

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Michelle Lee Tannlund, on behalf of
herself and all others similarly situated,
Plaintiffs,

v.

Real Time Resolutions, Inc.,
Defendant.

Case No: 1:14-cv-5149

THE HON. EDMOND E. CHANG

**DECLARATION OF LISA MULLINS IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

I, Lisa Mullins, declare as follows:

1. I am the President of ILYM Group, Inc. (herein after referred to as “ILYM Group”) and have been assigned by the Court as claims administrator in the *Michelle Lee Tannlund v. Real Time Resolutions, Inc.* matter. The following statements are based on my own personal knowledge and information provided by other ILYM Group employees working under my supervision and, if called upon to testify, I could and would testify competently to such facts.

2. ILYM Group has extensive experience in providing notice of class actions and administering class action settlements. Pursuant to the Settlement Agreement for this matter, ILYM Group was responsible for (a) preparing, printing and mailing the Postcard Settlement Notice; (b) hosting and placing a copy of the Postcard Settlement Notice on a dedicated information website to provide Settlement Class Members with easy and immediate access to information regarding the

1 proposed Settlement and to allow Settlement Class Members to file a claim electronically; (c) setting
2 up and maintaining a toll-free telephone number; (d) acting as a liaison between Settlement Class
3 Members and the Parties regarding claim information; (e) fielding inquiries about the settlement;
4 (f) processing claims, requests for exclusions and objections to the Settlement; and (g) performing other
5 tasks as the Parties mutually agree to and/or the Court ordered ILYM Group to perform. ILYM Group
6 implemented all of those procedures to comply with the Court's Preliminary Approval Order.

7 3. On April 7, 2017, ILYM Group received the class data file from Defendant, which
8 contained the name, address and telephone number(s) of the Settlement Class Members. The data file
9 was uploaded to our database and checked for duplicates and other possible discrepancies. The final
10 Class List contained 375,954 names and mailing addresses.

11 4. On April 7, 2017, ILYM Group, on behalf of Defendant Real Time Resolutions, Inc.,
12 provided appropriate and timely Class Action Fairness Act of 2005 ("CAFA") Notice of this Settlement
13 to the United States Department of Justice and the Attorney General of all states impacted by this
14 Agreement, by USPS Certified Mail. Said notice included a detailed letter setting forth information
15 required under the CAFA statute and also included a disc containing digital images of the Class Action
16 Complaint (Dkt #1), Civil Cover Sheet (Dkt #2), Attorney Appearance (Dkt #3), Plaintiff's Unopposed
17 Motion for Preliminary Approval of Amended Class Action Settlement (Dkt #81), Amended Settlement
18 Agreement and Release (Dkt #81-1), Proposed Claim Form, Class Notice, Preliminary and Final
19 Approval Orders (Dkt #81-2), Declaration of Mark Ankcorn in support of Preliminary Approval (Dkt
20 #81-3), and an estimated geographic distribution by State and Territory of accounts associated with
21 potential Settlement Class Members. Attached hereto, as **Exhibit A**, is a true and correct copy of the
22 Cover letter for the CAFA Notice.

23 5. On May 25, 2017, ILYM Group mailed the approved Postcard Settlement Notice to all
24 375,954 Settlement Class Members contained in the Class List. Attached hereto, as **Exhibit B**, is a true
25 and correct copy of the mailed Postcard Settlement Notice. The notices mailed to Settlement Class
26 members informed them of: (1) the settlement's benefits; (2) deadlines for all Settlement Class
27 members to file a claim form, opt out of the settlement, and object to the settlement and/or Class
28 Counsel's fee request; (3) the address for the settlement website where they can obtain more

1 information, download forms, and file claims; and (4) the date and location of the final approval
2 hearing.

3 6. On May 25, 2017, ILYM Group established the dedicated Settlement website,
4 www.RealTimeTCPASettlement.com to provide easy and immediate access to information regarding
5 the proposed Settlement and to allow Settlement Class Members to file a claim electronically. A copy
6 of the approved Postcard Settlement Notice, Detailed Notice, Claim Form and other related Court
7 documents pertaining to this proposed Settlement, including the Court's Preliminary Approval Order,
8 and all the documents relating to Plaintiffs' Motion for Attorneys' Fees, Expenses and Incentive Award
9 were posted on said website and will remain publicly available for at least thirty days after the last day
10 for claimants to cash distributed checks.

11 7. On May 25, 2017, ILYM Group began administering a publication notice program to
12 ensure a minimum of 20 million Internet impressions to notify those persons for whom a current
13 mailing address could not be located. ILYM has confirmed that the 20 million Internet impressions
14 have been completed. The supplemental publication program's internet banner advertisements were
15 seen by an estimated 26,212,816 persons over a 4 week period, increasing the reach and scope of notice
16 to class members.

17 8. On May 25, 2017, ILYM Group set up a toll-free telephone number to answer questions
18 that Settlement Class members might have about the terms of settlement and how to make a claim, or to
19 request a paper version of the claim form. This telephone number was listed on the Postcard Settlement
20 Notice. As of August 8, 2017, ILYM had received approximately 3,800 telephone calls to its toll free
21 line and there have been approximately 82,459 visits to the website.

22 9. As of the date of this declaration, 306 Postcard Settlement Notices were returned with a
23 forwarding address by the United States Postal Service and promptly re-mailed to the forwarding
24 address provided. ILYM Group performed a computerized skip trace on an additional 5,250 of the
25 returned Postcard Settlement Notices that did not contain a forwarding address. As a result of ILYM
26 Group's skip tracing efforts, a total of 3,361 updated addresses were obtained and the Postcard
27 Settlement Notice was promptly re-mailed to all 3,361 updated addresses.

28

1 10. As of the date of this declaration, ILYM Group has received a total of 10 opt-out
2 requests from the following individuals: Carlos E. Isagiza, Carrie Collins, Donald McCowen, Heather
3 Tarala, Ismet R. Gjeloshi, James P. Brady, Joseph Dajos, Marlene Rogoff, Paul Koksvik, and William
4 G. Riehl. All 10 requests for exclusion have been deemed valid and timely. The deadline to request
5 exclusion from the Settlement was July 24, 2017.

6 11. As of the date of this declaration, ILYM Group has received a total of 15,297 valid and
7 timely claims. The deadline to submit a claim under the Settlement is August 23, 2017.

8 I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of
9 August, 2017, at Tustin, CA.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



LISA M. MULLINS

EXHIBIT “A”

April 7, 2017

VIA CERTIFIED MAIL

Class Action Fairness Act – Notice to Federal and State Officials

Dear Sir or Madam:

Pursuant to the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, please find enclosed information from Real Time Resolutions, Inc. relating to the proposed settlement of a class action lawsuit under the Telephone Consumer Protection Act. This information supersedes the prior CAFA notice regarding this matter, which was sent on or about May 27, 2016.

- **Case:** *Michele Lee Tannlund v. Real Time Resolutions, Inc.*, Case No. 1:14-cv-01549
- **Court:** United States District Court for the Northern District of Illinois, Eastern Division
- **Defendant:** Real Time Resolutions, Inc.
- **Judicial Hearing Scheduled:** The Court has scheduled a Preliminary Approval Hearing for April 10, 2017, at 9:00 a.m. on Plaintiff’s Unopposed Motion for Preliminary Approval of Amended Class Action Settlement. This hearing may be rescheduled without further notice. No final approval hearing is currently scheduled.
- **Documents Enclosed:** Copies of the following documents are contained on the enclosed CD in Adobe Acrobat PDF format:
 1. Class Action Complaint (Dkt #1), Civil Cover Sheet (Dkt #2) and Attorney Appearance (Dkt #3) all dated July 7, 2014;
 2. Plaintiff’s Unopposed Motion for Preliminary Approval of Amended Class Action Settlement (Dkt #81);
 3. Amended Settlement Agreement and Release (Dkt #81-1);
 4. Proposed Claim Form, Class Notice, Preliminary and Final Approval Orders (Dkt #81-2);
 5. Declaration of Mark Ankcorn in support of Preliminary Approval (Dkt #81-3); and
 6. Estimated geographic distribution by State and Territory of accounts associated with potential Settlement Class Members. Please note that these numbers and percentages of accounts where cell phone calls were made are merely estimates because mailing addresses and States of residence may no longer be current, particularly for inactive accounts, and because the putative class includes those who received wrong number or reassigned number calls.

Very truly yours,

ILYM Group
(Class Notice Administrator)

EXHIBIT “B”

**Real Time Resolutions
TCPA Settlement**

c/o ILYM Group, Inc.
P.O. Box 130
Tustin, CA 92781

Return Service Requested

**Notice of Class Action Settlement
and Fairness Hearing**

You can find more information about this Settlement at www.RealTimeTCPASettlement.com or by calling 1-855-868-1194

This notice may affect your legal rights. Please read it carefully. Please do not contact the Court or Real Time Resolutions

Claim No.

Control No.

«ILYM ID»

«NAME»

«ADDRESS»

«CITY», «STATE» «ZIP CODE»

If you received a cell-phone call from Real Time Resolutions, Inc.,
you could get benefits from a Class Action Settlement

This notice may affect your legal rights. Please read it carefully.

What is this Settlement about? Plaintiff alleges that Real Time Resolutions, Inc. violated the Telephone Consumer Protection Act (“TCPA”) by using an automatic telephone dialing system and/or an artificial prerecorded voice to place calls to cell phones without Class Members’ prior consent. Real Time denies these allegations. The parties have reached a settlement (*Tannlund v. Real Time Resolutions, Inc., Case No. 1:14-cv-5149 (N.D. Ill.)*).

Who is a Class Member? You may be a Class Member if you received a call on your cell phone between August 30, 2009 and April 10, 2017 that was uploaded to and dialed by Real Time’s telephone system and you did not give your prior consent to the receipt of that call.

What are the terms of the Settlement? Real Time has agreed to pay \$1,300,000 for (1) cash payments to eligible Class Members who submit timely and valid claims; (2) Plaintiff’s attorneys’ fees and expenses; and (3) a service Award to the Class Representative. The costs of settlement administration and this notice will be paid separately by Real Time. It is estimated that Class Members who submit valid claim forms will receive \$25 but this is an estimate only.

What are my other options? You must exclude yourself by July 24, 2017 or you will release your claims against Real Time, including claims for actual or statutory damages under the TCPA. This may mean that you cannot bring or continue a lawsuit on your own. You will also release other claims under state and federal law that arise out of those phone calls.

You may object to the Settlement by July 24, 2017 but you cannot both exclude yourself and object. Whether you object or not, you may (but do not have to) appear at a Fairness Hearing on August 23, 2017 during which the Court will consider whether to approve the Settlement.

You may file a claim at www.RealTimeTCPASettlement.com or call 1-855-868-1194 to request a paper claim form.

This Notice is a summary only. Additional information is available at www.RealTimeTCPASettlement.com. You may also contact the Settlement Administrator toll-free at 1-855-868-1194 or by writing Real Time TCPA Settlement, c/o ILYM, P.O. Box 130, Tustin, CA 92781.