

Exhibit D

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
PADUCAH DIVISION
CASE NO. 5:21-cv-00068-BJB
(Electronically Filed)

DANIEL MCNALLY,
Individually and on behalf of
all other similarly situated

PLAINTIFF

vs.

THE KINGDOM TRUST COMPANY

DEFENDANT

DECLARATION OF DANNY BRAGER

I, Danny Brager, hereby declare as follows:

1. I am one of the Plaintiffs in the above-captioned action (the “Action”). I submit this Declaration in support of (I) Plaintiffs’ Motion for Final Approval of the Proposed Settlement, and (II) Plaintiffs’ Motion for an Award of Attorneys’ Fees, Payment of Expenses and Service Awards to Plaintiffs.¹

2. I live in the State of California. I have decades of experience working with all sizes of beverage companies in a fact-based consulting role. I help beverage companies develop and adopt the right strategy and tactics based upon fact-based analysis. I have particular skills in translating data into authoritative and succinct fact-based insights in support of brand and national goals. After working in a variety of roles in the industry with a variety of employers since 1977, I

¹ Capitalized terms not defined here are defined in the Settlement Agreement dated November 7, 2025, attached as Exhibit 1 to the Declaration of Hugh D. Berkson and Alan L. Rosca in Support of Plaintiffs’ Motion for Preliminary Approval of Settlement. ECF 146.

formed I have run my own consulting businesses in 2020, and have served as the owner/operator of Brager Beverage Alcohol Consulting, Azur Associates, and 3 Tier Beverages since September 2020.

3. At all relevant times to this matter, I have been an investor in the WJA Funds, and received statements from Kingdom Trust Company, the predecessor in interest to the Defendant in this case. I invested a total of \$94,000 in the WJA funds in June 2014. My investment proceeds were transferred to the WJA Funds' Kingdom Trust accounts.

4. After I learned that WJA Funds were insolvent, and that there was fraud, I spoke with Alan Rosca about joining this Action as a class representative Plaintiff.

5. I had several email communications and phone calls with Mr. Rosca in connection with my WJA Fund investments and communications I received from Kingdom Trust. I provided WJA Fund-related records and information about my investment to Mr. Rosca and his colleagues, to assist them evaluate our potential legal options. I understood that my participation in the case, in addition to the other class representative, was particularly important given the records and information that I had, which could assist the prosecution of this matter.

6. Following our email communications and telephone conversations, I hired Mr. Rosca and Mr. Berkson and their colleagues to represent me in this case and seek compensation for WJA Fund and Kingdom Trust related losses.

7. Thereafter, I spent a significant amount of time obtaining and sending to my lawyers records and information related to the WJA Funds and Kingdom Trust. Also, I reviewed important case documents including the complaint filed in this case and Plaintiffs' mediation statement, and kept in touch with them about the progress of the case.

8. In addition, I spoke and exchanged emails with my lawyers, Mr. Rosca and Mr. Berkson, on a regular basis to learn about the status of the case and any developments, and provide information that they and their colleagues needed.

9. I assisted my lawyers with discovery in the Action. In that regard, I met with my lawyers via Zoom and reviewed my records and information related to the WJA Funds and Kingdom Trust and the case documents to prepare for my deposition. I had my deposition taken via Zoom by counsel for Kingdom Trust and answered questions about my investments, my efforts to represent the Class and my duties as a Class Representative.

10. Throughout my participation in this matter, I conveyed my opinions to my lawyers about the important steps in the case, and I approved of their efforts to try and resolve the case. I prepared for and traveled from Arizona to Denver, Colorado, to attend the mediation in April 2025 in person along with my co-Plaintiff, Dan McNally. I conferred with my attorneys and Mr. McNally both before, during, and after the mediation, in an attempt to reach a resolution of this matter. While the mediation session in Denver was not successful, I continued to communicate with my attorneys as they worked to try and resolve the case through subsequent negotiations. Based on my understanding of the merits of this case, the relevant evidence, and the strength of our claims, I also approved of their negotiations and thereafter agreed to the proposed Settlement.

11. I believe that the proposed Settlement is fair, reasonable, and adequate, and should be approved. My support for the proposed settlement is based upon, among other things, my understanding of the allegations, defenses, and likelihood of success at trial based on the evidence collected in this case as explained to me by my lawyers and discussed at length with them.

12. I also support my attorneys' fee and expense reimbursement request. While I worked with my attorneys since early 2025, I know they were involved in this matter since early

2020 without pay and spent their own money for case expenses, in order to achieve this Settlement that confers financial benefits to the class members, which benefits they would not have received absent this Action and Settlement. My attorneys routinely discussed the progress of the litigation with me and kept me informed. In my opinion, my attorneys deserve the fee and expense reimbursement award they are seeking.

13. My attorneys are seeking an award of \$15,000 for the time and effort I spent over the last year or so helping to investigate the claims alleged in this Action, providing relevant records and information, and supervising and assisting my attorneys in this litigation, including (1) helping my lawyers collect evidence regarding WJA's and Kingdom Trust's conduct, (2) communicating extensively with my counsel relating to their investigation, strategy and actions in the litigation, including the investigation, initiation, progress, status, and direction of the litigation and extensive settlement negotiations; (3) reviewing documents filed with the Court by both parties and other information provided by my attorneys in conjunction with this action; (4) searching for and retrieving documents and information to be produced in discovery; (5) preparing for and appearing for a Zoom deposition; (6) preparing for, traveling to Colorado, and attending the in-person mediation, and conferring with my counsel during the subsequent settlement discussions.

14. From my initial interactions with attorney Rosca through today, I estimate that I have spent over seventy-two hours performing my duties as a class representative to help vindicate the rights of the WJA Fund investors whose monies were custodied at Kingdom Trust. The time I spent on this matter – including preparing and appearing for deposition and preparing and attending the mediation – took me away from my work, which was difficult as my companies' success depends on my ongoing time and attention.

15. I have not received, been promised or offered, and will not accept any form of compensation, directly or indirectly, for prosecuting or serving as a Plaintiff in this action except any Service Award that the Court may grant in recognition of the time and effort I spent in the prosecution of this action and my contribution to achieving the benefits to be conferred on the class of WJA Fund investors whose monies were custodied with Kingdom Trust.

16. I do not have any claim or interest that is adverse to other WJA Fund investors.

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

Executed on this 29 day of March, 2026.

Danny Brager
Danny Brager (Mar 29, 2026 09:05:01 PDT)

Danny Brager