

Gattozzi v. The Treasurer of Cuyahoga County, et al.
Court-Approved Plan of Allocation

1. The Class List provided by Defendant from its records required substantial time and effort for Defendant to compile. It was derived from a number of sources within the County that did not, on a contemporaneous basis, have a need to maintain records in the format needed to compile a Class List. It consists of separate spreadsheets and lists which could not readily be combined, and, unavoidably, contained duplicate, incomplete, and ambiguous entries. The Settlement Administrator, as the first step in allocation, will attempt to eliminate unusable entries and duplicates to create a useable list of unique Settlement Class Members along with the amounts of unclaimed property associated with each. It is believed that there are approximately 1,182 such unique Settlement Class Members.

2. Inasmuch as some Settlement Class Members have such small amounts of unclaimed property that even applying a substantial interest rate to them would yield an extremely small potential entitlement under any theory of recovery, only a small portion of which could be satisfied by the limited settlement funds available, and inasmuch as notice mailings and processing and distributing funds to these Class Members would likely consume more resources than is warranted, i.e., administrative costs approaching or exceeding the amount of the distribution, 240 Settlement Class Members with the smallest amounts of unclaimed property will be eliminated from mailed notice and not participate in distributions, leaving approximately 942 Class Members. Elimination of de minimis claims is common practice in class action settlement administration and is the same procedure followed in *Sogg v. Zurz*, the only other Ohio unclaimed property settlement to date.

3. Notice will be mailed to the 942 Settlement Class Members whose funds exceed the above described minimum cutoff. In addition, publication in the *Cleveland Plain Dealer* will be effected; social media postings by the Defendant will be made; the Settlement Agreement and the Long Form Notice will be posted on the Settlement Administrator's website; and certain County internet web site "landing pages" will include notices of the Settlement, all as per the Settlement Agreement. Skip-tracing and re-mailing of returned notices will be made, also as per the Settlement Agreement.

4. Settlement Class Members whose last mailing is not returned will receive payment as follows: Whatever number remains after the Settlement Administrator completes mailing and skip-tracing on the original 942 Settlement Class Members described above will be divided into four (4) tranches, or groups, of equal size according to the amounts of their unclaimed property. The lowest quartile judged by amount of unclaimed property will each receive an equal check in the amount of $(.15 \times \text{Net Settlement Value})/\text{number of Settlement Class Members in the lowest quartile}$. The next highest quartile will each receive an equal check in the amount of $(.225 \times \text{Net Settlement Value})/\text{number of Settlement Class Members in the next highest quartile}$. The next highest quartile will each receive an equal check in the amount of $(.275 \times \text{Net Settlement Value})/\text{number of}$

Settlement Class Members in the next highest quartile. The next highest quartile will each receive an equal check in the amount of $(.35 \times \text{Net Settlement Value})/\text{number of Settlement Class Members in the highest quartile}$. Efforts may be made to encourage cashing of checks, in the discretion of Plaintiff's Counsel.

5. As per the Settlement Agreement, funds remaining of the Gross Settlement Value and undistributed thirty calendar days following the expiration of the latest date for expiration of the Check Cashing Period¹ due to checks not being cashed or other reasons, will be paid to Defendant.

¹ Per Section 1.4 of the Settlement Agreement, "Check Cashing Period" means, with respect to any check issued to a Settlement Class Member, unless negotiated, cashed, or deposited, and/or unless subject to re-issue as provided for below, any such check will be void 120 calendar days after issuance of such check; re-issued checks shall also be subject to this limitation, with the 120-day check cashing period commencing upon the date of reissuance."