

# Exhibit 1

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANDREW CORZO, SIA HENRY, ALEXANDER  
LEO-GUERRA, MICHAEL MAERLENDER,  
BRANDON PIYEVSKY, BENJAMIN SHUMATE,  
BRITTANY TATIANA WEAVER, and  
CAMERON WILLIAMS, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA  
INSTITUTE OF TECHNOLOGY, UNIVERSITY  
OF CHICAGO, THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW YORK,  
CORNELL UNIVERSITY, TRUSTEES OF  
DARTMOUTH COLLEGE, DUKE UNIVERSITY,  
EMORY UNIVERSITY, GEORGETOWN  
UNIVERSITY, THE JOHNS HOPKINS  
UNIVERSITY, MASSACHUSETTS INSTITUTE  
OF TECHNOLOGY, NORTHWESTERN  
UNIVERSITY, UNIVERSITY OF NOTRE DAME  
DU LAC, THE TRUSTEES OF THE  
UNIVERSITY OF PENNSYLVANIA, WILLIAM  
MARSH RICE UNIVERSITY, VANDERBILT  
UNIVERSITY, and YALE UNIVERSITY,

Defendants.

Case No.: 1:22-cv-00125

**Hon. Matthew F. Kennelly**

**PLAINTIFFS' [PROPOSED] ALLOCATION PLAN PROCESS**

## **INTRODUCTION**

Plaintiffs have articulated, and the Court has preliminarily approved, the Revised Plan of Allocation (ECF 603-9) for allocating the \$284,000,000 Settlement Fund, plus any interest earned on the Settlement Fund, and net of Court-awarded attorneys' fees, expenses, service awards for Class Representatives, and Settlement Costs ("Net Settlement Fund"). Plaintiffs now submit this proposed Allocation Plan Process to discuss the process by which Settlement Class Members will make claims on the Net Settlement Fund, for distributing funds to Settlement Class Members, for reporting distribution of the Net Settlement Fund to the Court, and for resolution of any related disputes.

## **CLAIM FORM**

1. Settlement Class Members will submit a Settlement Claim Form ("Claim Form") attached to the Steven Weisbrot May 28, 2024 Declaration as Exhibit F. The Claim Form will contain the Settlement Class definition and will be pre-populated by the Claims Administrator (Angeion Group LLC, or "Angeion"), for each Settlement Class Member for whom the Claims Administrator has identity and contact information, with the Settlement Class Member's full name, mailing address for correspondence regarding the distribution of the Net Settlement Fund, and Defendant University or Universities attended during the Class Period (with the option to update any inaccurate information). Settlement Class Members who submit Claim Forms ("Claimants") will provide the following information through the Claim Form process: (1) the academic year(s), or portions thereof, each attended and paid for education services while receiving partial need-based grant aid provided by one or more Defendants during the Class Period; (2) the institution(s) attended during the Class Period; (3) one or more documents demonstrating membership in the Settlement Class; and (4) attestations under oath that the

Claimant meets each of the criteria for membership in the Settlement Class and does not fit into any recognized exception set out in the Settlement Class definition. The Claim Form can be submitted electronically via an online portal available on [www.financialaidantitrustsettlement.com](http://www.financialaidantitrustsettlement.com) (the “Settlement Website”).

### **TIMELINE AND PROCESS FOR SUBMITTING CLAIMS**

2. Within 60 days after the Court issues an order finally approving (“Final Approval”) the Settlements, Revised Plan of Allocation, and Allocation Plan Process, Angeion will mail (via email or first-class mail if Angeion has no valid email address for that individual) a notice with a link to a pre-populated Claim Form to each Settlement Class Member for whom Angeion has a valid and current address.

3. If a Settlement Class Member does not receive a Claim Form by mail or email, the Settlement Class Member can complete a Claim Form from the Settlement Website or contact Angeion by phone at (833) 585-3338 or email at [info@financialaidantitrustsettlement.com](mailto:info@financialaidantitrustsettlement.com) for instructions on how to access the Claim Form.

4. *Timeliness.* For members of the Settlement Class, the submission of a fully executed Claim Form to Angeion will be deemed timely if it is received within 150 days of Final Approval.

### **PROCESSING OF CLAIMS**

5. All Claim Forms submitted will be reviewed and processed by Angeion, with assistance from Dr. Singer and his staff at EconOne and Settlement Class Counsel, as required and appropriate.

6. *Acceptance and Rejection.* Angeion shall first determine whether a submitted Claim Form received is timely, properly completed, and signed. If a Claim Form is incomplete,

Angeion shall communicate with the Claimant via mail, email, or telephone regarding the deficiency. Angeion will review all completed, non-deficient Claim Forms to determine whether each will be accepted or rejected. Angeion shall also be charged with verifying that Claim Forms do not have indicia of fraud, and as part of its role, Angeion may contact Claimants requesting additional documentation or other materials. Claimants will have 28 days from the date they are contacted by Angeion to cure any identified deficiency or to verify Settlement Class membership or other information provided on the Claim Form. If a Claimant fails to adequately respond and/or correct any perceived deficiency within 28 days, Angeion in consultation with Settlement Class Counsel may reject the claim, and the Claimant shall be notified in writing the reason(s) for rejection. Any Claimant whose Claim Form is rejected may seek review by the Court via the appeals process described in paragraphs 24-25 below.

7. All correctly completed late Claim Forms will be processed by Angeion but marked as “Late Approved Claims.” If Settlement Class Counsel, in conjunction with Angeion, conclude that, in their collective judgment, any such “Late Approved Claims” should ultimately not be accepted, the Claimant will be so notified, and then may seek review by the Court via the appeals process described in paragraphs 16-17 below.

8. *The Pro Rata Distribution Calculation for Claimants.* EconOne, in consultation with Angeion and Settlement Class Counsel, will be responsible for determining the total amount each Claimant will receive of the Net Settlement Fund pursuant to the methodology described in the Revised Plan of Allocation, ECF 603-9, at 8-10. Once Angeion has determined which claims submitted by Claimants are approved, EconOne will work with Angeion to calculate each Claimant’s *pro rata* share of the Net Settlement Fund as determined by the calculation described in the Revised Plan of Allocation. This will include analysis of the years (or fractions of years)

Claimants attended Defendant Universities and the average net cost of attendance for each year during the Class Period at each Defendant University.<sup>1</sup>

### **PROCESSING CHALLENGED CLAIMS**

9. Angeion, in consultation with EconOne and Settlement Class Counsel, shall review all written challenges by Claimants to Angeion's determinations. If upon review of a challenge and any supporting documentation submitted by the Claimant, Angeion and EconOne, or Settlement Class Counsel, decide to amend or modify their determination, Angeion shall advise the Claimant who made the challenge. Any such determinations shall be final, subject to the appeals process described in paragraphs 16-17 below.

10. Where Angeion, in consultation with EconOne or Settlement Class Counsel, determines that a challenge requires additional information or documentation, Angeion shall so advise the Claimant and provide that Claimant an opportunity to cure the deficiency within 28 days, as set forth in paragraph 6 above. If that Claimant fails to cure the deficiency within that time, the challenge will be rejected and the Claimant will be notified of the rejection of its challenge in writing, which notification shall be deemed final subject to the appeals process described below in paragraphs 16-17 below.

11. If Angeion, in consultation with EconOne or Settlement Class Counsel, concludes that it has enough information to properly evaluate a challenge and maintains that its initial determinations were correct, it will so inform the Claimant in writing. Such notification shall be deemed final subject to any appeal of that decision to the Court.

### **REPORT TO THE COURT REGARDING DISTRIBUTION OF THE NET SETTLEMENT FUND**

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<sup>1</sup> Angeion will use data from the U.S. Department of Education, or structured data produced by Defendants, as part of the calculation for determining the *pro rata* shares for Claimants attending Defendants.

12. Angeion will work with EconOne to determine the amount each Claimant is entitled to receive from the Net Settlement Fund following the method set forth in the Revised Plan of Allocation (ECF No. 603-9). After this process is completed, Angeion will prepare a final report for the Court's review and approval ("Final Report"). The Final Report will explain the tasks and methodologies employed by Angeion in processing the claims and administering the Revised Plan of Allocation. It will also contain (a) a list of purported Settlement Class Members who filed Claim Forms or were rejected and the reasons for the rejections, (b) a list of challenges (if any) to the estimated distribution amounts that were rejected and the reasons for rejecting the challenges, and (c) the date any such Claimant whose challenge was rejected was informed by Angeion of that rejection for purposes of calculating the timeliness of any appeal using the procedures set forth below. Finally, the Final Report shall contain an accounting of the expenses associated with the Revised Plan of Allocation, including bills from EconOne and Angeion, any taxes that are due and owing on the Escrow Accounts, and any other fees or expenses associated with the settlement administration and allocation process. Those costs are to be paid by out of the Settlement Fund upon Court approval.

#### **PAYMENT TO CLAIMANTS**

13. Upon Court approval of the Final Report, Angeion shall issue, with Court approval, a check or other form of secure payment to each Claimant who has submitted a complete and valid Claim Form, including to each Claimant who filed a Late Approved Claim.

14. Subject to further Order of the Court, any monies from the Net Settlement Fund that remain unclaimed after any initial distribution shall, if economically feasible, be distributed (with Court approval) to Claimants in an additional distribution or distributions based on the same calculations described above.

15. Insofar as the Net Settlement Fund includes residual funds after distribution or distributions as set forth in the preceding sections that cannot be economically or efficiently distributed to the Claimants (because of the costs of distribution as compared to the amount remaining), Settlement Class Counsel shall make an application to the Court for such sums to be used to make *cy pres* payments for the benefit of members of the Settlement Class. *See* Settlement Agreements ¶ 9.

### RESOLUTION OF DISPUTES

16. In the event of any disputes between Claimants and Angeion on any subject (*e.g.*, timeliness, required completeness or documentation of a claim, the calculation of a Claimant's *pro rata* share of the Net Settlement Fund), the decision of Angeion shall be final, subject to the Claimant's right to seek review by the Court. In notifying a Claimant of the final rejection of a Claim or a challenge thereto, Angeion shall notify the Claimant of its right to seek such review.

17. Any such appeal by a Claimant must be submitted in writing to the Court, with copies to Angeion and Settlement Class Counsel, within 21 days of Angeion's sending a final rejection notification to the Claimant.

Dated: May 28, 2024

Respectfully Submitted,

By: /s/ Robert D. Gilbert

Robert D. Gilbert  
Elpidio Villarreal  
Robert S. Raymar  
David Copeland  
Natasha Zaslove  
**GILBERT LITIGATORS &  
COUNSELORS, P.C.**  
11 Broadway, Suite 615  
New York, NY 10004  
Phone: (646) 448-5269  
rgilbert@gilbertlitigators.com

/s/ Edward J. Normand

Devin "Vel" Freedman  
Edward J. Normand  
Peter Bach-y-Rita  
**FREEDMAN NORMAND  
FRIEDLAND LLP**  
99 Park Avenue  
Suite 1910  
New York, NY 10016  
Tel: 646-970-7513  
vel@fnf.law  
tnormand@fnf.law



pdvillarreal@gilbertlitigators.com  
rraymar@gilbertlitigators.com  
dcopeland@gilbertlitigators.com  
nzaslove@gilbertlitigators.com

/s/Eric Cramer

Eric L. Cramer  
Ellen T. Noteware  
**BERGER MONTAGUE PC**  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Tel: 215-875-3000  
ecramer@bm.net  
enoteware@bm.net

Richard Schwartz  
**BERGER MONTAGUE PC**  
1720 W Division  
Chicago, IL 60622  
Tel: 773-257-0255  
rschwartz@bm.net

pbachyrita@fnf.law

Daniel J. Walker  
Robert E. Litan  
Hope Brinn  
**BERGER MONTAGUE PC**  
2001 Pennsylvania Avenue, NW  
Suite 300  
Washington, DC 20006  
Tel: 202-559-9745  
rlitan@bm.net  
dwalker@bm.net  
hbrinn@bm.net

*Counsel for Plaintiffs*