



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

H. Douglas Hinson  
Georgia Bar No. 356790  
doug.hinson@alston.com  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3424  
Telephone: (404) 881-7000  
Facsimile: (404) 881-7777

and

Emily S. Costin (*pro hac vice*)  
emily.costin@alston.com  
The Atlantic Building  
950 F Street, NW  
Washington, DC 20004-1404  
Telephone: (202) 239-3300  
Fax: (202) 239-3333

*Counsel for Defendant Insperity Holdings,  
Inc.*

**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:

Bradley S. Wolff  
SWIFT CURRIE McGHEE  
& HEIRS, LLP  
1355 Peachtree St., NE, Suite 300  
Atlanta, GA 30309-3231

Jerome Schlichter  
Troy Doles  
Kurt Struckhoff  
Heather Lea  
Michael A. Wolff  
Scott Andrew Bumb  
SCHLICHTER BOGARD &  
DENTON, LLP  
100 South Fourth Street  
St. Louis, MO 63012

*Counsel for Plaintiffs*

William Bard Brockman  
BRYAN CAVE, LLP  
One Atlantic Center, 14th Floor  
1201 West Peachtree St, N.W.  
Atlanta, GA 30309-3488

Brian D. Boyle  
Benjamin Bradshaw  
Shannon M. Barrett  
O'MELVENY & MYERS  
1625 Eye Street, NW  
Washington, DC 20006-4001

Stuart Sarnoff  
William D. Pollak  
Carolyn Wall  
O'MELVENY & MYERS  
7 Times Square  
New York, NY 10036

*Counsel for Defendant Reliance Trust  
Company*

/s/ Emily S. Costin  
Emily S. Costin