

# EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA**

KEDDRICK BROWN, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

PROGRESSIVE MOUNTAIN  
INSURANCE COMPANY,

Defendant.

Consolidated Case No.  
3:21-cv-00175-TCB

MICHELLE BOST, individually and  
on behalf of all others similarly  
situated,

Plaintiff,

v.

PROGRESSIVE PREMIER  
INSURANCE COMPANY OF  
ILLINOIS,

Defendants.

**DECLARATION OF CAMERON R. AZARI, ESQ. ON COMMENCEMENT OF  
SETTLEMENT 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.

DECLARATION OF CAMERON R. AZARI, ESQ. ON COMMENCEMENT OF  
SETTLEMENT NOTICE PLAN

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 & Claims Solutions, Inc. (“Epiq”) and the Managing Director of Epiq Legal Noticing (aka Hilsoft Notifications), a business unit of Epiq that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. Epiq recently rebranded Hilsoft Notifications as Epiq Legal Noticing. Epiq and Epiq Legal Noticing will hereinafter be referred to as “Epiq.”

4. 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 and Epiq Legal Noticing (hereinafter “Epiq”).

#### **OVERVIEW**

5. This declaration confirms Epiq is successfully executing the Court approved Settlement Notice Plan (“Notice Plan”) and notices (the “Notice” or “Notices”) for *Brown v. Progressive Mountain Ins. Co.*, Case No. 3:21-cv-00175-TCB and *Bost v. Progressive Premier Ins. Co. of Illinois*, Case No. 4:22-cv-00127-TCB, both in the United States District Court for the Northern District of Georgia. I previously executed my *Declaration of Cameron R. Azari, Esq. on Notice Plan* on August 24, 2023, (“Class Certification Notice Declaration”) in which I described the Class Certification Notice Plan based on our extensive prior experience and research into the notice issues particular to this case. Subsequently, I executed my *Declaration of Cameron R. Azari, Esq., on Settlement Notice Plan*, on February 7, 2025, (“Notice Plan Declaration”), which described the Notice Plan, detailed Epiq’s class action notice experience, and attached Epiq’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.

#### **NOTICE PLAN**

6. On February 18, 2025, the Court approved the Notice Plan and appointed Epiq as

the Settlement Administrator in the *Order Granting Preliminary Approval of Class Action Settlement* (“Preliminary Approval Order”).<sup>1</sup> In the Preliminary Approval Order, the Court approved and certified, for settlement purposes, the following “Settlement Classes”:

**Progressive Mountain Class**

All persons who made a first-party claim on a policy of insurance issued by Progressive Mountain Insurance Company to a Georgia resident where the claim was submitted from October 11, 2015, through the date of Preliminary Approval, and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

**Progressive Premier Class**

All persons who made a first-party claim on a policy of insurance issued by Progressive Premier Insurance Company of Illinois to a Georgia resident where the claim was submitted from June 8, 2016, through the date of Preliminary Approval, and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

Excluded from the Settlement Classes are (1) any judge presiding over this Action and members of their families; and (2) Defendants, their subsidiaries, parent companies, successors, predecessors, and any entity in which any Defendant or its parents have a controlling interest and their current or former officers, directors, agents, attorneys, and employees.

7. Rule 23 of the Federal Rules of Civil Procedure directs that the best notice practicable under the circumstances must include “individual notice to all members who can be identified through reasonable effort,” and that “the notice may be by one or more of the following: United States mail, electronic means, or other appropriate means.”<sup>2</sup> The Notice Plan satisfied this requirement.

8. After the Preliminary Approval Order was issued certifying the Settlement Classes and approving the Notice Plan and Notices, Epiq commenced implementing the Notice Plan. This

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<sup>1</sup> Epiq handled notice administration, including sending individual notice, for the class certification stage of the case.

<sup>2</sup> FRCP 23(c)(2)(B).

declaration confirms the commencement of the Notice Plan in compliance with the Preliminary Approval Order.

9. On March 5, 2025, Epiq received one data file with 164,742 records for identified Settlement Class Members, including the last known names, email addresses, and physical addresses. Epiq deduplicated and rolled-up the records and loaded the unique, identified Settlement Class Member records into its database. These efforts resulted in 151,485 unique, identified Settlement Class Member records.

10. An Email Notice is being sent to all identified Settlement Class Members with a facially valid email address, and a Postcard Notice is being sent via United States Postal Service (“USPS”) to all identified Settlement Class Members with an associated mailing address for whom a valid email address is not available or the Email Notice is undeliverable after several attempts. The Notices direct the recipients to a dedicated settlement website where they can access additional information.

***Individual Notice – Email Notice***

11. An Email Notice is being sent to all identified Settlement Class Members for whom a facially valid email address is available. The following industry standard best practices are followed for the Email Notice efforts. The Email Notice was drafted in such a way that the subject line, the sender, and the body of the message overcome SPAM filters and ensure readership to the fullest extent reasonably practicable. For instance, the Email Notice used an embedded html text format. This format provides easy-to-read text without graphics, tables, images and other elements that in our experience would increase the likelihood that the message could be blocked by Internet Service Providers (ISPs) and/or SPAM filters for this type of email communication. The Email Notices are sent from an IP address known to major email providers as one not used to send bulk “SPAM” or “junk” email blasts. Each Email Notice is transmitted with a digital signature to the header and content of the Email Notice, which allows ISPs to programmatically authenticate that

the Email Notices are from our authorized mail servers. Each Email Notice is also transmitted with a unique message identifier. The Email Notice includes an embedded link to the settlement website. By clicking the link, recipients are able to access the Long Form Notice and other information about the Settlement.

12. If the receiving email server cannot deliver the message, a “bounce code” is returned along with the unique message identifier. For any Email Notice for which a bounce code is received indicating that the message was undeliverable for reasons such as inactive or disabled account, the recipient’s mailbox was full, technical autoreplies, etc., at least two additional attempts will be made to deliver the Notice by email.

***Individual Notice – Direct Mail***

13. A Postcard Notice is being sent to all identified Settlement Class Members with an associated mailing address for whom a valid email address is not available or the Email Notice is undeliverable after several attempts. The Postcard Notice is being sent via USPS first class mail. The Postcard Notice clearly and concisely summarizes the Settlement and the legal rights of the Settlement Class Members. Prior to mailing, all mailing addresses are checked against the National Change of Address (“NCOA”) database maintained by the USPS.<sup>3</sup> In addition, the addresses are certified via the Coding Accuracy Support System (“CASS”) to ensure the quality of the zip code, and verified through Delivery Point Validation (“DPV”) to verify the accuracy of the addresses. This address updating process is standard for the industry and for the majority of promotional mailings that occur today.

14. The return address on the Postcard Notices is a post office box that Epiq maintains for this Settlement. The USPS automatically forwards Postcard Notices with an available

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<sup>3</sup> The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person’s name and known address.

forwarding address order that has not expired (“Postal Forwards”). Postcard Notices returned as undeliverable are re-mailed to any new address available through USPS information, for example, to the address provided by the USPS on returned pieces for which the automatic forwarding order has expired, or to better addresses that may be found using a third-party lookup service. This process is also commonly referred to as “skip-tracing.” Upon successfully locating better addresses, Postcard Notices will be promptly re-mailed.

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

15. The existing website ([www.GATotalLossClaim.com](http://www.GATotalLossClaim.com)) that was established for the class certification notice efforts has been updated with additional information regarding the Settlement. Settlement Class Members are able to obtain detailed information about the Settlement and review key documents, including the Long Form Notice, Settlement Agreement, the Preliminary Approval Order, and other important court documents. In addition, the settlement website includes relevant dates, answers to frequently asked questions (“FAQs”), instructions for how Settlement Class Members may opt-out (request exclusion) from or object to the Settlement, contact information for the Settlement Administrator, and how to obtain other case-related information. The settlement website address is prominently displayed in all Notice documents.

16. The existing toll-free telephone number (1-888-604-7469) that was established for the class certification notice efforts has been updated with additional information regarding the Settlement. Callers are able to hear an introductory message, have the option to learn more about the Settlement in the form of recorded answers to FAQs, and request that a Long Form Notice be mailed to them. The automated phone system is available 24 hours per day, 7 days per week. The toll-free telephone number is prominently displayed in all Notice documents.

17. The existing post office box that was established for the class certification notice efforts continues to be available, allowing Settlement Class Members to contact the Settlement Administrator by mail with any specific requests or questions.

*Requests for Exclusion and Objections*

18. The deadline to request exclusion from the Settlement or to object to the Settlement is April 30, 2025.

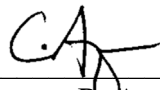
**CONCLUSION**

19. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes, and further by case law pertaining to notice. This framework directs that the notice plan be designed to reach the greatest practicable number of Settlement Class Members and, in a settlement class action notice situation such as this, that the notice or notice plan itself not limit knowledge of the availability of benefits—nor the ability to exercise other options—to Settlement Class Members in any way. All of these requirements are met in this case.

20. I will provide the Court with a comprehensive Notice Plan implementation declaration, which will include all notice implementation details, notice and administration statistics, confirm the delivered reach of the Notice Plan as implemented, and provide a final report of all opt-outs.

21. The Notice Plan schedule affords sufficient time to provide full and proper notice to Settlement Class Members before the Opt-out Deadline and Objection Deadline.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed on March 31, 2025, at Beaverton, Oregon.

  
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Cameron R. Azari, Esq.