



SSA regarding underpayments in this case, all from only one SSA Service Center located in Missouri. Those letters are dated between March 6, 2019 and March 12, 2019. *See* Exhibit 2, attached hereto (copies of the 7 letters Class Counsel received with names/addresses redacted).

Since March 15, 2019, Class Counsel has repeatedly requested that Defendants' counsel confirm whether more than seven (7) Subtraction Recalculations have been performed, and has asked that the Agency provide more letters and information documenting the performance of further Subtraction Recalculations, in compliance with the Court's Order. Exhibit 1, pp. 1-2; 3; 9-11. To date, Defendants and their counsel have not provided substantive responses.

Instead, by email response dated March 22, 2019, Defendants' counsel stated:

As you are aware, Defendants' motion to alter/amend judgment under Rule 59(e) is fully briefed and currently pending. That motion demonstrates the agency's inability to process all 130,000 class member recalculations in less than two years. Nevertheless the agency is working to complete these complex recalculations as expeditiously as possible, and will continue to send you directly letters relating to class recalculations. As you also are aware, in our motion we suggested filing periodic status reports throughout the two-year period to provide updates on the agency's progress. We anticipate that the court's ultimate ruling on our motion may include such a provision.

Exhibit 1, p. 2.

In reply by email on March 25, 2019, Class Counsel noted:

Counsel – We continue to receive letters from Social Security offices despite your representation that the agency is “taking steps to mitigate [the problems] expeditiously, [so] that Kelley, Drye & Warren will receive correspondence related only to *Steigerwald*.” Attached are six new (password protected) letters received today that have nothing to do with the *Steigerwald* case. At the same time, we have not received a single new letter related to *Steigerwald* beyond the seven that we previously forwarded.

Kate, with all due respect, your email below from Friday is non-responsive to our requests, made twice since March 15, for specific information about SSA's progress to date. To say that “the agency is working to complete these complex recalculations as expeditiously as possible, and will continue to send you directly letters relating to class recalculations” is insufficient and, as you know, frankly evasive.

The Judge will decide your Rule 59(e) motion when he does. However, even accounting for your request for 24 months to abide by Judge Gwin's January 25 Order, the agency should have by now completed approximately 10,806 Subtraction Recalculations: 129,656 Class Members divided by 24 = 5403/month times 2 months (since January 25) = 10,806. Even if that number is high, for whatever reasons, it certainly is more than the seven cases about which we have been informed.

Accordingly, we ask one last time that the agency respond to the following questions promptly:

1. Has the Agency performed more than seven (7) Subtraction Recalculations for Class Members?
2. If so, how many Subtraction Recalculations has the Agency performed to date?
3. Please provide the Class Members' names, addresses, amounts awarded, and the amounts set aside for attorneys' fees for all Subtraction Recalculations the Agency has performed for Class Members.

We look forward to a good faith, prompt response from you and the agency.  
Exhibit 1, pp. 1-2.

By email dated March 26, 2019, Defendants' counsel wrote back: "We are in the process of following up with the agency and expect to have further information from them soon. We will get back with you as soon as possible." *Id.*, p. 1. This was the same message that Defendants' counsel had imparted on March 18, 2019, (*id.*, pp. 6-7): "We don't yet have information to pass along but expect to be in a position to address your concerns soon, hopefully by the middle of this week. We will follow up with you as soon as we receive information from SSA." While Defendants explained later that week by email dated March 20 (*id.*, pp. 4-5) why Class Counsel was receiving mail, calls and letters from SSA that did not pertain to this case, Class Counsel received no response to the request originally made on March 15, 2019, to wit:

Please forward letters for which underpayments related to the Steigerwald class action, if any, were made in February 2019 (or earlier). Please also let us know whether any additional underpayments have been made to Class Members for which we have not received letters. Please include in that information the Class Member's name, address, the amount awarded and the amount set-aside for attorneys' fees.

*Id.*, pp. 9-10.

Respectfully submitted,

s/Jon H. Ressler, Ohio Bar No. 0068139  
ROOSE & RESSLER  
A Legal Professional Association  
6150 Park Square Drive, Suite A  
Lorain, Ohio 44053  
Telephone: (440) 985-1085  
Facsimile: (440) 985-1026  
[jressler@rooselaw.com](mailto:jressler@rooselaw.com)

Dated: March 27, 2019

s/ Ira T. Kasdan, admitted *pro hac vice*  
s/ Joseph D. Wilson, admitted *pro hac vice*  
s/ Bezalel Stern, admitted *pro hac vice*  
KELLEY DRYE & WARREN LLP  
3050 K Street, N.W., Suite 400  
Washington, DC 20007  
Telephone: (202) 342-8400  
Facsimile: (202) 342-8451  
[ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)  
[jwilson@kelleydrye.com](mailto:jwilson@kelleydrye.com)  
[bstern@kelleydrye.com](mailto:bstern@kelleydrye.com)  
*Attorneys for Plaintiff and the Class*

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

The undersigned declares under penalty of perjury that the foregoing Notice complies with the page limitations for a Standard matter, and is 3 pages long.

/s/ Ira T. Kasdan

Ira T. Kasdan  
*Attorney for Plaintiff and the class*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of March, 2019, a copy of the foregoing Notice was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Ira T. Kasdan

Ira T. Kasdan  
*Attorney for Plaintiff and the class*

## EXHIBIT 1

**Kasdan, Ira**

---

**From:** Bailey, Kate (CIV) <Kate.Bailey@usdoj.gov>  
**Sent:** Tuesday, March 26, 2019 5:05 PM  
**To:** Kasdan, Ira; Stern, Bezalel; Brizius, Erin E. (USAOHN); Asher, Ruchi (USAOHN); Sandberg, Justin (CIV)  
**Cc:** Wilson, Joseph D.; 'Jon Ressler'; 'Diane Shriver'  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Thank you for your email, Ira. We are in the process of following up with the agency and expect to have further information from them soon. We will get back with you as soon as possible.

Kate Bailey  
Trial Attorney  
United States Department of Justice  
Civil Division – Federal Programs Branch  
1100 L Street, NW  
Washington, D.C. 20005  
202.514.9239 | [kate.bailey@usdoj.gov](mailto:kate.bailey@usdoj.gov)

**From:** Kasdan, Ira <IKasdan@KelleyDrye.com>  
**Sent:** Monday, March 25, 2019 5:03 PM  
**To:** Bailey, Kate (CIV) <katbaile@CIV.USDOJ.GOV>; Stern, Bezalel <BStern@KelleyDrye.com>; Brizius, Erin E. (USAOHN) <EBrizius@usa.doj.gov>; Asher, Ruchi (USAOHN) <RAsher@usa.doj.gov>; Sandberg, Justin (CIV) <JSandber@civ.usdoj.gov>  
**Cc:** Wilson, Joseph D. <JWilson@KelleyDrye.com>; 'Jon Ressler' <jressler@rooselaw.com>; 'Diane Shriver' <dshriver@rooselaw.com>  
**Subject:** [Not Virus Scanned] [Not Virus Scanned] RE: Steigerwald v Berryhill - SSA's (continuing) error  
**Importance:** High

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

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Counsel – We continue to receive letters from Social Security offices despite your representation that the agency is “taking steps to mitigate [the problems] expeditiously, [so] that Kelley, Drye & Warren will receive correspondence related only to *Steigerwald*.” Attached are six new (password protected) letters received today that have nothing to do with the *Steigerwald* case. At the same time, we have not received a single new letter related to *Steigerwald* beyond the seven that we previously forwarded.

Kate, with all due respect, your email below from Friday is non-responsive to our requests, made twice since March 15, for specific information about SSA's progress to date. To say that “the agency is working to complete these complex recalculations as expeditiously as possible, and will continue to send you directly letters relating to class recalculations” is insufficient and, as you know, frankly evasive.

The Judge will decide your Rule 59(e) motion when he does. However, even accounting for your request for 24 months to abide by Judge Gwin's January 25 Order, the agency should have by now completed

approximately 10,806 Subtraction Recalculations: 129,656 Class Members divided by 24 = 5403/month times 2 months (since January 25) = 10,806. Even if that number is high, for whatever reasons, it certainly is more than the seven cases about which we have been informed.

Accordingly, we ask one last time that the agency respond to the following questions promptly:

1. Has the Agency performed more than seven (7) Subtraction Recalculations for Class Members?
2. If so, how many Subtraction Recalculations has the Agency performed to date?
3. Please provide the Class Members' names, addresses, amounts awarded, and the amounts set aside for attorneys' fees for all Subtraction Recalculations the Agency has performed for Class Members.

We look forward to a good faith, prompt response from you and the agency.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Bailey, Kate (CIV) [<mailto:Kate.Bailey@usdoj.gov>]  
**Sent:** Friday, March 22, 2019 5:52 PM  
**To:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>; Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Counsel,

Thank you for this additional information. As you are aware, Defendants' motion to alter/amend judgment under Rule 59(e) is fully briefed and currently pending. That motion demonstrates the agency's inability to process all 130,000 class member recalculations in less than two years. Nevertheless the agency is working to complete these complex recalculations as expeditiously as possible, and will continue to send you directly letters relating to class recalculations. As you also are aware, in our motion we suggested filing periodic status reports throughout the two-year period to provide updates on the agency's progress. We anticipate that the court's ultimate ruling on our motion may include such a provision.

Best,

Kate Bailey  
Trial Attorney  
United States Department of Justice  
Civil Division – Federal Programs Branch  
1100 L Street, NW  
Washington, D.C. 20005  
202.514.9239 | [kate.bailey@usdoj.gov](mailto:kate.bailey@usdoj.gov)

**From:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>  
**Sent:** Thursday, March 21, 2019 4:08 PM



**To:** Kasdan, Ira <IKasdan@KelleyDrye.com>; Bailey, Kate (CIV) <katbaile@CIV.USDOJ.GOV>; Brizius, Erin E. (USAOHN) <EBrizius@usa.doj.gov>; Asher, Ruchi (USAOHN) <RAsher@usa.doj.gov>; Sandberg, Justin (CIV) <JSandber@civ.usdoj.gov>  
**Cc:** Wilson, Joseph D. <JWilson@KelleyDrye.com>; 'Jon Ressler' <jressler@rooselaw.com>; 'Diane Shriver' <dshriver@rooselaw.com>  
**Subject:** [Not Virus Scanned] [Not Virus Scanned] RE: Steigerwald v Berryhill - SSA's (continuing) error

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Counsel,

Ira received the attached letter in the mail today. This letter is worded a bit differently than the ones circulated earlier. The password to the letter will be the sent in the next email. Additionally, I took a call today from an SSA employee in Arkansas, who was requesting information as to Ira, who she said was representing a claimant in a non-*Steigerwald* related matter. I told the SSA employee that SSA should be figuring out this issue.

As you know, the Fees Hearing is two weeks from today. As of this date, we have received only seven (7) letters confirming that SSA has performed only seven (7) Subtraction Recalculations pursuant to the Court's January 25 Order. Please promptly let us know how many Subtraction Recalculations have been performed since the Court issued that Order, including the Class Members' names, addresses, amounts awarded, and the amounts set aside for attorneys' fees. Assuming there have been more than seven (7) cases processed to date (which we do assume, given the attestations in Ms. Walker's Declaration), please forward all of the outstanding letters confirming such performance promptly.

Bez

**BEZALEL STERN**

Senior Associate  
Kelley Drye & Warren LLP  
Office: (202) 342-8422  
Cell: (301) 922-5039  
bstern@kelleydrye.com

**From:** Kasdan, Ira

**Sent:** Wednesday, March 20, 2019 1:13 PM

**To:** 'Bailey, Kate (CIV)' <Kate.Bailey@usdoj.gov>; 'Brizius, Erin E. (USAOHN)' <Erin.E.Brizius2@usdoj.gov>; 'Asher, Ruchi (USAOHN)' <Ruchi.Asher@usdoj.gov>; 'Sandberg, Justin (CIV)' <Justin.Sandberg@usdoj.gov>

**Cc:** Stern, Bezalel <BStern@KelleyDrye.com>; Wilson, Joseph D. <JWilson@KelleyDrye.com>; 'Jon Ressler' <jressler@rooselaw.com>; 'Diane Shriver' <dshriver@rooselaw.com>

**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Counsel:

No sooner than after having written and sent my below email to Kate, I was handed the two attached SSA letters (password protected) from AL and TN which arrived by in the afternoon mail. These letters inform me of the revocation of my representation of the two individuals named. As I never represented them to begin with other than in connection with the *Steigerwald* Class Action, and on the assumption that SSA will take care of the fees issue at the appropriate time if these Class Members receive money as a result of the litigation and we

are awarded fees by Judge Gwin, I am refraining from responding to the letters or from filling out and returning the forms that came with the letters.

I also received another call from a representative in SSA's (West) Atlanta office regarding [REDACTED]. I will not be returning this call.

Unless you otherwise desire, I will stop sending you information about the specific calls I receive, and certainly not on a one by one basis, but will continue to forward letters received by mail -- especially to the extent that they (like the newly attached ones) are different from the ones I previously forwarded. I will, regardless, continue to inform you of any new money that may be deposited.

Please advise. Thank you.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Kasdan, Ira  
**Sent:** Wednesday, March 20, 2019 12:35 PM  
**To:** 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Kate - Thank you for your email.

Regarding your request that we continue to update you, I can report that we received a call from an SSA representative in CT who left a message regarding [REDACTED], and stating that the agency needs paperwork for Ms. [REDACTED] (fee agreement and representative form). In light of your email, I will refrain from returning the call. I also spoke to SSA personnel in Albuquerque N.M. and explained the various problems. In light of your email, I have asked the person I last spoke with there to hold off for now in bringing the problems to the attention of others up the line.

We will await further information from you per your email below and my prior emails to you and your co-counsel. And, of course, we will continue to hold the money we received from SSA pending your further instructions.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Bailey, Kate (CIV) [<mailto:Kate.Bailey@usdoj.gov>]  
**Sent:** Wednesday, March 20, 2019 12:07 PM  
**To:** Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>; Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Ira,

Thank you for providing this additional information. I write to provide an update on the issues you raised below.

We have determined the cause of the non-*Steigerwald*-related notices and communications you have received. In all situations other than this litigation, a Form 1695 is used to establish a relationship between a claimant and her representative. Because of the anomaly present here, in which Kelley, Drye & Warren does not have a Form 1695 on file for each class member, the agency must create an association between class members and counsel. This appears to have resulted in some situations in which your firm has received communications unrelated to *Steigerwald*. SSA has identified the source of the problem and is taking steps to mitigate it expeditiously, so that Kelley, Drye & Warren will receive correspondence related only to *Steigerwald*. As for your question below regarding an internal agency email, we have not identified any such email and do not believe that to be the source of the communications.

For the same reason, your firm has received direct deposits of moneys unrelated to *Steigerwald*. As you know, the agency is withholding 20% from class-member recalculations pending a determination on your fee petition, but that money is being held by the agency. The deposits you have received do *not* derive from 406(b) withholding of class-member recalculations, which is the reason you have not received recalculation notices along with those funds. We expect to provide you further instructions regarding those funds promptly, and appreciate that you are not disbursing them at this time.

Additionally, please note that class members' disability determinations are not being re-opened in the process of completing recalculations. As stated above, the communications and funds you have received are unrelated to the recalculations.

We expect to receive, and promptly provide you, further information on these matters. Thank you for bringing these issues to our attention so we may address them; please continue to do so.

Kate Bailey  
Trial Attorney  
United States Department of Justice  
Civil Division – Federal Programs Branch  
1100 L Street, NW  
Washington, D.C. 20005  
202.514.9239 | [kate.bailey@usdoj.gov](mailto:kate.bailey@usdoj.gov)

**From:** Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>  
**Sent:** Tuesday, March 19, 2019 4:38 PM  
**To:** Bailey, Kate (CIV) <[katbaile@CIV.USDOJ.GOV](mailto:katbaile@CIV.USDOJ.GOV)>; Brizius, Erin E. (USAOHN) <[EBrizius@usa.doj.gov](mailto:EBrizius@usa.doj.gov)>; Asher, Ruchi (USAOHN) <[RAsher@usa.doj.gov](mailto:RAsher@usa.doj.gov)>; Sandberg, Justin (CIV) <[JSandber@civ.usdoj.gov](mailto:JSandber@civ.usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** [Not Virus Scanned] [Not Virus Scanned] RE: *Steigerwald v Berryhill* - SSA's (continuing) error  
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Counsel –

I am attaching another (password protected) letter received this afternoon from the Southeastern Program Service Center in Alabama, dated only yesterday. Is this letter related to the Class Action?

I am also receiving conflicting "reports" from Class Members who call SSA: at least one was told that the agency has no information about the case while others have been told that, after the SSA looks their name up on some list, that SSA has already decided that they are not "eligible" after SSA has completed the first of three "phases" in reviewing her file, and/or will not receive any money. Has SSA compiled lists of Class Members who are or are not "eligible"? If so, please forward those lists and names promptly.

Thank you.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Kasdan, Ira  
**Sent:** Tuesday, March 19, 2019 10:27 AM  
**To:** 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error  
**Importance:** High

Counsel –

Please be advised that \$1,131.69 was deposited into our bank account in this case as fees for a [REDACTED] a Class Member listed by SSA in Category 2. As with the other deposits noted in my email from Friday below, I have received no letter explaining whether the money is related to the Steigerwald case or otherwise. As with the other such deposits, we are keeping the money in the account and making no disbursements at this time.

While I understand and appreciate Kate's email from yesterday (see below), it might be appropriate for someone from SSA – perhaps in-house counsel – to be appointed for us to be able to communicate with directly to deal with the issues that I have raised. Indeed, direct communications with the agency through in-house counsel is precisely what SSA agreed to in the Greenberg case and which was very helpful in coordination of that case. I again invite a phone call among counsel where we can discuss this proposal or any other ideas that you may have that could help.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Bailey, Kate (CIV) [<mailto:Kate.Bailey@usdoj.gov>]  
**Sent:** Monday, March 18, 2019 4:14 PM  
**To:** Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>; Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

Ira,

Thank you for your emails today and for providing this additional information.

The agency began investigating the issues you raised shortly after we received your email late Friday afternoon. They are working to provide us information in response to your questions as expeditiously as possible but, unfortunately, will require more than one business day to determine the cause of the issues you have raised. We don't yet have information to pass along but expect to be in a position to address your concerns soon, hopefully by the middle of this week. We will follow up with you as soon as we receive information from SSA.

Thank you again,

Kate Bailey  
Trial Attorney  
United States Department of Justice  
Civil Division – Federal Programs Branch  
1100 L Street, NW  
Washington, D.C. 20005  
202.514.9239 | [kate.bailey@usdoj.gov](mailto:kate.bailey@usdoj.gov)

**From:** Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>  
**Sent:** Monday, March 18, 2019 3:41 PM  
**To:** Brizius, Erin E. (USAOHN) <[EBrizius@usa.doj.gov](mailto:EBrizius@usa.doj.gov)>; Bailey, Kate (CIV) <[katbaile@CIV.USDOJ.GOV](mailto:katbaile@CIV.USDOJ.GOV)>; Asher, Ruchi (USAOHN) <[RAsher@usa.doj.gov](mailto:RAsher@usa.doj.gov)>; Sandberg, Justin (CIV) <[JSandber@civ.usdoj.gov](mailto:JSandber@civ.usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler' <[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>  
**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error  
**Importance:** High

Counsel -- I spoke to an SSA employee in Alabama who called with Mr. [REDACTED] -- see point 3 in my Friday email -- on the line. The employee said that he believed that he had received an email about the Steigerwald class action. Please forward a copy of any such email(s) relating to the case that were sent to the various SSA offices so that we can understand, and correct, the confusion that the email(s) apparently is/are generating.

Thank you.

Ira Kasdan  
Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Kasdan, Ira  
**Sent:** Monday, March 18, 2019 1:39 PM  
**To:** 'Brizius, Erin E. (USAOHN)' <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; 'Asher, Ruchi (USAOHN)' <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; 'Sandberg, Justin (CIV)' <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler'



<jressler@rooselaw.com>; 'Diane Shriver' <dshriver@rooselaw.com>

**Subject:** RE: Steigerwald v Berryhill - SSA's (continuing) error

**Importance:** High

Counsel -- We continue to get phone calls from across the country. I just got off the phone with SSA's disability office in Honolulu. I have urged the lady I spoke with to call you directly. I might add that from my understanding of what is happening, one of the problems here is that the agency is not following Judge Gwin's Order only to do the Subtraction Recalculation and pay out any underpayments due, but appears to be insisting on re-opening cases that people have not asked to be re-opened.

I suggest a phone call among counsel to see how this issue can be rectified, promptly. We are available for a call today or tomorrow morning. Please let us know your availability as soon as possible.

Thank you.

Ira Kasdan

Kelley Drye & Warren LLP

(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Kasdan, Ira

**Sent:** Monday, March 18, 2019 11:21 AM

**To:** 'Brizius, Erin E. (USAOHN)' <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; 'Asher, Ruchi (USAOHN)' <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; 'Sandberg, Justin (CIV)' <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>

**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler'

<[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>

**Subject:** RE: Steigerwald v Berryhill - SSA's error

**Importance:** High

Counsel -- to keep you and your client further informed: we received two more similar calls from SSA to the one described below, one from Iowa and one from CT.

Ira Kasdan

Kelley Drye & Warren LLP

(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Kasdan, Ira

**Sent:** Monday, March 18, 2019 11:03 AM

**To:** Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>

**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler'

<[jressler@rooselaw.com](mailto:jressler@rooselaw.com)>; 'Diane Shriver' <[dshriver@rooselaw.com](mailto:dshriver@rooselaw.com)>

**Subject:** Steigerwald v Berryhill - SSA's error

**Importance:** High

Counsel --

Please see the internal KDW email below regarding a call received from SSA today, as well as the letter also received today in the attached (password protected) PDF. Both the call and letter represent the same problem I wrote about on Friday (see point 3 in Friday's email copied at end below) regarding SSA's apparent ubiquitous error in listing me as a counsel for class members in matters apparently not connected to the class

action, Steigerwald v. Berryhill. Please note that I called the SSA number below found in the immediately following email-- 888-748-7691, ext. 20930 -- and left a message.

Your prompt attention to correcting this matter is appreciated.

Ira Kasdan

Kelley Drye & Warren LLP  
(202) 342-8864 | [ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)

**From:** Halzel, Abby  
**Sent:** Monday, March 18, 2019 10:33 AM  
**To:** Arevalo, Marvila <[MArevalo@KelleyDrye.com](mailto:MArevalo@KelleyDrye.com)>; Kasdan, Ira <[IKasdan@KelleyDrye.com](mailto:IKasdan@KelleyDrye.com)>  
**Subject:** Phone Message

Hi Ira and Marvila,

A call from the Social Security Administration came into reception and was directed to me to assist. They were asking whether or not you, Mr. Kasdan, are still representing [REDACTED]. They said you represented her in a Title II disability case. Her claim is under a review and if you still represent her, they will list you as the contact as opposed to Ms. [REDACTED].

The number to call is 888-748-7691, ext. 20930. I spoke to Mr. Kurtzal but it sounds like anyone can assist.

Thank you,  
Abby

**ABBY HALZEL**

Recruiting & Professional Personnel Manager

Kelley Drye & Warren LLP  
Washington Harbour  
3050 K Street NW, Suite 400  
Washington, DC 20007  
Tel: (202) 342-8425  
Cell: (202) 731-8594

[WWW.KELLEYDRYE.COM](http://WWW.KELLEYDRYE.COM)

[ahalzel@kelleydrye.com](mailto:ahalzel@kelleydrye.com)



**From:** Kasdan, Ira  
**Sent:** Friday, March 15, 2019 2:51 PM  
**To:** Brizius, Erin E. (USAOHN) <[Erin.E.Brizius2@usdoj.gov](mailto:Erin.E.Brizius2@usdoj.gov)>; Asher, Ruchi (USAOHN) <[Ruchi.Asher@usdoj.gov](mailto:Ruchi.Asher@usdoj.gov)>; 'Bailey, Kate (CIV)' <[Kate.Bailey@usdoj.gov](mailto:Kate.Bailey@usdoj.gov)>; Sandberg, Justin (CIV) <[Justin.Sandberg@usdoj.gov](mailto:Justin.Sandberg@usdoj.gov)>  
**Cc:** Stern, Bezalel <[BStern@KelleyDrye.com](mailto:BStern@KelleyDrye.com)>; Wilson, Joseph D. <[JWilson@KelleyDrye.com](mailto:JWilson@KelleyDrye.com)>; 'Jon Ressler'

<jressler@rooselaw.com>

**Subject:** Re: SSA correspondence - Steigerwald v, Berryhill

**Importance:** High

Counsel,

We are writing to you now for a number of reasons, all of which are highly important and time sensitive.

1. In Ms. Walker's Declaration, she stated that the Social Security Administration (SSA) "anticipate[s] issuing the first underpayments to eligible Class members in February 2019." Doc. 96-2 at ¶ 72. POMS NL 00601.010(A)(4) states that an award notice must be sent to counsel following issuance of a payment.

It is now mid-March. To date, we have received only seven (7) letters from SSA regarding underpayments in this case. All of those letters are dated March 6, 2019 or later. Copies of the letters are attached hereto in a password protected format.

Please forward letters for which underpayments related to the Steigerwald class action, if any, were made in February 2019 (or earlier). Please also let us know whether any additional underpayments have been made to Class Members for which we have not received letters. Please include in that information the Class Member's name, address, the amount awarded and the amount set-aside for attorneys' fees.

2. Over the past week, SSA deposited money into the bank account we dedicated to this case (per the form we previously sent you) in the amounts of \$325.00 and \$28.72 for two Class Members, respectively, [REDACTED] (Category 1) and [REDACTED] (Category 2). Please note that according to the lists that we received from you there are two individuals named [REDACTED] found in Category 2 (and none in Category 1). Because we have not received letters regarding these payments, we do not know which [REDACTED] this money may be related to. Additionally, in the absence of any letters, we do not know whether the money received even is related to the Steigerwald class action.

As you are aware, the Court has not yet ruled on the percentage of fees appropriate in this case. As a consequence, and also because we are not sure if the money is related to the Steigerwald class action, we have not disbursed the money out of the bank account. Please let us know if you want us to return the amounts received, and if so to whom. Otherwise, assuming that the money is related to the Steigerwald class action, we will retain the money in the account until the Court rules, and make any adjustments and return any funds as may be necessary at that time.

3. Today I received a letter from the Southeastern Program Service Center in Birmingham, Alabama related to [REDACTED]. Although Mr. [REDACTED] is a Category 1 Class Member, the letter neither references the Steigerwald class action nor seems to have any relationship to it. In addition, I was contacted two days ago by another Category 1 Class Member named [REDACTED] who resides in Alabama. He was given by his local SSA office and then forwarded to me a letter addressed to me (but which I have never received from SSA) which also on its face does not appear to relate to the Steigerwald class action. Yesterday I called Mr. [REDACTED] – the SSA employee in Alabama with whom Mr. [REDACTED] told me he had been dealing. Mr. [REDACTED] has not returned my call yet. Both the [REDACTED] and [REDACTED] letters are attached in a password protected format. [Bez will forward the passwords separately.]



It appears that at least in Alabama, SSA has my name as a representative for Class Members in matters unrelated to the Steigerwald class action. Please immediately look into this matter, remedy it, and confirm that SSA's records have been corrected in this regard, as I and the other Kelley Drye attorneys represent the Class Members specifically and solely with regard to the Steigerwald class action. Additionally, given these apparent errors, please ensure that my name and Kelley Drye are properly entered for contact and payment purposes in SSA's computer systems as the Class Counsel for all Class Members with regard to the Steigerwald class action.

I look forward to your prompt response. Thank you and have a nice weekend.

Ira Kasdan

Kelley Drye & Warren LLP  
Washington Harbour, Suite 400  
3050 K Street, NW, Washington, DC 20007  
o: (202) 342-8864 | fax: (202) 342-8451  
[ikasdan@kelleydrye.com](mailto:ikasdan@kelleydrye.com)  
Website – [www.kelleydrye.com](http://www.kelleydrye.com)

This message is subject to Kelley Drye & Warren LLP's email communication policy.  
KDW-Disclaimer

## EXHIBIT 2

M6

# Social Security Administration

## Retirement, Survivors, and Disability Insurance

### Important Information

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 6, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



We are writing to give you new information about the disability benefits which you receive on this Social Security record.

#### What We Will Pay

You will soon receive a check for \$576.80 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$721.00.

#### Information About Representative's Fees

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$144.20 for fee purposes.

We are sending a copy of this notice to your representative.

#### Do You Think We Are Wrong?

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

SEE NEXT PAGE

1000332 • 0302V7MX0000226 • CTR&PI 190301 00000000000000

Redaction of BNC#

Page 2

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

#### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

#### **If You Have Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-877-405-5868. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
611 E. GENESEE AVE.  
SAGINAW, MI 48607

SEE NEXT PAGE

Redaction of BNC#

Page 3

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



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M6

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
Notice of Change in Benefits

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 6, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



1000333 \*0302V7MX000028\* CTR6P1 190301 00000000000000

We are writing to give you new information about the disability benefits which you receive on this Social Security record.

**What We Will Pay**

You will soon receive a check for \$3,780.32 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$4,725.40.

**Information About Representative's Fees**

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$945.08 for fee purposes.

We are sending a copy of this notice to your representative.

**Do You Think We Are Wrong?**

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

SEE NEXT PAGE

Redaction of BNC#

Page 2

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

#### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

#### **If You Have Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-866-504-4224. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
7 YUELL STREET  
FLORENCE, KY 41042

SEE NEXT PAGE

Redaction of BNC#

Page 3

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



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M6

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
Notice of Change in Benefits

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 6, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



1000331 • 0302 V7M/XO000224 • CTR&PI 190301 0000000000000000

We are writing to give you new information about the disability benefits which you receive on this Social Security record.

**What We Will Pay**

You will soon receive a check for \$287.60 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$359.50.

**Information About Representative's Fees**

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$71.90 for fee purposes.

We are sending a copy of this notice to your representative.

**Do You Think We Are Wrong?**

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

SEE NEXT PAGE

Redaction of BNC#

Page 2

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

#### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

#### **If You Have Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-800-285-5094. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
FEDERAL BLDG, STE 101  
401 WEST NORTH ST  
LIMA, OH 45801

SEE NEXT PAGE

Redaction of BNC# [REDACTED]

Page 3

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



• L000331 • 0303V7N/X0000224 • CTR6PI 190301 0000000000000000

M6

# Social Security Administration

## Retirement, Survivors, and Disability Insurance

### Important Information

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 10, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



We are writing to give you new information about the disability benefits which you receive on this Social Security record.

#### What We Will Pay

You will soon receive a check for \$544.74 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$830.68. However, due to a prior overpayment of \$119.80, we had to adjust this amount. Your final payment amount is \$544.74.

#### Information About Representative's Fees

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$166.14 for fee purposes.

We are sending a copy of this notice to your representative.

#### Do You Think We Are Wrong?

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

SEE NEXT PAGE

1000034\*0302V8C18000323\*CTR&P1 190305 00000000000000

Redaction of BNC# [REDACTED]

Page 2

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

#### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

#### **If You Have Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-855-884-3408. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
3823 JAMES COURT  
ZANESVILLE, OH 43701

SEE NEXT PAGE

Redaction of BNC# [REDACTED]

Page 3

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



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M6

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
Important Information

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 12, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



We are writing to give you new information about the disability benefits which you receive on this Social Security record.

**What We Will Pay**

You will soon receive a check for \$294.90 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$538.00.

**Information About Representative's Fees**

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$107.60 for fee purposes.

We are sending a copy of this notice to your representative.

**Information About Medicare**

We are deducting past-due premiums of \$135.50 from your check.

**Do You Think We Are Wrong?**

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review

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Redaction of BNC#

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the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

#### Suspect Social Security Fraud?

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

#### If You Have Questions

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-877-405-3650. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
SUITE 101  
1635 ASSOCIATES DR  
DUBUQUE, IA 52002

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If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



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**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
Important Information

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 12, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address



We are writing to give you new information about the disability benefits which you receive on this Social Security record.

**What We Will Pay**

You will soon receive a check for \$2,112.50 because we had withheld money from your benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$2,640.62.

**Information About Representative's Fees**

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$528.12 for fee purposes.

We are sending a copy of this notice to your representative.

**Do You Think We Are Wrong?**

If you do not agree with this decision, you have the right to appeal. We will review your case and look at any new facts you have. A person who did not make the first decision will decide your case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in your favor.

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Page 2

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.



### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

### **If You Have Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-877-850-7824. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
STE 100  
1570 W BATTLEFIELD ST  
SPRINGFIELD, MO 65807

SEE NEXT PAGE

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If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



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# Social Security Administration

## Retirement, Survivors, and Disability Insurance

### Important Information

Mid-America Program  
Service Center  
601 East Twelfth Street  
Kansas City, Missouri 64106-2817  
Date: March 12, 2019  
BNC#: Redaction of BNC#

Redaction of Name and Address

We are writing to give you new information about the disability benefits which Redaction of Name receives on this Social Security record.

#### What We Will Pay

Redaction of Name will soon receive a check for \$638.80 because we had withheld money from his benefits.

You were previously sent a notice stating that you might be due money as a class member of the Steigerwald v. Berryhill lawsuit. The court has found that we did not properly account for representatives' fees when we calculated past-due benefit payments to class members. We are recalculating class members' past-due benefits because of this lawsuit. We have reviewed your case and determined you are due a payment.

Your payment is \$1,331.00.

We withheld \$426.00 from Redaction of Name benefits due through March 2019 to pay his obligation for child support, alimony or court ordered victim restitution.

#### Information About Representative's Fees

The court may authorize the class representatives to collect a fee for representing the class in this lawsuit. We will withhold 20% of your payment for fee payment.

We are withholding \$266.20 for fee purposes.

We are sending a copy of this notice to your representative.

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### Do You Think We Are Wrong?

If you do not agree with this decision, you have the right to appeal. We will review Redaction of Name case and look at any new facts you have. A person who did not make the first decision will decide his case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in his favor.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that you did not receive it within the 5-day period.
- You must have a good reason if you wait more than 60 days to ask for an appeal.
- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at [www.socialsecurity.gov/online/](http://www.socialsecurity.gov/online/) to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

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SOCIAL SECURITY  
800 CENTRE PARK DRIVE  
ASHEVILLE, NC 28805

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*Social Security Administration*



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