

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

<b>In Re:</b>  <b>DISPOSABLE CONTACT LENS ANTITRUST LITIGATION</b>	<b>Case No. 3:15-md-2626-HES-LLL</b>  <b>Judge Harvey E. Schlesinger</b>  <b>Magistrate Judge Laura Lothman Lambert</b>
<b>THIS DOCUMENT RELATES TO:</b> <b>All Class Actions</b>	

**CLASS COUNSEL’S NOTICE ON THE STATUS OF COMMUNICATIONS  
WITH OBJECTORS TO SECOND DISTRIBUTION ORDER  
(ECF NO. 1403)**

Class Counsel respectfully submit this notice to update the Court on their attempted and actual communications with certain Class Members who filed objections (“Objectors”) to the Second Distribution Order (ECF No. 1403). *See* ECF Nos. 1404, 1405, 1407, 1408, 1411, & 1423 (the “Objections”).

1. On February 13, 2024, Epiq Class Action & Claims Solutions, Inc. (“Epiq”) Project Manager Jeanne Chernila, sent separate emails to each Objector (Mr. Stan Franklin, Ms. Jill Swanson, Mr. Carlos Torres, Mr. Scott Pierce, and Ms. Ana Marie Taylor) suggesting a phone call with Epiq and Class Counsel.

2. Each email read as follows: “Hello [Objector], My name is Jeanne Chernila, and I am the Project Manager overseeing the Disposable Contact Lenses matter for the Settlement Administrator, Epiq. We understand that you have some questions about the supplemental distribution of settlement funds in this case, and I thought it might be helpful if we could discuss them over the phone. Are you able to provide a phone number that I and Class Counsel could reach you at so we could discuss your questions further? Thanks very much for your help, Jeanne.”

3. Each of these emails, except for one, appears to have been successfully delivered. Epiq received an undeliverable error when sending this email to the address previously used by Objector Pierce in connection with his claim.

4. Objector Torres was the sole Objector who responded to Epic’s email.

5. Class Counsel responded to Objector Torres’ email and confirmed for Objector Torres that the Motion to Authorize a Supplemental Distribution of Net Settlement Funds (ECF No. 1402), which was granted by the Second Distribution Order, requested that *pro rata* distributions be made to two previously unpaid groups of claimants: (1) claimants who did not receive their distributions and timely requested re-issuance (“Re-Issue Claimants”), and (2) claimants who were previously denied payment but on further review meet the necessary criteria for inclusion in a supplemental distribution (“Second Distribution Claimants”). Class Counsel further confirmed for Objector Torres that claimants who were already

successfully paid would not receive a second distribution. Class Counsel also confirmed for Objector Torres that if the Court affirmed its Second Distribution Order, that his claim would be paid on the same *pro rata* basis as the claims that have been paid previously and that he would benefit from the issuance of the proposed Second Distribution Order such that he did not have standing to object to the Court's processes. Class Counsel thereafter asked Objector Torres for his permission to inform the Court that he was withdrawing his objection to the Second Distribution Order.

6. In response, Objector Torres gave Class Counsel permission to notify the Court that he was withdrawing his objection as to the distributions permitted by the Second Distribution Order but stated that he intended to stand on his other objections.

7. Class Counsel appreciates Objector Torres' agreement to drop his opposition to the distributions authorized by the Second Distribution Order, and respectfully submit that his other objections lack merit for the reasons set forth in detail in Class Counsel's Response to Carlos Torres' Motion for Reconsideration (ECF No. 1416).

Dated: February 23, 2024

*/s/ Michael E. Lockamy*

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