

PLAN OF ALLOCATION¹

1. Each Settlement Class Member who is the current or most recent owner of a policy according to Defendant's records ("Recipient") shall be issued a check for that policy equal to that Recipient's *pro-rata* share of the Net Settlement Fund. No claim form or claims process will be used. If there is more than one owner of a policy according to Defendant's records, the check will be issued to the first owner listed.
2. Each Recipient's *pro-rata* share of the Net Settlement Fund shall be computed as follows:
 - a. First, each Recipient's alleged under-credited interest shall be computed.
 - i. Each Recipient's alleged under-credited interest shall be calculated by applying (a) an under-credited interest percentage to (b) actual historical interest credited to Recipient's policy. The under-credited interest percentage shall be derived from the policies identified in and in accordance with the methodology set forth at pages 20–29 of the February 10, 2022 Declaration of Robert Mills in Support of Plaintiff's Motion for Class Certification, which generally determines under-credited interest for a policy as the difference between the interest that would have been credited using rates Plaintiff contends would have been in effect but for the alleged breach of contract and the interest actually credited.
 - b. Second, divide each Recipient's alleged under-credited interest by the total alleged under-credited interest for all Recipients, and
 - c. Third, multiply the resultant percentage for each Recipient by the Net Settlement Fund.
3. If a Settlement Class Member would receive multiple checks pursuant to paragraphs 1–2 above, such checks may be consolidated into a single check.
4. Within one year plus 30 days after the date the Settlement Administrator mails the first Settlement Fund Payments, any funds remaining in the Settlement Fund shall be redistributed on a *pro rata* basis to Settlement Class Members who previously cashed the checks they received, to the extent feasible and practical in light of the costs of administering such subsequent payments, unless the amounts involved are too small to make individual distributions economically viable or other specific reasons exist that would make such further distributions impossible or unfair. All costs associated with the disposition of residual funds — whether through additional distributions to Settlement

¹ Unless otherwise noted, all Capitalized Terms mean the same as in the Settlement Agreement.

Class Members and/or through an alternative plan approved by the Court — shall be borne solely by the Settlement Fund.

5. The plan of allocation may be modified upon further order of the Court. Any updates to the plan of allocation will be published on the settlement administration website.