



Konecky v. Allstate

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Mon, Jan 21, 2019 at 1:51 PM

To: "Alan J. Lerner" <lerner@lernerlawmt.com>, "Peter F. Habein" <phabein@crowleyfleck.com>

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Yes, the client is looking into the eleven claimants who are not on the class list. (Notably, none of the claimants has a mailing address in Montana.)

We also expect to send you signature page for the defendants this week. Additionally:

(1) Allstate is not exercising its option to terminate the agreement.

(2) In the draft Motion for Final Approval, the second sentence should say “Plaintiffs request” rather than “Plaintiffs requests”.

(3) In the draft Brief in Support of Motion for Final Approval, on page 5, before the last sentence of section I(B), we would propose to add the sentence, “Defendants agree that the settlement is fair, reasonable and adequate, and that the certification of a settlement class in this matter is legally appropriate (though Defendants continue to deny that any litigation class would have been appropriate if the case had not settled).”

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From: Alan J. Lerner [mailto:lerner@lernerlawmt.com]
Sent: Monday, January 21, 2019 1:03 PM
To: 'Peter F. Habein'
Cc: Hanover, Mark L.; 'Judah Gersh'; 'Brian Joos'; 'Allan McGarvey'

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