



BDUG Class Actions Focus Group: Meeting Minutes

Meeting June 26, 2008

The Class Actions Focus Group was has been created to discuss industry issues through idea sharing and best practices. The goal is to drive change and further educate.

Minutes:

1. Group collectively agreed to accept the meeting minutes from the last call on May 28, 2008.
2. Proposal to rotation task of taking meeting minutes was accepted by group. Jane to structure rotation by organization – communicate via email.
3. Reviewed matrix of Claims Administrators and ability to send funds via wire.
 - a. Several members confirmed discussions with Berdon – who is unable to send out wires. Charges \$100/hr to create matrix of accounts to accompany checks.
 - b. Idea to expand matrix to include other topics (e-filing, rejection process). Jane/Lacey to draft and send to group for review.
4. Discussion around how to address Claims Administrator issues:
 - a. Maybe focus should be on the attorney's. Can they help us establish communication with the Claims Administrators? They pay the Claims Administrators so they are very relevant to the conversation. Additionally they would have a vested interest in the overall “shareholder experience.”
 - b. Gilardi has specifically requested a legal “document” that states that we can and should receive wires for settlement funds. Who could we, as a group, reach out to for assistance on this? The SEC, the OCC are options. One idea was to use a recent SEC litigation that was paid out via wire as an example. Maybe they could send us a sample of what their instructions look like also.
 - c. Discuss at BDUG conference in Sept.
 - i. OCC attendee
 - ii. Reach out to someone at SEC to attend (possibly Francis McGovern)
 - iii. Invite Claims Administrators/plaintiffs attorneys' to attend for panel or roundtable discussion
5. Claims Administrator Survey
 - a. Benefits of having the different offices fill something out in advance of us having conversations or roundtables.
 - b. Jane and Lacey to draft and send out to group for review.

6. Reviewed draft of Gilardi meeting topics for July 24th meeting with Lara McDermott. Lacey to update to include 'CUSIPs on the claim forms', and 'how claimant info is displayed on checks/rejects'.
7. Topic of out-sourcing...no one on the call currently out-sources Class Actions processing although several have completed an analysis of different vendors.
 - a. Cost prohibitive
 - b. Issues with data (would have to continuously send to vendor)
 - c. Risk to process
 - d. Issues with how customized the process is in each custodial office.
8. Survey for the CAFG members – need to document variations in our methods of processing class actions. Best to try to streamline, especially when asking the Claims Administrators to streamline their process.

Next steps:

- Jane and Lacey to prepare draft of survey to Claims Administrators – will send to the group for review.
- Jane and Lacey to prepare draft of survey for CAFG participants – there will be one long survey rather than several smaller ones.
- Lacey and Jane to update Claims Administrator matrix
- Lacey to update agenda for call with Gilardi
