claim against the Fund** and filed an appeal. These objectors have said that if the appeal is successful, they might seek to recover their claim against the Settlement Class itself. If the claim were divided evenly among the 1881 Settlement Class Members receiving this distribution, it would be no more than \$52.81 per person.

Be sure to cash this check immediately. **This check will be void 9/15/2024.**

It is anticipated that there will be one other check issued to you and other qualified Settlement Class members, probably in 2024. This will be the final distribution of net dissolution proceeds from the Co-op. Please notify us of any change in your address by calling or e-mailing Settlement Class Counsel at (866) 965-9005 or classcounsel@mcbayerfirm.com.

We cannot provide individual tax advice regarding this distribution. If you have questions regarding the tax treatment of this distribution, please consult a tax advisor.

EXHIBIT D

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DECLARATION OF OMEIKIEA LORENZANO OF ANGEION GROUP, LLC
RE: POST- DISTRIBUTION ACCOUNTING

Exhibit 3

Payee Name(s): [Borrower Name]

ID Number: [Claim Number]

Check Number: [Check Number]

Check Date: [Check Date]

Check Amount: [Check Amount]

Above is your **final** payment as a Settlement Class Member in *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, No. 20-CI-332, Fayette Circuit Court, Fourth Division, Lexington, Kentucky. This is the **last** distribution to be made to Class members in this case.

This final portion of the proceeds from the dissolution of the Co-op — \$546.00 — has been calculated in accordance with the Stipulation and Agreement of Partial Settlement and applicable Court Orders.

Please be sure to cash this check immediately. **This check will be void 90 days after the date of issue.**

If there is any problem with cashing this check, contact BTGCA Settlement Class Counsel as soon as possible at 866-965-9005 (phone), classcounsel@mcbrayerfirm.com (email), or P.O. Box 22001, Lexington, KY 40522-2001 (U.S. mail).

No form 1099 is issued with this payment. We cannot provide individual tax advice regarding this distribution. If you have questions regarding the tax treatment of this distribution, please consult a tax advisor.