

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

HELEN HANKS on behalf of herself and all  
others similarly situated,

Plaintiff,

vs.

VOYA RETIREMENT INSURANCE AND  
ANNUITY COMPANY,

Defendant.

Case No. 16-cv-6399

**DECLARATION OF KIMBERLY K. NESS REGARDING SETTLEMENT  
ADMINISTRATION EXPENSES**

I, KIMBERLY K. NESS, declare as follows:

1. I am a Director at JND Legal Administration LLC (“JND”). JND is a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases. This Declaration is based on my personal knowledge, as well as upon information provided to me by experienced JND employees, and if called upon to do so, I could and would testify competently thereto.

2. JND is serving as the Settlement Administrator<sup>1</sup> in the above-captioned litigation (“Action”) for the purposes of administering the Joint Stipulation and Settlement Agreement preliminarily approved by the Court in its Order Preliminarily Approving Class Action Settlement (“Order”), dated February 3, 2022. I previously submitted the declaration to confirm the mailing of the Short-Form Notice and the posting of the Long-Form Notice on the Website, dated March 18, 2022. I am submitting this declaration to report on the Settlement Administration Expenses that JND has incurred for this matter and to provide an update on JND’s estimated remaining Settlement Administration Expenses.

**SETTLEMENT ADMINISTRATION EXPENSES**

3. Settlement Administration Expenses includes all Class Notice and administrative fees, costs, or expenses incurred in administering the Settlement. As of March 18, 2022, JND has incurred \$49,661.66 in Settlement Administration Expenses.

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<sup>1</sup> Capitalized terms used and not otherwise defined herein shall have the meanings given such terms in the Joint Stipulation and Settlement Agreement.

4. JND estimates that its remaining Settlement Administration Expenses are expected to be approximately \$95,000 - \$110,000, including work in connection with benefit distribution and administration completion.

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

Executed on April 4, 2022, at Seattle, Washington.

By: Kimberly K. Ness  
Kimberly K. Ness

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served on the following counsel, this April 4, 2022.

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*Attorneys for Voya Retirement Insurance and Annuity Company, formerly known as Aetna Life Insurance and Annuity Company*

/s/ Nicholas N. Spear  
Nicholas N. Spear