

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FUND LIQUIDATION HOLDINGS LLC, as assignee and successor-in-interest to SONTERRA CAPITAL MASTER FUND LTD., FRONTPOINT EUROPEAN FUND, L.P., FRONTPOINT FINANCIAL SERVICES FUND, L.P., FRONTPOINT HEALTHCARE FLAGSHIP ENHANCED FUND, L.P., FRONTPOINT HEALTHCARE FLAGSHIP FUND, L.P., FRONTPOINT HEALTHCARE HORIZONS FUND, L.P., FRONTPOINT FINANCIAL HORIZONS FUND, L.P., FRONTPOINT UTILITY AND ENERGY FUND L.P., HUNTER GLOBAL INVESTORS FUND I, L.P., HUNTER GLOBAL INVESTORS OFFSHORE FUND LTD., HUNTER GLOBAL INVESTORS SRI FUND LTD., HG HOLDINGS LTD., HG HOLDINGS II LTD., RICHARD DENNIS, and the CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM on behalf of themselves and all others similarly situated,

Docket No. 15-cv-00871
(SHS)

Plaintiffs,

- against -

CREDIT SUISSE GROUP AG, CREDIT SUISSE AG, JPMORGAN CHASE & CO., NATWEST MARKETS PLC, UBS AG, DEUTSCHE BANK AG, DB GROUP SERVICES UK LIMITED, TP ICAP PLC, TULLETT PREBON AMERICAS CORP., TULLETT PREBON (USA) INC., TULLETT PREBON FINANCIAL SERVICES LLC, TULLETT PREBON (EUROPE) LIMITED, COSMOREX AG, ICAP EUROPE LIMITED, ICAP SECURITIES USA LLC, NEX GROUP LIMITED, INTERCAPITAL CAPITAL MARKETS LLC, GOTTEX BROKERS SA, VELCOR SA AND JOHN DOE NOS. 1-50,

Defendants.

**SUPPLEMENTAL DECLARATION OF CAMERON R. AZARI, ESQ. REGARDING
IMPLEMENTATION OF NOTICE PROGRAM**

Pursuant to 28 U.S.C. § 1746, I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari, Esq. I am over 21 years of age and am not a party to the above-captioned action (the “Action”).¹ My business address is 10300 SW Allen Blvd, Beaverton, OR 97005. Epiq was authorized to act as the Settlement Administrator in connection with the settlements in this Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. This declaration supplements my earlier *Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Notice Program* dated August 9, 2023 (the “Initial Mailing Declaration”) describing the implementation of the Notice Program. See ECF No. 491.

3. As detailed in the Initial Mailing Declaration, the Notice Program provided notice to potential Class Members of the proposed settlements (the “Settlements”) reached in the Action with the following Settling Defendants: Credit Suisse Group AG and Credit Suisse AG (collectively “Credit Suisse”); Deutsche Bank AG and DB Group Services (UK) Ltd. (collectively, “Deutsche Bank”); JPMorgan Chase & Co. (“JPMorgan”); NatWest Markets plc (f/k/a The Royal Bank of Scotland plc) (“RBS”); NEX Group plc, NEX International Limited (f/k/a ICAP plc), ICAP Capital Markets LLC (n/k/a Intercapital Capital Markets LLC), ICAP Securities USA LLC, and ICAP Europe Limited (together “ICAP”); and TP ICAP plc (f/k/a Tullett Prebon plc and n/k/a TP ICAP Finance plc), Tullett Prebon Americas Corp., Tullett Prebon (USA) Inc., Tullett Prebon Financial Services LLC, Tullett Prebon (Europe) Limited, and Cosmorex AG (collectively, “TP ICAP”), Gottex Brokers SA (“Gottex”), and Velcor SA (“Velcor,” and collectively with TP ICAP and Gottex, the “Settling Brokers”).

¹ Unless otherwise stated, capitalized terms not defined herein have the same meaning as in the Notice of Proposed Class Action Settlements, September 27, 2023 Fairness Hearing Thereon, and Class Members’ Rights (ECF No. 491-1) (the “Notice”), and the Stipulations and Agreements of Settlement as to the Settling Defendants (ECF Nos. 151-1, 384-1, 385-2, 391-1, 432-1, and 454-1).

MAILING OF THE NOTICE AND CLAIM FORM

4. At the time of the Initial Mailing Declaration, Epiq mailed a total of 20,450 Claim Packets, received 2,936 Notices returned as undeliverable, and remailed a total of 14 Claim Packets to banks, brokerage firms, nominees, and/or counterparties as requested, or directly to the identified members of the Settlement Class with an associated physical mailing address via USPS first-class mail.

5. Since the Initial Mailing Declaration, Epiq has received an additional 704 Notices returned as undeliverable and remailed one Claim Packet. As of the date of this Declaration, a total of 3,640 Claim Packets remain undeliverable and 15 Claim Packets have been remailed.

Settlement Website

6. The Settlement Website (www.SwissFrancLiborClassActionSettlement.com) continues to be available 24 hours per day, 7 days per week. The website provides: (i) the claims submission deadline, (ii) the deadline and procedure for excluding oneself from any or all of the Settlements, (iii) the deadline and procedure for objecting to any of the Settlements and/or the request for award of attorneys' fees, expenses and incentive awards, (iv) information about the Fairness Hearing, and (v) other relevant information, including answers to frequently asked questions and general information regarding the case, its current status, and the Settlements. The settlement website also provides relevant documents, including the Notice, Distribution Plan, Claim Form, Complaint, relevant Court orders and opinions, and the Settlement Agreements, and provides an email address (info@SwissFrancLIBORClassActionSettlement.com) for claimants to contact Epiq with questions or for any additional information. The settlement website also provides detailed instructions for submitting a Claim Form electronically. As of the date of this Declaration, the number of unique visitor sessions to the Settlement website has increased to 16,475, and the web pages have been viewed 24,642 times.

Report on Exclusions

7. The deadline to request exclusion from the Settlements was August 23, 2023. Pursuant to the Preliminary Approval Orders² and Section 20 of the Notice, those members of the Settlement Class requesting exclusion were to provide the following information: (a) the name, address, telephone number, and email address of the Person or entity seeking exclusion, and in the case of entities, the name, telephone number, and email address of the appropriate contact person; (b) state that such Person or entity requests to be excluded from the Settlement Class in the Action (*Fund Liquidation Holdings LLC, et al. v. Credit Suisse Group AG, et al.*, Case No. 1:15-cv-00871 (SHS) (S.D.N.Y.)); and (c) provide one or more document(s) sufficient to prove membership in the Settlement Class, as well as proof of authorization to submit the request for exclusion if submitted by an authorized representative. Requests for exclusion must be mailed by U.S. first class mail (or, if sent from outside the U.S., by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) or delivered for receipt by August 23, 2023.

² “Preliminary Approval Orders” means the Order Preliminarily Approving Class Action Settlement with JPMorgan Chase & Co. and Conditionally Certifying a Settlement Class (ECF No. 159), Order Preliminarily Approving Class Action Settlement with NatWest Markets Plc (f/k/a The Royal Bank of Scotland plc) (ECF No. 426), Order Preliminarily Approving Class Action Settlement with Credit Suisse Group AG and Credit Suisse AG, Scheduling a Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 428), Order Preliminarily Approving Class Action Settlement with Deutsche Bank AG and DB Group Services (UK) Ltd., Scheduling a Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 429), Order Preliminarily Approving Class Action Settlement with NEX Group plc, NEX International Limited (f/k/a ICAP plc), ICAP Capital Markets LLC (n/k/a Intercapital Capital Markets LLC), ICAP Securities USA LLC, and ICAP Europe Limited, Scheduling a Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 440), and Order Preliminarily Approving Class Action Settlement with TP ICAP plc (f/k/a Tullett Prebon plc and n/k/a TP ICAP Finance plc), Tullett Prebon Americas Corp., Tullett Prebon (USA) Inc., Tullett Prebon Financial Services LLC, Tullett Prebon (Europe) Limited, and Cosmorex AG, Gottex Brokers SA, and Velcor SA, Scheduling a Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 457).

8. As of the date of this Declaration, Epiq has received no valid requests for exclusion.

Report on Objections

9. Pursuant to the Preliminary Approval Orders and Section 24 of the Notice, any member of the Settlement Class who wishes to object to any aspect of the Settlements, the application for attorneys' fees and expenses, and any incentive awards must file a written objection with the Court and serve a copy of the objection on Class Counsel and the Settling Defendants' counsel no later than August 23, 2023.

10. As of the date of this Declaration, Epiq has not received any objections to the Settlements, and is not aware of any objections to the Settlements.

Claim Submission & Distribution Options

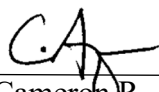
11. The deadline for Settlement Class Members to file a Claim Form is October 27, 2023. As of the date of this Declaration, Epiq has received 20 Claim Forms. As standard practice, Epiq will review and audit all Claim Forms as received. With more than eight weeks until the claim filing deadline, based on Epiq's experience, it is anticipated that additional claims will be filed as the deadline approaches.

CONCLUSION

12. It is my opinion that the Notice Program was fair, reasonable, and adequate under the circumstances, provided notice consistent with Rule 23 of the Federal Rules of Civil Procedure and due process, and was consistent with notification programs approved by federal courts in multiple cases where Epiq designed and implemented such programs. In my opinion, the Notice Program provided the best notice practicable under the circumstances, including individual notice to members of the Settlement Class who could be identified through reasonable effort.

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

Executed August 28, 2023.



Cameron R. Azari, Esq.