

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

ERIK KNIGHT and JUNG KIM, individually and
on behalf of all others similarly situated,

Case No. 3:22-cv-00203-JM

Plaintiffs,

vs.

PROGRESSIVE NORTHWESTERN
INSURANCE COMPANY, PROGRESSIVE
DIRECT INSURANCE COMPANY,
PROGRESSIVE CASUALTY INSURANCE
COMPANY, PROGRESSIVE SPECIALTY
INSURANCE, and PROGRESSIVE CLASSIC
INSURANCE COMPANY, Ohio corporations,

Defendants.

**DECLARATION OF CAMERON R. AZARI, ESQ. ON
IMPLEMENTATION AND ADEQUACY OF SETTLEMENT NOTICE PLAN**

I, Cameron R. Azari, Esq., declare as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.
2. I am a nationally recognized expert in the field of legal notice, and I have served as an expert in hundreds of federal and state cases involving class action notice plans.
3. I am a Senior Vice President of Epiq Class Action & Claims Solutions, Inc. (“Epiq”) and the Managing Director of Epiq Legal Noticing (aka Hilsoft Notifications), a business unit of Epiq that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans.
4. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq and Epiq Legal Noticing (hereinafter “Epiq”).

DECLARATION OF CAMERON R. AZARI, ESQ. ON IMPLEMENTATION AND
ADEQUACY OF SETTLEMENT NOTICE PLAN

OVERVIEW

5. This declaration details the successful implementation of the Settlement notice plan (“Settlement Notice Plan”) and Settlement notice (the “Notice” or “Notices”) for *Knight v. Progressive Northwestern Ins. Co.*, Case No. 3:22-cv-00203 in the United States District Court for the Eastern District of Arkansas, Northern Division. I previously executed my *Declaration of Cameron R. Azari, Esq. on Notice Plan* (“Class Certification Notice Plan Declaration”) on January 13, 2025, which described the Class Certification Notice Plan, detailed Epiq’s class action notice experience, and attached Epiq’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions and my ability to render opinions on overall adequacy of notice programs. Subsequently, I executed my *Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Class Certification Notice Plan and Proposed Settlement Notice Plan* (“Class Certification Implementation and Settlement Notice Plan Declaration”) on May 8, 2025, which described the successful implementation of the Class Certification Notice Plan, and described the proposed Settlement Notice Plan.

SETTLEMENT NOTICE PLAN SUMMARY

6. Federal Rule of Civil Procedure 23 directs that notice must be “the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice may be by one or more of the following: United States mail, electronic means, or other appropriate means.”¹ The Settlement Notice Plan as implemented satisfied these requirements.

7. The Settlement Notice Plan as designed and implemented reached the greatest practicable number of Settlement Class Members. With the address updating protocols that were used, the Notice Plan individual notice efforts via email and mail reached approximately 99% of the identified Settlement Classes. The reach was further enhanced by a settlement website. In my

¹ Fed. R. Civ. P. 23(c)(2)(B).

experience, the reach of the Settlement Notice Plan was consistent with other court-approved notice programs, was the best notice practicable under the circumstances, and satisfied the requirements of due process, including its “desire to actually inform” requirement.²

SETTLEMENT NOTICE PLAN DETAIL

8. On May 19, 2025, the Court approved the Settlement Notice Plan and appointed Epiq as the Settlement Administrator in the *Order Granting Preliminary Approval of Class Action Settlement* (“Preliminary Approval Order”). In the Preliminary Approval Order, the Court approved and certified, for settlement purposes, the following “Settlement Classes”:

Progressive Northwestern Class: All persons who made a first-party claim on a policy of personal automobile insurance issued by Progressive Northwestern Insurance Company to an Arkansas resident where the claim was submitted from August 4, 2017, through the date an order granting Preliminary Approval is entered, and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

Progressive Direct Class: All persons who made a first-party claim on a policy of personal automobile insurance issued by Progressive Direct Insurance Company to an Arkansas resident where the claim was submitted from October 4, 2019, through the date an order granting Preliminary Approval is entered, and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

Other Underwriters Class: All persons who made a first-party claim on a policy of personal automobile insurance issued by Progressive Casualty Insurance Company, Progressive Specialty Insurance Company, or Progressive Classic Insurance Company to an Arkansas resident, and Progressive Casualty Insurance Company, Progressive Specialty Insurance Company, or Progressive Classic Insurance Company to an Arkansas resident where the claim was submitted within five years prior to the date an order granting Preliminary Approval is entered, and Progressive determined that the vehicle was a total loss and based its claim payment

² *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950) (“But when notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected . . .”).

on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

Excluded from the Settlement Classes are (1) any judge presiding over this Action and members of their families; and (2) Defendants, their subsidiaries, parent companies, successors, predecessors, and any entity in which any Defendant or its parents have a controlling interest and their current or former officers, directors, agents, attorneys, and employees.

9. After the Court’s Preliminary Approval Order was entered, Epiq implemented the Settlement Notice Plan. This declaration details the notice activities undertaken to date and explains how and why the Settlement Notice Plan was comprehensive and well-suited to reach the Settlement Class Members. This declaration also discusses the administration activity to date.

SETTLEMENT NOTICE PLAN

Individual Notice

10. On June 3, 2025, Epiq received one data file with 27,011 identified Settlement Class Member records which included names, physical addresses, and email addresses. Epiq deduplicated and rolled-up the records and loaded the unique, identified Settlement Class Member records into its database for this Settlement. These efforts resulted in 25,129 unique Settlement Class Member records (six records did not contain a valid email address or an associated mailing address and were not sent a Notice).

11. An Email Notice was sent to all identified Settlement Class Members for whom a valid email address was available, and a Postcard Notice was sent via United States Postal Service (“USPS”) first class mail to identified Settlement Class Members with an associated mailing address.

Individual Notice – Email Notice

12. On June 27, 2025, Epiq commenced sending 36,342 Email Notices to identified Settlement Class Members for whom a valid email address was available (some Settlement Class Members had multiple valid email addresses and an Email Notice was sent to each unique valid email address). The following industry standard best practices were followed. The Email Notice was created using an embedded html text format. This format provided an easy-to-read text

without graphics, tables, images, and other elements that in our experience would have increased the likelihood that the message would have been blocked by Internet Service Providers (ISPs) and/or SPAM filters for this type of email communication. Each Email Notice was transmitted with a unique message identifier. The Email Notice included an embedded link to the settlement website. By clicking the link, recipients were able to easily access the Long Form Notice, and other information about the case. The Email Notice is included as **Attachment 1**.

13. If the receiving email server could not deliver the message, a “bounce code” was returned along with the unique message identifier. For any Email Notice for which a bounce code was received indicating that the message was undeliverable, at least one additional attempt was made to deliver the Email Notice.

Individual Notice – Direct Mail

14. On June 27, 2025, Epiq commenced sending 25,058 Postcard Notices to identified Settlement Class Members with an associated mailing address. The Postcard Notices were sent via USPS first class mail. The Postcard Notice clearly and concisely summarized the Settlement and the legal rights of the Settlement Class Members. In addition, the Postcard Notice also directed the recipients to the settlement website where they could access the Long Form Notice and additional information about the case. The Postcard Notice is included as **Attachment 2**.

15. Prior to mailing, all mailing addresses were checked against the National Change of Address (“NCOA”) database maintained by the USPS.³ In addition, the addresses were certified via the Coding Accuracy Support System (“CASS”) to ensure the quality of the zip code, and verified through Delivery Point Validation (“DPV”) to verify the accuracy of the addresses. This address updating process is standard for the industry and for the majority of promotional mailings that occur today.

³ The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person’s name and known address.

16. The return address on the Postcard Notices was a post office box that Epiq maintains for this case. The USPS automatically forwarded Postcard Notices with an available forwarding address order that has not expired (“Postal Forwards”). Postcard Notices returned as undeliverable were remailed to any new address available through USPS information, (for example, to the address provided by the USPS on returned mail pieces for which the automatic forwarding order had expired but was still within the time period in which the USPS returned the piece with the address indicated), or to better addresses that were found using a third-party address lookup service. Upon successfully locating better addresses, Postcard Notices were promptly remailed. As of July 31, 2025, Epiq has remailed 983 Postcard Notices.

Notice Results – Settlement Notice Plan

17. As of July 31, 2025, an Email Notice and/or Postcard Notice was delivered to 25,084 of the 25,129 unique, identified Settlement Class Members. This means the individual notice efforts reached approximately 99% of the identified Settlement Classes.

Case Website, Toll-free Telephone Number, and Postal Mailing Address

18. The existing website (www.ARKTotalLossClaim.com) that was established for the Class Certification Notice efforts was updated with additional information regarding the Settlement. Settlement Class Members are able to obtain detailed information about the Settlement and review key documents including the Complaint, the Long Form Notice (in English or Spanish), Postcard Notice (in English or Spanish), Claim Form (in English or Spanish), Class Certification Order, Settlement Agreement, Preliminary Approval Order, and other case-related documents. In addition, the settlement website includes relevant dates, answers to frequently asked questions (“FAQs”), instructions for how Settlement Class Members can opt-out (request exclusion) from or object to the Settlement, instructions for submitting a Claim Form, contact information for the Settlement Administrator, and how to obtain other case-related information. Settlement Class Members are also able to submit a Claim Form on the settlement website. The settlement website address was displayed prominently on all notice documents. As of July 31, 2025, there have been

5,042 unique visitor sessions to the case website, and 15,844 web pages have been presented.

19. The existing toll-free telephone number (1-888-890-3703) that was established for the Class Certification Notice efforts was updated with additional information regarding the Settlement. Callers are able to hear an introductory message, have the option to learn more about the Settlement in the form of recorded answers to FAQs, and are able to request a Long Form Notice and Claim Form, in English or Spanish, (“Claim Package”) be mailed to them. The automated telephone system continues to be available 24 hours per day, 7 days per week. The toll-free telephone number was prominently displayed in all notice documents. As of July 31, 2025, the toll-free telephone number has handled 299 calls to the toll-free telephone number representing 800 minutes of use. The Long Form Notice in English is included as **Attachment 3**. The Long Form Notice in Spanish is included as **Attachment 4**. The Claim Form in English is included as **Attachment 5**. The Claim Form in Spanish is included as **Attachment 6**.

20. The existing post office box that was established for the Class Certification Notice efforts continues to be available, allowing Settlement Class Members the opportunity to request additional information or ask questions.

Requests for Exclusion and Objections

21. The deadline to request exclusion (opt-out) from the Class Certification phase was May 12, 2025. As of July 31, 2025, Epiq has received two requests for exclusion from the Class Certification phase. The Class Certification Exclusion Report is included as **Attachment 7**.

22. The deadline to request exclusion or to object to the Settlement is August 7, 2025. As of July 31, 2025, Epiq has received no requests for exclusion from the Settlement. As of July 31, 2025, Epiq is aware of no objections to the Settlement.

Claim Submission & Distribution Options

23. The Notices provided a detailed summary of the relevant information about the Settlement, including the settlement website address and how Settlement Class Members can submit a Claim Form online or by mail prior to the Claims Submission Deadline. With any method

of submitting a Claim Form, Settlement Class Members are given the option of receiving a digital payment or a traditional paper check.

24. The deadline for Settlement Class Members to file a Claim Form is October 25, 2025. As of July 31, 2025, Epiq has received 3,954 Claim Forms (2,313 online and 1,641 paper). Since the October 25, 2025, deadline has not yet passed, these numbers are preliminary and are subject to change. As standard practice, Epiq is in the process of conducting a complete quality control review of Claim Forms received. There is a likelihood that after detailed review, the total number of Claim Forms received will change due to duplicate and denied Claim Forms.

Reminder Notice

25. On July 22, 2025, Epiq commenced sending a Postcard Reminder Notice to all identified Settlement Class Members who were previously sent a Postcard Notice that was not returned as undeliverable and who have not submitted a Claim Form or requested exclusion from the Settlement. On July 23, 2025, Epiq commenced sending an Email Reminder Notice to all identified Settlement Class Members who have a valid email address that was not previously returned as undeliverable and who have not submitted a Claim Form or requested exclusion from the Settlement.

CONCLUSION

26. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes, and further by case law pertaining to notice. This framework directs that the notice plan be designed to reach the greatest practicable number of class members and, that the notice or notice plan itself does not limit knowledge of the availability of benefits—nor the ability to exercise other options—to members of the class in any way. All of these requirements were met in this case.

27. The Settlement Notice Plan included individual notice via email and mail to all identified Settlement Class Members. With the address updating protocols that were used, the Settlement Notice Plan individual notice efforts reached approximately 99% of the identified

Settlement Classes. The reach was further enhanced by a settlement website. In 2010, the Federal Judicial Center (“FJC”) issued a *Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide* which is relied upon for federal cases. This Guide states that, “the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a high percentage of the class. It is reasonable to reach between 70–95%.”⁴ Here, we have developed and implemented a Settlement Notice Plan that readily achieved a reach beyond the high end of that standard.

28. The Notice Plan followed the guidance for satisfying due process obligations that a notice expert gleans from the United States Supreme Court’s seminal decisions, which emphasize the need: (a) to endeavor to actually inform the Settlement Class, and (b) to ensure that notice is reasonably calculated to do so:

- a. “[W]hen notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it,” *Mullane v. Central Hanover Trust*, 339 U.S. 306, 315 (1950); and
- b. “[N]otice must be reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections,” *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156 (1974) (citing *Mullane*, 339 U.S. at 314).

29. The Settlement Notice Plan provided the best notice practicable under the circumstances of this case, conform to all aspects of Federal Rules of Civil Procedure, Rule 23 regarding notice, comported with the guidance for effective notice set out in the Manual for Complex Litigation, Fourth, and satisfied the requirements of due process, including its “desire to actually inform” requirement.

30. The Settlement Notice Plan afforded sufficient time to provide full and proper notice to Settlement Class Members before the opt-out and objection deadlines.

⁴ FED. JUDICIAL CTR, JUDGES’ CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-and-claims-process-checklist-and-plain-language-guide-0>.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed on July 31, 2025, at Beaverton, Oregon.

A handwritten signature in black ink, appearing to be 'C. Azari', written over a horizontal line.

Cameron R. Azari

Attachment 1

From: Class Action Administrator <ARKtotallossclaim@e.epiqnotice.com>
To: [REDACTED]
Subject: Progressive Settlement Claim Form! File Your Claim Here

If your vehicle was totaled while insured by Progressive Insurance, you may be entitled to a cash payment for underpayment of the actual cash value of your vehicle.

A court authorized this notice. This is not a solicitation from a lawyer.

The estimated average cash payment is \$500.

File a Claim Form [here](#) with your UNIQUE ID and PIN to be eligible.

UNIQUE ID: [REDACTED]

PIN: [REDACTED]

IMPORTANT: You must file a claim for your potential cash payment by **October 25, 2025**.

What is this Notice About? A settlement has been reached in a class action lawsuit against Progressive Northwestern Insurance Company, Progressive Direct Insurance Company, Progressive Casualty Insurance Company, Progressive Specialty Insurance Company, and Progressive Classic Insurance Company ("Progressive") for paying their insureds less than the actual cash value of their total loss vehicles.

The purpose of this Notice is to provide information about this Settlement and explain your rights and options.

What Does the Settlement Provide? Subject to court approval, the Settlement resolves all claims brought in this Class Action against Progressive for paying its insureds less than the actual cash value of their total loss vehicles in exchange for a cash settlement. Total payments available are approximately \$13,200,000.

File your Claim [here](#) or by mail postmarked by **October 25, 2025**, to be eligible.

The estimated average recovery amount is \$500 per eligible claim.

Who Represents Me? The Court has appointed lawyers from Carney Bates & Pulliam, PLLC; Shamis & Gentile, P.A.; Normand PLLC; Jacobson Phillips PLLC; Edelsberg Law, P.A.; and Bailey & Glasser, LLP to serve as Class Counsel. You do not have to pay Class Counsel to participate. Instead, if they recover money for the Settlement Class, the lawyers will ask the Court for a separate award of fees or expenses.

Other Options. If you do not want to be legally bound by the Settlement, you must opt out of the Settlement postmarked by **August 7, 2025**. If you do not opt out, you will release and give up the right to sue Progressive and Released Parties about the legal claims in this lawsuit. If you do not opt out, you may object to the Settlement by **August 7, 2025**. The Long Form Notice on the Settlement Website ([ARKTotalLossClaim.com](https://www.ARKTotalLossClaim.com)) explains how to opt out or object.

If you do nothing, you will get no cash payment, and you will be bound by the Settlement and any judgments and orders.

The Court will hold a Final Approval Hearing on **September 25, 2025**, to consider whether to approve the Settlement, Class Counsel's attorneys' fees and expenses, and any objections. You or your lawyer may attend and ask to appear at the hearing, but you are not required to do so. The hearing may be held remotely, and if so, instructions will be at [ARKTotalLossClaim.com](https://www.ARKTotalLossClaim.com).

This notice is a summary. Learn more about the Settlement at [ARKTotalLossClaim.com](https://www.ARKTotalLossClaim.com), or you may contact the Administrator at 1-888-890-3703 or Class Counsel at www.cbplaw.com.

If [REDACTED] should not be subscribed or if you need to change your subscription information for Knight v Progressive Northwestern, [please use this preferences page](#).

Attachment 2

Case 3:22-cv-00203-JM Document

PIN:

www.ARKTotalLossClaim.com
1-888-890-3703

PIN:

AI 4333 v 06

Case 3:22-cv-00203-JM Document
Complete and mail the attached Claim Form or submit online using the Unique ID & PIN by October 25, 2025, to be eligible to receive a cash payment. (Postage is prepaid.)

The estimated average cash payment is: \$500

What does the Settlement Provide? Subject to Court approval, a settlement has been reached in a class action lawsuit against Progressive Insurance in Arkansas for paying their insureds less than the actual cash value of their total loss vehicles. Total payments available are approximately \$13,200,000.

Other Options. If you do not want to be legally bound by the Settlement, you must opt-out of the Settlement, postmarked by **August 9, 2025**. If you do not opt-out, you will give up the right to sue and will release Progressive and Released Parties about the legal claims in this lawsuit. If you do not opt out, you may object to the Settlement by **August 9, 2025**. The Long Form Notice on the Settlement Website explains how to opt-out or object. If you do nothing, you will get no cash payment, and you will be bound by the Settlement and any judgments and orders.

Who represents me? The Court has appointed lawyers from Carney Bates & Pulliam, PLLC; Shamis & Gentile, P.A.; Normand PLLC; Jacobson Phillips PLLC; Edelsberg Law, P.A., and Bailey & Glasser, LLP to serve as Class Counsel. You do not have to pay them to participate. Instead, if they recover money for the Settlement Class, the lawyers will ask the Court for a separate award of fees or expenses.

The Court will hold a Final Approval Hearing on **September 25, 2025**, to consider whether to approve the Settlement, Class Counsel's attorneys' fees and expenses, and any objections. You or your lawyer may attend and ask to appear at the hearing, but you are not required to do so. The hearing may be held remotely, and if so, instructions will be at ARKTotalLossClaim.com.

This notice is a summary. Learn more about the Settlement at ARKTotalLossClaim.com, or you may contact the Administrator at 1-888-890-3703 or Class Counsel, Carney Bates, at www.cbplaw.com.

AL4332 v.06



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 581 PORTLAND, OR

POSTAGE WILL BE PAID BY ADDRESSEE

KNIGHT V PROGRESSIVE
NORTHWESTERN INS CO
C/O EPIQ
PO BOX 2168
PORTLAND OR 97208-9659



Attachment 3

NOTICE OF PENDENCY OF CLASS ACTION

If you made a claim on a vehicle that was adjusted to be a total loss by Progressive, Progressive may have applied deductions referred to as Projected Sold Adjustments to your total loss claim, and your rights may be affected by a class action lawsuit pending in the Eastern District of Arkansas.

A court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

This notice explains important rights you may have. Please read it carefully.

- On December 9, 2024, a lawsuit styled *Knight. v. Progressive Northwestern Ins. Co.*, Case No. 3:22-cv-00203-JM (the “Class Action”), which is pending in the Eastern District of Arkansas, Northern Division (the “Court”), was certified as a class action.
- This notice explains what the class action is about, the Class that was certified, and Class members’ legal rights and options.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Remain a Potential Member of the Certified Class	Do nothing. Stay in the lawsuit. Await the outcome. If you wish to remain a potential member of the certified Class, you are not required to do anything at this time. By doing nothing, you are choosing to stay in the Class. You may be permitted to share in any recovery that may result from this class action, but you will give up your rights to sue Defendant in a separate lawsuit for any claims made in this action.
Ask to be Excluded from the Certified Class	Get out of this lawsuit. Keep your rights to sue Defendant in a separate lawsuit. If you do not wish to participate in the class action, you <u>must</u> send a letter requesting to be excluded postmarked no later than <u>May 12, 2025</u>. If you exclude yourself from this lawsuit, you will not be entitled to any recovery that may result from this class action, but you will be free to pursue any claim you may have against Defendant on your own or as part of a different lawsuit (but you should consult with a lawyer to determine whether those claims are timely).

- If you do nothing and if money or benefits are obtained from Progressive, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate. However, there is no guarantee that any money or benefits will be obtained.
- To be excluded, you must act before **May 12, 2025**.
- **Any questions? Read on ARKTotalLossClaim.com or call +1 888 890 3703.**

BASIC INFORMATION

1. What is a class action and who is involved?

In a class action, one or more people called “Class Representatives” file a lawsuit on behalf of other people who have similar claims. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way.

2. What is this class action against Progressive about?

This class action alleges that Progressive Northwestern Insurance Company (“Progressive” or “Defendant”) systematically paid its insureds less than the actual cash value of their vehicles for total loss claims, in breach of Progressive’s policies and in breach of the covenant of good faith and fair dealing. Plaintiff asserts that Progressive did this by basing the compensation for insureds’ total loss claims on valuation reports that applied Projected Sold Adjustments, which Plaintiff alleges are improper.

3. Why is this notice being provided?

This notice is for individuals who, according to Progressive’s records, during the time period of August 4, 2017, to December 9, 2024, were Arkansas residents and policyholders with Progressive and who made claims on vehicles that were determined by Progressive to be total losses. You may be a member of the certified Class if (a) Progressive based its claim payment on an Instant Report from Mitchell International, Inc. and (b) a Projected Sold Adjustment was applied to at least one comparable vehicle in that Instant Report.

This notice explains that the Court has allowed, or “certified,” the lawsuit described above as a class action and describes Class members’ legal rights and options in the lawsuit.

THE CLAIMS IN THE LAWSUIT

4. What has happened in the class action so far?

On August 4, 2022, Plaintiff Erik Knight filed his class action complaint against Progressive in the United States District Court for the Eastern District of Arkansas, Northern Division. On January 25, 2024, Plaintiff filed a motion for class certification. After briefing on Plaintiff’s motion for class certification, the Court granted the motion on December 9, 2024.

5. The Court’s Class Certification Order.

The Court’s December 9, 2024 order certified the following Class:

All persons who made a first-party claim on a policy of insurance issued by Progressive Northwestern Insurance Company to an Arkansas resident where the claim was submitted from **August 4, 2017, through December 9, 2024**, and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle.

The Court also appointed Plaintiff Erik Knight as the Class Representative for the Class. The Court’s order can be viewed at ARKTotalLossClaim.com.

6. What type of recovery is the Class Representative seeking?

The Class Representative seeks to recover money to compensate members of the Class for the alleged underpayment of their total loss claims, as well as pre- and post-judgment interest. The Class Representative is only challenging application of the “projected sold adjustment” as part of the valuation process. The Class Representative is not contesting or challenging any other aspect of the valuation process. If you wish to challenge an aspect of the valuation process other than application of a “projected sold adjustment,” you should opt out of the Class and separately file your own claim.

7. Is there money available now?

No money or benefits are available now because the Court has not yet decided whether Defendant did anything wrong and the two sides have not settled the case. There is no guarantee that any money or benefits will be obtained. If they are, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate.

CLASS MEMBER RIGHTS AND OPTIONS

If you are a Member of one of the Certified Classes, you have to decide whether to remain a Class Member or request to be excluded by letter *postmarked* by **May 12, 2025**.

8. What happens if I am a Class Member and I do nothing?

If you wish to remain a member of the certified Class, you are not required to do anything at this time. By remaining a class member, you are agreeing that the claims against Progressive will be determined on a class wide basis. As a member of the Class, you will be bound by the outcome of this lawsuit. If the lawsuit results in a judgment favorable to the Class, you would be entitled to share in the benefits of that judgment. If the outcome is favorable to Progressive, your rights will be determined by the decision rendered in this lawsuit, and you will receive nothing.

9. If I am a Class Member, how do I ask the Court to exclude me?

If you do not wish to participate in this class action, you can request exclusion from the Class. If you choose to be excluded, you will (1) not share in the benefits, if any, that members of the Class may be entitled to as a result of this lawsuit; and (2) not be bound by any decision in this lawsuit favorable to Progressive. If you request exclusion, you will have the right to pursue individually, at your own expense, any claim you may have against Progressive. To request exclusion, you must send a written and signed letter requesting exclusion (your “Request for Exclusion”) to the following:

Knight v. Progressive Northwestern Ins. Co.
Class Action Administrator
P.O. Box 2168
Portland, OR 97208-2168

To be valid, your “Request for Exclusion” must be postmarked by **May 12, 2025**, and must include the case name (*Knight v. Progressive Northwestern Ins. Co.*) and date, and your printed name, current address, and signature. If your Request for Exclusion is not postmarked by **May 12, 2025**, it will be invalid and you will be included as a member of the Class automatically and be bound by any final judgment.

THE LAWYERS REPRESENTING ME**10. Do Class Members have a lawyer in this case?**

Yes. The Court appointed the law firms of Carney Bates & Pulliam PLLC (“Carney Bates”); Shamis & Gentile, P.A.; Normand PLLC; Edelsberg Law, P.A.; and Jacobson Phillips PLLC collectively referred to as Class Counsel, to represent members of the certified Classes.

11. If I am a Class Member, should I get my own lawyer?

You do not need to hire your own lawyer. However, you are free to hire your own lawyer, at your own expense, and enter an appearance in this action through your lawyer if you so desire.

12. How will the lawyers get paid?

If Class Counsel get money or benefits for the Classes, they may ask the Court for fees and expenses. If the Court grants Class Counsel’s request, Class Counsel’s fees and expenses would either be deducted from any money obtained for the Class or paid separately by Progressive.

OTHER PROCEEDINGS

13. Have any other proceedings been scheduled?

A jury trial has been scheduled in the Eastern District of Arkansas. The jury trial before United States District Judge James M. Moody Jr. will commence at 9:15 a.m. on May 19, 2025, in the Richard Sheppard Arnold United States Courthouse, Courtroom #4A, 500 West Capitol, Little Rock, Arkansas 72201.

14. Do Class Members have to attend any proceedings?

If there are any court hearings, Class Members do not need to attend them. The Class Representative and Class Counsel will present the case for the Classes. You or your own lawyer are welcome to come at your own expense.

GETTING MORE INFORMATION

15. Are more details available?

This notice contains only a summary of the class action and proceedings to date. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at the office of the Clerk of the Court for the United States District Court for the Eastern District of Arkansas, 600 West Capitol Avenue, Rm A149, Little Rock, AR 72201 between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.

For more information, go to the website maintained for this class action, ARKTotalLossClaim.com, call the settlement administrator at +1-888-890-3703 or contact Class Counsel, Carney Bates, at One Allied Drive, Suite 1400, Little Rock, Arkansas 72202, or by visiting www.cbplaw.com.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANT, OR DEFENDANT'S COUNSEL TO ASK QUESTIONS ABOUT THIS CLASS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE CLASS ACTION.

Attachment 4

EN EL DISTRITO ESTE DE ARKANSAS, DIVISIÓN NORTE
Erik Knight, et al. v. Progressive Northwestern Ins. Co., et al.
Caso N.º 3:22-CV-00203-JM

Si su vehículo sufrió pérdida total mientras estaba asegurado por Progressive Insurance, es posible que tenga derecho a un pago en efectivo por el pago insuficiente del valor real en efectivo de su vehículo.

Un tribunal autorizó este Aviso. No se trata del ofrecimiento de un abogado. Esto no constituye una demanda en su contra.

LEA ESTE AVISO DETENIDAMENTE.

Se ha llegado a una conciliación en la demanda *Erik Knight, et al. v. Progressive Northwestern Ins. Co., et al.*, Caso n.º 3:22-cv-00203-JM (la “Demanda colectiva”), que tramita en el Distrito Este de Arkansas, División Norte (el “Tribunal”) contra Progressive Insurance en Arkansas por el pago a sus asegurados de un monto inferior al valor real en efectivo de sus vehículos con pérdida total. El total disponible para pagos es de aproximadamente \$13,200,000.

Los miembros de los Grupos de demandantes en la conciliación que presenten un Formulario de reclamación válido y oportuno califican para el pago del 100 % del Monto del impacto del Ajuste de venta proyectado (Projected Sold Adjustment, “PSA”) para las reclamaciones por pérdida total cubiertas.

En este Aviso se explican: 1) los términos de la Conciliación; 2) quiénes integran los Grupos de demandantes en la Conciliación; 3) cómo presentar un Formulario de reclamación de pago; 4) cómo solicitar la exclusión de la Conciliación; 5) cómo objetar la Conciliación; y 6) cómo obtener más información sobre la Conciliación.

SI USTED ES MIEMBRO DEL GRUPO DE DEMANDANTES EN LA CONCILIACIÓN, ESTA DEMANDA PUEDE AFECTAR SUS DERECHOS.

	SUS OPCIONES Y DERECHOS LEGALES	FECHA LÍMITE
Presentar un Formulario de reclamación	La única manera de obtener un Pago como Miembro del Grupo de demandantes en la Conciliación es presentar un Formulario de reclamación válido y oportuno.	Envío o fecha de franqueo postal anterior al: 25 de octubre de 2025
Excluirse	No obtiene ningún Pago como Miembro del Grupo de demandantes en la Conciliación. Conserva su derecho de presentar su propia demanda contra las Partes eximidas en relación con las Reclamaciones eximidas como parte de la Conciliación.	Fecha de franqueo postal anterior al: 7 de agosto de 2025
Objetar la Conciliación	Permanecerá en la Conciliación, pero le informará al Tribunal por qué no está de acuerdo con la Conciliación. Seguirá estando obligado por la Conciliación si el Tribunal la aprueba.	Fecha de franqueo postal anterior al: 7 de agosto de 2025
No hacer nada	No obtiene ningún Pago como Miembro del Grupo de demandantes en la Conciliación. Renuncia a sus derechos legales.	

- Estos derechos y opciones, y **las fechas límite para ejercerlos**, se explican en este Aviso.
- El Tribunal aún debe decidir si aprueba o no la Conciliación, así como los honorarios de los abogados, los gastos y las Compensaciones por servicio. No se proporcionará ningún beneficio de la Conciliación a menos que el Tribunal apruebe la Conciliación.

Llame al número gratuito 888-890-3703 o visite www.ARKTotalLossClaim.com para obtener más información.

¿TIENE ALGUNA PREGUNTA? LLAME GRATIS AL 888-890-3703 O VISITE
www.ARKTotalLossClaim.com

¿QUÉ ES UNA DEMANDA COLECTIVA?

Una demanda colectiva es una demanda en la que una o más personas interponen reclamaciones en nombre de otras personas o entidades que tienen reclamaciones legales similares. Se hace referencia a estas personas o entidades como un grupo o miembros del grupo de demandantes. En una demanda colectiva, un Tribunal resuelve las cuestiones, las reclamaciones legales y/o las defensas para todos los Miembros del Grupo de demandantes en una única acción, excepto para aquellas personas o entidades que soliciten por escrito ser excluidas del grupo de demandantes.

¿DE QUÉ SE TRATA ESTA DEMANDA COLECTIVA?

Esta Demanda colectiva alega que Progressive Northwestern Insurance Company, Progressive Direct Insurance Company, Progressive Casualty Insurance Company, Progressive Specialty Insurance Company y Progressive Classic Insurance Company (en su conjunto, “Progressive”) pagaron sistemáticamente a sus asegurados un monto inferior al valor real en efectivo de sus vehículos en las reclamaciones por pérdida total, violando las pólizas de Progressive e incumpliendo el pacto de buena fe y trato justo. Las Demandantes afirman que Progressive hizo esto al basar la indemnización de las reclamaciones por pérdida total de los asegurados en informes de valuación que aplicaron Ajustes de venta proyectados, algo que los Demandantes alegan como impropio.

¿CUÁLES SON LOS TÉRMINOS DE LA CONCILIACIÓN?

Progressive pagará a los Miembros del Grupo de demandantes en la Conciliación el 100 % del Monto del impacto del PSA a los Miembros del Grupo de demandantes en la Conciliación que presenten oportunamente un Formulario de reclamación válido.

Para el Grupo de demandantes de Progressive Northwestern (definido a continuación), el Monto del impacto del PSA es del 4.02 % del Valor real en efectivo, según se determina en los registros de Progressive, para cada vehículo con pérdida total de los Miembros del Grupo de demandantes en la Conciliación. Se estima que el Monto del impacto del PSA total que está disponible para ser reclamado por el Grupo de Progressive Northwestern es de \$8,534,836. La recuperación promedio estimada es de \$519.

Para el Grupo de demandantes de Progressive Direct (definido a continuación) y el Grupo de demandantes de Otro asegurador (definido a continuación), el Monto del Impacto del PSA es del 3.17 % del Valor real en efectivo, según se determina en los registros de Progressive para los vehículos con pérdida total de cada Miembro del Grupo de demandantes en la Conciliación. Se estima que el Monto total del Impacto del PSA que está disponible para ser reclamado por el Grupo de demandantes de Progressive Direct y el Grupo de demandantes de Otro asegurador es, en su conjunto, de \$4,676,937. La recuperación promedio estimada es de \$484.

Los Abogados del Grupo de demandantes solicitarán honorarios de abogados en no más de \$3,963,531.90, que es el 30 % del monto total de los fondos que se ponen a disposición de los Grupos de demandantes en la Conciliación, sujeto a la aprobación del Tribunal. Los Abogados del Grupo de demandantes también aspiran a solicitar aproximadamente \$112,000 en concepto de costos, una compensación por servicio de \$10,000 para el Demandante Knight como Representante del Grupo de demandantes, y una compensación por servicio de \$5,000 para el Demandante Kim como Representante del Grupo de demandantes, que deberán ser aprobados por el Tribunal. Estos pagos no reducirán el monto de dinero disponible para los Miembros del Grupo de demandantes en la Conciliación ya que Progressive los pagará por separado. El Tribunal puede adjudicar sumas inferiores a las solicitadas.

¿CÓMO SÉ SI SOY MIEMBRO DEL GRUPO DE DEMANDANTES EN LA CONCILIACIÓN?

Si usted ya ha sido identificado como miembro del Grupo de demandantes en la Conciliación a partir de los datos de reclamaciones de Progressive, debería haber recibido un aviso por correo electrónico y/o un aviso postal. Usted es miembro de los Grupos de demandantes en la Conciliación si se encuentra en una de estas tres categorías:

(1) un ciudadano de Arkansas asegurado por Progressive Northwestern Insurance Company que, desde el 4 de agosto de 2017 hasta el 19 de mayo de 2025, recibió una compensación por pérdida total de un vehículo cubierto, donde dicha compensación se basó en un informe de valuación del vehículo preparado por Mitchell y el Valor real del caso (Actual Case Value, “ACV”) se redujo en función de los Ajustes de venta proyectados para vehículos comparables utilizados para determinar el ACV (el “Grupo de demandantes de Progressive Northwestern”);

**¿TIENE ALGUNA PREGUNTA? LLAME GRATIS AL 888-890-3703 O VISITE
www.ARKTotalLossClaim.com**

(2) un ciudadano de Arkansas asegurado por Progressive Direct Insurance Company que, desde el 4 de octubre de 2019 hasta el 19 de mayo de 2025, recibió una compensación por la pérdida total de un vehículo cubierto, donde dicha compensación se basó en un informe de valuación del vehículo preparado por Mitchell y el ACV se redujo en función de los Ajustes de venta proyectados de los vehículos comparables utilizados para determinar el ACV (el “Grupo de demandantes de Progressive Direct”); o

(3) un ciudadano de Arkansas asegurado por Progressive Casualty Insurance Company, Progressive Specialty Insurance Company o Progressive Classic Insurance Company que, desde el 19 de mayo de 2020 hasta el 19 de mayo de 2025, recibió una compensación por la pérdida total de un vehículo cubierto, donde dicha compensación se basó en un informe de valuación del vehículo preparado por Mitchell y el ACV se redujo en función de los Ajustes de venta proyectados de vehículos comparables utilizados para determinar el ACV (el “Grupo de demandantes de Otras aseguradoras”).

SI SOY MIEMBRO DEL GRUPO DE DEMANDANTES, ¿CUÁLES SON MIS OPCIONES?

Si usted es Miembro del Grupo de demandantes, tiene cuatro opciones.

Opción 1: Presentar un Formulario de reclamación para recibir un pago.

Usted puede presentar un Formulario de reclamación válido y oportuno para el pago del Monto del impacto del PSA. Las partes estimaron que el monto total de los fondos puestos a disposición de los Grupos de demandantes en la Conciliación es de aproximadamente \$13,211,773. Usted puede presentar una reclamación firmando el Formulario de reclamación que recibió por correo postal, cortando con cuidado por la línea perforada y depositando el Formulario de reclamación en el servicio postal. Puede llamar al 888-890-3703 o visitar www.ARKTotalLossClaim.com y solicitar que el Administrador de la conciliación le envíe un Formulario de reclamación.

Si presenta un Formulario de reclamación por correo, este debe tener fecha de franqueo postal anterior al **25 de octubre de 2025** y ser enviado a:

*Knight v. Progressive
Northwestern Ins. Co.
c/o Epiq
PO Box 2168
Portland, OR 97208-2168*

Si la dirección que presenta en su Formulario de reclamación cambia, debe comunicarse con el Administrador de la conciliación para proporcionar una dirección actual o, de lo contrario, es posible que no reciba su Pago para los Miembros del Grupo de demandantes en la Conciliación.

También puede presentar un Formulario de reclamación en línea en www.ARKTotalLossClaim.com ingresando su ID de reclamante o su Número de reclamación por pérdida total y su PIN único. Los Formularios de reclamación en línea deben enviarse antes de las 11:59 p. m., hora del este, del 25 de octubre de 2025. Puede encontrar su identificación de reclamante y PIN en la tarjeta postal y en los avisos por correo electrónico que recibió.

Opción 2. Excluirse de la Conciliación.

Usted tiene derecho a no participar en la Conciliación excluyéndose del Grupo de demandantes, es decir, “optando por no formar parte” de los Grupos de demandantes en la Conciliación. Si desea excluirse, debe hacerlo en o antes del **7 de agosto de 2025**, como se describe a continuación. No es necesario que contrate a su propio abogado para solicitar la exclusión de los Grupos de demandantes en la Conciliación. Si se excluye del Grupo de demandantes, usted renuncia a su derecho a recibir cualquier beneficio como parte de esta Conciliación, y no estará obligado por ningún fallo u orden del Tribunal, sin importar si son favorables o desfavorables. Sin embargo, conservará su derecho a demandar a Progressive por separado en otra acción legal, si decide iniciar una.

Para excluirse de esta demanda o preservar su derecho a entablar una demanda por separado, debe presentar una solicitud de exclusión por escrito y, con el franqueo postal suficiente, y enviarla por correo postal a la siguiente dirección:

*Knight v. Progressive
Northwestern Ins. Co.
c/o Epiq
PO Box 2168
Portland, OR 97208-2168*

**¿TIENE ALGUNA PREGUNTA? LLAME GRATIS AL 888-890-3703 O VISITE
www.ARKTotalLossClaim.com**

La solicitud de exclusión debe tener fecha de franqueo postal a más tardar del **7 de agosto de 2025**.

Su solicitud de exclusión debe contener lo siguiente:

1. el nombre de la demanda (*Knight v. Progressive Northwestern Ins. Co.*)
2. su nombre completo;
3. su dirección actual;
4. su número telefónico;
5. una declaración clara en la que indicará que desea ser excluido del Grupo de demandantes, por ejemplo: "Solicito la exclusión del Grupo de demandantes en la Conciliación"; y
6. su firma.

El Administrador de la Conciliación presentará su solicitud de exclusión ante el Tribunal. Si usted firma en nombre de un Miembro del Grupo de demandantes en calidad de representante legal (por ejemplo, una sucesión, un fideicomiso o una persona incompetente), incluya su nombre completo, la información de contacto y el fundamento de su autoridad. La solicitud de exclusión debe ejercerse individualmente y no en nombre de un grupo.

Opción 3: Objetar los Términos de la Conciliación.

Puede encontrar los términos completos de la Conciliación en www.ARKTotalLossClaim.com. Si considera que los términos de la Conciliación no son justos, razonables o adecuados para los Miembros del Grupo de demandantes, puede presentar un Aviso de intención de objeción a los términos de la Conciliación. Si objeta los términos de la Conciliación, no podrá solicitar la exclusión de la Conciliación. Si objeta los términos de la Conciliación y su objeción fuese desestimada, usted seguirá estando obligado por los términos de la Conciliación y por todos los dictámenes y órdenes del Tribunal.

Para objetar adecuadamente los términos de la Conciliación, usted debe enviar, con el franqueo postal suficiente, un Aviso de intención de objeción a los términos de la Conciliación (descrita a continuación) a:

*Knight v. Progressive
Northwestern Ins. Co.*
c/o Epiq
PO Box 2168
Portland, OR 97208-2168

El Aviso de intención de objeción a los términos de la Conciliación debe incluir toda la información que se indica a continuación:

1. el nombre y el número de caso;
2. su nombre, dirección, número de teléfono y firma;
3. las razones específicas por las que objeta los términos de la propuesta de Conciliación;
4. el nombre, la dirección, el número de registro en el colegio de abogados y el número de teléfono del abogado que lo represente en relación con su intención de objetar los términos de la Conciliación;
5. debe indicar si usted y/o su abogado tienen la intención de comparecer en la Audiencia de Imparcialidad, y si usted o su abogado solicitarán permiso para dirigirse al Tribunal en la Audiencia de Imparcialidad.

Si usted o su abogado tienen la intención de solicitar permiso para dirigirse al Tribunal en la Audiencia de imparcialidad, su aviso de intención también debe incluir toda la información que se indica a continuación:

1. una exposición detallada de los fundamentos legales y fácticos que sustentan cada objeción;
2. una lista de todos y cada uno de los testigos que el Miembro del Grupo de demandantes puede procurar convocar en la Audiencia de imparcialidad;
3. una lista de toda aquella autoridad legal que el Miembro del Grupo de demandantes en la Conciliación presentará en la Audiencia de imparcialidad; e
4. identificar su número de miembro del grupo de demandantes o su nombre completo y dirección en la fecha en la que ocurrió la pérdida total.

Los Avisos de intención de objeción deben tener fecha de franqueo postal a más tardar del **7 de agosto de 2025**. Todo Aviso de intención de objeción a la Conciliación que no tenga fecha de franqueo postal anterior a la fecha límite establecida antes o que no cumpla con los requisitos enumerados más arriba puede implicar una renuncia al derecho de ser escuchado en la Audiencia de imparcialidad. Si usted presenta un Aviso de intención, renuncia al derecho de solicitar la exclusión del Grupo de demandantes en la Conciliación y quedará sujeto a las decisiones y órdenes del

Tribunal, y a los términos de la Conciliación, si el Tribunal la aprueba. Si no desea quedar sujeto a las decisiones y resoluciones del Tribunal, debe presentar una solicitud de exclusión y no un Aviso de intención de objeción a la Conciliación.

Opción 4. No hacer nada. Permanecer en la demanda.

Usted tiene derecho a no hacer nada. Si no hace nada, estará obligado por los términos de la Conciliación y eximirá cualquier reclamación legal contra Progressive en relación con los hechos y las circunstancias alegadas en la Demanda colectiva, incluida cualquier reclamación legal originada de la conciliación de Progressive en una reclamación por pérdida total, incluso cuando no presente un Formulario de reclamación. Usted no recibirá un Pago como Miembro del Grupo de demandantes en la Conciliación si no presenta un Formulario de reclamación.

¿QUIÉN REPRESENTA A LOS GRUPOS DE DEMANDANTES EN LA CONCILIACIÓN?

El Tribunal ha designado de manera preliminar al Demandante, ERIK KNIGHT, como Representante del Grupo de demandantes de Progressive Northwestern y del Grupo de demandantes de Otros aseguradores, y al Demandante, JUNG KIM, como Representante del Grupo de demandantes de Progressive Direct y del Grupo de Otros aseguradores. El Tribunal también ha designado de manera preliminar a los siguientes abogados como Abogados del Grupo de demandantes para dichos Grupos de demandantes en la Conciliación: Carney Bates & Pulliam PLLC; Shamis & Gentile, P.A.; Normand PLLC; Edelsberg Law, P.A.; Jacobson Phillips PLLC; y Bailey & Glasser, LLP.

Estos abogados tienen experiencia en el manejo de demandas colectivas, incluidas las demandas en nombre de titulares de pólizas asegurados. Hay más información disponible sobre los Abogados del Grupo de demandantes en sus sitios web.

Los Abogados del Grupo de demandantes solicitarán honorarios de abogados en una suma de hasta \$3,963,531.90 y costos en hasta \$112,000, y todos los montos serán aprobados por el Tribunal.

Los Abogados del Grupo de demandantes también solicitarán una Compensación por servicio para el Demandante Knight como Representante del grupo de demandantes en un monto de \$10,000, y una Compensación por servicio para el Demandante Kim como Representante del grupo de demandantes en un monto de \$5,000, sujeto a la aprobación del Tribunal. La Compensación por servicio fue concebida para recompensar a los Representantes del grupo de demandantes por asegurar el resarcimiento otorgado a los Miembros del Grupo de demandantes en la conciliación y reconocer el tiempo que dedicaron los Demandantes a la participación en la demanda y la tramitación de las reclamaciones legales en beneficio de los Grupos de demandantes en la Conciliación.

¿QUÉ RECLAMACIONES LEGALES CONTRA PROGRESSIVE ESTÁN EXIMIENDO LOS MIEMBROS DEL GRUPO DE DEMANDANTES?

Como parte de la Conciliación, los Miembros del Grupo de demandantes en la Conciliación se comprometen a no demandar a Progressive por ninguna reclamación legal que surja o se relacione de alguna manera con los hechos y circunstancias alegados en la Demanda colectiva, incluida cualquier reclamación legal que se suscite de la conciliación de Progressive en una reclamación por pérdida total. Usted no está eximiendo ninguna otra reclamación contra Progressive. Las Reclamaciones eximidas no incluyen ninguna reclamación legal por lesiones personales, pago médico, conductor no asegurado o conductor con seguro insuficiente. Puede encontrar los términos completos de las Reclamaciones eximidas y las Partes eximidas en la propuesta de Acuerdo de conciliación en www.ARKTotalLossClaim.com.

¿CUÁNDO Y DÓNDE DECIDIRÁ EL TRIBUNAL SI APRUEBA LA CONCILIACIÓN?

El Tribunal llevará a cabo una **Audiencia de imparcialidad el 25 de septiembre de 2025, a las 10 a. m., hora del este**, en la sala C446 del Tribunal del Distrito Este de Arkansas en 500 West Capitol Avenue, Little Rock, Arkansas 72201. En esta audiencia, el Tribunal analizará si la Conciliación es justa, razonable y adecuada. De existir objeciones, el Tribunal las considerará. Además, el Tribunal decidirá la solicitud de los Abogados del Grupo de demandantes para la adjudicación de honorarios de abogados y gastos, al igual que la solicitud de compensación por servicio para los Representantes del Grupo de demandantes. No sabemos cuánto tiempo tardarán estas decisiones. El Tribunal puede cambiar la fecha u hora de la Audiencia de imparcialidad sin previo aviso, por lo que debe consultar el Sitio web de la Conciliación para saber si hay cambios.

**¿TIENE ALGUNA PREGUNTA? LLAME GRATIS AL 888-890-3703 O VISITE
www.ARKTotalLossClaim.com**

¿ES NECESARIO QUE ASISTA A LA AUDIENCIA DE IMPARCIALIDAD?

No. Los Miembros del Grupo de demandantes en la Conciliación no están obligados a asistir a la Audiencia de imparcialidad, pero usted puede asistir a la audiencia si lo desea. Los Abogados del Grupo de demandantes responderán todas las preguntas que el Tribunal pueda tener en la Audiencia de imparcialidad. Sin embargo, si desea asistir a la audiencia, puede hacerlo por su propia cuenta. También puede pagar a su propio abogado para que asista, pero esto no es necesario.

Si envía una objeción por escrito, no es necesario que asista al Tribunal para hablar de ella. Siempre que envíe por correo postal su objeción por escrito oportunamente y haya seguido las instrucciones anteriores, el Tribunal la considerará. Sin embargo, si desea hablar sobre su objeción, puede hablar en la audiencia, pero solo si ha escrito claramente la frase "Intención de comparecer" en su carta de objeción por escrito.

¿CÓMO OBTENGO MÁS INFORMACIÓN SOBRE ESTA DEMANDA?

Si tiene alguna pregunta sobre la demanda o cualquier asunto planteado en este Aviso, llame al número gratuito **888-890-3703** o visite [www. ARKTotalLossClaim.com](http://www.ARKTotalLossClaim.com).

Este sitio web de ARKTotalLossClaim.com ofrece:

1. un Formulario de reclamación en blanco;
2. los términos completos de la Conciliación;
3. información y requisitos para presentar un Formulario de reclamación, solicitar la exclusión o presentar una objeción a los términos de la Conciliación;
4. una copia de la Demanda presentada por los Demandantes; y
5. otra información general sobre la demanda colectiva.

También puede comunicarse con los Abogados del Grupo de demandantes, cuya información de contacto aparece indicada más arriba.

Si la dirección que presenta en su Formulario de reclamación cambia, debe comunicarse con el Administrador de la conciliación para proporcionar una dirección actual o, de lo contrario, es posible que no reciba su Pago para los Miembros del Grupo de demandantes en la Conciliación.

NO LLAME POR TELÉFONO NI SE COMUNIQUE CON EL TRIBUNAL, CON EL SECRETARIO DEL TRIBUNAL, CON PROGRESSIVE O CON LOS ABOGADOS DE PROGRESSIVE EN RELACIÓN CON ESTE AVISO.

**¿TIENE ALGUNA PREGUNTA? LLAME GRATIS AL 888-890-3703 O VISITE
www.ARKTotalLossClaim.com**

Attachment 5

CLAIM FORM*Erik Knight, et al. v. Progressive Northwestern Insurance Company, et al.*

To submit a claim, please: (1) provide your full name; (2) confirm you are a Progressive policy holder or otherwise entitled to payment; (3) provide your address; (4) sign and date the form; and (5) submit the completed form online no later than October 25, 2025, *or* mail this completed form postmarked on *or* before October 25, 2025, to the following address:

Knight v. Progressive
Northwestern Ins. Co.
c/o Epiq
P.O. Box 2168
Portland, OR 97208-2168

First Name	MI	Last Name
Address		
City	State	ZIP

Progressive Policy Number:

OR

Progressive Total Loss Claim Number:

AFFIRMATION (required): By signing below, I certify under oath that I am the person who made the insurance claim identified above or I am the legally authorized personal representative, guardian or trustee of the person who made the insurance claim identified above and that the information on this Claim Form is true and correct. If this affirmation is not signed your claim will be denied.

Signature:

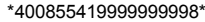
Dated:

	-		-				
MM		DD		YYYY			

Name (please print):

To be considered, Claim Forms must be submitted online no later than October 25, 2025, or mailed to the above address postmarked no later than October 25, 2025.

Attachment 6



Erik Knight, et al. v. Progressive Northwestern Insurance Company, et al.

Knight v. Progressive
Northwestern Ins. Co.
c/o Epiq
P.O. Box 2168
Portland, OR 97208-2168

[illegible]

Dirección	

Ciudad																			Estado			Código postal				
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[illegible]

O

Reclamación por pérdida total de Progressive número:

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AFIRMACIÓN (obligatorio): Al firmar a continuación, certifico que soy la persona que realizó la reclamación del seguro identificada antes o que soy el representante personal, tutor o fideicomisario legalmente autorizado de la persona que realizó la reclamación del seguro identificada antes, y que la información que consta en este Formulario de reclamación es fiel y veraz. Si esta afirmación no está firmada, se rechazará su reclamación.

Firma: _____

Fecha:

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MM DD AAAA

Nombre (en letra de imprenta):

Para que puedan ser considerados, los Formularios de reclamación deben ser enviados en línea antes del 25 de octubre de 2025 o ser enviados por correo postal a la dirección antes mencionada con fecha de sello postal a más tardar del 25 de octubre de 2025.

Attachment 7



Knight v. Progressive Northwestern Ins. Co.
Class Certification Exclusion Report

Number	Name
1	Eric M. Richards
2	DeAnna Hampton