

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

LAURA A. OWENS, and JOSHUA R.  
SMITH, individually and on behalf of two  
class of all others similarly situated,

Plaintiffs,

v.

METROPOLITAN LIFE INSURANCE  
COMPANY,

Defendant.

Civil Action No. 2:14-cv-00074-RWS

**SMITH CLASS DISTRIBUTION PLAN**

1. MetLife will provide the interest rate(s) credited to retained asset accounts as set by the MetLife Steering Committee from April 30, 2008, until March 31, 2019.
2. MetLife will provide the Settlement Administrator and Class Counsel one or more Excel spreadsheet(s), including for each Class Member, to the extent available:
  - a. Name;
  - b. Account Number(s) (or claim number(s) if no account number(s) exist(s));
  - c. Social Security Number;
  - d. Most recent address in MetLife's database or the data base of MetLife's service provider (address, city, state, zip code); and
  - e. Total interest credited to each Class Member in his or her retained asset account(s) from April 30, 2008, until March 31, 2019.
  - f. This information which will be used by Class Counsel and the Settlement Administrator to determine the total amount of interest credited to the retained asset accounts of all Class Members from April 30, 2008, until March 31, 2019,

together with the total interest credited to each Class Member's account during the period beginning April 30, 2008, through March 31, 2019 to the extent such Class Member's account was open during that period.

3. A Class Member's Individual Share of the net Settlement Fund will be determined by the Settlement Administrator as follows:
  - a. Each Class Member's individual dollar share of the Net Settlement Fund will be that person's share as prorated based upon each Class Member's credited interest as calculated above as a percentage of the total amount of interest credited to members of the Class from April 30, 2008, until March 31, 2019.
  - b. **De Minimis Rule:** Should the amount allocated to any Class Member be calculated to be less than \$10.00, that Class Member will not receive a payment.
4. MetLife will provide the spreadsheet(s) created as described above in Paragraph 2 in native, electronic form to the Settlement Administrator and Class Counsel. Class Counsel and the Settlement Administrator will maintain the information on the spreadsheet(s) in confidence.
5. The Settlement Administrator will distribute to each Class Member by check that Class Member's Individual Share. Each check shall state on its face that the check will become void if not cashed or deposited within one hundred twenty (120) days of the date of issue of the check.
6. The Settlement Administrator shall endeavor to locate Class Members whose settlement checks are returned as undeliverable, and then to mail new checks to each of these Class Members whom the Settlement Administrator is able to locate.

7. The Settlement Administrator shall send a reminder letter to those whose checks have not been negotiated within fifty (50) days that reminds the Class Member that the check will become void if not promptly negotiated.
8. After at least one hundred twenty (120) days have passed from the date of mailing of the last checks, the Settlement Administrator shall calculate the net amount of unclaimed funds, prorate those funds among those Class Members whose checks have been negotiated based upon the formula set forth in paragraph 3 above, and mail checks to those Class Members in the newly prorated amount, with each check deemed to be void if not negotiated within sixty (60) days. Funds, if any, remaining after this second mailing will be deemed Unclaimed Funds. Unclaimed Funds will be distributed as ordered by the Court under the *cy pres* doctrine. No unclaimed, undelivered or uncashed funds will revert to MetLife.
9. The Court shall retain jurisdiction and authority to modify this Distribution Plan in order to resolve administrative issues and to assure prompt and fair distribution of the Net Settlement Fund to Class Members.