

COURT AUTHORIZED
LEGAL NOTICE

If you own or owned a universal life policy issued in California by ANICO that was subject to monthly COI deductions on or after January 1, 2010, you may be eligible for an average payout of \$973.26 in a class action settlement

A proposed settlement has been reached in a class action lawsuit called *Yearby v. American National Insurance Company*, Case No. 3:20-cv-09222-EMC (N.D. Ca.) (the "Settlement"). Records indicate you may be affected. This Notice summarizes your rights and options. More details are available at www.AnicoCOISettlement.com.

American National Insurance COI Litigation
c/o JND Legal Administration
P.O. Box 91237
Seattle, WA 98111

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Postal Service: Please do not mark barcode

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What is this about? The lawsuit alleges that Defendant American National Insurance Company ("ANICO") violated its contractual commitment to policyholders by refusing to decrease its cost of insurance ("COI") rates despite what is alleged to be improved future mortality expectations. Plaintiff seeks monetary relief for the COI overcharges. ANICO denies Plaintiff's claims and any and all liability or wrongdoing. The Court has not decided who is right or wrong. Instead, both sides have agreed to a Settlement to avoid the risks, costs, and delays of further litigation.

Who is affected? The Settlement Class consists of all owners of universal life (including variable universal life) insurance policies issued in California by ANICO, or its predecessors in interest, that provide that COI rates are determined based on expectations as to future mortality experience, and that were subjected to monthly COI deductions on or after January 1, 2010. Excluded from the Settlement Class are Class Counsel and their employees; Defendant ANICO, its officers and directors, members of their immediate families, and the heirs, successors or assigns of any of the foregoing; the Court, the Court's staff, and their immediate families.

What does the Settlement provide? A Settlement Fund of \$5 million will be established, but reduced proportionally if any owners submit a timely and valid exclusion request ("Final Settlement Fund"). After payments for settlement administration (estimated to be \$62,520), attorneys' fees (not to exceed \$1,666,666.67 or 33 1/3% of the cash component of the Settlement) and litigation expenses (estimated to be \$182,418.34), and Plaintiff's Service Award (up to \$25,000); the remaining amount will be distributed to Settlement Class Members in proportion to their share of the overall COI overcharges collected from the Settlement Class through February 28, 2023, with each Settlement Class Member receiving a minimum distribution of \$100. No portion of the Settlement Fund will be returned to ANICO. In addition, ANICO has also agreed to provide non-monetary relief valued at \$362,289, which consists of a promise that for a period of five years after the Court finally approves the Settlement, current COI rate scales for the Class Members' policies will not be increased, and that it will not take any legal action (including asserting as an affirmative defense or counter-claim), or cause to take any legal action, that seeks to void, rescind, cancel, have declared void, or seeks to deny coverage under or deny a death claim for any Class Policy based on: (1) an alleged lack of valid insurable interest under any applicable law or equitable principles; or (2) any misrepresentation allegedly made on the application for, or otherwise made in applying for the policy, as outlined in the Settlement Agreement available at www.AnicoCOISettlement.com.

What are my options? You can do nothing, exclude yourself, or object to the Settlement.

Do nothing. You will remain part of the Settlement Class and receive certain benefits from the Settlement. You will automatically receive a payment in the mail if you are entitled to one. You will be bound by the Settlement, and you will give up your right to sue or continue to sue ANICO for the claims in this case.

Exclude yourself. You will remove yourself from the Settlement Class. You will not receive a payment from the Settlement. You will keep your right to sue or continue to sue ANICO at your own expense and with your own attorney for the claims in this case. Your exclusion request must include the case name (*Yearby v. American National Insurance Co.*), a statement saying that you want to be excluded from the Settlement Class, your full name, address, telephone number, email address (if any), the policy number(s) to be excluded, and your signature. If you own multiple policies that are included in the Settlement Class, you may request to exclude some policies from the Settlement Class while participating in the Settlement Class with respect to other policies. Exclusion requests must be **postmarked by October 10, 2023**, or emailed by **October 10, 2023** to info@AnicoCOISettlement.com.

Object. If you do not exclude yourself from the Settlement Class, thereby remaining a Settlement Class Member, you may object or tell the Court what you do not like about the Settlement. The Court can only approve or deny the Settlement. The Court cannot alter the terms of the Settlement. Objections must be **filed and served by October 10, 2023**.

For more details about your rights and options and how to exclude yourself or object, go to www.AnicoCOISettlement.com.

What happens next? The Court will hold a Fairness Hearing on November 2, 2023 at 1:30 p.m. PT at the Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, to consider whether the Settlement is fair, reasonable, and adequate; and how much to pay and reimburse Class Counsel and Plaintiff. The Court has appointed Susman Godfrey L.L.P. as Class Counsel. You or your attorney may ask to speak at the hearing at your own expense, but you do not have to. The date of the Fairness Hearing may change without further notice, so please check www.AnicoCOISettlement.com or <https://ecf.cand.uscourts.gov> for updates.

How can I get more information? Go to www.AnicoCOISettlement.com, call toll-free 1-877-381-0370, or write to American National Insurance COI Litigation, c/o JND Legal Administration, P.O. Box 91237, Seattle, WA 98111. Complete copies of the pleadings, orders and other publicly filed documents in the lawsuit may also be accessed for a fee through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>.

Carefully separate this Address Change Form at the perforation

Name: _____

Current Address: _____

Unique ID: [JND Unique ID]

Address Change Form

To make sure your information remains up-to-date in our records, please confirm your address by filling in the above information and depositing this postcard in the U.S. Mail.

PLACE STAMP HERE

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