

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SONTERRA CAPITAL MASTER FUND, LTD.,
RICHARD DENNIS, and FRONTPOINT EUROPEAN
FUND, L.P., on behalf of themselves and all others
similarly situated,

Docket No. 15-cv-3538 (VSB)

Plaintiffs,

-against-

BARCLAYS BANK PLC, COOPERATIEVE
CENTRALE RAIFFEISEN-BOERENLEENBANK
B.A., DEUTSCHE BANK AG, LLOYDS BANKING
GROUP PLC, THE ROYAL BANK OF SCOTLAND
PLC, UBS AG, JOHN DOE NOS. 1-50, and
BARCLAYS CAPITAL, INC.,

Defendants.

**DECLARATION OF JACK EWASHKO ON BEHALF OF A.B. DATA, LTD.
REGARDING NOTICE ADMINISTRATION**

Pursuant to 28 U.S.C. §1746, I, Jack Ewashko, declare:

1. I am a Client Services Director of A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data” or “Settlement Administrator”). I am over 21 years of age and am not a party to the above-captioned action (“Action”). My business address is 600 A.B. Data Drive, Milwaukee, WI 53217, and my telephone number is 414-961-7555. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. Pursuant to the Order Preliminarily Approving Proposed Class Action Settlement with Deutsche Bank AG, Scheduling a Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class, entered on June 13, 2023 (ECF No. 268) (the “Preliminary

Approval Order”), A.B. Data was authorized to act as the Settlement Administrator in connection with the proposed settlement (the “Settlement”) in the Action.

3. I respectfully submit this Declaration pursuant to paragraph 18 of the Preliminary Approval Order to provide the Court and the parties to the Action with information regarding A.B. Data’s execution of the Court-approved Class Notice plan, including the mailing of the Notice of Proposed Class Action Settlement, November 16, 2023 Fairness Hearing Thereon, and Settlement Class Members’ Rights (the “Long-Form Notice”), the publication of Summary Notice of Proposed Class Action Settlement (the “Publication Notice”), the establishment and maintenance of a case-specific website (the “Settlement website”), and other administrative activities.

4. Pursuant to the Preliminary Approval Order, the Court directed A.B. Data to execute the Court-approved Class Notice plan, which, as implemented, consisted of the following:

- A. Disseminating copies of the Long-Form Notice to potential Class Members, including: (a) members of the International Swaps and Derivatives Association (“ISDA”), a global trade association for OTC derivatives responsible for maintaining the standardized ISDA Master Agreements used OTC Sterling LIBOR-Base Derivatives transactions; (b) executives at hedge funds, investment banks, traders, and real-estate companies – the commercial end-users of OTC Sterling LIBOR-Based Derivatives; (c) A.B. Data’s proprietary list of banks, brokers and other investors; and (d) Deutsche Bank’s counterparties that transacted in Sterling LIBOR-Based Derivatives to the extent available;
- B. Publishing and releasing the Publication Notice via print and electronic media in *The Wall Street Journal* and the *Financial Times*;
- C. Implementing digital and social media campaigns through: (i) banner advertisements for thirty days on hundreds of websites including but not limited to (a) marketplace.com; (b) cnbc.com; and (c) finance.yahoo.com; (ii) newsfeed ads placed on LinkedIn; and (iii) sponsored search listings placed through the Google search engine;
- D. Disseminating a news release via *PR Newswire*’s US1 Newswire distribution list;
- E. Establishing the Settlement Website at SterlingLiborSettlement.com and posting copies of the Long-Form Notice, Publication Notice, and other case-related documents in downloadable form.

DIRECT MAIL NOTICE

5. On or about June 28, 2023, A.B. Data received from Plaintiffs' Counsel a list of potential Class Members. On July 12, 2023 A.B. Data received from Plaintiffs' Counsel an additional list of potential Class Members and/or their nominees/brokers.

6. Where names of potential Class Members were provided with incomplete addresses, A.B. Data undertook research to identify the correct address information. This process included utilizing a database maintained by A.B. Data of the largest banks, brokerage houses and clearing firms as well as utilizing search engines.

7. On August 18, 2023 A.B. Data received a list of potential Class Members from Deutsche Bank AG ("Deutsche Bank").

8. A.B. Data electronically processed the data referenced in ¶¶ 5–7 above to ensure adequate address formatting and the elimination of duplicate names and addresses, resulting in 2,875 distinct records for mailing. A.B. Data standardized and updated the addresses using NCOALink[®], a national database of address changes that is compiled by the United States Postal Service (the "USPS").

9. A.B. Data maintains a proprietary database with names and addresses of the largest and most common banks, brokers and other nominees (the "Record Holder Mailing Database"). At the time of the initial mailing, the Record Holder Mailing Database contained 4,967 mailing records.

10. A.B. Data compiled all of the names and addresses referenced in paragraph 7 and 8 above, resulting in 7,842 distinct records for mailing (the "Initial Mailing List").

11. Pursuant to paragraph 13 of the Preliminary Approval Order, the mailing was to be commenced on August 22, 2023 and be substantially completed no later than September 20, 2023. Beginning August 22, 2023, and continuing through September 20, 2023, A.B. Data caused 7,842 Long-Form Notices to be mailed via first-class mail, postage prepaid, to persons and entities on the Initial Mailing List. A true and correct copy of the Long-Form Notice is attached hereto as **Exhibit A**.

12. As of the date of this Declaration, 419 Long-Form Notices were returned by the USPS to A.B. Data as undeliverable as addressed (“UAA Notices”). To obtain an updated address, the UAA Notices were processed through TransUnion. Of these UAA Notices, 159 new addresses were obtained, and A.B. Data promptly re-mailed the Long-Form Notice to these potential Class Members.

13. As of the date of this Declaration, A.B. Data has mailed 8,001 Long-Form Notices to potential Class Members.

MEDIA NOTICE

14. In accordance with the Preliminary Approval Order and as described in the Declaration of Linda Young, dated July 29, 2022 (ECF No. 262-2), A.B. Data utilized paid, digital and earned media to reach potential Class Members as set forth below.

News Release

15. On August 22, 2023, A.B. Data caused the Publication Notice to be released via *PR Newswire*. A true and correct copy of proof of the publication over *PR Newswire* is attached hereto as **Exhibit B**.

Publication Notice

16. Beginning on August 28, 2023, A.B. Data caused the Publication Notice to be placed in *The Wall Street Journal* and the *Financial Times*. A true and correct copy of the Publication Notice is attached hereto as **Exhibit C**.

Digital and Social Media Campaigns

17. Starting on or about August 22, 2023, A.B. Data began running banner advertisements on the various financial and business websites, such as Investing.com, LATimes.com, WSJ.com, reuters.com, NewYorkTimes.com, and finance.yahoo.com. The banner ads were placed in premium positioning on multiple devices, including desktop, tablet, and mobile devices. Viewers were able to click on the banner advertisement and instantly be directed to the Settlement Website. True and correct copies of the banner advertisements are attached hereto as **Exhibit D**.

18. On or about August 22, 2023, A.B. Data coordinated ads to run on LinkedIn, which directed viewers to the Settlement Website. A sample copy of the LinkedIn ad is attached hereto as **Exhibit E**.

19. On or about August 22, 2023, A.B. Data coordinated search ads to run on Google AdWords, which directed viewers to the Settlement Website. A sample copy of the Google AdWords ad is attached hereto as **Exhibit F**.

WEBSITE

20. In accordance with the Preliminary Approval Order, on or before August 22, 2023, A.B. Data established the Settlement Website. The website lists, among other things, important dates, including the exclusion, objection, and claim filing deadlines and the date and time of the Fairness Hearing; a summary of the case and Class Members' rights and options; relevant documents; and any pertinent updates concerning the Action. The Settlement Website also

provides answers to frequently asked questions. Users of the Settlement Website can view and download copies of the Settlement Agreement, Preliminary Approval Order, Long-Form Notice, Publication Notice, Proof of Claim and Release, and copies of other court documents. Users of the Settlement Website can also file a claim. A true and correct copy of the Settlement Website home page is attached as **Exhibit G**.

21. Additionally, the Settlement Website includes an email address (info@SterlingLiborSettlement.com) for potential Class Members to contact A.B. Data with questions or ask for additional information. The Settlement Website also includes the email addresses of Plaintiffs' Counsel should potential Class Members wish to contact them with any further questions.

22. As of the date of this Declaration, the website has been visited 4,724 times.

TOLL-FREE TELEPHONE LINE

23. In accordance with the Preliminary Approval Order, on or before August 22, 2023, a case-specific toll-free telephone number, 877-495-0835, was established with an Interactive Voice Response system and live operators. Callers to the toll-free number are presented with a series of choices to respond to basic questions. If callers needed further assistance, they have the option to be transferred to a live operator during business hours.

24. As of the date of this Declaration, 23 callers have called the toll-free number.

REPORT ON EXCLUSIONS

25. Pursuant to paragraph 23 of the Preliminary Approval Order and paragraph 20 of the Long-Form Notice, Class Members requesting exclusion from the Settlement Class were to provide in writing the following information: (a) the name, address, telephone number and email address of the Person or entity seeking exclusion, and in the case of entities, the name, telephone

number, and email address of the appropriate contact person; (b) a statement that such Person or entity requests to be excluded from the Settlement Class in the Action (*Sonterra Capital Master Fund Ltd., et al. v. Barclays Bank PLC, et al.*, Case No 15-cv-3538 (VSB) (S.D.N.Y.)); and (c) one or more document(s) sufficient to prove membership in the Settlement Class, as well as proof of authorization to submit the Request for Exclusion if submitted by an authorized representative. The request for exclusion must be signed by the Class Member (or his, her, or its legally authorized representative), even if the Class Member is represented by counsel, and sent by United States First-Class Mail (or, if sent from outside the U.S., by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) to the Settlement Administrator and received not later than October 19, 2023.

26. A.B. Data promptly logs each request for exclusion that it receives and provide copies of the log to Plaintiffs' Counsel and Deutsche Bank's counsel.

27. As of the date of this Declaration, A.B. Data has received one request for exclusion. Following the October 19, 2023 deadline for Class Members to request exclusion from the Settlement Class, A.B. Data will submit a supplemental declaration that will address all requests for exclusion received.

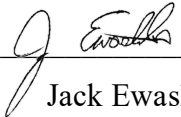
REPORT ON OBJECTIONS

28. Pursuant to paragraph 19 of the Preliminary Approval Order and paragraph 24 of the Long-Form Notice, Settlement Class Members who wish to object to the fairness, reasonableness, or adequacy of any term or aspect of the Settlements, are to file such objection with the Court and to serve on Plaintiffs' Counsel and all counsel for Settling Defendant no later than October 19, 2023.

29. As of the date of this Declaration, A.B. Data has not received any objections to the Settlement and knows of no other objections sent to Plaintiffs' Counsel or counsel for Deutsche Bank.

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

Executed this 5th day of October 2023.



Jack Ewashko