

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA

3 ALFRED SALAS and GLORIA ORTEGA,  
4 individually and on behalf of all others  
5 similarly situated,

6 Plaintiffs,

7 v.

8 TOYOTA MOTOR SALES, U.S.A., INC.

9 Defendant.

Case No: 2:15-cv-08629-HDV-E

10 **SECOND SUPPLEMENTAL DECLARATION OF CAMERON R. AZARI, ESQ. REGARDING**  
11 **IMPLEMENTATION AND ADEQUACY OF CLASS NOTICE PLAN**

12 I, Cameron R. Azari, Esq., hereby declare and state as follows:

13 1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth  
14 herein, and I believe them to be true and correct.

15 2. I am a nationally recognized expert in the field of legal notice, and I have served as an expert  
16 in hundreds of federal and state cases involving class action notice plans.

17 3. I am a Senior Vice President of Epiq Class Action and Claims Solutions, Inc. (“Epiq”) and  
18 the Director of Legal Notice for Hilsoft Notifications, a firm that specializes in designing, developing,  
19 analyzing, and implementing large-scale, un-biased, legal notification plans. Hilsoft Notifications is a  
20 business unit of Epiq. References to Epiq in this declaration include Hilsoft Notifications.

21 4. The facts in this declaration are based on my personal knowledge, as well as information  
22 provided to me by my colleagues under my direction and control in the ordinary course of my business at Epiq.

23 **OVERVIEW**

24 5. This declaration provides updated settlement administration statistics regarding the  
25 settlement website, toll-free telephone number, and claim filing following the successful implementation  
26 of the Settlement Notice Plan (“Notice Plan”) for *Alfred Salas and Gloria Ortega v. Toyota Motor Sales,*  
27 *U.S.A., Inc.*, Case No. 2:15-cv-08629-HDV-E pending in the United States District Court for the Central  
28 District of California. I previously executed my *Declaration of Cameron R. Azari, Esq. Regarding Class*

1 *Notice Plan* (“Notice Plan Declaration”) on March 20, 2024, which described the Notice Plan, detailed  
2 Hilsoft’s class action notice experience, and attached Hilsoft’s *curriculum vitae* and Epiq’s Notice Plan.  
3 ECF No. 264-6. Subsequently, I executed my *Declaration of Cameron R. Azari, Esq. Regarding*  
4 *Implementation and Adequacy of Class Notice Plan* (“Implementation Declaration”) on August 28, 2024,  
5 which described the successful implementation of the Notice Plan and provided then-current settlement  
6 administration statistics. Most recently, I executed my *Supplemental Declaration of Cameron R. Azari,*  
7 *Esq. Regarding Implementation and Adequacy of Class Notice Plan* (“First Supplemental Declaration”)  
8 on October 16, 2024, which provided updated settlement administration statistics. ECF No. 279-1.

9 **NOTICE ADMINISTRATION**

10 ***Settlement Website***

11 6. As detailed in paragraph thirty of my Implementation Declaration and as referenced in  
12 paragraph twenty-one in my First Supplemental Declaration, the settlement website  
13 ([www.ToyotaCaliforniaHVACSettlement.com](http://www.ToyotaCaliforniaHVACSettlement.com)) was established on May 31, 2024, and it continues to be  
14 available 24 hours per day, 7 days per week, in English and Spanish. Class Members continue to be  
15 able to file a Claim Form on the settlement website. As of December 4, 2024, there have been 20,702  
16 unique visitor sessions to the settlement website, and 41,149 web pages have been presented.

17 ***Toll-free Telephone Number***

18 7. As detailed in paragraphs thirty-one and thirty-two of my Implementation Declaration and  
19 as referenced in paragraph twenty-two in my First Supplemental Declaration, the toll-free telephone  
20 number (1-888-907-6966) was established on May 31, 2024, and it continues to be available for the case,  
21 in English and Spanish. Callers have the option to connect with a live operator during normal business  
22 hours. The automated telephone system is available 24 hours per day, 7 days per week. As of December  
23 4, 2024, there have been 1,176 calls to the toll-free telephone number representing 7,821 minutes of use,  
24 and service agents have handled 753 incoming calls representing 7,364 minutes of use, and 38 outgoing  
25 calls representing 63 minutes of use.

***Claim Filing***

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2 8. The deadline for Class Members to file a Claim Form for out-of-pocket expenses incurred  
3 on or before May 31, 2024, is May 31, 2025. The deadline for Class Members to file a Claim Form for  
4 out-of-pocket expenses incurred after May 31, 2024, is either May 31, 2025 (for Model Year 2012-2013  
5 Subject Vehicles) or May 31, 2026 (for Model Year 2014-2015 Subject Vehicles). As of December 4,  
6 2024, Epiq has received 270 Claim Forms (242 online submissions and 28 paper submissions). Since  
7 the claim filing deadlines have not yet passed, these numbers are preliminary. As the claim filing  
8 deadlines are months or more than a year away, I expect additional Claim Forms will be filed by Class  
9 Members. In my experience, receipt of claims also tends to increase towards the claims deadline.

10 9. Because the Settlement provides benefits to only those Class Members who actually  
11 experienced a defective heating, ventilation and air-conditioning system (“HVAC System”), rather than  
12 all Class Members who were sent a Notice, it is anticipated that a smaller percentage of Claim Forms  
13 will be filed, compared to automotive settlements where benefits can be claimed by the entire class sent  
14 notice. Further, it is my understanding that most Class Members did *not* experience a defective HVAC  
15 System and/or did *not* incur out-of-pocket expenses as a result of a defect, and thus would *not* be expected  
16 to file a Claim Form.

***Cost of Notice Implementation and Administration***

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18 10. As of December 4, 2024, Epiq has invoiced \$290,049.43 to implement the Notice Plan and  
19 handle the settlement administration to date. Additional billable time and costs will be incurred and  
20 invoiced by Epiq to complete administration of the Settlement. The remaining work to be completed  
21 includes: 1) addressing the remainder of notice dissemination, including, but not limited to, responding  
22 to inquiries from Class Members; 2) receipt, processing, and auditing of Claim Forms; 3) communicating  
23 with Class Members, including maintaining the settlement website and toll-free telephone number  
24 throughout the remaining duration of the settlement administration; 4) distributing settlement funds to  
25 Class Members, including digital payments and printing and mailing checks, and associated postage; 5)  
26 handling undeliverable payments; 6) re-issuing payments; and 7) associated project management and  
27 related billable hours to handle the distribution and related settlement administration responsibilities. All  
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1 costs are subject to the Service Contract under which Epiq is retained as the Settlement Notice  
2 Administrator, and the terms and conditions of that agreement.

3 I declare under penalty of perjury under the laws of the United States of America that the foregoing  
4 is true and correct. Executed December 5, 2024.

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Cameron R. Azari, Esq.

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