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8 PSC Members – Political Subdivisions

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11	SANTA CRUZ COUNTY, CALIFORNIA;)	Case No. 3:21-md-02996-CRB
	POPE COUNTY, ILLINOIS; and THE)	
12	VILLAGE OF EDDYVILLE, ILLINOIS,)	DECLARATION OF CAMERON R. AZARI,
	Individually and on Behalf of a Class of)	ESQ. REGARDING COMMENCEMENT OF
13	Persons Similarly Situated)	SETTLEMENT NOTICE PLAN
)	
14	In re MCKINSEY & CO., INC. NATIONAL)	DATE: February 2, 2024
	PRESCRIPTION OPIATE CONSULTANT)	TIME: 10:00 a.m.
15	LITIGATION)	DEPT: Courtroom 6, 17th Floor
)	JUDGE: Honorable Charles R. Breyer
16	_____)		
	This Document Relates To:)		
17			
	ALL SUBDIVISION ACTIONS)		
18	_____)		

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1 I, Cameron R. Azari, Esq., declare as follows:

2 1. I have personal knowledge of the matters set forth herein, and I believe them to be
3 true and correct.

4 2. I am a nationally recognized expert in the field of legal notice, and I have served as
5 an expert in hundreds of federal and state cases involving class action notice plans.

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

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

12 **OVERVIEW**

13 5. This declaration confirms the commencement of the Settlement Notice Plan
14 (“Notice Plan”) and Notices (“Notice” or “Notices”) for *In re: McKinsey & Co., Inc. National*
15 *Prescription Opiate Consultant Litigation*, No. 21-md-02996-CRB, in the United States District
16 Court for the Northern District of California. Epiq designed and is implementing the Notice Plan
17 based on our extensive prior experience and research into the notice issues particular to this case.

18 6. I previously executed my *Declaration of Cameron R. Azari, Esq. Regarding*
19 *Settlement Notice Plan and Notices* (“Notice Plan Declaration”) on September 15, 2023, which
20 described the proposed Notice Plan, detailed Hilsoft’s class action notice experience, and attached
21 Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to
22 class actions and my ability to render opinions on overall adequacy of notice plans.

23 **NOTICE PLAN DETAIL**

24 7. On October 5, 2023, the Court approved the Notice Plan designed by Hilsoft and
25 appointed Epiq as the Settlement Administrator in the *Order Granting Preliminary Approval of*
26 *Class Action Settlement and Direction of Notice Under Rule 23(e) of the Federal Rules of Civil*
27 *Procedure* (“Preliminary Approval Order”).

28

1 12. Combined, with all three data sources, Epiq loaded a total of 50,714 unique,
2 identified Class Member records into its database for this case (6,289 records did not include a
3 valid email address or physical mailing address).

4 13. This Class Member data was used to provide Individual Notice as follows:

5 14. On October 25, 2023, Epiq sent 36,393 Email Notices to 23,080 unique, identified
6 Class Members for whom a valid email address was available (13,313 Class Members had more
7 than one valid email address, all of which were sent an Email Notice).

8 15. On October 25, 2023, Epiq sent 21,342 Postcard Notices to all identified Class
9 Members with a physical address was available for whom no valid email address had been
10 identified. Epiq is currently in the process of preparing to mail a Postcard Notice to all members
11 of the Class with an associated physical address whose Email Notice was undeliverable after
12 multiple attempts.

13 **Supplemental Internet Digital Notice Campaign**

14 16. The supplemental internet digital notice campaign has commenced and is currently
15 running. Banner Notices are being placed in the *CN Now* and *Leadership Matters* eNewsletters.
16 *CN Now* is published by the National Association of Counties (“NACo”), and Banner Notices are
17 being placed in the following issues of the eNewsletters - November 2, 2023, November 9, 2023,
18 November 16, 2023, and November 30, 2023 (skipping the week of November 20, 2023, due to
19 Thanksgiving). *Leadership Matters* is published by the International City/County Management
20 Association (“ICMA”), and Banner Notices are being placed in the following issues of the
21 eNewsletters - October 31, 2023, November 7, 2023, November 14, 2023, and November 28, 2023
22 (skipping the week of November 20, 2023, due to Thanksgiving).

23 17. Furthermore, the Notice Plan included targeted Banner Notice advertising on the
24 *ICMA* (*icma.org*) website. The Banner Notices link directly to the Settlement Website, allowing
25 visitors easy access to relevant information and documents. Consistent with common practice, the
26 Banner Notices use language from the Notice headline, which allow users to identify their
27 government as a potential Class Member. The Banner Notices are running from October 26, 2023,
28 through November 22, 2023.

1 18. More details regarding the target audiences, distribution, and specific ad sizes of
2 the eNewsletters and Banner Notices are provided in the following table.

eNewsletters	Duration	Distribution (Estimated Subscribers)	Target	Ad Size
<i>CN Now</i>	1x/week for 4 weeks	64,000	National Association of Counties (NACo) eNewsletter subscribers	728x90
<i>Leadership Matters</i>	1x/week for 4 weeks	25,000	International City/County Management Association (ICMA) eNewsletter subscribers	300x250
Digital (Display)	Duration	Estimated Impressions	Target	Ad Size
<i>icma.org (International City/County Management Association website)</i>	4 weeks	100,000	Run of Site	300x250 and 728x90

14 19. Clicking on the Banner Notices links the readers to the Settlement Website, where
15 they can easily obtain detailed information about the Settlement.

16 **Sponsored Search Listings**

17 20. To facilitate locating the Settlement Website, sponsored search listings are acquired
18 on the three most frequently visited internet search engines: *Google, Yahoo!*, and *Bing*. The
19 sponsored search listings are targeted nationwide and are running from October 25, 2023, through
20 January 5, 2024. All sponsored search listings link directly to the Settlement Website.

21 **Informational Release**

22 21. To build additional reach and extend exposures, on October 25, 2023, a party-
23 neutral Informational Release was issued nationwide over *PR Newswire* to approximately 5,000
24 general media (print and broadcast) outlets, including local and national newspapers, magazines,
25 national wire services, television and radio broadcast media across the United States, as well as
26 approximately 4,500 websites, online databases, internet networks, and social networking media.
27 The Informational Release was also distributed to the 49 state municipal leagues (members of the
28 National League of Cities), local government in Hawaii, National League of Cities (“NLC”), The

1 United States Conference of Mayors, National Association of Towns and Townships (“NATaT”),
2 and The National Association of Regional Councils (“NARC”). The Informational Release
3 included the address of the Settlement Website and the toll-free telephone number.

4 **Settlement Website, Toll-free Telephone Number and Postal Mailing Address**

5 22. On October 25, 2023, Epiq established a Settlement Website
6 (www.McKinseySubdivisionClassAction.com) to allow Class Members to obtain additional
7 information about the Settlement, including the Long Form Notice, Postcard Notice, Settlement
8 Agreement, Proposed Order, Amended Master Complaint, and Preliminary Approval Order. In
9 addition, the Settlement Website includes answers to frequently asked questions (“FAQs”),
10 instructions for how Class Members may opt out (request exclusion) or object, contact information
11 for the Settlement Administrator, and how to obtain other case-related information. The
12 Settlement Website address is prominently displayed in all notice documents.

13 **Toll-free Telephone Number and Postal Mailing Address**

14 23. On October 25, 2023, Epiq established a toll-free telephone number (1-888-575-4125),
15 which is available to Class Members. Callers hear an introductory message and have the option
16 to learn more about the Settlement in the form of recorded answers to FAQs. Callers also have an
17 option to request a Class Notice by mail. The toll-free telephone number is prominently displayed
18 in all notice documents. The automated telephone system is available 24 hours per day, seven
19 days per week.

20 24. A postal mailing address was also established, allowing Class Members to request
21 additional information or ask questions.

22 **Requests for Exclusion and Objections**

23 25. The deadline to request exclusions from the Settlement or to object to the
24 Settlement is January 5, 2024. As of November 15, 2023, Epiq has not received any requests for
25 exclusion. As of November 15, 2023, I am aware of no objections to the Settlement.

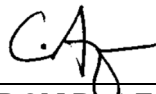
26 **CONCLUSION**

27 26. The Notice Plan provides for the best notice practicable under the circumstances of
28 this case; conforms to all aspects of Federal Rule of Civil Procedure 23 regarding notice, as well

1 as the N.D. Cal. Procedural Guidance for Class Action Settlements; comports with the guidance
2 for effective notice articulated in the Manual for Complex Litigation 4th Ed. and FJC guidance;
3 and satisfied the requirements of due process, including its “desire to actually inform” requirement.

4 27. At the conclusion of implementing the Notice Plan, I will provide a final report
5 verifying the effective implementation of the Notice Plan.

6 I declare under penalty of perjury that the foregoing is true and correct. Executed on
7 November 15, 2023.



CAMERON R. AZARI, ESQ.

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