

1 TIFFANY & BOSCO P.A.
2 RICHARD G. HIMELRICK (State Bar No. 004738)
3 2525 East Camelback Road, Seventh Floor
4 Phoenix, AZ 85016
5 Tel: (602) 255-6000
6 rgh@tblaw.com

7 *Local Counsel for Lead Plaintiff*
8 *and the Settlement Class*

9 BERNSTEIN LITOWITZ BERGER
10 & GROSSMANN LLP
11 JONATHAN D. USLANER (*pro hac vice*)
12 2121 Avenue of the Stars, Suite 2575
13 Los Angeles, CA 90067
14 Tel: (310) 819-3472
15 jonathanu@blbglaw.com

16 *Counsel for Lead Plaintiff*
17 *and Lead Counsel for the Settlement Class*

18 UNITED STATES DISTRICT COURT
19 DISTRICT OF ARIZONA

20 Rameses Te Lomingkit, Individually And
21 On Behalf Of All Others Similarly
22 Situated,

23 Plaintiff,

24 v.

25 Apollo Education Group, Inc. (F/K/A
26 Apollo Group, Inc.); Peter V. Sperling,
27 Gregory W. Cappelli; Brian L. Swartz;
28 and William Pepicello,

Defendants.

No. 2:16-cv-00689-PHX-JAT

CLASS ACTION

**SUPPLEMENTAL DECLARATION
OF ERIC MILLER REGARDING
(A) MAILING OF NOTICE AND
CLAIM FORM; AND
(B) REPORT ON REQUESTS FOR
EXCLUSION RECEIVED**

1 I, ERIC J. MILLER, declare as follows:

2 1. I am a Senior Vice President of A.B. Data, Ltd.'s Class Action
3 Administration Company ("A.B. Data"), whose Corporate Office is located in
4 Milwaukee, Wisconsin. Pursuant to the Court's Order Preliminarily Approving
5 Settlement and Authorizing Dissemination of Notice of Settlement dated February 21,
6 2019 (ECF No. 112) (the "Preliminary Approval Order"), A.B. Data was authorized to
7 act as the Claims Administrator in connection with the Settlement of the above-captioned
8 action (the "Action").¹ I submit this Declaration as a supplement to my earlier
9 declaration, the Declaration of Eric Miller Regarding (A) Mailing of Notice and Claim
10 Form; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion
11 Received to Date, dated May 22, 2019 (ECF No. 117-2) (the "Initial Mailing
12 Declaration"). I have personal knowledge of the facts set forth herein and, if called as a
13 witness, could and would testify competently thereto.

14 **MAILING OF THE NOTICE PACKET**

15 2. Since the execution of my Initial Mailing Declaration, A.B. Data has
16 continued to disseminate copies of the Notice and Claim Form (the "Notice Packet") in
17 response to additional requests from potential Settlement Class Members and nominees.
18 Through June 17, 2019, A.B. Data has mailed a total of 59,550 Notice Packets to
19 potential Settlement Class Members and nominees. In addition, A.B. Data has re-mailed
20 a total of 350 Notice Packets to persons whose original mailing was returned by the U.S.
21 Postal Service and for whom updated addresses were provided to A.B. Data by the Postal
22 Service.

23 **TELEPHONE HELPLINE AND WEBSITE**

24 3. A.B. Data continues to maintain the toll-free telephone number (1-866-778-
25 9625) and interactive voice response system to accommodate any inquiries from potential

26 _____
27 ¹ Unless otherwise defined herein, all capitalized terms have the meanings
28 set forth in the Stipulation of Settlement dated February 8, 2019 (ECF No. 109-1) (the
"Stipulation").

1 members of the Settlement Class. A.B. Data also continues to maintain the dedicated
 2 website for the Action (www.ApolloEducationGroupSecuritiesLitigation.com) in order to
 3 assist Settlement Class Members. A.B. Data posted copies of the papers filed in support
 4 of Lead Plaintiffs' motion for final approval of the Settlement and Plan of Allocation and
 5 Lead Counsel's motion for an award of attorneys' fees and expenses (ECF Nos. 115-117)
 6 to the website after they were filed. A.B. Data will continue maintaining and, as
 7 appropriate, updating the website and toll-free telephone number until the conclusion of
 8 the administration.

9 **REPORT ON REQUESTS FOR EXCLUSION RECEIVED**

10 4. The Notice informed potential members of the Settlement Class that
 11 requests for exclusion from the Settlement Class were to be mailed or otherwise
 12 delivered, addressed to *Apollo Education Group Securities Litigation, EXCLUSIONS,*
 13 *c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217,* such that they were
 14 received by no later than June 5, 2019. A.B. Data has been monitoring all mail delivered
 15 to that post office box. As of the date of this Declaration, A.B. Data has received one (1)
 16 request for exclusion, which was received on May 6, 2019. A copy of that request for
 17 exclusion received is attached hereto as Exhibit 1. In the interests of privacy, the street
 18 address and telephone number of the person requesting exclusion have been redacted.

19 I declare under penalty of perjury under the laws of the United States of America
 20 that the foregoing is true and correct.

21 Executed this 18th day of June 2019, at Palm Beach Gardens, FL.

22
23
24 

25 _____
ERIC J. MILLER

EXHIBIT 1

May 2, 2019

Apollo Education Group Securities Litigation, Exclusions
c/o A.B. Data, Ltd.
PO Box 173001
Milwaukee, Wisconsin 53217

To whom it Concerns:

Please exclude me from the Settlement
Class referenced above.

I do not want to be a member of
the Settlement Class.

Please send a note to me that you
received my exclusion request, and that
I will be excluded.

Thank you,
Sincerely,

Florence A. Hodder

My phone No. is not listed & is not
to be given out.

1-



USA Forever

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02 MAY 2019 PM 4:1

APOLLO EDUCATION GROUP SECURITIES LITIGATION, EXCLUSIONS

C/O A.B. DATA, LTD.

PO BOX 173001

MILWAUKEE, WISCONSIN 53217

Ms Florence Gooden

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