

I, Seth Ard, declare as follows:

1. I submit this declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Certification of the Settlement Class, in connection with the proposed class action settlement between Plaintiffs, on behalf of themselves and the proposed class, and Defendants John Hancock Life Insurance Company of New York and John Hancock Life Insurance Company (U.S.A.) (together, "Hancock" or "Defendants").

2. I am a partner in the law firm of Susman Godfrey L.L.P., which is counsel for Plaintiffs and court-appointed Class Counsel (*see* Dkt. 52). I am a member in good standing of the bar of this Court. I have personal, first-hand knowledge of the matters set forth herein and, if called to testify as a witness, could and would testify competently thereto.

3. I previously submitted a declaration in support of Plaintiffs' Motion for Preliminary Approval of Settlement (Dkt. 201-2) and a declaration in support of Plaintiffs' Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Incentive Awards (Dkt. 208). I submit this additional declaration to update the Court on developments following the close of the class opt out period on March 28, 2022.

4. The Settlement Administrator received 10 timely requests for exclusion from the Class, some of which were submitted by a law firm already litigating one of the Related Actions. Of these timely requests, 155 policy numbers were included on the Class Policy List, which represents 12.3% of the total Class of policies in the Settlement.

5. No Class Members have objected to the Settlement.

6. On March 28, 2022, Class Counsel received a letter from Gary M. BrayBoy dated March 8, 2022, which was addressed to the Court and requested exclusion from the Class. The letter was sent from the Lakeland Correctional Facility at 141 First Street, Coldwater, Michigan

49036. Class Counsel was unable to locate the policy number referenced in the letter, the name of the insured, and the mailing address in the class records. The Settlement Administrator confirmed that the policy referenced in the letter is not in the class. A copy of the letter is attached as Exhibit A to my declaration.

7. On April 7, 2022, the Court filed on the public docket a letter from a Class Member, Elizabeth A. Fulk, dated March 28, 2022. *See* Dkt. 214. The letter did not criticize nor object to the Settlement. A copy of the letter is attached as Exhibit B to my declaration.

8. Now that the opt out period has closed and certain policies have been excluded from the Class, John Hancock will create a non-reversionary cash settlement fund of \$93,097,406.44 which amounts to 91.25% of the Class overcharge damages through August 31, 2021. We have met and conferred with John Hancock with regards to this calculation, and John Hancock agrees that that is the post-option final settlement fund amount.

9. Pursuant to the Settlement, John Hancock also agreed (i) not to impose a new COI rate schedule for 5 years following final approval of the settlement, plus a provision that if any other opt-out plaintiff negotiates a longer deal than 5 years, John Hancock will match that duration for the Class Policies (the “COI Rate Freeze”); and (ii) not to challenge or rescind any policies on lack of insurable interest or fraud grounds or based on misrepresentations in the policy application (the “Validity Confirmation”). An eminently qualified expert with extensive experience in the life insurance industry and with longevity-based products opined that the non-monetary forms of relief were highly valuable to the class. *See* March 11, 2022 Declaration of Keith McNally (Dkt. 209) ¶ 11; Exhibit A to McNally Decl. (Dkt. 209-1). Now that the opt out period has closed and certain policies have been excluded from the Class, applying the same methodology and models as was

used previously on preliminary approval, that expert has concluded the value of the COI Rate Freeze and Validity Confirmation is \$50.48 million.

10. The overall value of the monetary and non-monetary benefits of the Settlement on final approval exceeds \$143 million.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: April 11, 2022

/s/ Seth Ard
Seth Ard

EXHIBIT A

GARY M. BRAY BOY 185258
LAKELAND CORRECTIONAL FACILITY
141 FIRST STREET
COLDWATER, MICHIGAN 49036

HONORABLE: ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
U.S. COURTHOUSE - 500 PEARL STREET
NEW YORK, N.Y. 10007-1312.

RE: FLV 003320261
INSURED MRS. EUNICE H. BRAY
BOY, DECEASED, DOB 07/18/1933.
BENEFICIARY GARY M. BRAY BOY,
SON, DOB 12/11/1967. CO-OWNER
OF JOHN HANCOCK LIFE INSURANCE
CO. POLICY (USA) BOSTON, MA, WWW.
JHANCOCK.COM

SUBJECT: JEFFREY LEONARD ET AL
V. JOHN HANCOCK LIFE INSURANCE CO
OF NEW YORK, ET AL. CASE NO. 1:18-CV-
04994-AKH.

OFFICIAL NOTICE

DEAR HONORABLE HELLMERSTEIN, I

would like for my official notice to the court be placed on the record pertaining to CLASS ACTION LAWSUIT SETTLEMENT OF JOHN HANCOCK LIFE INSURANCE COMPANY OF NEW YORK / JOHN HANCOCK LIFE INSURANCE CO. (USA) UNDER CASE NO. 18-CV-4994.

The parties agreed to a settlement of \$623,074,128.32. AS A RESULT OF JOHN HANCOCK LIFE INSURANCE UNLAWFUL PRACTICES OF INCREASING THE COST OF INSURANCE RATES.

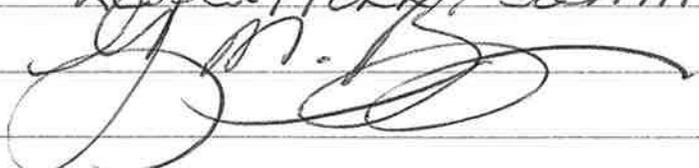
FURTHERMORE, I HAVE SERVED STEVEN GRABADSKAVICH / SUSAN GRIFFIN, LLP (CA) 1900 AVENUE OF THE STARS, SUITE 1400

Please let me know before the
next court hearing on MAY 17, 2022
at 2:30pm. J

VERIFICATION

I, GARY M. BRAY BOY, AFFIRM THAT
THE ABOVE IS TRUE, AND CORRECT TO
THE BEST OF MY INFORMATION, KNOWLEDGE
AND BELIEF.

Date: March 7, 2022.

Respectfully submitted,


GARY M. BRAY BOY 185258
Lakeland Correctional Inc.
141 First Street
Coldwater, Michigan 49836.

EXHIBIT B

18-cv-01994 (AKH)

Elizabeth A. Fulk, policy owner
2580 South 750 West
Russiaville IN 46979
765-883-5602

*please file on ECF
4-5-22
John K. Hellest*

March 28, 2022

To Whom It May Concern.

This letter is a communication for the Fairness Hearing. Mrs. Fulk is 92 years of age and unable to travel and therefore unable to appear at the hearing. Over the past few years, she has been extremely upset about the increased amount she has had to pay to keep this policy Inforce. She put her life savings into this policy and now she is to the point of running out of money. With that said, she has endured serious health problems that in no doubt are related to the worry and stress of this policy. In February she hospitalized for several days due to internal bleeding from a bleeding ulcer.

At the age of 79, Mrs. Elizabeth A. Fulk applied for & purchased John Hancock Performance Universal Life Insurance Policy, 94 165 354 November 1, 2008. She was required to take a physical. The Initial Policy Premium Payment of \$200,000.00 was paid and the policy has a Level Death Benefit of \$866,368.00 with an annual premium of \$40,000.

The said policy has a guaranteed annual rate, of at least 3% plus a Persistency Bonus that should have been applied at the beginning of policy year 11 since the policy was Inforce and Unborrowed. We are still not sure if she received this bonus and guaranteed annual rate?

Enclosed is a spreadsheet showing the annual cost of insurance, payments, and additional fees. How can the Cost of Insurance increase \$34,852.27 in one year, and when she turned 90? Are the actuary tables designed to exploit the elderly because John Hancock doesn't want to pay the death benefit? Isn't this illegal? Up to this point, the increases have been between \$3000 and \$5600/annually which is above the normal, 12% is the high side of normal. Then there is an added premium charge. To date, Mrs. Fulk has paid \$\$786,162.16 out of pocket for insurance (last payment Feb 22, 2022), \$52,546.87 has come off the top for premium charges, in addition to Cost of Insurance, Administrative Charges, and Contract Charges.

These costs and additional fees far exceed any reasonable increases a policy holder should incur when owning a life insurance policy; therefore, it makes one question the honesty of John Hancock Insurance Company and their willingness to take advantage of people.

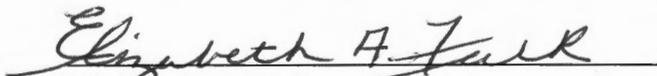
Please contact me with any questions. Thank you

Respectfully Submitted,
Michele A. Hunt



Michele A. Hunt, daughter
2554 South 750 West
Russiaville, IN 46979
765-883-7237

I, Elizabeth A. Fulk consent to this letter being mailed to the Office of the Clerk in New York, NY. and the above information to be true and accurate.


Elizabeth A. Fulk

3-28-22
March 28, 2022

Year	Age Dec 3	Cost of Insurance	Payments	Default Chg	Premium Charge	Contract Charge	Adm
Nov 1 2008 to Oct 31, 2009	79	\$21,852.13	\$200,000.00		\$16,000.00	\$5,729.52	
Nov 1 2009 to Oct 31, 2010	80	\$26,259.10	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2010 to Oct 31, 2011	81	\$31,455.99	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2011 to Oct 31, 2012	82	\$34,591.10	\$19,061.91		\$1,524.95	\$5,729.52	
Nov 1 2012 to Oct 31, 2013	83	\$37,661.83	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2013 to Oct 31, 2014	84	\$39,775.07	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2014 to Oct 31, 2015	85	\$43,304.17	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2015 to Oct 31, 2016	86	\$46,890.48	\$0.00		\$0.00	\$5,729.52	
Nov 1 2016 to Oct 31, 2017	87	\$52,242.14	\$0.00		\$0.00	\$5,729.52	
Nov 1 2017 to Oct 31, 2018	88	\$57,890.62	\$40,000.00		\$3,200.00	\$5,729.52	
Nov 1 2018 to Oct 31, 2019	89	\$92,742.89	\$117,774.00		\$9,421.92	\$0.00	
Nov 1 2019 to Oct 31 2020	90	\$95,750.55	\$80,000.00		\$6,400.00	\$0.00	
Nov 1 2020 to Oct 31 2021	91	\$90,337.21	\$80,000.00	\$9,386.90	\$6,400.00	\$5,729.52	
Nov 1 2021 to Oct 31 2022	92		\$20,925.58				
Nov 1 2022 to Oct 31 2023	93						
TOTALS		\$670,753.28	\$757,761.49	\$9,386.90	\$58,946.87	\$63,024.72	
Policy Date: November 1, 2008							

18 Civ. 4994 (AKH)

Elizabeth A. Fulk
 Policy: 94 165 354
 December 3, 1929

Administrative Chg	Payment Date(s)	STATEMENT	Ins Incr from Prev Yr	% Cost Incr
\$300.00	10/27/2008	2009		
\$120.00	12/15/2009	2010	\$4,406.97	
\$120.00	12/14/2010 07/18/2011	2011	\$5,196.89	
\$120.00	01/20/2012	2012	\$3,135.11	
\$120.00	03/18/2013	2013	\$3,070.73	
\$120.00	02/21/2014	2014	\$2,113.24	
\$120.00	04/12/2015	2015	\$3,529.10	
\$120.00		2016	\$3,586.31	
		2017	\$5,351.66	
\$120.00	04/25/2018	2018	\$5,648.48	
\$120.00	02/22/2019 05/20/2019 10/21/2019	2019	\$34,852.27	
\$120.00	04/07/2020 07/27/2020	2020	\$3,007.66	
\$120.00	11/02/2020 07/20/2021	2021	\$3,973.56	
	11/30/2021 <i>Sending pymt in Feb.</i>	2022		
\$1,620.00				