

EXHIBIT A

DRAFT

LEGAL NOTICE

If you are an individual who became eligible to receive Concurrent Payments from the Social Security Administration and for whom Representative’s fees were paid between March 13, 2002 and October 31, 2017, and you meet certain other criteria (as explained below) a class action lawsuit may affect your rights.

THE CLASS ACTION LAWSUIT

You may be affected by a class action lawsuit about whether the Social Security Administration (“SSA”) owes you past-due monetary benefits.

The lawsuit is called *Steigerwald v. Berryhill*, Case No. 1:17-CV-1516 (the “Lawsuit”) and is in the United States District Court for the Northern District of Ohio. The Court decided this Lawsuit should be a class action on behalf of a “Class,” or group of people, that could include you. This notice summarizes your rights and options before an upcoming trial or a decision by the Court without a trial that the Class is right and SSA is wrong based on a motion for summary judgment that has been filed against SSA and which SSA has opposed. If you are receiving this notice, you have to decide whether to stay in the Class and be bound by whatever results, or ask to be excluded and keep your right to sue SSA on your own. **There is no guarantee that you will receive any money from this Lawsuit.**

ARE YOU AFFECTED?

The Class certified by the Court is comprised of: individuals who became eligible to receive Concurrent Payments for whom Representatives’ fees were paid out of the individual’s retroactive benefits between March 13, 2002 and October 31, 2017, and for whom SSA made a Windfall Offset determination before the amount of Representatives’ fees was determined and paid out of retroactive benefits, but for whom, after the amount of Representatives’ fees was determined and paid out of retroactive benefits, SSA did not perform the Subtraction Recalculation and therefore has not issued any Retroactive Underpayment that may be due. [The capitalized terms are defined on the other side of this notice.]

Who’s affected?
<p>Individuals who became eligible to receive Concurrent Payments for whom Representatives’ fees were paid out of the individual’s retroactive benefits between March 13, 2002 and October 31, 2017 and who meet certain other criteria.</p>

WHAT IS THIS CASE ABOUT?

The Lawsuit claims that SSA wrongly reduced monetary payments to individuals who qualified for both past-due Supplemental Security Income (“SSI”) benefit payments under Title XVI of the Social Security Act (the “Act”) and Old Age Survivors and Disability Insurance (“OASDI”) benefit payments under Title II of the Act, for any of the same months concurrently. **SSA denies it did anything wrong, had sought to dismiss the case and has opposed summary judgment for the Class.**

The Court has not made a final decision whether the Class or SSA is right. The lawyers for the Class will have to prove their claims at a trial set to begin in February 2019, unless the Court awards summary judgment to the Class before then.

WHO REPRESENTS YOU?

The Court has appointed the law firms of Kelley Drye & Warren LLP of Washington D.C. and Roose & Ressler, a Legal Professional Association, of Lorain, Ohio to represent you as “Class Counsel” and Plaintiff Stephanie Steigerwald as the Class Representative. You do not have to pay Class Counsel, or anyone else, to participate as a Class member. Instead, if as a result of this Lawsuit and your inclusion as a Class member you obtain past-due monetary benefits that the Lawsuit seeks from SSA, Class Counsel intend to ask the Court for an order to deduct attorneys’ fees from Class members’ past-due monetary benefits of not more than 25% of each individual award to a Class member, pursuant to Section 406(b) of the Act. SSA has opposed the award of any fees to Class Counsel under Section 406(b). The Court will decide what percentage, if any, to award Class Counsel after a hearing on fees. You may hire your own lawyer whom you will have to pay yourself, to represent you in this case at any time or to specifically appear in court at the hearing on fees, or you may appear in person yourself. You also have an opportunity to submit written comments or an objection to the Court in advance instead of making an appearance at the hearing on fees. The time, date and location of the fees hearing will be posted at www.xxx.com shortly after the information becomes available.

WHAT ARE YOUR OPTIONS?

You can choose whether to stay in the Class or not, but **you must decide this by not later than December 11, 2018.** If you choose to stay in the Class, you will be legally bound by all orders and judgments of the Court, and you won’t be able to sue, or continue to sue, SSA for the past-due monetary benefits that the Lawsuit seeks. If past-due monetary benefits are awarded, you will be notified about what to do, if anything, to obtain any past-due monetary benefits you are owed.

To stay in the Class, you do not have to do anything now. If you ask to be excluded from the Class, you cannot get any past-due monetary benefits from this Lawsuit if any are awarded, but you will keep any rights you may have to sue SSA for these claims, now or in the future, and will not be bound by any orders or judgments of the Court. To ask to be excluded, send a letter or postcard postmarked by December 18, 2018, including your name, address, and telephone number to the address below, that says words to the effect of “I want to be excluded from the Class in *Steigerwald v. Berryhill*.”

HOW CAN YOU GET MORE INFORMATION?

If you have any questions or want to review court documents about this lawsuit, visit www.xxx.com, or write to: SSA Class Action, Attn: Ira T. Kasdan, Kelley Drye & Warren LLP, 3050 K Street NW, Washington, DC 20037.

DRAFT

Defined Terms

Concurrent Payments: Payments that a claimant becomes eligible to receive, or to have received, for both past-due SSI Payments and Title II Payments for any of the same months concurrently.

Representative: An attorney or non-attorney who represented you before the Social Security Administration (“SSA”) or in federal court to help you obtain Concurrent Payments

Retroactive Underpayment: The past-due benefits payment that SSA is required to make to a claimant following completion of the Subtraction Recalculation.

SSI Payments: Supplemental Security Income payments under Title XVI of the Social Security Act, 42 U.S.C. §§ 1381, *et seq.*

Subtraction Recalculation: The calculation SSA is required to make after a court or the SSA determines the amount of fees to which an attorney or qualified non-attorney representative (a “Representative”) is entitled for having represented a claimant in obtaining Concurrent Payments, and after the Representative is paid such fees out of retroactive benefits. This calculation, when properly performed, yields the total amount of Retroactive Underpayment(s) payable to the claimant.

Title II Payments: Old-Age, Survivors, and Disability Insurance Benefit payments under Title II of the Social Security Act, 42 U.S.C. §§ 201, *et seq.*

Windfall Offset: A calculation SSA is required by 42 U.S.C. § 1320a–6 to apply when a claimant receives Concurrent Payments in order to ensure that the claimant does not receive more benefits than he or she would have been entitled to if the benefits had been paid when due.

EXHIBIT B

Social Security Administration Important Information

[-----]
6401 Security Blvd, [bdlg]
Baltimore, MD 21235
Date:
BNC:

John Doe
123 Main St
Anytown, MD 12345

NOTICE OF CLASS CERTIFICATION IN A CLASS ACTION LAWSUIT *Steigerwald v. Berryhill*, case no. 1:17-cv-1516 (N.D. Ohio)

You May Be Affected by a Class Action Lawsuit Brought Against the Social Security Administration

You are receiving this notice because you may be affected by a class action lawsuit filed against the Social Security Administration (SSA). The lawsuit alleges that SSA did not properly account for representatives' fees when calculating past-due benefit payments to individuals who were awarded both Old Age Survivors and Disability Insurance (OASDI) and Supplemental Security Income (SSI). The lawsuit claims that because SSA did not account for these fees, some individuals were not paid all the benefits they were due. Because of the lawsuit, some individuals may be owed additional past-due benefits. However, there is no guarantee that you will receive any money from this lawsuit.

There will be a trial on [date] for the court to decide if the plaintiff is right. The court might also decide before trial that the plaintiff is right, in which case there may not be a trial.

The court has decided that this lawsuit should be a class action on behalf of a group of people. You are receiving this notice because you must decide if you want to stay in the lawsuit and be a part of the class. If you want to be part of the class, you cannot sue SSA on your own about this issue and will be bound by the results of the lawsuit. If you do not want to be part of the class, you can ask to be excluded. You will keep your right to request on your own that SSA examine your case to see if you are owed additional benefits, or to sue SSA about this issue on your own. Indeed, SSA intends to examine the records of everyone receiving this notice – even if they ask to be excluded from the lawsuit – to determine if they are owed additional benefits.

Are You Affected?

If you applied for and were awarded both OASDI and SSI, and

- had an attorney or non-attorney representative who helped you with your claim, and
- paid that representative from the money you were awarded when your claim was approved,

See Next Page

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then you may be affected by this lawsuit.

The court has certified a class of individuals who meet all of the following:

- 1) Became eligible for OASDI and SSI;
- 2) Representatives' fees were paid out of past-due benefits between March 13, 2002 and October 31, 2017;
- 3) SSA made a windfall offset calculation before the amount of representatives' fees was known and paid out of past-due benefits; and
- 4) After representatives' fees were known and paid out of past due benefits, SSA did not perform a windfall offset recalculation.

Who Represents the Class?

The court has appointed the law firms of Kelley Drye & Warren LLP from Washington, D.C., and Roose and Ressler, PC, from Lorain, Ohio, to represent the class. This means that if you choose to be part of the class, these law firms will represent you and may charge you a fee.

If you stay in the class and get money because of the lawsuit, these attorneys have asked the court to deduct their fees from the money you get. SSA opposes this request. If the court grants that request, the court will decide how much of that money to award to these attorneys, but it will not be more than 25% of any money you get from the lawsuit. If you stay in the class but do not get money from the lawsuit, you will not owe these attorneys a fee. If you do not stay in the class, you will not owe these attorneys a fee, even if you file a separate lawsuit or ask SSA on your own to look at your claim again.

Before the court decides how much these attorneys will be paid, you will be sent a separate notice about the amount of the fee the attorneys are requesting. You will have an opportunity to object to the amount of the fee, and the court will decide if what they are asking for is fair.

What Do You Have to Do, and What is the Deadline?

If you want to be part of the class in this lawsuit, you do not have to do anything now. By staying in the class, you will be legally bound by the court's decision and will not be able to sue SSA on your own about this issue. You will also be bound by court's decision on attorney fees.

If you do not want to be part of the class in this lawsuit, you must complete and return the attached form [to the address listed below] by _____. By opting out of the class, you will not be legally bound by the court's decision. You will be able to pursue this issue with SSA on your own, including by suing SSA if you choose to.

If You Have Any Questions

If you have any questions about this notice or request form, please contact Kelley Drye and Warren, LLP, the lawyers who brought the *Steigerwald* lawsuit. You may call them toll-free at [Kelley Drye ph#] or write to them at:

[Steigerwald contact info]
[Kelley Drye address?].

Social Security cannot advise you on this notice or the lawsuit. You should refer any

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questions to the lawyers identified above.

Social Security Administration

Enclosure(s):
Steigerwald Opt-out Form

John Doe
123 Main Street
Anytown, MD 12345

***Steigerwald* OPT-OUT FORM**

IMPORTANT

Return This Form By [DATE] If You Do Not Want To Participate in the *Steigerwald* Class Action Lawsuit

By signing below, you are stating that you do not want to participate in the *Steigerwald* class action lawsuit. If you think you may be due additional benefits, you may contact Social Security on your own, or you may retain your own attorney to pursue the issue on your behalf.

Date

Signature

Telephone Number

Return this form to:
[need return address??]

EXHIBIT C

Subject: Steigerwald: Proposed Class Notice

From: Asher, Ruchi (USAOHN) [<mailto:Ruchi.Asher@usdoj.gov>]

Sent: Friday, August 10, 2018 1:03 PM

To: Kasdan, Ira <IKasdan@KelleyDrye.com>; Stern, Bezalel <BStern@KelleyDrye.com>; Wilson, Joseph D. <JWilson@KelleyDrye.com>; 'Jon Ressler' <jressler@rooselaw.com>

Cc: Brizius, Erin E. (USAOHN) <Erin.E.Brizius2@usdoj.gov>; Bailey, Kate (CIV) <Kate.Bailey@usdoj.gov>; Sandberg, Justin (CIV) <Justin.Sandberg@usdoj.gov>

Subject: Steigerwald: Proposed Class Notice

Counsel,

Attached is a draft proposed notice for your review. We took the draft notice you sent us and tried to work it into a more readable format with simpler language to reflect how SSA's standard notices appear. Please keep in mind that (a) the address in the header will change to reflect which party is sending the notice ,and (b) that any final notice we agree upon will still need further approval from SSA's plain language reviewers if SSA is to send them out. We look forward to your comments/response.

Best,

Ruchi V. Asher

Assistant United States Attorney, Northern District of Ohio

801 West Superior Avenue, Suite 400

Cleveland, OH 44113

Ph: (216) 622-3718 | Cell: (216) 308-4145

EXHIBIT D

From: Stern, Bezalel
Sent: Wednesday, August 15, 2018 1:38 PM
To: Asher, Ruchi (USAOHN); 'Brizius, Erin E. (USAOHN)'; Sandberg, Justin (CIV); Bailey, Kate (CIV)
Cc: Kasdan, Ira; Wilson, Joseph D.; 'Jon Ressler'
Subject: RE: Steigerwald: Proposed Class Notice
Attachments: Proposed Notice to Class v1.docx

Counsel,

We have reviewed the draft class certification notice you sent to us on Friday (two weeks after we sent you our draft notice on July 27). We are disappointed with your proposal.

While Erin and Ruchi had told us on our call on July 27 that you would only be making edits to our draft Legal Notice to make our draft more readable (and indeed for that purpose you asked that we send you a Word version of the Legal Notice, presumably to be able to make track changes), you instead provided us with an entirely new proposed class notice in letter format on Social Security letterhead that retains little (if anything) of the one-page notice we sent you, does not follow the recommended form of the Federal Judicial Center which our draft followed, and was drafted with the obvious design to encourage Class members to opt out of the class. This is all inappropriate. Accordingly, we cannot agree to your proposed draft or for you to send out the notice.

Please see the attached draft, which we intend to file with the Court for approval. Please advise us by tomorrow morning whether you will join in this submission. Otherwise, we will file our draft and inform Judge Gwin that we could not agree on joint language.

If you wish to discuss this any further, we would be available for a phone call any time before noon tomorrow.

Bez

BEZALEL STERN
Senior Associate
Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039
bstern@kelleydrye.com

From: Asher, Ruchi (USAOHN) [mailto:Ruchi.Asher@usdoj.gov]
Sent: Friday, August 10, 2018 1:03 PM
To: Kasdan, Ira ; Stern, Bezalel ; Wilson, Joseph D. ; 'Jon Ressler'
Cc: Brizius, Erin E. (USAOHN) ; Bailey, Kate (CIV) ; Sandberg, Justin (CIV)
Subject: Steigerwald: Proposed Class Notice

Counsel,

Attached is a draft proposed notice for your review. We took the draft notice you sent us and tried to work it into a more readable format with simpler language to reflect how SSA's standard notices appear. Please keep in mind that (a) the address in the header will change to reflect which party is sending the notice, and (b) that any final notice we agree upon will still need further approval from SSA's plain language reviewers if SSA is to send them out. We look forward to your comments/response.

Best,

Ruchi V. Asher

Assistant United States Attorney, Northern District of Ohio

801 West Superior Avenue, Suite 400

Cleveland, OH 44113

Ph: (216) 622-3718 | Cell: (216) 308-4145

EXHIBIT E



KCC Class Action Services Resume

KCC is an industry leader in class action settlement administration. We administer claims processes and distribute funds in a vast array of varying matters, ranging from small and simple settlements to multi-year complex settlements involving millions of claimants.

KCC's parent company, Computershare, is a \$6 billion publicly-traded company which, among its many business lines, provides global financial services centering on communications with customers on behalf of our corporate clients. Computershare employs over 16,000 people and does business with more than 16,000 clients in more than 21 countries. KCC's operations are regulated by federal agencies, including both the SEC and OCC. KCC has the largest infrastructure in the class action industry, and is backed by superior data security, call center support and technology. In addition to the immense resources and capabilities brought to bear through Computershare, KCC can execute all operations in-house with zero outsourcing; a capacity which allows for full quality control over each aspect of service.

KCC has administered over 6,500 class action settlements and handled thousands of distribution engagements in other contexts as well. Our domestic infrastructure includes call centers with over 1,200 seats, claims intake facilities that can open and scan 200,000 claims in a single day, and document production capabilities that print and mail millions of documents annually. Last year, our disbursement services team distributed over half a trillion dollars.

Locations

KCC has an administrative office in El Segundo, CA, an operation office in San Rafael, CA, and presence in the East Coast, South and Midwest. In addition to these offices, KCC has the global support of Computershare. In the United States Computershare has more than 20 offices.

KCC Personnel

KCC's experienced team of experts knows first-hand the intricacies contained in every aspect of settlement administration, and approach each matter with careful analysis and procedural integrity. Each client is assigned a team of experienced consultants, specialists and technology experts who serve as knowledgeable, reliable and accessible partners that have earned a reputation for exceeding clients' expectations. KCC's executive team – Gerry Mullins, President; Patrick Ivie, Senior Executive Vice President; Daniel Burke, Executive Vice President; Peter Crudo, Executive Vice President; and Patrick Passarella, Senior Vice President – are experienced industry leaders.

Our personnel have considerable experience which includes years of practice with KCC and related endeavors. KCC's professionals have extensive training, both on-the-job and formal, such as undergraduate and advanced business, information technology and law degrees, and they possess and/or have had licenses and certificates in disciplines that are relevant to class action administration.

Recognition

Our high-quality, cost-effective notice and settlement administration services have been recognized by *The National Law Journal*, *The New York Law Journal*, *The New Jersey Law Journal*, *The Recorder*, *Legal Intelligencer*, *Legal Times* and other leading publications. KCC has earned the trust and confidence of our clients with our track record as a highly-responsive partner.



Settlement Value Case	Value
Fortis Settlement	\$1,572,690,000
U.S.A. v. The Western Union Company	\$586,000,000
Vaccarino v. Midland National Life Ins. Co	\$555,000,000
Safeco v. AIG	\$450,000,000
Johnson v. Caremark Rx, LLC	\$310,000,000
In re Activision Blizzard, Inc. Stockholder Litigation	\$275,000,000
Harborview MBS	\$275,000,000
Dial Corp. v. News Corporation, et al.	\$244,000,000
In re Medical Capital Securities Litigation Settlement	\$219,000,000
In Re: NCAA Athletic Grant-In-Aid Antitrust Litigation	\$208,664,445
Gutierrez v. Wells Fargo Bank, N.A	\$203,000,000
Bell v. Farmers - Bell III	\$170,000,000
McReynolds v. Merrill Lynch	\$160,000,000
Haddock v. Nationwide Life Insurance Co. Settlement	\$140,000,000
Miramonte Qualified Settlement Fund	\$139,500,000
In re Freeport-McMoran Copper & Gold Inc. Derivative Litigation Notice	\$137,500,000
Bank of America, et al. v. El Paso Natural Gas Company, et al.	\$115,000,000
Rural/Metro Corporation Stockholders Litigation	\$97,793,880
J.C. Penney Securities Litigation	\$97,500,000
Smokeless Tobacco Cases	\$96,000,000
Oubre v. Louisiana Citizens	\$92,865,000
Ormond, et al, v. Anthem, Inc.	\$90,000,000
In re DRAM Antitrust Litigation	\$87,750,000
Ideal v. Burlington Resources Oil & Gas Company LP	\$85,000,000
Willoughby v. DT Credit Corporation, et al. (Drivetime)	\$78,000,000
Bank of America Wage and Hour Employment Practices Litigation	\$73,000,000
WaMu TIA	\$69,000,000
Dana Corporation Securities Litigation	\$65,000,000
Abarca v. and Hernandez v. Merck & Co., Inc.	\$60,000,000
Birchmeier et al. v. Caribbean Cruise Line, Inc.	\$56,000,000
In re Intercept Pharmaceuticals, Inc. Securities Litigation	\$55,000,000
Ideal v. BP America	\$55,000,000
United States of America v JP Morgan Chase Bank, NA	\$54,300,000
In re Apple iPhone/iPod Warranty Litigation	\$53,000,000
Eck v. City of Los Angeles, et al.	\$52,000,000
Edwards v. National Milk Producers Federation et al.	\$52,000,000
DeLaTorre Qualified Settlement Fund	\$51,900,000
Anderson v. The Attorney General of Canada	\$50,000,000
eMachine Consumer Settlement	\$50,000,000



Class Members	
Case	Volume
Edwards v. National Milk Producers Federation et al.	90,000,000
The Home Depot, Inc. Customer Data Security Breach Litigation	40,000,000
Cassese v. WashingtonMutual	23,200,344
In Re Lithium Ion Batteries Antitrust Litigation	16,000,000
Gordon v. Verizon Communications, Inc.	15,236,046
Opperman et al v. Path, Inc.	14,000,000
Discover TCPA	9,830,433
Elvey v. TD Ameritrade, Inc.	8,639,226
Russell v. Kohl's Department Stores Inc.	8,500,000
Suchanek v. Sturm Foods, Inc., Grove Square Coffee Class Certification	8,200,000
Shames v. The Hertz Corporation	7,271,238
In re MagSafe Power Adapter Litigation	5,293,952
Portfolio Recovery Associates Telephone Consumer Protection Act Litigation	5,000,000
Morales v. Conopco Inc. dba Unilever (TRESemmé Naturals)	5,000,000
Tammy Raab v. Kent W. Abernathy & Indiana Bureau of Motor Vehicles II	5,000,000
Raab v. Waddell and The Indiana Bureau of Motor Vehicles	4,677,968
In re Lidoderm Antitrust Litig. Class Cert.	4,400,000
Couser v Comenity Bank	4,115,621
Torczyner v. Staples, Inc.	4,000,000
Siciliano v. Apple, Inc.	4,000,000
Horosny v. Burlington Coat Factory of California LLC	3,700,000
Apple Purchase Litigation	3,548,612
Flaum v. Subway	3,503,113
Luster v. Wells Fargo	3,385,048
Kearney v. Equilon Enterprises LLC dba Shell Oil	3,000,000
Walter, et al. v. Hughes Communications, Inc., et al.	2,792,574
Cappalli v. BJ's Wholesale Club, Inc.	2,767,358
Shurtleff v. Health Net of California, Inc.	2,529,949
Clark v. Gannett Co. Inc. et al.	2,500,000
Alvarez v. Kmart Holding Corp.	2,240,000
Mullins v. Direct Digital LLC	2,200,000
Nicole Newman v. AmeriCredit Financial Services	2,033,588
Hankinson, et al. v. RTG Furniture Corp., dba Rooms To Go	2,000,000
National Veterans Legal Services Program, et al. v. United State	2,000,000
Davenport v. Discover	2,000,000
Ayyad v. Sprint	2,000,000

Class Action Services

DELIVERING A HIGHER STANDARD

KCC partners with Counsel to ensure high-quality, cost-effective notice and settlement administration services. Recognized by the *National Law Journal*, the *New York Law Journal*, the *New Jersey Law Journal*, *Legal Intelligencer* and other leading publications as "The Best" Class Action Administrator, KCC has earned the trust and confidence of our clients with our track record as a highly-responsive partner.

With experience administering nearly 6,000 settlements, KCC's team knows first-hand the intricacies of class action settlement administration. At the onset of each engagement, we develop a plan to efficiently and cost-effectively implement the terms of the settlement. Our domestic infrastructure, the largest in the industry, includes a 900-seat call center and document production capabilities that handle hundreds of millions of documents annually. Last year, our disbursement services team distributed over half a trillion dollars.

ADMINISTRATION SERVICES

Class Member Data Management

KCC designs customized class member databases to facilitate efficient and cost-effective noticing, information reporting and notifications.

Legal Notification

KCC's judicially-recognized experts provide defensible media campaigns and notice methods that achieve Federal and State compliance.

Settlement Funds Escrow

Our affiliate, Computershare Trust Company, N.A., has acted as the escrow agent for numerous litigation settlements and related matters.

Call Center Support

Our domestic call center is annually recognized for customer excellence and satisfaction. It includes 900 seats, trained specialists, communications in 27 languages and offers 24/7 support.

Claims Administration

KCC reviews and analyzes claims to verify all settlement agreement provisions have been satisfied.

Disbursement & Tax Reporting

KCC manages settlement funds, facilitates the disbursement of funds to class members and coordinates necessary tax reporting.

With scalable class action administration services, our experts work with claimants and legal counsel to meet specific needs. KCC offers cost advantages, industry expertise and secure data management of class action settlements.

To learn more, please visit kccllc.com/class-action, email classaction@kccllc.com or call 866.381.9100.

EXHIBIT F

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEPHANIE STEIGERWALD,)	CASE NO.: 1:17-CV-1516-JG
)	
<i>Plaintiff,</i>)	JUDGE JAMES S. GWIN
)	MAGISTRATE JUDGE DAVID RUIZ
v.)	
)	
NANCY A. BERRYHILL, ACTING)	
COMMISSIONER OF SOCIAL)	
SECURITY, ET AL.)	
)	
<i>Defendants.</i>)	

**DEFENDANTS' OBJECTIONS AND RESPONSES TO
PLAINTIFF'S FIRST GENERAL SET OF INTERROGATORIES**

Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendants hereby provide their objections and responses to Plaintiff's First General Set of Interrogatories.

OBJECTIONS AND RESPONSES TO DEFINITIONS AND INSTRUCTIONS

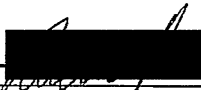
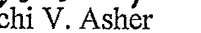
1. Defendants object to the definition of the term "Instructional Material" in Definition No. 11 to the extent its reference to "drafts" would require the disclosure of information protected by the deliberative process privilege, attorney-client privilege, or work product doctrine.

2. Defendants object to the definition of the term "Retroactive Underpayment" in Definition No. 15 to the extent it assumes that recalculating a windfall offset always results in an underpayment that Defendants are required to make to a Claimant; such a claim is inconsistent with SSA policy, regulations, and applicable law.

3. Defendants object to the definition of the term "Population B" in Definition 17 because it defines the temporal scope of the class based on the date of eligibility for Concurrent Payments rather than the date the representatives' fees were paid. As such, it does not reflect SSA

this request as the information it seeks is relevant to the size and scope of the class, which has already been certified and class discovery has closed.

As to the Objections:


s/ 
Ruchi V. Asher
Assistant U.S. Attorney
Office of the U.S. Attorney, Northern
District of Ohio

Subject to and without waiving the foregoing objection, Defendants respond as follows: A response to Interrogatory 4 is attached hereto as Attachment A.

(5) If you contend that between March 13, 2002 and August 31, 2012, SSA conducted the Subtraction Recalculation for all individuals for whom it was obligated to perform it over that time period, explain in detail and with specificity how SSA reached that conclusion, including listing what documents, records and computer data and systems SSA used and/or reviewed and/or created to reach that conclusion.

RESPONSE:

Defendants do not contend that between March 13, 2002 and August 31, 2012, SSA conducted the Subtraction Recalculation for all individuals for whom it was obligated to perform it over that time period.

(6) To the extent SSA contends that its non-performance of the Subtraction Recalculation for the individuals in Population A or Population B was not the result of a systemic SSA pattern or practice, explain in detail and with specificity every fact upon which SSA relies to support that contention, separately for each of those Populations.

RESPONSE:

Defendants object to this request to the extent it seeks information covered by the deliberative process privilege, the attorney-client privilege, or the attorney work product doctrine.