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

*In re ZF-TRW Airbag Control Units
Products Liability Litigation*

**ALL CASES AGAINST THE
MITSUBISHI DEFENDANTS**

Case No. 2:19-ml-02905-JAK-JPR
MDL 2905 JAK

**SUPPLEMENTAL
DECLARATION OF JENNIFER
M. KEOUGH ON SETTLEMENT
NOTICE PROGRAM PROGRESS**

The Honorable John A. Kronstadt

1 I, Jennifer Keough, hereby declare and state as follows:

2 1. I am the Chief Executive Officer and President of JND Legal
3 Administration LLC (“JND”). As the CEO and President of JND, I oversee all
4 facets of our company’s operations, including monitoring and implementing our
5 notice and claims administration programs. This Declaration is based on my
6 personal knowledge as well as upon information provided to me by experienced
7 JND employees, and if called upon to do so, I could and would testify competently
8 thereto.

9 2. I previously submitted a Declaration on Settlement Notice Program on
10 August 2, 2024 (ECF 941-3) and a Declaration on Settlement Notice Program
11 Progress on January 27, 2025 (ECF 1017-5). I submit this Declaration to provide an
12 update on the implementation of the Settlement Notice Program.

13 **DIRECT NOTICE**

14 3. As outlined in my previous declaration, on December 31, 2024, JND
15 commenced sending Email Notice to all potential Class Members with a valid email
16 address. The Email Notice campaign concluded on January 13, 2025 with a total of
17 86,220 Email Notices sent. As of March 17, 2025, 10,988 Email Notices bounced
18 back as undeliverable.

19 4. As outlined in my previous declaration, on January 27, 2025, JND
20 completed the mailing of 191,254 Postcard Notices via first-class mail to potential
21 Class Members for whom an Email Notice bounced back as undeliverable, or for
22 whom a valid email address was not obtained. For the 1,236 Class Members with
23 ten or more Mitsubishi Class Vehicles, JND mailed the content of the Postcard
24 Notice with an accompanying cover letter that included additional instructions on
25 how to access specialized claim filing assistance (“Bulk Claim Notice”).

26 5. As of March 17, 2025, JND has received 25,114 Postcard Notices
27 returned as undeliverable, of which JND re-mailed 1,464 to forwarding addresses
28 provided by the United States Postal Service and 12,061 to updated addresses

1 obtained through advanced address research. Additionally, JND has received 61
2 Bulk Claim Notices returned as undeliverable, of which one has been re-mailed to
3 an updated address.

4 6. The overall deliverability rate of the Direct Notice Effort is greater
5 than 93%.

6 **SUPPLEMENTAL DIGITAL NOTICE**

7 7. As detailed in my previous declaration, JND supplemented the direct
8 notice effort with a four-week digital campaign that ran through the Google Display
9 Network (“GDN”), Facebook, and Instagram.

10 8. Prior to launching the digital effort, JND provided GDN, Facebook, and
11 Instagram with Class Member data containing phone numbers, postal addresses,
12 and/or emails. GDN then matched the provided Class data with their own first-party
13 data which they collect through Gmail, YouTube, Chrome registrations, etc. Likewise,
14 Facebook and Instagram matched the provided data with their account user data. All
15 matches were utilized to create a “Custom Audience” list. Ads were then served to the
16 Custom Audience while they are active on GDN, Facebook, and Instagram over the
17 course of the campaign.

18 9. The digital ads include an embedded link to the Settlement Website,
19 where potential Class Members could get more information about the Settlement
20 and file a claim online. A total of 2,246,619 digital impressions were served from
21 December 31, 2024 through January 27, 2025.¹

22 10. Additional efforts were implemented through iHeart Automotive
23 Connection (“IAC”). JND provided IAC with the make, model, and year of the
24 Mitsubishi Class Vehicles. IAC then pulled their VIN data that matched the
25 Mitsubishi Class Vehicle information. On January 17, 2025, IAC began to deploy
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27 ¹ Impressions or Exposures are the total number of opportunities to be exposed to a media vehicle or
28 combination of media vehicles containing a notice. Impressions are a gross or cumulative number that
may include the same person more than once. As a result, impressions can and often do exceed the
population size.

1 email notices to their list of customers associated with the Mitsubishi Class Vehicle
2 information.² IAC also deployed a follow-up email notice on January 22, 2025 to
3 those email recipients who opened the January 17, 2025 email notice for no
4 additional cost.³ A total of 200,000 IAC email notices were sent.

5 11. Overall, the supplemental digital effort served 2,446,619 impressions,
6 746,619 more than originally planned.

7 **INTERNET SEARCH CAMPAIGN**

8 12. From December 31, 2024 through January 27, 2025, JND caused
9 10,600 additional impressions to be served through an internet search campaign.
10 When purchased keywords/phrases related to the Settlement (e.g., content on the
11 Settlement Website landing page) were searched, a paid Responsive Search Ad
12 (“RSA”) with a hyperlink to the Settlement Website would sometimes appear on
13 the search engine results page. When the RSA was clicked on, the visitor was
14 redirected to the Settlement Website where they could get more information about
15 the Settlement. The search effort was monitored and optimized for
16 keywords/phrases that resulted in the best click-throughs/conversions.

17 **PRESS RELEASE**

18 13. As outlined in my previous declaration, JND caused a press release to
19 be distributed on December 31, 2024 to over 5,000 media outlets nationwide. As of
20 March 4, 2025, the press release was picked up 504 times with a potential audience
21 of 187.8 million.

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25 ² IAC deploys emails on a “drip” system to avoid white labeling (spam). It can take up to five days to fully deploy.

26 ³ The original IAC effort included banners ads being served via GDN to those potential Class
27 Members who opened their IAC Email Notice; however, IAC has ceased implementing the GDN
28 effort. Instead, IAC agreed to send a follow-up Email Notice deployment on January 22, 2025. In addition, the digital impressions that were to be served over GDN through IAC have been shifted to the original GDN, Facebook, and Instagram effort. Therefore, the overall digital impression delivery will remain the same, and an IAC follow-up Email Notice was deployed for no additional cost.

SETTLEMENT WEBSITE

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2 14. As outlined in my previous declaration, on November 11, 2024, JND
3 launched an interactive, case-specific Settlement Website at
4 www.ACUSettlement.com. As of March 17, 2025, the Settlement Website has
5 tracked a total of 31,173 unique users who registered 41,962 page views. JND will
6 continue to update and maintain the Settlement Website throughout the settlement
7 administration process.

TOLL-FREE NUMBER, EMAIL ADDRESS AND P.O. BOX

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9 15. As outlined in my previous declaration, JND maintains a 24-hour, toll-
10 free telephone line that Class Members can call to obtain information about the
11 Settlement. During business hours, JND’s call center is staffed with operators who
12 are trained to answer questions about the Settlement. As of March 17, 2025, JND
13 has received 1,139 calls to the toll-free telephone number, of which 379 have
14 spoken with a live agent.

15 16. As outlined in my previous declaration, JND has established a
16 dedicated email address, info@ACUSettlement.com, to receive and respond to
17 Class Member inquiries. As of March 17, 2025, JND has received 381 emails to
18 this email inbox.

19 17. As outlined in my previous declaration, JND established a post office
20 box for receipt of Class Member correspondence, paper Claim Forms, objections,
21 and exclusion requests.

CLAIMS RECEIVED

22
23 18. As of March 17, 2025, and with the claims period still ongoing, JND
24 has received 8,473 Claim Forms, of which 8,374 were submitted electronically
25 online and 99 were submitted via mail.

26 19. JND will continue to receive and process Claim Form submissions and
27 will continue to report to Counsel on the status of the claim intake and review. The
28

1 claim filing deadline for Class Members is anticipated as May 8, 2026, but it is
2 subject to change depending on when the Settlement receives final approval.

3 **OBJECTIONS**

4 20. The Postcard Notice, Email Notice and Long Form Notice
5 (collectively, the “Notices”) informed recipients that any Class Member who
6 wanted to object to the proposed Settlement could do so by submitting a written
7 statement on or before February 27, 2025. As of March 17, 2025, JND has not
8 received or been otherwise made aware of any objections.

9 **REQUESTS FOR EXCLUSION**

10 21. The Notices also informed Class Members of their right to opt out of
11 the Settlement and the February 27, 2025 postmark deadline to do so. As of March
12 17, 2025, JND has received ten requests for exclusion, of which nine were timely
13 and valid. These are attached as **Exhibit A**.

14 **REACH**

15 22. The direct notice effort alone successfully reached more than 93% of
16 potential Class Members. The supplemental digital effort, internet search campaign,
17 and distribution of a press release further enhanced that reach. The expected reach
18 exceeds that of other court-approved programs and is on the high end of the 70-
19 95% reach standard set forth by the Federal Judicial Center.⁴

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27 ⁴ Federal Judicial Center, *Judges’ Class Action Notice and Claims Process Checklist and Plain*
28 *Language Guide* (2010), p. 3 states: “...the lynchpin in an objective determination of the adequacy
of a proposed notice effort is whether all the notice efforts together will reach a high percentage of
the class. It is reasonable to reach between 70–95%.”

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CONCLUSION

23. In my opinion, the Notice Program has been a success. The Notice Program was designed and executed to reach virtually all Class Members, and it constitutes the best practicable notice to the Class.

24. JND will continue to provide regular reports to the Parties with updates as to the claim rate and will confer with the Parties regarding the necessity and timing of any reminder notices to stimulate claims.

I declare under penalty of perjury that the foregoing is true and correct.
Executed March 19, 2025, at Seattle, Washington.

By: 
Jennifer M. Keough

EXHIBIT A



Mitsubishi Airbag Control Unit Settlement
(USDC Central District of California, Case No. 2:19-ml-02905-JAK-JPR)

Exclusion Requests

#	Name	Last Four Digits of VIN	Status
1	Michael Krouse	1639	Valid
2	Micky Douangmala	4673	Valid
3	John Scouarnec	4229	Valid
4	Emma G. Mendez	3536	Valid
5	Martin N. Burton Jr.	7214	Valid
6	Amanda Fletcher	6028	Valid
7	Gregory S. Bramble	4292	Valid
8	Jared L. Dyreson	1571	Valid
9	Stephen Johnson	1479	Valid
10	Donegal Insurance Group	None Provided	Invalid