

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Rita Kohari, John Radolec, and Mohani Jaikaran, individually and as representatives of a class of similarly situated persons, and on behalf of the MetLife 401(k) Plan (f/k/a the Savings and Investment Plan for Employees of Metropolitan Life and Participating Affiliates),

Plaintiffs,

v.

MetLife Group, Inc., Metropolitan Life Insurance Company, the MetLife Group Benefit Plans Investment Advisory Committee, the Employee Benefits Committee of MetLife Group, Inc., and John and Jane Does 1-20,

Defendants.

Case No. 1:21-cv-6146-JHR-KHP

**DECLARATION OF BROCK J. SPECHT IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

I, Brock J. Specht, declare and state as follows:

1. I am a partner at Nichols Kaster, PLLP and am one of Plaintiffs' attorneys of record.

I submit this declaration in support of Plaintiffs' Motion for Final Approval of the Class Action Settlement.

2. For the reasons stated in my previous declaration in support of Plaintiffs' Motion for Preliminary Approval of the Class Action Settlement, ECF No. 111, I believe that the Settlement is fair, reasonable, and adequate.

Approval by the Independent Fiduciary

3. Pursuant to Prohibited Transaction Exemption 2003-39, *as amended*, 75 Fed. Reg. 33,830 (June 15, 2010) (“PTE 2003-39”) and Paragraph 2.2 of the Settlement Agreement, ECF No. 111-1, an Independent Fiduciary (Newport Trust) reviewed the Settlement on the Plan’s behalf. As part of this review, the Independent Fiduciary personally discussed the Settlement with me (and separately with defense counsel) by teleconference and email, and subsequently issued a report after the review.

4. A true and correct copy of the Independent Fiduciary’s report is attached as **Exhibit 1**. In the report, the Independent Fiduciary affirmed, among other things, that:

[T]he Settlement terms, including the scope of the release of claims, the \$4,500,000 Settlement amount and non-monetary relief provided for in the Settlement, and the amount of any attorneys’ fee award or any other sums to be paid from the recovery, are reasonable in light of the Plan’s likelihood of full recovery, the risks and costs of litigation, and the value of claims foregone. . . .

Ex. 1 at 2–3.

5. Accordingly, the Independent Fiduciary “has determined that the Plan should not object to the Settlement or any portion thereof, including but not limited to the requested attorneys’ fees and costs, and as such authorizes the Plan’s participation in the Settlement.” *Id.* at 3.

Reaction of the Class to the Settlement

6. The reaction of the Class to the Settlement also has been favorable. In its Order preliminarily approving the Settlement, this Court directed that Notice of the Settlement be provided to Class Members. ECF No. 127 at ¶ 9. A true and correct copy of the Declaration of Heather Follensbee, Assistant Director for the Settlement Administrator, JND Legal Administration, is attached as **Exhibit 2**. The Settlement Administrator disseminated mail and email notice on October 16, 2024. Ex. 2 at ¶ 9–12. The Notice program was highly effective, with

a 99.95% success rate for delivery. *Id.* ¶ 24.

7. Under the Preliminary Approval Order, the period to object to the Settlement ended December 6, 2024. ECF No. 127 at ¶ 11. As of the date of this declaration, Class Counsel have not received or been made aware of any objections to the Settlement or Plan of Allocation. Similarly, the Settlement Administrator did not receive and was not made aware of any objections from the more than 48,000 Settlement Class members who were sent a Class Notice. Ex. 2 at ¶ 22.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 19, 2024

s/ Brock J. Specht

EXHIBIT 1



December 5, 2024

Judy Mester
Judith.mester@metlife.com
MetLife Services and Solutions, LLC
200 Park Avenue
New York, New York 10166

cc: Andrew J. Bernstein ajbernstein@metlife.com

Re: Statement of Independent Fiduciary – Settlement of *Kohari et al v. MetLife Group, Inc. et al*, Docket No. 1:21-cv-06146 (S.D.N.Y. Jul 19, 2021)

This statement is made by Newport Trust Company, LLC (“Newport Trust”) in its capacity as independent fiduciary for the MetLife 401(k) Plan (the “Plan”) in connection with the proposed settlement (the “Settlement”) of *Kohari et al v. MetLife Group, Inc. et al*, Docket No. 1:21-cv-06146 (S.D.N.Y. Jul 19, 2021) (the “Litigation”).

Newport Trust was engaged by MetLife Services and Solutions, LLC (the “Company”) on behalf of the Plan and Andrew J. Bernstein on behalf of the Plan for purposes of delegation of fiduciary responsibility to Newport Trust (the “Appointing Fiduciary”), pursuant to U.S. Department of Labor Prohibited Transaction Class Exemption 2003-39, as amended, 75 Fed. Reg. 33,830 (June 15, 2010) (the “Class Exemption”), to serve as the independent fiduciary for the Plan for the limited purpose of determining whether to authorize the Plan’s participation in the Settlement as described below. Newport Trust has extensive experience in serving in the capacity of an independent fiduciary on behalf of employee benefit plans in connection with the settlement of litigation, and is closely familiar with the fiduciary obligations imposed by the Employee Retirement Income Security Act of 1974, as amended (“ERISA”).

The Class Exemption permits a plan subject to ERISA, such as the Plan, to release a claim against a party in interest in exchange for consideration, provided certain requirements are met. Among these requirements is the authorization of the plan’s participation in the settlement by a fiduciary that “has no relationship to, or interest in, any of the parties involved in the litigation, other than the plan, that might affect the exercise of such person’s best judgment as a fiduciary.” The Class Exemption is designed to ensure that, subject to court approval, a party that is independent of the plan sponsor (here, a defendant in the Litigation) represents the plan’s interests in settling a claim. Absent the Class Exemption, an ERISA plan’s entry into such a settlement could be a prohibited transaction under Section 406 of ERISA, 29 U.S.C. §1106.

In accordance with the conditions of the Class Exemption, Newport Trust may authorize the Plan’s participation in the Settlement if the Settlement satisfies the applicable conditions of the Class Exemption including that: (i) the terms of the Settlement, including the scope of the release of claims; the amount of cash and the value of any non-cash assets and other consideration received by the Plan and the amount of the attorneys’ fees and other amounts paid from the recovery, are reasonable in light of the Plan’s likelihood of full recovery, the risks and costs of litigation, and the value of claims foregone; (ii) the terms and conditions of the transaction are no less favorable to

MetLife Services and Solutions, LLC
December 5, 2024
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the Plan than comparable arms-length terms and conditions that would have been agreed to by unrelated parties under similar circumstances; and (iii) the transaction is not part of an agreement, arrangement, or understanding designed to benefit a party in interest.

Consistent with the requirements of the Class Exemption: (i) Newport Trust has no relationship to, or interest in, any of the parties involved in the Litigation that might affect the exercise of its best judgment as an independent fiduciary; (ii) the terms of the Settlement are specifically described in a written settlement agreement; (iii) Newport Trust has acknowledged in writing that it is a fiduciary on behalf of the Plan with respect to the Settlement; and (iv) Newport Trust will maintain or cause to be maintained for a period of six years the records described in the Class Exemption.

In making the determinations described above and deciding whether to accept or reject the Settlement on behalf of the Plan, Newport Trust is required to act in accordance with the fiduciary responsibility standards of ERISA. Consistent with the Class Exemption, Newport Trust can authorize the Settlement on behalf of the Plan if, after a review of the Settlement, Newport Trust concludes that the chances of obtaining any further relief for the Plan from the settling defendants are not justified by the expense and risk involved in pursuing such relief. In determining whether the Settlement is reasonable in light of the Plan's likelihood of full recovery, the risks and costs of litigation, and the value of claims foregone, Newport Trust is obligated to weigh these factors pursuant to a prudent decision-making process, given the facts and circumstances of the Litigation.

Newport Trust primarily considered the merits of the parties' claims and their respective arguments; the amount of cash consideration paid and other consideration provided for in connection with the Settlement; and the terms of the Settlement, including but not limited to the scope of the release, the plan of allocation, and the amount of legal fees requested by Plaintiffs' counsel.

In fulfilling its responsibilities and in evaluating the reasonableness of the Settlement, Newport Trust has taken the following actions:

1. Reviewed court documents and other information and documents in the Litigation that it deemed relevant;
2. Interviewed counsel for the parties;
3. Evaluated the strengths and weaknesses of the legal and factual arguments on which the Litigation was based;
4. Reviewed and analyzed the terms of the Settlement, including but not limited to the Settlement consideration and the scope of the Settlement release;
5. Reviewed the plan of allocation proposed by the parties; and
6. Reviewed Plaintiffs' request for attorneys' fees.

Based on its evaluation of the relevant documents and information associated with the class action and the Settlement, and taking into account the fiduciary obligations imposed by ERISA, Newport Trust has concluded, consistent with the requirements of the Class Exemption, that: (i) the Settlement terms, including the scope of the release of claims, the \$4,500,000 Settlement

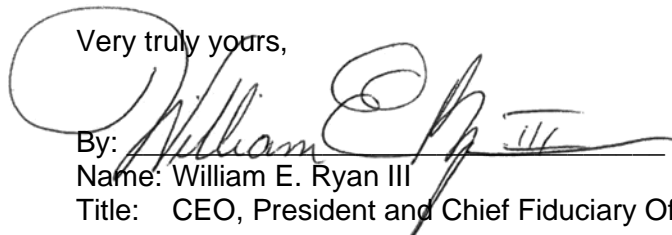
MetLife Services and Solutions, LLC
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amount and non-monetary relief provided for in the Settlement, and the amount of any attorneys' fee award or any other sums to be paid from the recovery, are reasonable in light of the Plan's likelihood of full recovery, the risks and costs of litigation, and the value of claims foregone; (ii) the terms and conditions of the transaction are no less favorable to the Plan than comparable arms-length terms and conditions that would have been agreed to by unrelated parties under similar circumstances; and (iii) the transaction is not part of an agreement, arrangement, or understanding designed to benefit a party in interest.

As a result, Newport Trust has determined that the Plan should not object to the Settlement or any portion thereof, including but not limited to the requested attorneys' fees and costs, and as such authorizes the Plan's participation in the Settlement.

Very truly yours,

A handwritten signature in black ink, appearing to read "William E. Ryan III". The signature is written over a horizontal line. The first letter "W" is circled in blue ink.

By:
Name: William E. Ryan III
Title: CEO, President and Chief Fiduciary Officer

EXHIBIT 2

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Rita Kohari, John Radolec, and Mohani Jaikaran, individually and as representatives of a class of similarly situated persons, and on behalf of the MetLife 401(k) Plan (f/k/a the Savings and Investment Plan for Employees of Metropolitan Life and Participating Affiliates),

Plaintiffs,

v.

MetLife Group, Inc., Metropolitan Life Insurance Company, the MetLife Group Benefit Plans Investment Advisory Committee, the Employee Benefits Committee of MetLife Group, Inc., and John and Jane Does 1–20,

Defendants.

Case No. 1:21-cv-6146-JHR

**DECLARATION OF HEATHER FOLLENSBEE REGARDING SETTLEMENT
ADMINISTRATION**

I, HEATHER FOLLENSBEE, declare and state as follows:

1. I am an Assistant Director at JND Legal Administration (“JND”). JND is a legal administration service provider with its headquarters in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action matters.

2. JND is serving as the Settlement Administrator¹ in the above-captioned litigation (the “Action”), pursuant to the Court’s Order Preliminarily Approving Class Action Settlement,

¹ Capitalized terms used and otherwise not defined in this Declaration shall have the meanings given to such terms in the Class Action Settlement Agreement.

DECLARATION OF HEATHER FOLLENSBEE REGARDING SETTLEMENT ADMINISTRATION

Approving Procedure and Form of Notice, and Scheduling Final Approval Hearing, dated September 16, 2024 (“Order”).

3. This Declaration is based on my personal knowledge and information provided to me by experienced JND employees and, if called on to do so, I could and would testify competently thereto.

CAFA NOTICE

4. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, JND compiled a CD-ROM with the following documents (collectively, the “CAFA Notice Packet”):

- a. Class Action Complaint, filed July 19, 2021;
- b. Amended Class Action Complaint, filed September 1, 2022;
- c. Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, filed November 20, 2023;
- d. Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, dated November 20, 2023;
- e. Declaration of Brock J. Specht in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement with attachments 1) Class Action Settlement Agreement, 2) Proposed Settlement Notices: Exhibits A-1 and A-2, and 3) Nichols Kaster Firm Resumé, dated November 20, 2023;
- f. Declaration of Rita Kohari in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, dated October 31, 2023; and

DECLARATION OF HEATHER FOLLENSBEE REGARDING SETTLEMENT ADMINISTRATION

g. [Proposed] Order Preliminarily Approving Class Action Settlement, Approving Procedure and Form of Notice, and Scheduling Final Approval Hearing, filed November 20, 2023.

5. The CD-ROM was mailed on November 30, 2023 to the appropriate Federal and State officials identified in the attachment with an accompanying cover letter, a copy of which is attached hereto as **Exhibit A**.

CLASS MEMBER DATA

7. On December 19, 2023, JND received a spreadsheet containing the employee IDs, names, addresses, and/or e-mail addresses where available for individuals and entities identified as Settlement Class Members. Additionally, on January 19, 2024, JND received spreadsheets containing Social Security Numbers and quarterly account balance information for each year during the Class Period, and on November 1, 2024 JND received an updated list of those individuals with no current account balance to be identified as Former Participant Class Members. The spreadsheets contained information for a total of 48,817 potential Settlement Class Member records.

8. Prior to sending notices, JND analyzed the raw data to review for duplicate records and determined a total of 48,817 unique Settlement Class Member records, 23,191 of them identified as Current Class Members (those individuals with an active and current account balance) and 25,626 identified as Former Class Members (those individuals with no current account balance). JND updated the Settlement Class Member information using data from the National

Change of Address (“NCOA”) database². The Settlement Class Member data was promptly loaded into a secure database established for this Action.

E-MAIL NOTICE

9. Pursuant to the terms of the Settlement Agreement, on October 16, 2024, JND e-mailed the customized Court-approved e-mail notice (“E-mail Notice”) to all 20,411 of the available e-mail addresses associated with Current Participant Settlement Class Member records. A total of 81 Current Participant Settlement Class Members did not have any valid e-mail address to attempt and were thus excluded from the E-mail Notice campaign. A representative sample of the E-mail Notice is attached hereto as **Exhibit B**.

10. Of the 20,411 E-mail Notices sent, a total of 20,131 E-mail Notices were delivered successfully. A total of 280 attempted E-mail Notices were unsuccessful (representing 174 unique Settlement Class Members).

NOTICE MAILING

11. Pursuant to the terms of the Settlement Agreement, on October 16, 2024, JND mailed the Court-approved Current Participant long-form notice (“Current Participant Mailed Notice”) via USPS first-class mail to 2,780 Current Participant Class Members without a valid e-mail address. Additionally, JND mailed 174 Current Participant Mailed Notices to the Current Participant Class Members whose E-mail Notices were returned as undeliverable. A representative copy of the Current Participant Mailed Notice is attached hereto as **Exhibit C**.

² The NCOA database is the official United States Postal Service (“USPS”) technology product which makes change of address information available to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective tool to update address changes when a person has completed a change of address form with the USPS. The address information is maintained on the database for 48 months.

12. As of the date of this Declaration, JND tracked 205 Current Participant Mailed Notices that were returned to JND as undeliverable. Of those 205 undeliverable Current Participant Mailed Notices, three (3) were re-mailed to a forwarding address provided by the USPS. JND conducted advanced address research through TransUnion for the remaining undeliverable Current Participant Mailed Notices and received updated address information for an additional 120 Class Members. JND promptly re-mailed Current Participant Mailed Notices to the 120 Class Members (one (1) of which was subsequently returned as undeliverable).

12. Pursuant to the terms of the Settlement Agreement, on October 16, 2024, JND mailed the Court-approved Former Participant long-form notice (“Former Participant Mailed Notice”) including with a customized Former Participant Rollover Form via USPS first-class mail to all 25,626 Former Participant Class Members. A representative copy of the Former Participant Mailed Notice and Former Participant Rollover Form is attached hereto as **Exhibit D.**

13. As of the date of this Declaration, JND tracked 2,442 Former Participant Mailed Notices that were returned to JND as undeliverable. Of these 2,442 undeliverable Former Participant Mailed Notices, 179 were re-mailed to a forwarding address provided by USPS. JND conducted advanced address research through TransUnion for the remaining undeliverable Former Participant Mailed Notices and received updated address information for an additional 1,568 Class Members. JND promptly re-mailed Former Participant Mailed Notices to the 1,568 Class Members. Of these 1,568 re-mailed Former Participant Mailed Notices, 128 were returned to JND as undeliverable a second time (six (6) of which were subsequently re-mailed to forwarding addresses provided by USPS).

14. As of the date of this Declaration, 48,804 Class Members were sent an E-Mailed Notice or Mailed Notice that was not returned as undeliverable, representing 99.9% of total Settlement Class Members with available contact information.

SETTLEMENT WEBSITE

15. On October 16, 2024, JND established a Settlement Website (www.MetLife401kPlanSettlement.com), which hosts copies of important case documents, answers to frequently asked questions, and contact information for the Administrator. The Settlement Website also provided a blank Former Participant Rollover Form for Settlement Class Members to print and submit via mail, if they wished.

16. As of the date of this Declaration, the Settlement website has tracked 13,884 unique visitors and 18,545 page views. JND will continue to maintain and update the website throughout the administration process.

TOLL-FREE INFORMATION LINE

17. On October 16, 2024, JND established a case-specific toll-free number (1-888-995-0245) which provides information about the Settlement through an automated Interactive Voice Response (IVR) system as well as the option to speak with a live agent. The toll-free number is available 24 hours a day, seven (7) days a week.

18. As of the date of this declaration, the toll-free number has received 1,802 calls. JND will continue to maintain the toll-free telephone number throughout the administration process.

OBJECTIONS

21. The Notices informed recipients that any Settlement Class Member who wanted to object to the approval of the proposed Settlement must submit a written statement to the Court, postmarked on or before December 6, 2024.

22. As of the date of this declaration, JND has not received, and is not aware of, any objections.

ROLLOVER FORMS RECEIVED

23. The Former Participant Mailed Notice informed recipients that while they do not need to do anything to receive an award in the event the Settlement is approved, those wishing to elect to receive their Settlement payment through a rollover to a qualified retirement account must file a Former Participant Rollover Form and mail it to JND postmarked on or before December 20, 2024.

24. As of the date of this Declaration, JND has received 1,659 Former Participant Rollover Form submissions. JND is in the process of receiving, reviewing, and validating Rollover Form submissions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 18, 2024 in Seattle, Washington.



Heather Follensbee

EXHIBIT A



November 30, 2023

The Appropriate Federal
and State Officials Identified
in Attachment A

RE: CAFA Notice of Proposed Class Action Settlement

Dear Sir or Madam:

This Notice is being provided to you in accordance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715 on behalf of MetLife Group, Inc., Metropolitan Life Insurance Company, the MetLife Group Benefit Plans Investment Advisory Committee, and the Employee Benefits Committee of MetLife Group, Inc., the defendants in the below-referenced class action (“the Action”). Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement was filed with the Court on November 20, 2023. As of the date of this Notice, the Court has not scheduled an approval hearing.

Case Name: *Kohari, et al. v. MetLife Group, Inc., et al.*
Case Number: 1:21-cv-6146-JHR
Jurisdiction: Southern District of New York
Date Settlement filed with Court: November 20, 2023

Copies of all materials filed in the above-named actions are electronically available on the Court’s Pacer website found at <https://pcl.uscourts.gov>. Additionally, in compliance with 28 U.S.C. § 1715(b), the enclosed CD-ROM contains the following documents filed in the Action:

01 - Complaint.pdf

Class Action Complaint, filed July 19, 2021

02 - Amended Complaint.pdf

Amended Class Action Complaint, filed September 1, 2022

03 - Preliminary Approval Motion.pdf

Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, filed November 20, 2023

04 - Preliminary Approval Memorandum.pdf

Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, dated November 20, 2023

05 - Specht Declaration.pdf

Declaration of Brock J. Specht in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, dated November 20, 2023, and attaching

- 1. Class Action Settlement Agreement**
- 2. Proposed Settlement Notices: Exhibits A-1 and A-2**
- 3. Nichols Kaster Firm Resumé**

06 - Kohari Declaration.pdf

Declaration of Rita Kohari in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, dated October 31, 2023

07 - Proposed Order.pdf

[Proposed] Order Preliminarily Approving Class Action Settlement, Approving Procedure and Form of Notice, and Scheduling Final Approval Hearing

It is not possible to provide a breakdown of the over 50,000 members of the Settlement Class in accordance with 28 U.S.C. § 1715 (b)(7) at this time. However, we anticipate that the Settlement Class is sufficiently numerous as to include Class Members potentially residing in all 50 U.S. states, as well as the District of Columbia, and may include Class Members residing in U.S. territories and associated states.

There are no other settlements or agreements made between Counsel for the parties related to the class defined in the proposed settlement, and as of the date of this Notice, no Final Judgment or notice of dismissal has been entered in this case.

If you have any questions regarding the details of the case and settlement, please contact Defense Counsel's representatives at:

Craig C. Martin
Amanda S. Amert
Matthew J. Thomas
Sara E. Ohlman
Samuel J. Gamer
WILLKIE FARR & GALLAGHER LLP
300 North LaSalle Street, Suite 5000
Chicago, Illinois 60654
Tel: (312) 728 9000

For questions regarding this Notice, please contact JND at:

JND Class Action Administration
1100 2nd Ave, Suite 300
Seattle, WA 98101
Phone: (800) 207-7160

Regards,

JND Legal Administration

Encl.

CAFA Notice - Attachment A - Service List

Merrick Garland
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Ernestine K. Rengiil
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P.O. Box 1365
Koror, PW 96940

EXHIBIT B

From: Jennifer@MetLife401kPlanSettlement.com

Subject: Notice of MetLife 401(k) Plan Settlement

UNIQUE ID: XXXXXXXXXX

Dear CLASS MEMBER NAME:

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**If you participated in the MetLife 401(k) Plan (the "Plan")
at any time from July 19, 2015, to December 31, 2021,
you are part of a class action settlement.**

IMPORTANT

PLEASE READ THIS NOTICE CAREFULLY

THIS NOTICE RELATES TO THE PENDENCY OF A CLASS ACTION LAWSUIT AND, IF YOU ARE A SETTLEMENT CLASS MEMBER, CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS TO OBJECT TO THE SETTLEMENT

***A Federal Court authorized this notice. You are not being sued.
This is not a solicitation from a lawyer.***

- A Settlement has been reached in a class action lawsuit against MetLife Group, Inc. and Metropolitan Life Insurance Company ("MetLife"); the MetLife Group Benefit Plans Investment Advisory Committee; the Employee Benefits Committee of MetLife Group, Inc.; and John and Jane Does 1-20, representing the Individual Committee Members (together, "Defendants"). The class action lawsuit involves whether or not Defendants violated their fiduciary duties under the Employee Retirement Income Security Act of 1974 ("ERISA") in managing the Plan. Defendants deny all claims, and nothing in the Settlement is an admission or concession on Defendants' part of any fault or liability whatsoever.
- You are included as a Class Member if you participated in the Plan and invested in the MetLife Index Funds¹ at any time from July 19, 2015 to December 31, 2021 (the "Class Period").
- The terms and conditions of the Settlement are set forth in the Settlement Agreement dated November 20, 2023, and are summarized below. Capitalized terms used in this Notice but not defined in this Notice have the meanings assigned to them in the Settlement Agreement. The Settlement Agreement is available at www.MetLife401kPlanSettlement.com. Certain other documents will also be posted on that website. You should visit that website if you would like more information about the Settlement or the lawsuit. All papers filed in this lawsuit are also available for review via the Public Access to Court Electronic Records System (PACER), at <http://www.pacer.gov>.
- Under the Settlement, Defendants have agreed to pay \$4,500,000.00 into a settlement fund. Class Members are eligible to receive a pro rata share of the amount of the settlement fund remaining after payment of Administrative Expenses, any Attorneys' Fees and Costs that the Court awards to Class Counsel, and any Service Awards to the Named Plaintiffs. The amount of each Class member's payment is based on a Plan of Allocation that takes into account each Class Member's account balances, as well as the Plan investment options each Class Member invested in, over the period of July 19, 2015, to December 31, 2021. **Payments to Class**

¹ The MetLife Index Funds include index funds offered on the Plan investment menu: the Bond Index Fund, Balanced Index Fund, Large Cap Equity Index Fund, Large Cap Value Index Fund, Large Cap Growth Index Fund, Mid Cap Equity Index Fund, and Small Cap Equity Index Fund.

Members who had a Plan account with a balance greater than \$0.00 as of September 16, 2024 (referred to herein as “Participant Class Members”) will be deposited into their respective Plan accounts. Payments to Former Participant Class Members who no longer have an account balance above \$0.00 will be made directly by check, unless the Former Participant Class Member elects to receive their payment through a rollover to a qualified retirement account or the Former Participant Class Member’s Final Entitlement Amount is less than \$10.00. Participant Class Members who are determined to no longer have a Plan account with a balance greater than \$0.00 as of the date of their Settlement payments will be treated as Former Participant Class Members and will receive an allocation by check.

- Please read this notice carefully. Your rights and the choices available to you—and the applicable deadlines to act—are explained in this Notice. Your legal rights are affected whether you act or not. Please note that neither MetLife nor any MetLife affiliate nor any employees or representatives of MetLife or a MetLife affiliate may advise you as to what the best choice is for you or how you should proceed.
- The Court still has to decide whether to give its Final Approval to the Settlement. A Fairness Hearing has been scheduled for **January 9, 2025 at 10:00 a.m.** before the Court in courtroom **17D** of the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York. Payments under the Settlement will be made only if the Court finally approves the Settlement and that Final Approval is upheld in the event of any appeal.

THIS TABLE CONTAINS A SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	<u>Our records indicate that you are a Participant Class Member.</u> You do not need to do anything to receive your settlement payment. You will get a share of the Settlement benefits to which you are entitled and will give up your rights to sue Defendants about the allegations in this case.
OBJECT BY DECEMBER 6, 2024	If you wish to object to any part of the Settlement, you must write to Class Counsel and Defendants’ Counsel (as identified on page 7) to explain why you object.
ATTEND A HEARING	You may also attend the Fairness Hearing and speak at the Fairness Hearing on January 9, 2025 . You may attend the hearing and speak at the hearing without filing a notice of your intention to appear, but you will not be permitted to make an objection if you do not comply with the requirements for making objections.
SUBMIT A CLAIM FORM IF YOU BELIEVE YOU ARE A FORMER PARTICIPANT CLASS MEMBER	If You believe our records are inaccurate, and you are a “Former Participant Class Member” who did not have a Plan account balance greater than \$0.00 on September 16, 2024 , or are a Beneficiary or Alternate Payee of such a Participant, you can elect to receive your payment through a rollover to a qualified retirement account. If you are a Former Participant Class Member and would prefer to receive your settlement payment through a rollover to a qualified retirement account, you must complete, sign, and mail a Former Participant Rollover Form by December 20, 2024 . If you believe you are a Former Participant Class Member, a Former Participant Rollover Form may be obtained by calling the Settlement Administrator at 1-888-995-0245 or by accessing www.MetLife401kPlanSettlement.com . Former

	Plan participants who fail to complete, sign, and mail their Former Participant Rollover Form will receive their Settlement distribution by check. Regardless of whether you submit a claim form, you will give up your rights to sue Defendants about the allegations in this case.
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BASIC INFORMATION

1. What is this notice and why should I read it?

A court authorized this notice to let you know about a proposed settlement of a class action lawsuit called *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR (the “Action”), brought on behalf of the Class Members and the Plan, and pending in the United States District Court for the Southern District of New York. This notice describes the Settlement. Please read this notice carefully. Your rights and options—**and the deadlines to exercise them**—are explained in this notice. Please understand that if you are a Class Member, your legal rights are affected regardless of whether you act.

2. What is a class action lawsuit?

A class action is a lawsuit in which one or more plaintiffs—in this case, one current Plan participant and two former Plan participants (the “Named Plaintiffs”)—sue on behalf of a group of people who allegedly have similar claims. After the Parties reached an agreement to settle this case, the Court granted preliminary approval of the Settlement. Among other things, this preliminary approval permits Class Members to voice their support of or opposition to the Settlement before the Court makes a final determination as whether to approve the Settlement. In a class action, the Court resolves the issues for all class members.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

The Named Plaintiffs, suing individually and on behalf of the Class and Plan (the “Plaintiffs”), allege that Defendants breached their fiduciary duties under ERISA by including investment options in the Plan that are affiliated with MetLife and failing to adequately monitor the fees and performance of those funds. A more complete description of what Plaintiffs allege is in the Amended Complaint, which is available on the Settlement Website at www.MetLife401kPlanSettlement.com.

Defendants deny all claims of wrongdoing or liability against them and assert that they have always acted prudently and in the best interests of Plan participants and beneficiaries. Defendants are settling the Action solely to avoid the expense, inconvenience, and disruption of litigation, without admitting the allegations of breach and damage contained in the Amended Complaint.

4. Why is there a Settlement?

The Named Plaintiffs filed this Action on July 19, 2021. Defendants moved to dismiss the Action on October 6, 2021. The Court denied Defendants’ motion on August 1, 2022. On August 31, 2022, Plaintiffs filed the Amended Complaint (the operative complaint) adding the Employee Benefits Committee as a defendant as well as additional information supporting their allegations. On September 30, 2022, Defendants answered the Amended Complaint. On May 31, 2023, Plaintiffs moved for class certification. Defendants opposed that motion. The Court has not yet ruled on the motion. The Parties have exchanged extensive fact discovery, which completed on July 3, 2023. Instead of continuing Plaintiffs’ case against the Defendants, both sides agreed to a Settlement. That way, both sides avoided the cost and risk of additional court proceedings, and the affected Class Members will receive benefits that they would not

have received if the Named Plaintiffs had litigated the remaining issues and lost, or had lost on appeal. The Named Plaintiffs and their attorneys believe the Settlement is in the best interests of the Class Members. Nothing in the Settlement Agreement is an admission or concession on Defendants' part of any fault, liability or damages whatsoever, but has been entered into to avoid the uncertainty, expense, and burden of additional litigation.

WHO'S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits this description is a member of the **Class**:

All participants and beneficiaries of the MetLife 401(k) Plan who were invested in the MetLife Index Funds at any time on or after July 19, 2015, through December 31, 2021, excluding any persons with responsibility for the Plan's investment or administrative functions.

If you meet the definition above, you are a member of the Class.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

MetLife has agreed to pay \$4,500,000 into a Qualified Settlement Fund to resolve the claims of Class Members. The Net Settlement Amount (after deduction of any Court-approved expenses associated with administering the Settlement, Attorneys' Fees and Costs, and Service Awards to Named Plaintiffs) will be allocated to Class Members according to the Plan of Allocation set forth in the Settlement Agreement. Under the Plan of Allocation, monies will be distributed to Participant Class Members and Former Participant Class Members pro rata based on (i) their average account balance for the period July 19, 2015, to December 31, 2021, and (ii) which of the Plan's investment options they had chosen to invest in over that period.

All Class Members and anyone claiming through them will fully release the Plan as well as Defendants and the Released Parties from Plaintiffs' Released Claims. The Released Parties include, but are not limited to, Defendants' past, present, and future parent corporation(s), subsidiaries, divisions, joint ventures, predecessors, successors, successors-in-interest, and assigns, and any individual, partnership, corporation, or any other form of entity or organization that controls, is controlled by, or is under common control with any of the foregoing. The Plaintiffs' Released Claims include, but are not limited to, all claims that were asserted in the Action or could have been asserted in the Action based on any of the allegations, acts, omissions, purported conflicts, representations, misrepresentations, facts, events, matters, transactions, or occurrences asserted in the Action, whether or not pleaded in the Complaints. The Plaintiffs' Released Claims also include those that relate to the direction to calculate, the calculation of, and/or the method or manner of allocation of the Net Settlement Fund pursuant to the Plan of Allocation and/or that relate to the approval by the Independent Fiduciary of the Settlement Agreement, unless brought against the Independent Fiduciary alone.

This is *only* a summary of the Released Parties and Plaintiffs' Released Claims, and is not a binding description of either. The governing releases are found within the Settlement Agreement at www.MetLife401kPlanSettlement.com. Generally, the release means that Class Members will not have the right to sue the Plan, Defendants, or related parties for conduct during the Class Period arising out of or relating to the allegations in the lawsuit. The entire Settlement Agreement is available at www.MetLife401kPlanSettlement.com.

HOW TO GET BENEFITS

7. How do I get benefits?

Class Members do not have to submit claim forms in order to receive settlement benefits.

According to our records, you are a current participant in the Plan. The benefits of the Settlement will be distributed automatically once the Court approves the Settlement to Participant Class Members' Plan accounts.

If, however, you are a Former Participant Class Member who did not have a Plan account balance greater than \$0.00 on **September 16, 2024** or are a Beneficiary or Alternate Payee of such a Participant, you can elect to receive your payment through a rollover to a qualified retirement account. If you are a Former Participant Class Member and would prefer to receive your settlement payment through a rollover to a qualified retirement account, you must complete, sign, and mail a Former Participant Rollover Form by **December 20, 2024**. If you believe you are a Former Participant Class Member, a Former Participant Rollover Form may be obtained by calling the Settlement Administrator at 1-888-995-0245 or by accessing www.MetLife401kPlanSettlement.com. Former Plan participants who fail to complete, sign, and mail their Former Participant Rollover Form will receive their Settlement distribution by check.

Participant Class Members who are determined to no longer have a Plan account with a balance greater than \$0.00 as of the date of their Settlement payments will be treated as Former Participant Class Members and will receive an allocation by check.

8. When will I get my payment?

Participant Class Members (or Beneficiaries or Alternate Payees of such participants) will receive their pro rata share of the \$4,500,000.00 in the form of a deposit into their Plan account effective no later than sixty (60) days after the Settlement has received final approval and becomes effective. The hearing to consider the final fairness of the Settlement is scheduled for **January 9, 2025**. Any Alternate Payees of Participant Class Members will also receive their payment within 60 days, in accordance with the terms of their Qualified Domestic Relations Order.

All checks not cashed within 120 days after they are issued will expire and become void.

Payments made by check may have certain tax consequences; you should consult your tax advisor.

There will be no payments under the Settlement if the Settlement Agreement is terminated.

THE LAWYERS REPRESENTING YOU

9. Who represents the Settlement Class?

For purposes of the Settlement, the Court has appointed lawyers from the law firm of Nichols Kaster, PLLP as Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense. In addition, the Court appointed Named Plaintiffs Rita Kohari, John Radolec, and Mohani Jaikaran to serve as the Class representatives. They are also Class Members.

Subject to approval by the Court, Class Counsel has proposed that up to \$15,000 may be paid to each of the Named Plaintiffs as the Class representatives in recognition of the time and effort they expended on behalf of the Class. The Court will determine the proper amount of any award to the Named Plaintiffs. The Court may award less than that amount.

10. How will the lawyers be paid?

From the beginning of the case, which was filed in July 2021, to the present, Class Counsel have not received any payment for their services in prosecuting the case or obtaining the Settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. Class Counsel will apply to the Court for an award of reasonable attorneys' fees (not to exceed one-third of the settlement fund), plus their costs and settlement administrative expenses. Defendants have agreed not to object to such an application. The Court will determine the proper amount of any Attorneys' Fees and Costs to award Class Counsel.

Any Attorneys' Fees and Costs awarded by the Court will be paid to Class Counsel from the settlement fund. Class Counsel will file a motion for an award of Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Compensation at least 14 days prior to the objection deadline. This motion will be considered at the Fairness Hearing. Class Counsel also will seek to recover all actual and anticipated litigation costs and administrative expenses associated with the Settlement. The Class Members will not have to pay anything out-of-pocket toward the fees or costs of Class Counsel.

YOUR RIGHTS AND OPTIONS

11. What is the effect of Final Approval of the Settlement?

If the Court grants Final Approval of the Settlement, a final order and judgment dismissing the case will be entered in the Action. Payments under the Settlement will then be processed and distributed. The release by Class Members will also take effect. No Class Member will be permitted to continue to assert Plaintiffs' Released Claims in any other litigation against Defendants or the other persons and entities covered by the release, as described in Question No. 6.

If you object to the terms of the Settlement Agreement, you may notify the Court of your objection. (See Table above Question No. 1) If the Settlement is not approved, the case will proceed as if no settlement had been attempted or reached. If the Settlement is not approved and the case resumes, there is no guarantee that Class Members will recover more than is provided for under the Settlement, or anything at all.

12. What happens if I do nothing at all?

If you do nothing, and the Settlement is approved, you will release any claims you may have against Defendants or the Released Parties concerning the conduct Plaintiffs allege in their complaints. (See Question No. 6.) You may also receive a payment as described in Question No. 6.

13. How do I get out of the Settlement?

If the Court approves the Settlement, you will be bound by it and will receive whatever benefits you are entitled to under its terms. You cannot exclude yourself from the Settlement, but you may notify the Court of your objection to the Settlement. (See Question No. 15.) If the Court approves the Settlement, it will do so under Federal Rule of Civil Procedure 23(b)(1), which does not permit Class Members to opt out of the Class.

14. Can I sue MetLife for the same thing later?

No. If the Court approves the Settlement, you will have given up any right to sue MetLife or any of the Released Parties for the Plaintiffs' Released Claims.

15. How do I object to the Settlement?

You can object to the Settlement if you don't like any part of it. If you object, you must give the reasons why you think the Court should not approve the Settlement. The Court will consider your views. Your objection to the Settlement must be postmarked no later than **December 6, 2024** and must be sent to the attorneys for the Parties at the addresses below:

Class Counsel	Defendants' Counsel
Paul Lukas Brock Specht NICHOLS KASTER, PLLP 4700 IDS Center 80 S 8th Street Minneapolis, MN 55402	Craig C. Martin Amanda S. Amert Matthew J. Thomas Sara E. Ohlman Samuel J. Gamer WILLKIE FARR & GALLAGHER LLP 300 North LaSalle Street, Suite 5000 Chicago, Illinois 60654

The objection must be in writing and should include the case name *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR; as well as include your (a) name; (b) address; (c) a statement that you are a member of the Settlement Class; (d) the specific grounds for the objection (including all arguments, citations, and evidence supporting the objection); (e) all documents or writings that you desire the Court to consider (including all copies of any documents relied upon in the objection); (f) your signature; and (g) a notice of intention to appear at the Fairness Hearing (if applicable). (If you are represented by counsel, you or your counsel must file your objection through the Court's CM/ECF system.) The Court will consider all properly filed comments from Class Members. If you wish to appear and be heard at the Fairness Hearing in addition to submitting a written objection to the Settlement, you or your attorney should say so in your written objection.

Class Counsel will file with the Court their request for Attorneys' Fees and Costs, Administrative Expenses, and Service Awards to the Named Plaintiffs at least two weeks prior to **December 6, 2024**, and post it on the Settlement Website.

THE COURT'S FAIRNESS HEARING**16. When and where will the Court hold a hearing on the fairness of the Settlement?**

A Fairness Hearing has been set for **January 9, 2025 at 10:00 a.m. E.T.**, before The Honorable Katharine H. Parker at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007 in Courtroom 17D. At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for Attorneys' Fees and Costs, Administrative Expenses, and the Service Awards to the Named Plaintiffs as the Class representatives. You do not need to attend this hearing. You also do not need to attend to have an objection considered by the Court. (See Question No. 15.)

Note: The date and time of the Fairness Hearing are subject to change by Court Order, but any changes will be posted at www.MetLife401kPlanSettlement.com.

17. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as any

written objection you choose to make was filed and mailed on time and meets the other criteria described in the Preliminary Approval Order, the Court will consider it. You may also pay another lawyer to attend, but you don't have to.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement by following the instructions in Question No. 15 above.

GETTING MORE INFORMATION

19. Where can I get additional information?

This notice provides only a summary of the matters relating to the Settlement. For more detailed information, you may wish to review the Settlement Agreement. You can view the Settlement Agreement and get more information at www.MetLife401kPlanSettlement.com. You can also get more information by writing to the Settlement Administrator at MetLife 401(k) Plan Settlement Administrator, c/o JND Legal Administration, P.O. Box 91488, Seattle, WA 98111 or calling toll-free 1-888-995-0245 .

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR METLIFE WITH
QUESTIONS ABOUT THE SETTLEMENT.**

EXHIBIT C

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**If you participated in the MetLife 401(k) Plan (the "Plan")
at any time from July 19, 2015, to December 31, 2021,
you are part of a class action settlement.**

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WHO'S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

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7. How do I get benefits?

Class Members do not have to submit claim forms in order to receive settlement benefits.

According to our records, you are a current participant in the Plan. The benefits of the Settlement will be distributed automatically once the Court approves the Settlement to Participant Class Members' Plan accounts.

If, however, you are a Former Participant Class Member who did not have a Plan account balance greater than \$0.00 on **September 16, 2024** or are a Beneficiary or Alternate Payee of such a Participant, you can elect to receive your payment through a rollover to a qualified retirement account. If you are a Former Participant Class Member and would prefer to receive your settlement payment through a rollover to a qualified retirement account, you must complete, sign, and mail a Former Participant Rollover Form by **December 20, 2024**. If you believe you are a Former Participant Class Member, a Former Participant Rollover Form may be obtained by calling the Settlement Administrator at 1-888-995-0245 or by accessing www.MetLife401kPlanSettlement.com. Former Plan participants who fail to complete, sign, and mail their Former Participant Rollover Form will receive their Settlement distribution by check.

Participant Class Members who are determined to no longer have a Plan account with a balance greater than \$0.00 as of the date of their Settlement payments will be treated as Former Participant Class Members and will receive an allocation by check.

8. When will I get my payment?

Participant Class Members (or Beneficiaries or Alternate Payees of such participants) will receive their pro rata share of the \$4,500,000.00 in the form of a deposit into their Plan account effective no later than sixty (60) days after the Settlement has received final approval and becomes effective. The hearing to consider the final fairness of the Settlement is scheduled for **January 9, 2025**. Any Alternate Payees of Participant Class Members will also receive their payment within 60 days, in accordance with the terms of their Qualified Domestic Relations Order.

All checks not cashed within 120 days after they are issued will expire and become void.

Payments made by check may have certain tax consequences; you should consult your tax advisor.

There will be no payments under the Settlement if the Settlement Agreement is terminated.

THE LAWYERS REPRESENTING YOU

9. Who represents the Settlement Class?

For purposes of the Settlement, the Court has appointed lawyers from the law firm of Nichols Kaster, PLLP as Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense. In addition, the Court appointed Named Plaintiffs Rita Kohari, John Radolec, and Mohani Jaikaran to serve as the Class representatives. They are also Class Members.

Subject to approval by the Court, Class Counsel has proposed that up to \$15,000 may be paid to each of the Named Plaintiffs as the Class representatives in recognition of the time and effort they expended on behalf of the Class. The Court will determine the proper amount of any award to the Named Plaintiffs. The Court may award less than that amount.

10. How will the lawyers be paid?

From the beginning of the case, which was filed in July 2021, to the present, Class Counsel have not received any payment for their services in prosecuting the case or obtaining the Settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. Class Counsel will apply to the Court for an award of reasonable attorneys' fees (not to exceed one-third of the settlement fund), plus their costs and settlement administrative expenses. Defendants have agreed not to object to such an application. The Court will determine the proper amount of any Attorneys' Fees and Costs to award Class Counsel.

Any Attorneys' Fees and Costs awarded by the Court will be paid to Class Counsel from the settlement fund. Class Counsel will file a motion for an award of Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Compensation at least 14 days prior to the objection deadline. This motion will be considered at the Fairness Hearing. Class Counsel also will seek to recover all actual and anticipated litigation costs and administrative expenses associated with the Settlement. The Class Members will not have to pay anything out-of-pocket toward the fees or costs of Class Counsel.

YOUR RIGHTS AND OPTIONS

11. What is the effect of Final Approval of the Settlement?

If the Court grants Final Approval of the Settlement, a final order and judgment dismissing the case will be entered in the Action. Payments under the Settlement will then be processed and distributed. The release by Class Members will also take effect. No Class Member will be permitted to continue to assert Plaintiffs' Released Claims in any other litigation against Defendants or the other persons and entities covered by the release, as described in Question No. 6.

If you object to the terms of the Settlement Agreement, you may notify the Court of your objection. (See Table on page 2 of this Notice.) If the Settlement is not approved, the case will proceed as if no settlement had been attempted or reached. If the Settlement is not approved and the case resumes, there is no guarantee that Class Members will recover more than is provided for under the Settlement, or anything at all.

12. What happens if I do nothing at all?

If you do nothing, and the Settlement is approved, you will release any claims you may have against Defendants or the Released Parties concerning the conduct Plaintiffs allege in their complaints. (See Question No. 6.) You may also receive a payment as described in Question No. 6.

13. How do I get out of the Settlement?

If the Court approves the Settlement, you will be bound by it and will receive whatever benefits you are entitled to under its terms. You cannot exclude yourself from the Settlement, but you may notify the Court of your objection to the Settlement. (See Question No. 15.) If the Court approves the Settlement, it will do so under Federal Rule of Civil Procedure 23(b)(1), which does not permit Class Members to opt out of the Class.

14. Can I sue MetLife for the same thing later?

No. If the Court approves the Settlement, you will have given up any right to sue MetLife or any of the Released Parties for the Plaintiffs' Released Claims.

15. How do I object to the Settlement?

You can object to the Settlement if you don't like any part of it. If you object, you must give the reasons why you think the Court should not approve the Settlement. The Court will consider your views. Your objection to the Settlement must be postmarked no later than **December 6, 2024** and must be sent to the attorneys for the Parties at the addresses below:

Class Counsel	Defendants' Counsel
Paul Lukas Brock Specht NICHOLS KASTER, PLLP 4700 IDS Center 80 S 8th Street Minneapolis, MN 55402	Craig C. Martin Amanda S. Amert Matthew J. Thomas Sara E. Ohlman Samuel J. Gamer WILLKIE FARR & GALLAGHER LLP 300 North LaSalle Street, Suite 5000 Chicago, Illinois 60654

The objection must be in writing and should include the case name *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR; as well as include your (a) name; (b) address; (c) a statement that you are a member of the Settlement Class; (d) the specific grounds for the objection (including all arguments, citations, and evidence supporting the objection); (e) all documents or writings that you desire the Court to consider (including all copies of any documents relied upon in the objection); (f) your signature; and (g) a notice of intention to appear at the Fairness Hearing (if applicable). (If you are represented by counsel, you or your counsel must file your objection through the Court's CM/ECF system.) The Court will consider all properly filed comments from Class Members. If you wish to appear and be heard at the Fairness Hearing in addition to submitting a written objection to the Settlement, you or your attorney should say so in your written objection.

Class Counsel will file with the Court their request for Attorneys' Fees and Costs, Administrative Expenses, and Service Awards to the Named Plaintiffs at least two weeks prior to **December 6, 2024**, and post it on the Settlement Website.

THE COURT'S FAIRNESS HEARING**16. When and where will the Court hold a hearing on the fairness of the Settlement?**

A Fairness Hearing has been set for **January 9, 2025 at 10:00 a.m. E.T.**, before The Honorable Katharine H. Parker at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007 in Courtroom 17D. At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for Attorneys' Fees and Costs, Administrative Expenses, and the Service Awards to the Named Plaintiffs as the Class representatives. You do not need to attend this hearing. You also do not need to attend to have an objection considered by the Court. (See Question No. 15.)

Note: The date and time of the Fairness Hearing are subject to change by Court Order, but any changes will be posted at www.MetLife401kPlanSettlement.com.

17. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as any

written objection you choose to make was filed and mailed on time and meets the other criteria described in the Preliminary Approval Order, the Court will consider it. You may also pay another lawyer to attend, but you don't have to.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement by following the instructions in Question No. 15 above.

GETTING MORE INFORMATION

19. Where can I get additional information?

This notice provides only a summary of the matters relating to the Settlement. For more detailed information, you may wish to review the Settlement Agreement. You can view the Settlement Agreement and get more information at www.MetLife401kPlanSettlement.com. You can also get more information by writing to the Settlement Administrator at MetLife 401(k) Plan Settlement Administrator, c/o JND Legal Administration, P.O. Box 91488, Seattle, WA 98111 or calling toll-free 1-888-995-0245 .

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR METLIFE WITH
QUESTIONS ABOUT THE SETTLEMENT.**

EXHIBIT D

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**If you participated in the MetLife 401(k) Plan (the "Plan")
at any time from July 19, 2015, to December 31, 2021,
you are part of a class action settlement.**

IMPORTANT
PLEASE READ THIS NOTICE CAREFULLY

THIS NOTICE RELATES TO THE PENDENCY OF A CLASS ACTION LAWSUIT AND, IF YOU ARE A SETTLEMENT CLASS MEMBER, CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS TO OBJECT TO THE SETTLEMENT

***A Federal Court authorized this notice. You are not being sued.
This is not a solicitation from a lawyer.***

- A Settlement has been reached in a class action lawsuit against MetLife Group, Inc. and Metropolitan Life Insurance Company ("MetLife"); the MetLife Group Benefit Plans Investment Advisory Committee; the Employee Benefits Committee of MetLife Group, Inc.; and John and Jane Does 1-20, representing the Individual Committee Members (together, "Defendants"). The class action lawsuit involves whether or not Defendants violated their fiduciary duties under the Employee Retirement Income Security Act of 1974 ("ERISA") in managing the Plan. Defendants deny all claims, and nothing in the Settlement is an admission or concession on Defendants' part of any fault or liability whatsoever.
- You are included as a Class Member if you participated in the Plan and invested in the MetLife Index Funds¹ at any time from July 19, 2015, to December 31, 2021 (the "Class Period").
- The terms and conditions of the Settlement are set forth in the Settlement Agreement dated November 20, 2023, and are summarized below. Capitalized terms used in this Notice but not defined in this Notice have the meanings assigned to them in the Settlement Agreement. The Settlement Agreement is available at www.MetLife401kPlanSettlement.com. Certain other documents will also be posted on that website. You should visit that website if you would like more information about the Settlement or the lawsuit. All papers filed in this lawsuit are also available for review via the Public Access to Court Electronic Records System (PACER), at <http://www.pacer.gov>.
- Under the Settlement, Defendants have agreed to pay \$4,500,000.00 into a settlement fund. Class Members are eligible to receive a pro rata share of the amount in the settlement fund remaining after payment of Administrative Expenses, any Attorneys' Fees and Costs that the Court awards to Class Counsel, and any Service Awards to the Named Plaintiffs. The amount of each Class member's payment is based on a Plan of Allocation that takes into account each Class Member's account balances, as well as the Plan investment options each Class Member invested in, over the period of July 19, 2015, to December 31, 2021. **Payments to Class Members who had a Plan account with a balance greater than \$0.00 as of September 16, 2024 (referred to herein as "Participant Class Members") will be deposited into their respective Plan accounts.** Payments to Former Participant Class Members who no longer have an account balance above \$0.00 will be made directly by check, unless the Former Participant

¹ The MetLife Index Funds include index funds offered on the Plan investment menu: the Bond Index Fund, Balanced Index Fund, Large Cap Equity Index Fund, Large Cap Value Index Fund, Large Cap Growth Index Fund, Mid Cap Equity Index Fund, and Small Cap Equity Index Fund.

Class Member elects to receive their payment through a rollover to a qualified retirement account or the Former Participant Class Member's Final Entitlement Amount is less than \$10.00. Participant Class Members who are determined to no longer have a Plan account with a balance greater than \$0.00 as of the date of their Settlement payments will be treated as Former Participant Class Members and will receive an allocation by check.

- Please read this notice carefully. Your rights and the choices available to you—and the applicable deadlines to act—are explained in this Notice. Your legal rights are affected whether you act or not. Please note that neither MetLife nor any MetLife affiliate nor any employees or representatives of MetLife or a MetLife affiliate may advise you as to what the best choice is for you or how you should proceed.
- The Court still has to decide whether to give its Final Approval to the Settlement. A Fairness Hearing has been scheduled for **January 9, 2025 at 10:00 a.m.** before the Court in courtroom **17D** of the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York. Payments under the Settlement will be made only if the Court finally approves the Settlement and that Final Approval is upheld in the event of any appeal.

THIS TABLE CONTAINS A SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A ROLLOVER FORM IF YOU WANT TO RECEIVE YOUR PAYMENT THROUGH A ROLLOVER.	<u>Our records indicate that you are a Former Participant Class Member.</u> You can elect to receive your payment through a rollover to a qualified retirement account. If you would prefer to receive your settlement payment through a rollover to a qualified retirement account, you must complete, sign, and mail the enclosed Former Participant Rollover Form by December 20, 2024 . Regardless of whether you submit a claim form, you will give up your rights to sue Defendants about the allegations in this case.
DO NOTHING	<u>According to our records, you are a Former Participant Class Member.</u> As a Former Participants Class Member, if you do not complete, sign, and mail your Former Participant Rollover Form, you will receive the share of the Settlement benefits to which you are entitled via check and will give up your rights to sue Defendants about the allegations in this case.
OBJECT BY DECEMBER 6, 2024	If you wish to object to any part of the Settlement, you must write to Class Counsel and Defendants' Counsel (as identified on page 7) to explain why you object.
ATTEND A HEARING	You may also attend the Fairness Hearing and speak at the Fairness Hearing on January 9, 2025 . You may attend the hearing and speak at the hearing without filing a notice of your intention to appear, but you will not be permitted to make an objection if you do not comply with the requirements for making objections.

BASIC INFORMATION

1. A What is this notice and why should I read it?

A court authorized this notice to let you know about a proposed settlement of a class action lawsuit called *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR (the “Action”), brought on behalf of the Class Members and the Plan, and pending in the United States District Court for the Southern District of New York. This notice describes the Settlement. Please read this notice carefully. Your rights and options—**and the deadlines to exercise them**—are explained in this notice. Please understand that if you are a Class Member, your legal rights are affected regardless of whether you act.

2. What is a class action lawsuit?

A class action is a lawsuit in which one or more plaintiffs—in this case, one current Plan participant and two former Plan participants (the “Named Plaintiffs”)—sue on behalf of a group of people who allegedly have similar claims. After the Parties reached an agreement to settle this case, the Court granted preliminary approval of the Settlement. Among other things, this preliminary approval permits Class Members to voice their support of or opposition to the Settlement before the Court makes a final determination as whether to approve the Settlement. In a class action, the Court resolves the issues for all class members.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

The Named Plaintiffs, suing individually and on behalf of the Class and Plan (the “Plaintiffs”), allege that Defendants breached their fiduciary duties under ERISA by including investment options in the Plan that are affiliated with MetLife and failing to adequately monitor the fees and performance of those funds. A more complete description of what Plaintiffs allege is in the Amended Complaint, which is available on the Settlement Website at www.MetLife401kPlanSettlement.com.

Defendants deny all claims of wrongdoing or liability against them and assert that they have always acted prudently and in the best interests of Plan participants and beneficiaries. Defendants are settling the Action solely to avoid the expense, inconvenience, and disruption of litigation, without admitting the allegations of breach and damage contained in the Amended Complaint.

4. Why is there a Settlement?

The Named Plaintiffs filed this Action on July 19, 2021. Defendants moved to dismiss the Action on October 6, 2021. The Court denied Defendants’ motion on August 1, 2022. On August 31, 2022, Plaintiffs filed the Amended Complaint (the operative complaint) adding the Investment Advisory Committee as a defendant as well as additional information supporting their allegations. On September 30, 2022, Defendants answered the Amended Complaint. On May 31, 2023, Plaintiffs moved for class certification. Defendants opposed that motion. The Court has not yet ruled on the motion. The Parties have exchanged extensive fact discovery, which completed on July 3, 2023. Instead of continuing Plaintiffs’ case against the Defendants, both sides agreed to a Settlement. That way, both sides avoided the cost and risk of additional court proceedings, and the affected Class Members will receive benefits that they would not have received if the Named Plaintiffs had litigated the remaining issues and lost, or had lost on appeal. The Named Plaintiffs and their attorneys believe the Settlement is in the best interests of the Class Members. Nothing in the Settlement Agreement is an admission or concession on Defendants’ part of any fault, liability or damages whatsoever, but has been entered into to avoid the uncertainty, expense, and burden of additional litigation.

WHO'S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits this description is a member of the **Class**:

All participants and beneficiaries of the MetLife 401(k) Plan who were invested in the MetLife Index Funds at any time on or after July 19, 2015, through December 31, 2021, excluding any persons with responsibility for the Plan's investment or administrative functions.

If you meet the definition above, you are a member of the Class.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

MetLife has agreed to pay \$4,500,000 into a Qualified Settlement Fund to resolve the claims of Class Members. The Net Settlement Amount (after deduction of any Court-approved expenses associated with administering the Settlement, Attorneys' Fees and Costs, and Service Awards to Named Plaintiffs) will be allocated to Class Members according to the Plan of Allocation set forth in the Settlement Agreement. Under the Plan of Allocation, monies will be distributed to Participant Class Members and Former Participant Class Members pro rata based on (i) a total of their account balance for the period July 19, 2015, through December 31, 2021, and (ii) which of the Plan's investment options they had chosen to invest in over that period.

All Class Members and anyone claiming through them will fully release the Plan as well as Defendants and the Released Parties from Plaintiffs' Released Claims. The Released Parties include, but are not limited to, Defendants' past, present, and future parent corporation(s), subsidiaries, divisions, joint ventures, predecessors, successors, successors-in-interest, and assigns, and any individual, partnership, corporation, or any other form of entity or organization that controls, is controlled by, or is under common control with any of the foregoing. The Plaintiffs' Released Claims include, but are not limited to, all claims that were asserted in the Action or could have been asserted in the Action based on any of the allegations, acts, omissions, purported conflicts, representations, misrepresentations, facts, events, matters, transactions, or occurrences asserted in the Action, whether or not pleaded in the Complaints. The Plaintiffs' Released Claims also include those that relate to the direction to calculate, the calculation of, and/or the method or manner of allocation of the Net Settlement Fund pursuant to the Plan of Allocation and/or that relate to the approval by the Independent Fiduciary of the Settlement Agreement, unless brought against the Independent Fiduciary alone.

This is *only* a summary of the Released Parties and Plaintiffs' Released Claims, and is not a binding description of either. The governing releases are found within the Settlement Agreement at www.MetLife401kPlanSettlement.com. Generally, the release means that Class Members will not have the right to sue the Plan, Defendants, or related parties for conduct during the Class Period arising out of or relating to the allegations in the lawsuit. The entire Settlement Agreement is available at www.MetLife401kPlanSettlement.com.

HOW TO GET BENEFITS

7. How do I get benefits?

Class Members do not have to submit claim forms in order to receive settlement benefits.

The benefits of the Settlement will be distributed automatically once the Court approves the Settlement. **According to our records, you are a Former Participant Class Member. Former Participant Class Members who would prefer to receive their settlement payment through a rollover to a qualified**

retirement account must complete, sign, and mail the enclosed Former Participant Rollover Form by December 20, 2024. Former Participant Class Members who fail to complete, sign, and mail their Former Participant Rollover Form will receive their Settlement distribution by check.

8. When will I get my payment?

The Settlement Administrator will effect a rollover of the pro rata share of the \$4,500,000.00 to Former Participant Class Members (or Beneficiaries or Alternate Payees of such participants) who timely submit a Former Participant Rollover Form to their qualified retirement account selected in that Form within sixty (60) days after the Settlement has received final approval and becomes effective. A check will be issued within the same 60-day period to Former Participant Class Members (or Beneficiaries or Alternate Payees of such participants) who do not submit a Former Participant Rollover Form.

All checks not cashed within 120 days after they are issued will expire and become void.

Payments made by check may have certain tax consequences; you should consult your tax advisor.

There will be no payments under the Settlement if the Settlement Agreement is terminated.

THE LAWYERS REPRESENTING YOU

9. Who represents the Settlement Class?

For purposes of the Settlement, the Court has appointed lawyers from the law firm of Nichols Kaster, PLLP as Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense. In addition, the Court appointed Named Plaintiffs Rita Kohari, John Radolec, and Mohani Jaikaran to serve as the Class representatives. They are also Class Members.

Subject to approval by the Court, Class Counsel has proposed that up to \$15,000 may be paid to each of the Named Plaintiffs as the Class representatives in recognition of the time and effort they expended on behalf of the Class. The Court will determine the proper amount of any award to the Named Plaintiffs. The Court may award less than that amount.

10. How will the lawyers be paid?

From the beginning of the case, which was filed in July 2021, to the present, Class Counsel have not received any payment for their services in prosecuting the case or obtaining the Settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. Class Counsel will apply to the Court for an award of reasonable attorneys' fees (not to exceed one-third of the settlement fund), plus their costs and settlement administrative expenses. Defendants have agreed not to object to such an application. The Court will determine the proper amount of any Attorneys' Fees and Costs to award Class Counsel.

Any Attorneys' Fees and Costs awarded by the Court will be paid to Class Counsel from the settlement fund. Class Counsel will file a motion for an award of Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Compensation at least 14 days prior to the objection deadline. This motion will be considered at the Fairness Hearing. Class Counsel also will seek to recover all actual and anticipated litigation costs and administrative expenses associated with the Settlement. The Class Members will not have to pay anything out-of-pocket toward the fees or costs of Class Counsel.

YOUR RIGHTS AND OPTIONS

11. What is the effect of Final Approval of the Settlement?

If the Court grants Final Approval of the Settlement, a final order and judgment dismissing the case will be entered in the Action. Payments under the Settlement will then be processed and distributed. The

release by Class Members will also take effect. No Class Member will be permitted to continue to assert Plaintiffs' Released Claims in any other litigation against Defendants or the other persons and entities covered by the release, as described in Question No. 6.

If you object to the terms of the Settlement Agreement, you may notify the Court of your objection. (See Table on page 2 of this Notice.) If the Settlement is not approved, the case will proceed as if no settlement had been attempted or reached. If the Settlement is not approved and the case resumes, there is no guarantee that Class Members will recover more than is provided for under the Settlement, or anything at all.

12. What happens if I do nothing at all?

If you do nothing, and the Settlement is approved, you will release any claims you may have against Defendants, Individual Investment Committee Members, or the Released Parties concerning the conduct Plaintiffs allege in their complaints. (See Question No. 6.) You may also receive a payment as described in Question No. 6.

13. How do I get out of the Settlement?

If the Court approves the Settlement, you will be bound by it and will receive whatever benefits you are entitled to under its terms. You cannot exclude yourself from the Settlement, but you may notify the Court of your objection to the Settlement. (See Question No. 15.) If the Court approves the Settlement, it will do so under Federal Rule of Civil Procedure 23(b)(1), which does not permit Class Members to opt out of the Class.

14. Can I sue MetLife for the same thing later?

No. If the Court approves the Settlement, you will have given up any right to sue MetLife or any of the Released Parties for the Plaintiffs' Released Claims.

15. How do I object to the Settlement?

You can object to the Settlement if you don't like any part of it. If you object, you must give the reasons why you think the Court should not approve the Settlement. The Court will consider your views. Your objection to the Settlement must be postmarked no later than **December 6, 2024** and must be sent to the attorneys for the Parties at the addresses below:

Class Counsel	Defendants' Counsel
Paul Lukas Brock Specht NICHOLS KASTER, PLLP 4700 IDS Center 80 S 8th Street Minneapolis, MN 55402	Craig C. Martin Amanda S. Amert Matthew J. Thomas Sara E. Ohlman Samuel J. Gamer WILLKIE FARR & GALLAGHER LLP 300 North LaSalle Street, Suite 5000 Chicago, Illinois 60654

The objection must be in writing and should include the case name *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR; as well as include your (a) name; (b) address; (c) a statement that you are a member of the Settlement Class; (d) the specific grounds for the objection (including all arguments, citations, and evidence supporting the objection); (e) all documents or writings that you desire

the Court to consider (including all copies of any documents relied upon in the objection); (f) your signature; and (g) a notice of intention to appear at the Fairness Hearing (if applicable). (If you are represented by counsel, you or your counsel must file your objection through the Court's CM/ECF system.) The Court will consider all properly filed comments from Class Members. If you wish to appear and be heard at the Fairness Hearing in addition to submitting a written objection to the Settlement, you or your attorney should say so in your written objection.

Class Counsel will file with the Court their request for Attorneys' Fees and Costs, Administrative Expenses, and Service Awards to the Named Plaintiffs at least two weeks prior to **December 6, 2024**, and post it on the Settlement Website.

THE COURT'S FAIRNESS HEARING

16. When and where will the Court hold a hearing on the fairness of the Settlement?

A Fairness Hearing has been set for **January 9, 2025 at 10:00 a.m. E.T.**, before The Honorable Katharine H. Parker at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007 in Courtroom 17D. At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for Attorneys' Fees and Costs, Administrative Expenses, and the Service Awards to the Named Plaintiffs as the Class representatives. You do not need to attend this hearing. You also do not need to attend to have an objection considered by the Court. (See Question No. 15.)

Note: The date and time of the Fairness Hearing are subject to change by Court Order, but any changes will be posted at www.MetLife401kPlanSettlement.com.

17. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as any written objection you choose to make was filed and mailed on time and meets the other criteria described in the Preliminary Approval Order, the Court will consider it. You may also pay another lawyer to attend, but you don't have to.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement by following the instructions in Question No. 15 above.

GETTING MORE INFORMATION

19. Where can I get additional information?

This notice provides only a summary of the matters relating to the Settlement. For more detailed information, you may wish to review the Settlement Agreement. You can view the Settlement Agreement and get more information at www.MetLife401kPlanSettlement.com. You can also get more information by writing to the Settlement Administrator at MetLife 401(k) Plan Settlement Administrator, c/o JND Legal Administration, P.O. Box 91488, Seattle, WA 98111 or calling toll-free 1-888-995-0245.

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR METLIFE WITH
QUESTIONS ABOUT THE SETTLEMENT.**

**MetLife 401(k) Plan Settlement Administrator
c/o JND Legal Administration
P.O. Box 91488
Seattle, WA 98111
www.MetLife401kPlanSettlement.com**

JOHN Q CLASSMEMBER
123 MAIN ST APT 1
ANYTOWN, ST 12345

Unique ID: 1111111

FORMER PARTICIPANT ROLLOVER FORM

You are eligible to receive a payment from a class action settlement. The Court has preliminarily approved the class settlement of *Kohari, et al. v. MetLife Group, Inc., et al.*, Case No. 1:21-cv-6146-JHR (S.D.N.Y.). The Settlement provides allocation of monies to the individual accounts of certain persons who participated in the MetLife 401(k) Plan (“Plan”) at any time from July 19, 2015, through December 31, 2021 (“Class Members”). Class Members who had a Plan account with a balance greater than \$0.00 during the Class Period but who do not have a Plan account with a balance greater than \$0.00 as of September 16, 2024 (“Former Participant Class Members”) will receive their allocations in the form of a check or in the form of a rollover if and only if they mail a valid Former Participant Rollover Form postmarked on or before **December 20, 2024** to the Settlement Administrator with the required information to effectuate the rollover. For more information about the Settlement, please see the Notice Of Class Action Settlement And Fairness Hearing, visit www.MetLife401kPlanSettlement.com or call 1-888-995-0245.

This Former Participant Rollover Form is **ONLY** for Class Members who are **Former Participant Class Members**, or the beneficiaries or alternate payees of Former Participant Class Members (all of whom will be treated as Former Participant Class Members). A Former Participant Class Member is a Class Member who had a Plan account with a balance greater than \$0.00 during the Class Period but does not have a Plan account with a balance greater than \$0.00 as of September 16, 2024.

Former Participant Class Members who would like to elect to receive their settlement payment through a rollover to a qualified retirement account must complete, sign, and mail this form with a postmark on or before **December 20, 2024**. Please review the instructions below carefully. Former Participant Class Members **who do not complete and timely return this form will receive their settlement payment by check**. If you have questions regarding this form, you may contact the Settlement Administrator as indicated below:

WWW.METLIFE401KPLANSETTLEMENT.COM OR CALL 1-888-995-0245

PART 1: INSTRUCTIONS FOR COMPLETING FORMER PARTICIPANT ROLLOVER FORM

1. If you would like to receive your settlement payment through a rollover to a qualified retirement account, complete this rollover form. You should also keep a copy of all pages of your Former Participant Rollover Form, including the first page with the address label, for your records.
2. **Mail your completed Former Participant Rollover Form postmarked on or before December 20, 2024 to the Settlement Administrator at the following address:**

**MetLife 401(k) Plan Settlement Administrator
c/o JND Legal Administration
P.O. Box 91488
Seattle, WA 98111**

It is your responsibility to ensure the Settlement Administrator has timely received your Former Participant Rollover Form.

3. Other Reminders:
 - You must provide date of birth, signature, and a completed Substitute IRS Form W-9, which is attached as part 5 to this form.
 - If you desire to do a rollover and you fail to complete all of the rollover information in Part 4, below, payment will be made to you by check.
 - If you change your address after sending in your Former Participant Rollover Form, please provide your new address to the Settlement Administrator.
 - **Timing of Payments to Eligible Class Members.** The timing of the distribution of the Settlement payments are conditioned on several matters, including the Court's final approval of the Settlement and any approval becoming final and no longer subject to any appeals in any court. An appeal of the final approval order may take several years. If the Settlement is approved by the Court, and there are no appeals, the Settlement distribution likely will occur within three months of the Court's Final Approval Order.
4. **Questions?** If you have any questions about this Former Participant Rollover Form, please call the Settlement Administrator at 1-888-995-0245. The Settlement Administrator will provide advice only regarding completing this form and will not provide financial, tax or other advice concerning the Settlement. You therefore may want to consult with your financial or tax advisor. Information about the status of the approval of the Settlement and the Settlement administration is available on the settlement website, www.MetLife401kPlanSettlement.com.

Because you are a Former Participant Class Member, you must decide whether you want your payment (1) sent payable to you directly by check or (2) to be rolled over into another eligible retirement plan or into an individual retirement account ("IRA"). To elect a rollover, please complete and mail this Former Participant Rollover Form postmarked on or before **December 20, 2024** to the Settlement Administrator. If you do not return this form, your payment will be sent to you directly by check.

PART 2: PARTICIPANT INFORMATION**Unique ID (from your Notice):**

First Name	MI	Last Name
Mailing Address		
City	State	ZIP Code
Home Phone	Work Phone or Cell Phone	
Participant's Social Security Number	Participant's Date of Birth	
Email Address		

PART 3: BENEFICIARY OR ALTERNATE PAYEE INFORMATION (IF APPLICABLE)

- Check here if you are the **surviving spouse or other beneficiary** for the Former Participant Class Member and the Former Participant Class Member is deceased. **Documentation must be provided showing current authority of the representative to file on behalf of the deceased.** Please complete the information below and then continue on to Parts 4 and 5 on the next page.
- Check here if you are an alternate payee under a qualified domestic relations order (QDRO). The Settlement Administrator may contact you with further instructions. Please complete the information below and then continue on to Parts 4 and 5 on the next page.

First Name	MI	Last Name
Mailing Address		
City	State	ZIP Code
Home Phone	Work Phone or Cell Phone	
Participant's Social Security Number	Participant's Date of Birth	
Email Address		

PART 4: PAYMENT ELECTION

Direct Rollover to an Eligible Plan – Check only one box below and complete the Rollover Information Section below:

- Government 457(b)
 401(a)/401(k)
 403(b)
 IRA
 Direct Rollover to a Traditional
 Direct Rollover to a Roth IRA (subject to ordinary income tax)

Rollover Information:

Company or Trustee's Name (to whom the check should be made payable)		
Company or Trustee's Mailing Address 1		
Company or Trustee's Mailing Address 2		
Company or Trustee's City	State	ZIP Code
Your Account Number	Company or Trustee's Phone Number	

PART 5: SIGNATURE, CONSENT, AND SUBSTITUTE IRS FORM W-9

UNDER PENALTIES OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA, I CERTIFY THAT ALL OF THE INFORMATION PROVIDED ON THIS FORMER PARTICIPANT ROLLOVER FORM IS TRUE, CORRECT, AND COMPLETE AND THAT I SIGNED THIS FORMER PARTICIPANT ROLLOVER FORM.

1. The Social Security number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. person (including a U.S. resident alien).

Participant Signature

Date Signed (Required)

Note: If you are subject to backup withholding, you must cross out item 2 above. The IRS does not require your consent to any provision of this document other than this Form W-9 certification to avoid backup withholding.