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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL DON, EXECUTOR OF
THE ESTATE OF RUBEN DON,
LEROY LITTLE, by and through
his Guardian ad Litem TAMARA
PELHAM, and CAROLYN JAN
LITTLE, Individually, and as the
Class Representatives on behalf of
those insureds similarly situated,

Plaintiffs,

vs.

UNUM GROUP a Delaware
Corporation; and UNUM LIFE
INSURANCE COMPANY OF
AMERICA, a Maine Corporation,

Defendants.

CV 13-4502-DSF (VBKx)

JUDGMENT

Pursuant to the Order (1) Approving the Class Action Settlement, (2) Awarding Class Counsel’s Fees and Class Counsel’s Expenses, (3) Awarding Service Awards and Payments to Class Representatives, (4) Permanently Enjoining Parallel Proceedings, and (5) Dismissing this Action with Prejudice:

IT IS ORDERED AND ADJUDGED that:

1 1. The Court has personal jurisdiction over the Parties and all members of
2 the Settlement Class, subject matter jurisdiction over the claims in the captioned
3 action (the Action), and jurisdiction to approve the Stipulation For Settlement (the
4 Stipulation). The Settlement Class is subject to - and bound by - this Judgment and
5 includes, subject to the exclusions listed below, the following persons:

6 “Settlement Class” means, subject to the exclusions listed below, all
7 Class Members, except the following: (1) persons who properly opted-out of the
8 Settlement; (2) any officer, director, employee or agent of Unum; and (3) any judge,
9 justice, or judicial official presiding over the Action and the staff and immediate
10 family of any such judge, justice, or judicial official. Notwithstanding the above, no
11 Claim shall be eligible for or approved for Settlement Relief with respect to any
12 Policy for which a valid agreement or release exists between Unum and the
13 Settlement Class Member that would preclude the Settlement Class Member’s right to
14 receive relief from the Settlement.

15 “Class Member” means and includes any person included in the definition of
16 Subclass I, Subclass IV, or Subclass VII.

17 “Subclass I” means all current and former insureds nationwide whose Unum
18 LTC Policies state “[u]nless we tell you something else, years, months and
19 anniversaries that we refer to are calculated from the Policy Date” and Unum used
20 (for insureds with “accrued damages”), is using (for insureds “in claim”), or will use
21 (for “future claimant” insureds) the Effective Date. The class representative for
22 Subclass I is Don.

23 “Subclass IV” means all current (as of the Settlement Agreement Execution
24 Date) and former insureds nationwide whose Unum LTC Policies contain an optional
25 provision for inflation protection which states that their Lifetime Maximum Benefit
26 Amount will increase, and Unum applied (for insureds with “accrued damages”), is
27 applying (for “in claim” insureds), or will apply (for “future claimant” insureds) the
28 annual inflation increase to the remaining Lifetime Maximum Benefit Amount, even
though the word “remaining” does not quantify or reduce the Lifetime Maximum

1 Benefit Amount. The class representatives for Subclass IV are Don for those insureds
2 who have “accrued damages,” and Pelham for the “in claim” and “future claimant”
3 insureds.

4 “Subclass VII” means all current and former insureds under Unum’s LTC
5 Policies nationwide issued pre-2002 who since 2010 received a “duplicate” policy
6 that was not an exact copy of their original policy. The class representatives of
7 Subclass VII are Pelham for “in claim” insureds, and Little for “future claimant”
8 insureds.

9 Excluded from the Settlement Class are the following policyholders who timely
10 filed exclusion forms: (1) ROBERT EDWARD GRACE, (2) JENNIF GRACE, (3)
11 DONNA J. CRISPENO, (4) LARRY E SHOFFNER, (5) CAROLE M. BAGGETT,
12 (6) NADINE KAY, (7) DOROTHY FEVOLD, (8) PHOEBE A. BRODERICK, (9)
13 JULIE CAMPBELL, (10) DAVID J. MULLHOLAND, (11) ANN P. RIETH, (12)
14 MICHAEL KUNKIN, (13) FRANK HUMPRES JR, (14) JEAN ROLL, (15)
15 GERALD E. MILLER, (16) MARY MILLER, (17) PATRICIA A. BRISTOL, (18)
16 DOUGLAS A. LUETJEN, (19) THOMAS E. ROLL, (20) LUANNE O. BULLOCK,
17 (21) DEANNA D. FARRAH, (22) VIVIAN J. BARKER, (23) JOHN H. LEBOEUF,
18 (24) WILLIAM L. WEBB, (25) KAREN J. SEAT, (26) DOROTHY E.
19 CHALLINOR, (27) ELSIE T. MARUNO, (28) MILTON C. CAMPBELL, (29)
20 PRISCILLA D. MILLER, (30) WAYNE TERRY, (31) CHARDELLE F. HULL, (32)
21 SANDRA HATHAWAY, (33) DOROTHY J. MORINAGA, (34) ANITA L.
22 PIERCE, (35) SHAMEEM MIRZA, (36) ROGER L. ROUCH, (37) K. DIANE
23 ROUCH, (38) ANNA C. HAMPTON, (39) KENNETH HAMPTON, (40) SUSAN C.
24 RITTER, (41) KATHRYN MULLHOLAND, (42) PATRICIA J. HUMPRES, (43)
25 RONALD BRUYERE, (44) KATHERINE M. AKAGI, (45) BARBARA A.
26 COLUCCI, (46) YVONNE B. NICHOLSON, (47) HOWARD W. NICHOLSON,
27 (48) CONSTANCE SMITH, (49) JULIE E. SMITH, (50) B. DARLENE OGAN, (51)
28 NANCY B. FRENCH, (52) RON D. BRUCE, (53) SUSAN M. MYERS, (54) DORIS
A. HENSON, (55) STANLEY G. SEAT, (56) HILARY FISHER, (57) ELIZABETH

1 A. SPRINGER, (58) JANET CASTLE, (59) ELIZABETH M. STUCKART, (60)
2 BOB L. VIA, (61) PAMELA VIA, (62) ERNIE R. PROWS, (63) CHARLENE
3 HERNANDEZ, (64) SANDRA K. BULLARD, (65) MARY ANN YOUNCE, (66)
4 SHIRLEY E. LIPPARD, (67) YOUSSEF HATEFI, (68) STACY HACKNEY, (69)
5 BEVERLY A. SILVEIRA, (70) MARGARET T. HIGA, (71) LAWREN HIGA, (72)
6 MONA J. GROVE, (73) JULIE CILINO, (74) NATALIE BERKEY, (75) JANE
7 VIAL, (76) JACQUELINE JACOBS, (77) JIM BLACK, (78) CLYDE J.
8 MCKINLEY, (79) MARCIA A. ODELL, (80) THERESA SMYTHE, (81)
9 MARJORIE QUOCK, (82) PATRICE RANDLE, (83) JAMES LEON RANDLE,
10 (84) WILLIAM R. STRUCKMANN, (85) GWENDO STRUCKMANN, (86) LYNN
11 A. FRITZIUS, (87) DONNA C. WICKMAN, (88) JOYCE F. COFFIN, (89) JANE Y.
12 KUMAMOTO, (90) RYLLIS M. POINDEXTER, (91) CLARA ELIZABETH
13 MILLER, (92) EDITH M. JOHNK, (93) JEAN K. ERNST, (94) MARK HOBBS,
14 (95) JANET I. ARONSON, (96) BRETON LEWELLEN, (97) KAREN D.
15 LEWELLEN, (98) KAREN D. LEWELLEN, (99) BRENDA K. DAMEK, (100)
16 IRENE L. ALLEN, (101) VIMALA RAO, (102) JACK W. BLOOMER, (103)
17 MARION B. MAY, (104) MARLENE A. BLOOMER, (105) CONNIE ROWAN,
18 (106) PAUL A. ROWAN, (107) BONNIE B. RUST, (108) MARION H. EMERY,
19 (109) MARY A. MITCHELL, (110) EDITH K. NOMI, (111) DIANE W.
20 BOULAVSKY, (112) JUDY V. WEAVIL, (113) ROGER HOLT, (114) SASHA
21 RAMESSAR, (115) LANNY BOYCE, (116) MAUREEN E. VINCENT, (117) JOAN
22 HERNDON, (118) CANDACE M. SILBER, (119) GUIDO H. STEMPEL, (120)
23 RICHARD L. SHERIDAN, (121) NANCY A. PERRY, (122) JOANNE
24 CURATOLO, (123) JOAN B. MORRELL, (124) GAIL L. RUTH, (125)
25 KATHLEEN D. GAGLIARDI, (126) ANTHONY J. RZEPELA, (127) DAVID
26 CHAMPE, (128) JENNIE F. KONDO, (129) MAUDE R. CALDWELL, (130)
27 GIOVANNI VIGNOLO, (131) SALLY J. WETZEL, (132) LINDA S. KISER, (133)
28 JUDY KELLER, (134) NONA L. ECHEVARRIA, (135) DOMINGO
ECHEVARRIA, (136) MARY A. HENSLEY, (137) DWAYNE L. SNYDER, (138)

1 THERESA A. MORIN-DOYLE, (139) ARLENE TYLER, (140) CHARLE
2 SUTTLES, (141) MICHELE SUTTLES, (142) JACK C. WILLIAMS, (143)
3 LOUANN LUTHER, (144) ELAINE ROSE, (145) WILLIAM J. FREDERICK, (146)
4 SHARON FREDERICK, (147) ROSALIE RETTMANN, (148) ROBERT H. LEWIS,
5 (149) MICHAEL A. CHASE, (150) KAREN M. FURUTA, (151) ANGELINE T.
6 MILLS, (152) SUSI B. SLOCUM, (153) DIANE B. HUBBARD, (154) CYNTHIA
7 G. LAKE, (155) ANTONIA MARIA FISHER, (156) BARBARA SHANNAHAN,
8 (157) PATRICIA GOODWIN, (158) WILLIAM E. MOOREHEAD, and (159)
9 NANCY MOOREHEAD.

10 2. Venue is proper.

11 3. This Action (including all the claims of Plaintiffs and the Settlement Class
12 Members) is dismissed, with prejudice on the merits, without fees to any party except
13 as provided in the Stipulation to the extent not inconsistent with the Court's Order
14 awarding Class Counsel's Attorneys' Fees and Class Counsel's Expenses.

15 4. The Release set forth in Section IX of the Stipulation For Settlement is
16 incorporated into this Judgment as if fully set forth here.

17 5. All Settlement Class Members and their representatives are permanently
18 enjoined from filing, commencing, prosecuting, maintaining, intervening/participating
19 in, conducting, or continuing litigation as class members or from receiving any
20 benefits from any lawsuit, administrative, arbitration, mediation or regulatory
21 proceeding or order, or other legal proceeding, in accordance with the provisions of
22 Section XII of the Stipulation.

23 6. All Settlement Class Members, and all persons in active concert or participation
24 with any Settlement Class Member, are permanently enjoined from filing,
25 commencing, or prosecuting any lawsuit, arbitration, mediation or other legal
26 proceeding or action, a separate class, or group for purposes of pursuing a
27 putative class (including by seeking to amend a pending complaint to include class
28 allegations seeking class certification in a pending action in any jurisdiction) arising
out of, based on, or relating to the Released Claims (as defined in the Stipulation).

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7. All Settlement Class Members, and all persons in active concert or participation with any Settlement Class Member are permanently enjoined from organizing or soliciting participation of any Settlement Class Member in a separate class or group for purposes of pursuing a putative class action, or any claim or lawsuit, or mediation or other legal proceeding in any jurisdiction based on the Released Claims (as defined in the Stipulation).

IT IS SO ORDERED.

Dated: 7/5/16



Dale Fischer
United States District Judge