

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

ARNOLD GOLDEN,  
  
Plaintiff,  
  
vs.  
  
BANCO POPULAR DE PUERTO RICO,  
  
Defendant.

Case No. 3:20-cv-00095 (RM)

**SUPPLEMENTAL DECLARATION  
OF SCOTT M. FENWICK OF KROLL  
SETTLEMENT ADMINISTRATION  
LLC IN CONNECTION WITH FINAL  
APPROVAL OF THE SETTLEMENT**

Date: September 8, 2023

The Hon. Judge Ruth Miller

I, Scott M. Fenwick, declare as follows:

**INTRODUCTION**

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),<sup>1</sup> the Settlement Administrator<sup>2</sup> appointed in the above-captioned Action, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision.

2. Kroll has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities fraud, labor and employment, consumer, and government enforcement matters. Kroll has provided notification and/or claims administration services in more than 3,000 cases.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in that certain Settlement Agreement and Releases (the “Settlement Agreement”).

<sup>2</sup> The Settlement Agreement and Preliminary Approval Order appoint “Kroll” as the Settlement Administrator. Kroll Settlement Administration LLC is the full legal name of the Settlement Administrator in this case.

**BACKGROUND**

3. This declaration supplements the *Declaration of Scott M. Fenwick of Kroll Settlement Administration LLC in Connection with Final Approval of the Settlement*, filed on July 25, 2023 (ECF No. 122-6) (the “Initial Declaration”).

**EXCLUSIONS AND OBJECTIONS**

4. As detailed in the Initial Declaration, the Opt-Out Deadline and Objection Deadline was August 9, 2023. Settlement Class Members were instructed to submit any opt-outs to Kroll as the Settlement Administrator. As of August 21, 2023, Kroll’s records indicate that it has received one (1) exclusion request. That exclusion request was made before the deadline and is listed here in Exhibit A (which is being filed under seal).

5. Settlement Class Members were also instructed to submit any objections to the Settlement Administrator, and none have been received by Kroll.

**CERTIFICATION**

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this Declaration was executed on August 21, 2023, in Inver Grove Heights, Minnesota.

  
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SCOTT M. FENWICK