

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

GLEN GRAYSON, DOREEN MAZZANTI,  
DANIEL LEVY, DAVID MEQUET and  
LAUREN HARRIS, individually and on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

GENERAL ELECTRIC COMPANY,

Defendant.

No. 3:13-cv-01799-MPS

(Consolidated Docket No.)

**SUPPLEMENTAL DECLARATION OF  
ZACHARY LEBOVITS, J.D. REGARDING OBJECTION**

I, Zachary Lebovits, hereby declare and state as follows:

1. I am a Senior Project Manager employed by Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the Claims Administrator for the above captioned case. I am familiar with the actions taken by Epiq with respect to the Settlement as described below, and am competent to testify about them if called upon to do so. This declaration is based upon my personal knowledge and information provided to me by associates or staff under my supervision or shared supervision (with another Epiq employee(s)), and review of the business records maintained by Epiq. It is accurate and truthful to the best of my knowledge.

2. Epiq was established in 1968 as a client services and data processing company. Epiq has been administering bankruptcies since 1985 and settlements since 1993, including settlements of class actions, mass tort litigation, Securities and Exchange Commission enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation. Epiq has administered more than 1,000 settlements,

including some of the largest and most complex cases ever settled. Our Website Design teams are well-versed in website accessibility standards and actively monitor our website accessibility scores.

3. This declaration provides updated administration information regarding the objection filed by Edward W. Orr. Counsel previously filed with the Court the Declaration of Cameron R. Azari, Esq. on Settlement Notice Plan, executed on June 22, 2020, which detailed Epiq's implementation of the Notice Plan.

4. Epiq received an Objection from counsel on May 19, 2020, filed by Edward W. Orr, objecting to the settlement and contending that the Settlement Website was not compliant with the Americans with Disabilities Act ("ADA") and that the settlement should not be approved for that reason.

5. The DOJ has not adopted a specific technical standard for web accessibility as a final rule. In an effort to make our websites more accessible, Epiq has adopted a website template, which was used in this administration and is intended to meet compliance standards under the current Web Content Accessibility Guidelines 2.0 AA ("WCAG") best practices. Epiq actively and continuously monitors our settlement websites to implement these best practices into our website designs.

6. The WCAG standard, developed by the World Wide Web Consortium's (W3C) Web Accessibility Initiative, is often referred to as the gold standard in accessibility and is widely respected as providing the best path to accessibility compliance. WCAG is broadly considered the best resource for website accessibility.

7. The following are some examples of accessibility features Epiq has implemented in order to meet current accessibility standards:

- a. Epiq uses aria-labels in order to be compatible with Screen Readers. Different Screen Readers use different recognition, and not all labels are compatible with every reader. These labels help Screen Readers identify different areas of content.
  - b. Limiting the use of color so it is not used as the only visual means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.
  - c. Eliminating Keyboard Traps so that functionality of the content is operable through a keyboard interface without requiring specific timings for individual keystrokes, allowing for additional methods of website navigation.
  - d. Enhancing readability by setting the default human language of each page so that it can be programmatically determined.
  - e. Enhancing predictability by improving navigation (i.e., navigational mechanisms that are repeated on multiple pages occur in the same relative order each time they are repeated, unless a change is initiated by the user).
  - f. Increasing Input Assistance: Errors are automatically detected and identified, and then described to the user in text; labels and instructions are provided when content requires user input; Error suggestion and prevention (i.e., if an input error is automatically detected and suggestions for correction are known, then the suggestions are provided to the user, unless it would jeopardize the security or purpose of the content).
8. The Settlement Website, [graysonsettlement.com](http://graysonsettlement.com), has a 100% Google Accessibility Score. This score focuses primarily on compliant code and structure of websites in order for

specialty software to function as intended. Google Accessibility testing is a developer tool built into the Google Chrome platform.

9. Additional Web Accessibility Evaluation Tool (“WAVE”) testing of the website found four WAVE accessibility errors based on evaluation of specific components (ex. html form label or other html element) within the website itself which may cause a usability issue on a specialty device or software. Only one WAVE accessibility alert was found based on evaluation of specific pieces of content (ex. text or arrangement of text and its coloring) or other more minor pieces which should be evaluated on a case by case basis. The WAVE results were not critical and should not impair a screen reader from translating the website content. WAVE is a community resource maintained by the group WebAIM (Web Accessibility in Mind) at the Center for Persons with Disabilities.

10. The following are the categories of WAVE errors identified:

- a. Broken Skip Link: users using a screen reader and keyboard need to press the “tab” key to cycle past the navigation options at the top of the page rather than skipping them altogether.
- b. Empty Headings: page and section titles may be missing from underlying coding for screen reader purposes (although all relevant substantive text is present for screen readers).
- c. Missing Form Labels: some interactive elements of the site (such as click-boxes or user-entered text fields) do not have a “label” attached for screen reader purposes that clearly identify their purpose in advance of the screen reader software reaching the element (although each is attached to screen-reader accessible substantive text after the element explaining its purpose).

11. The objection also states in part that Mr. Orr filed a claim by mail, made multiple attempts to contact the claims administrator, Epiq, regarding the claims process, and that Epiq did not respond to him. Edward W. Orr, his wife Darlene Orr, and variations of these names were not included in the initial data provided to Epiq. As of June 26, 2020, there is no record of claim submissions by either of these individuals, nor is there any history of contact with them. After a thorough review of all claim submissions, phone calls, emails and written correspondence, Epiq is unable to locate any history of contact whatsoever from Mr. Orr in relation to this settlement administration. Had Mr. Orr contacted Epiq, we would have gladly assisted him with filing his claim.

I declare under penalty of perjury under the laws of the United States and the State of Oregon that the foregoing is true and correct and that this declaration was executed on June 26, 2020 in Portland, Oregon.

  
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Zachary Lebovits