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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

ADRIENNE BENSON and MARY
SIMONSON, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

DOUBLEDOWN INTERACTIVE, LLC, a
Washington limited liability company,
INTERNATIONAL GAME TECHNOLOGY, a
Nevada corporation, and IGT, a Nevada
corporation,

Defendants.

Case No. 18-cv-525-RSL

**UNOPPOSED MOTION FOR
APPROVAL OF SECOND
DISTRIBUTION PLAN**

1 On June 1, 2023, this Court granted final approval of the Class Action Settlement and
2 directed the Parties to “proceed with the Settlement procedures specified under the terms of the
3 Settlement Agreement, including payment and prospective relief.” Dkt. #549 at 2. The
4 Settlement Administrator in this case has since effected the process laid out in the Settlement
5 Agreement for determining Settlement Payments and has paid from the Settlement Fund all
6 Approved Claims. *See* Dkt. #508-1 § 2.1(b)-(g).

7 Despite diligent efforts, some payments were unsuccessful, and some checks remain
8 uncashed. As a result, there is approximately \$6,884,546.28 remaining in the Settlement Fund,
9 net of the Settlement Administrator’s costs and expenses, available for a second distribution as of
10 the date of this filing (the “Reserve Fund”). The Reserve Fund represents approximately 1.65%
11 of the Settlement Fund. Class Counsel therefore submits for the Court’s approval the following,
12 unopposed Second Distribution Plan:

13 1. The Settlement Administrator will promptly make a second and final distribution
14 to claimants from the Reserve Fund.

15 2. Specifically, the Settlement Administrator will allocate the Reserve Fund—less
16 the administrative expenses of the second distribution—pro rata to all claimants who previously
17 received Settlement Payments. However, to the extent a second distribution to a claimant would
18 equal less than five dollars (\$5), that second distribution shall not be paid, and instead the
19 amount shall be distributed pro rata to claimants whose additional distribution is at least five
20 dollars (\$5).

21 3. To the extent that any of these additional payments are not cashed/processed by
22 claimants after ninety (90) calendar days, such funds shall be paid to the Legal Foundation of
23 Washington—the *cy pres* recipient named in § 2.1(h) of the Settlement Agreement. Dkt. #508-1
24 § 2.1(h).

25 * * *

1 This proposed Second Distribution Plan mirrors the second distribution plan approved by
2 this Court in the related *Reed v. Light and & Wonder Inc.* and *Ferrando et al. v. Zynga, Inc.*
3 matters (Case No. 18-cv-00565, Dkt. #204, Case No. 22-cv-00214, Dkt. #69), and is fair,
4 equitable, and faithfully effectuates the Settlement Agreement in this case. *See* Dkt. #508-1 §
5 2.1. Consequently, Class Counsel requests—and no Party opposes—that the Court grant this
6 motion and enter the attached Proposed Order.

7
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9 Dated: March 6, 2024

Respectfully submitted,

10
11 **CLASS COUNSEL**

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Plaintiff's Counsel

**Admitted pro hac vice*

*I certify that this memorandum contains 368 words,
in compliance with the Local Civil Rules*

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ORDER

Class Counsel’s unopposed motion is GRANTED. The Second Distribution Plan is approved.

IT IS SO ORDERED.

Dated this 7th day of March, 2024.


ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE