IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

RONDA A. PLEDGER, SANDRA)
BRITT, JENNIFER L. PRIMM,)
ALEX BROOKS, JR., and)
EDWARD COMER BUCK,)
)
Plaintiffs,)
) Civil Action No.
V.) 1:15-cv-04444-MHC
)
RELIANCE TRUST COMPANY, and)
INSPERITY HOLDINGS, INC.)
)
)
Defendants.)
)

THE INSPERITY DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL & MOTION TO MODIFY THE CLASS DEFINITION

The Insperity Defendants,¹ by and through undersigned counsel, hereby file the following response to Plaintiffs' Motion for Preliminary Approval of a Class Action Settlement (the "Motion for Preliminary Approval") (ECF No. 280) and Motion to Modify the Class Definition (ECF No. 281).

Plaintiffs and Reliance Trust Company ("Reliance"), with the assistance of a private mediator, participated in post-trial settlement discussions and reached a

¹ "Insperity Defendants" include Insperity, Inc., Insperity Holdings, Inc. and Insperity Retirement Services, L.P.

settlement of this Action. The Insperity Defendants did not participate in these discussions, and are not signatories to the Settlement Agreement. The Insperity Defendants are not making any monetary contribution toward the Settlement Amount, and have not made any changes to the Plan as a result of the Settlement between the Settling Parties. Nevertheless, the Insperity Defendants recognize that the Settlement Agreement provides a full release of all claims that were asserted against the Insperity Defendants in this Action.

The Insperity Defendants have reviewed the Settlement Agreement and do not oppose the Motion for Preliminary Approval. The Insperity Defendants also do not oppose the Settling Parties' request to enlarge the previously stipulated certified class (to include participants in the Plan up to March 31, 2019) as set forth in the Motion to Modify the Class Definition.

To that end, if this Court grants Preliminary Approval, the Insperity Defendants intend to fully cooperate in facilitating the administration of the Settlement by, *inter alia*: (1) gathering the necessary data about participants and providing such data to the Settlement Administrator; (2) hiring and monitoring the Independent Fiduciary as contemplated by Article 3 of the Settlement Agreement; (3) providing the Settling Parties and the Settlement Administrator with readily accessible data that is reasonably necessary to facilitate the administration process; and (4) working with the Settlement Administrator and the Trustee to make

payments to the current participants as contemplated by Section 6.5 of the Settlement Agreement (upon Final Approval by the Court).

Dated: October 12, 2020 Respectfully submitted,

ALSTON & BIRD LLP

By: /s/ Emily S. Costin

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and

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CERTIFICATE OF SERVICE AND TYPE-SIZE COMPLIANCE

Pursuant to Local Rule 5.1, N.D. Ga., the foregoing pleading is prepared in Times New Roman font, 14 point, and was filed using the CM/ECF system, which will automatically provide notice to the following attorneys of record by electronic means:

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