

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

OSHONYA SPENCER, CHARLES	:	
STRICKLAND, and DOUGLAS McDUFFIE	:	
on behalf of themselves and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	NO. 3:05cv1681 (JCH)
	:	
V.	:	
	:	
THE HARTFORD FINANCIAL SERVICES	:	
GROUP, INC., et al	:	
	:	
Defendants.	:	SEPTEMBER 14, 2010

**SUPPLEMENTAL DECLARATION OF DAVID S. GOLUB**

David S. Golub, does declare, under penalty of perjury, as follows:

1. I am an attorney admitted to the Bar of this Court and a member of the law firm of Silver Golub & Teitell LLP, one of the four law firms representing the Named Plaintiffs and serving as Class Counsel in the above-captioned action.
2. I submit this Supplemental Declaration to address the objections to the proposed class action settlement (the "Settlement") of this action filed by two Class members, Winthrop B. Collins, Jr. and Ashley De La Cruz,<sup>1</sup> and to update the Court on the response of the Class as a whole to the Settlement.
3. In summary, only 2 of the approximately 21,697 Class members – Winthrop B. Collins, Jr. and Ashley De La Cruz – filed objections with the Clerk. Neither objection took issue with the terms or the substance of the Settlement. Rather, the objections pertained solely to

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<sup>1</sup> A copy of Mr. Collins' September 1, 2010 letter to the Court is attached as Exhibit A. A copy of Ms. De La Cruz's September 1, 2010 letter to the Court is attached as Exhibit B.

the perceived sufficiency of the underlying personal injury settlements or defendants' compliance with the settlement agreement.

4. As discussed below, I have now had an opportunity to explain the nature of this action and the Settlement more fully to Mr. Collins and Ms. De La Cruz. Upon understanding the nature of this case and the effect of the Settlement, both Mr. Collins and Ms. De La Cruz have advised me that they have no objection to the Settlement and do not seek to pursue the objections they previously filed. There is, thus, no pending objection to the Settlement from any Class member.

5. In particular, no Class member has taken issue with the adequacy, reasonableness or fairness of the Settlement or the proposed Plan of Allocation. Further, no Class member has taken issue with, or objected to, Class Counsel's Application for Award of Attorneys' Fees and Reimbursement of Litigation Expenses or the Motion for Order Authorizing Incentive Award to Representative Plaintiffs.

#### **Resolution of Mr. Collins' Objection**

6. I spoke with Mr. Collins yesterday in an attempt to clarify the basis for his objection to the Settlement, which was not clear from his September 1, 2010 letter to the Court. Mr. Collins advised me that his concerns relate to issues involving defendants' compliance with the terms of his underlying structured settlement agreement (which are not affected by the Settlement) and that he does not object to any aspect of the Settlement of this action. Mr. Collins authorized me to advise the Court that he does not object to any aspect of the Settlement, and he and I confirmed his position (and authorization) in the email exchange attached to this Declaration as Exhibit C.

**Resolution of Ms. De La Cruz's Objection**

7. I spoke with Ms. De La Cruz today to clarify the basis for her objection to the Settlement, which also was not clear from her September 1, 2010 letter to the Court. Ms. De La Cruz advised me that her concerns relate to the amount of her underlying settlement, which was entered into by her mother on her behalf while she was still a minor. I explained to Ms. De La Cruz that the Settlement related to the pricing of the annuity used to fund her structured settlement, not to the fairness of her underlying claim against The Hartford's insured. Ms. De La Cruz advised me, once she understood the nature of the Settlement, that she does not object to the Settlement of this action. She authorized me to advise the Court that she does not seek to pursue her objection. (Ms. De La Cruz does not have immediate access to email and so was unable to confirm the above authorization to me in writing, but understood that I would be reporting to the Court our conversation and that she does not seek to pursue her objection.)

**The Remainder of the Class**

8. The September 1, 2010 Motion for Final Approval of Class Action Settlement and supporting Memorandum and Declaration were posted to the website established to provide Class members information about the Settlement. In my September 1, 2010 Declaration, I advised the Court that over 2,600 Class members had contacted the toll-free helpline and over 15,200 Class members had visited the website. (See Declaration of David S. Golub dated September 1, 2010 at ¶ 8 & Exhibit B [Declaration of Jose C. Fraga dated September 1, 2010 at ¶¶ 7-8]).

9. Class Counsel have been advised by the Claims Administrator that, since September 1, 2010, there have been approximately 3,300 additional visits to the website (for a total of over

18,500 visits to date) and approximately 1,200 additional calls to the toll-free helpline (for a total of over 3,600 calls to date).

10. No Class member has filed an objection to any aspect of the Settlement since the September 1, 2010 filings were posted to the website; and no Class member has, at any time, expressed any objection to the Plan of Allocation, to Class Counsel's Application for Award of Attorneys' Fees and Reimbursement of Litigation Expenses, or to the Motion for Order Authorizing Incentive Award to Representative Plaintiffs. In sum, no Class member has objected to the terms of the Settlement.

11. For the reasons stated in our August 16, 2010 and September 1, 2010 filings, and especially in light of the overwhelming support of the Class for all aspects of the Settlement, Class Counsel respectfully submit that Named Plaintiffs' Motion for Final Approval of Class Action Settlement; the Plan of Allocation; Class Counsel's Application for Award of Attorneys' Fees and Reimbursement of Litigation Expenses; and the Motion for Order Authorizing Incentive Award to Representative Plaintiffs should all be approved at the Fairness Hearing on September 21, 2010.

I declare, pursuant to 28 U.S.C. §1746, under penalty of perjury, that the foregoing is true and correct.

Executed on September 14, 2010.

        /s/          
DAVID S. GOLUB

**CERTIFICATION**

I hereby certify that on September 14, 2010, the foregoing Supplemental Declaration of David S. Golub, Esq. was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/

DAVID S. GOLUB ct00145  
SILVER GOLUB & TEITELL LLP  
184 Atlantic Street  
P. O. Box 389  
Stamford, CT 06904  
Tel.: 203-325-4491  
Fac.:03-325-3769  
Email: [dgolub@sgtlaw.com](mailto:dgolub@sgtlaw.com)

**EXHIBIT A**

Winthrop B. Collins, Jr.  
15404 Morning Drive  
Lutz, Florida 33559  
(813) 380-4948

September 1, 2010

United States District Court  
For the District of Connecticut  
Clerk of the Court  
915 Lafayette Blvd.  
Bridgeport, CT 06604

To Whom It May Concern:

Although, I do not plan on attending the Fairness Hearing, I do have some objections to the settlement of Winthrop B. Collins, Jr. vs Hartford Insurance. First, there was no cost of living allowance built into my settlement. Second, every month \$42.10 is deducted from my payment. The reason for this was never adequately explained to me.

Enclosed please find copies of documents pertaining to my case. Thank you for your attention to this matter, and if you have any questions please do not hesitate to contact me.

Sincerely,



Winthrop B. Collins, Jr.

**Electronic Funds Confirmation Statement**

WINTHROP COLLINS  
15404 MORNING DRIVE  
LUTZ, FL 33559



**Payment Issue Date:** 06/28/2010

The Net Payment of **\$557.90** was electronically transferred to your financial institution and deposited into your checking account. Please check with your financial institution for date of deposit.

<b>Contract #:</b>	<b>CCX0537789</b>
<b>Pymt Due Date:</b>	<b>07/04/2010</b>
<b>Gross Pymt:</b>	<b>\$557.90</b>
<b>Excess Int:</b>	<b>\$0.00</b>
<b>Federal Tax:</b>	<b>\$0.00</b>
<b>State Tax:</b>	<b>\$0.00</b>
<b>City Tax:</b>	<b>\$0.00</b>
<b>Net Payment:</b>	<b>\$557.90</b>



Hartford Life Insurance Company  
Investment Products Services  
Group Annuitization Team  
P.O. Box 1583  
Hartford, CT 06144-1583

If you have any questions concerning the information provided, please contact us at 1-800-678-2282, Monday through Thursday, 8:00 a.m. to 7:00 p.m., Friday, 8:00 a.m. to 6:00 p.m. Eastern Time. One of our Customer Service Representatives will be happy to provide assistance.



**EXHIBIT B**

MS 9-1-10

Judge Janet C. Hall

FILED

2010 SEP -1 A 8:48

My name is Ashley De La Cruz  
 and in December 1997 I settled  
 with Hartford insurance.  
 They settled upon with my  
 mother I shall receive \$350.00  
 a month for four years, as a  
 young adult, three hundred  
 and fifty dollars a month  
 doesn't really pay for anything  
 I have plans I still live  
 at home with my mother I  
 will be 19 in a few months  
 I can't keep a job due to a  
 knee injury so I depend on  
 my structure settlement but  
 it doesn't pay for much  
 so I expect how do I know  
 they didn't cheat me out  
 of a lot more money.

If you have  
 any questions  
 or concerns  
 please contact  
 me at (580)  
 301-7210  
 thank-you

Signed,  
 Ashley  
 DeLaCruz

**EXHIBIT C**

**David Golub- Silver Golub Teitell**

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**From:** Bud -Collins [wbc2003a@hotmail.com]  
**Sent:** Monday, September 13, 2010 5:11 PM  
**To:** David Golub- Silver Golub & Teitell  
**Subject:** RE: Hartford class action settlement

I have no objection to the proposed class action settlement. (signed) Winthrop B. Collins

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Subject: Hartford class action settlement  
Date: Mon, 13 Sep 2010 16:24:36 -0400  
From: [dgolub@sgtlaw.com](mailto:dgolub@sgtlaw.com)  
To: [wbc2003a@hotmail.com](mailto:wbc2003a@hotmail.com)

Mr. Collins:

It was good speaking with you today about The Hartford class action (of which you are a class member) and the September 1, 2010 letter you sent to the Court expressing some objections to the proposed settlement. It is my understanding from our conversation today that while you have some concerns about whether The Hartford your concerns relate to issues involving the payments you are receiving pursuant to your structured settlement agreement with The Hartford and not with any aspect of the proposed settlement of the class action. As I advised you today, any obligations The Hartford has pursuant to your structured settlement agreement are not affected by the proposed class action settlement.

It is also my understanding that you have authorized me to advise the Court that you do not object to any aspect of the proposed class action settlement.

As we discussed, I would appreciate your confirming back to me by return email that the above email accurately reflects our conversation.

Of course, if you have any questions, please give me a call.

Thanks.

David Golub

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