

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

BUDICAK, INC., BLUE MARLIN
ARBITRAGE, LLC, and PRIME TRADING,
LLC, individually, and on behalf of others
similarly situated,

Plaintiffs,

v.

LANSING TRADE GROUP, LLC,
CASCADE COMMODITY CONSULTING,
LLC, and JOHN DOES NOS. 6-10,

Defendants.

Case No. 2:19-cv-02449

District Judge Toby Crouse

Magistrate Judge Angel D. Mitchell

**DECLARATION OF JACK EWASHKO ON BEHALF OF A.B. DATA, LTD.
REGARDING REQUESTS FOR EXCLUSION**

Pursuant to 28 U.S.C. §1746, I, Jack Ewashko, declare:

1. I am a Client Services Director of A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data” or “Settlement Administrator”). I am over 21 years of age and am not a party to the above-captioned action (“Action”). My business address is 600 A.B. Data Drive, Milwaukee, WI 53217, and my telephone number is 414-961-7555. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. I submit this Declaration as a supplement to the Declaration of Jack Ewashko on behalf of A.B. Data, Ltd. regarding Notice Administration, dated March 23, 2023, previously filed with the Court (ECF No. 367) (the “Initial Mailing Declaration”).

3. As provided in the Preliminary Approval Orders entered on December 19, 2022,¹ this Declaration reports on the Opt-Out List identifying all Persons who submitted a timely Request for Exclusion from the Settlement Class.

4. Pursuant to paragraph 22 of the Preliminary Approval Orders and paragraphs 18-22 of the Mailed Notice (ECF No. 367-2), Class Members requesting exclusion from the Settlement Class were to provide in writing the following information: (a) the name, address, and telephone number of the Person or entity seeking exclusion, and in the case of entities, the name and telephone number of the appropriate contact person; (b) a statement that such Person or entity requests to be excluded from the Settlement Class in the Action (*Budicak, Inc., et al. v. Lansing Trade Group, LLC, et al.*, No. 2:19-cv-02449 (D. Kan.)); and (c) one or more document(s) sufficient to prove membership in the Settlement Class. All written requests must be signed by the member of the Settlement Class (or his, her or its legally authorized representative) and sent by U.S. first class mail (or, if sent from outside the U.S., by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) or delivered such that it is received by the Settlement Administrator by April 10, 2023.

5. Pursuant to Paragraph 25 of the Preliminary Approval Orders, A.B. Data promptly logged each request for exclusion that it received and provided copies of the log to Class Counsel and to Settling Defendants'² counsel.

¹ "Preliminary Approval Orders" means: (a) the Order Preliminarily Approving Proposed Class Action Settlement with Lansing Trade Group, LLC ("Lansing"), Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class, entered on December 19, 2022 (ECF No. 358); and (b) Order Preliminarily Approving Proposed Class Action Settlement with Cascade Commodity Consulting, LLC ("Cascade"), Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class, entered on December 19, 2022 (ECF No. 359).

² Together, Lansing and Cascade are referred to as the "Settling Defendants."

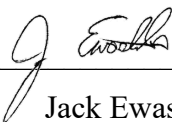
6. As reported in the Initial Mailing Affidavit, A.B. Data received one (1) request for exclusion from the Settlement Class as of March 23, 2023. Since that date, A.B. Data has not received any additional requests for exclusion. Attached hereto as Exhibit A is a summary report of the one (1) exclusion from potential Settlement Class Members received as of the date of this Declaration.

7. Pursuant to paragraph 18 of the Preliminary Approval Orders and paragraphs 23-24 of the Mailed Notice, Settlement Class Members who wish to object to the fairness, reasonableness, or adequacy of any term or aspect of the Settlements, application for attorneys' fees, reimbursement of expenses and request for service awards, or the Final Approval Orders and Final Judgments, were to file such objection with the Court and to serve on Class Counsel and all counsel for Settling Defendants no later than April 10, 2023.

8. As of the date of this Declaration, A.B. Data has not received any objections to the Settlements and knows of no other objections sent to Class Counsel or counsel for Settling Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of April 2023.



Jack Ewashko