

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

GUTENSOHN, *et al.*,)
)
 Plaintiff,)
)
 v.) No. 18-1804C
) (Judge Hertling)
 THE UNITED STATES,)
)
 Defendant.)

PLAINTIFFS’ CONSENT MOTION WITH THE CONSENT OF DEFENDANT TO THE COURT TO REVISE THE FINAL DATE FOR POTENTIAL MEMBERS OF THE CLASS TO OPT-IN AS A CLAIMANT BY FILING THEIR INDIVIDUAL CLAIM FORM IN RESPONSE TO THE NOTICES TO THE CLASS

Plaintiffs, Heather Gutensohn, *et al.*, on behalf of plaintiffs with the consent of defendant, the United States, respectfully request that the Court approve this motion to REVISE THE OPT-IN DATE OF THE CLASS FROM SEPTEMBER 4, 2024 TO NOVEMBER 4, 2024.

Plaintiffs’ motion with the consent of defendant to certify the class and to approve the issuance of notices to the class members [147] requested the Court to approve the final date for the potential members to file their individual claim with the Class Action Administrator. At the request of the parties the Court approved the date of September 4, 2024 [148].

In order for the Administrator to mail the Court’s approved Notice to the entire Class, the Administrator requires the Department of Veterans Affairs to submit a list of each class member’s full name and last known home address. The Department of Veterans Affairs did not submit an extensive list of the names and last known home addresses of 2,215 potential class members as required by the independent Class Action Administrator until August 1, 2024. The Administrator also has advised the parties that further necessary information with respect to each individual’s Social Security Number [SSN] must be submitted by the Department of Veterans Affairs as soon as possible. In addition, the submitted list of names and addresses lacks specific information with respect to 192 home addresses.

All of this information has to be processed by the Administrator and an individual postcard must be prepared and mailed to each of the 2,215 prospective class members as soon as possible. The processing time to prepare and mail each postcard may require at least a two-week period according to the Administrator.

Inasmuch as the previously approved final date for each individual to submit his or her official claim form online on the class action website is September 4, 2024, plaintiffs respectfully submit this Consent Motion to modify the final date of potential members to file their individual claim with the Class Action Administrator no later than November 4, 2024.

Respectfully submitted,

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