

Robinson, et al. v. Jackson Hewitt, Inc., et al., Civil Action No.:2:19-cv-9066(MEF)(JRA)

ALLOCATION PLAN FOR JACKSON HEWITT SETTLEMENT

The amount of the Settlement Fund to be distributed to Settlement Class Members who do not opt out of the settlement is equal to the total \$10,800,000 settlement minus attorneys' fees and costs awarded, settlement administration costs, and incentive awards. This amount is called the Net Settlement Fund and will be allocated to Settlement Class Members pro rata based on regular earnings for hours worked as a tax preparer during the Settlement Class Period. This amount will be calculated from data provided by Jackson Hewitt. The Class Notice will inform Settlement Class Members of the estimated pro rata payment. Settlement Class Members will have **45** days after Notice is sent to opt out or object to the Settlement. After the opt out period has ended, the Settlement Administrator will calculate each Settlement Class Member's final, pro rata share of the Net Settlement Fund by dividing each Settlement Class Member's regular earnings for hours worked as a tax preparer during the Class Period by the total earnings for hours worked as a tax preparer by all Settlement Class Members during the Class Period. Each Settlement Class Member's Settlement amount will be calculated by multiplying his or her pro rata share by the amount of the Net Settlement Fund. Settlement Class Members will then automatically receive their allocated payment from the Net Settlement Fund *without* having to submit a claim form. Settlement checks will be mailed to Settlement Class Members whose Notices were not returned as undeliverable (and for whom no other address was subsequently found). Settlement Class Members will have **120** days to cash or deposit their settlement checks.

TAX WITHHOLDING

The Settlement states that taxes shall be paid from the Settlement Fund. Half of the Settlement amount shall be considered wages and the Settlement Administrator will ensure the appropriate tax withholding for this portion of Class Members' Settlement payments. The Settlement Administrator will send the necessary tax forms to Settlement Class Members.

REMAINING FUNDS

For Settlement Class Members who could not be located (after continuing diligent efforts by the Settlement Administrator) or who do not cash their checks by the stale date, the parties will petition the Court for an order to dispose of the remaining funds. At this time, the parties anticipate the remaining Settlement amounts will be distributed pro rata to Settlement Class Members who deposited their settlement checks if it is economically feasible to do so. If it is not economically feasible to redistribute payments, the remainder will be distributed to a *cy pres* recipient to approved by the Court. In no event shall any of the remaining funds be returned to Defendants.