

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HENRY W. SEGAR, et al.,

Plaintiffs,

v.

PAMELA BONDI,<sup>1</sup>  
Attorney General, et al.,

Defendants.

Civil Action No. 77-0081 (EGS)

**STIPULATION AND AMENDMENT TO PARTIAL SETTLEMENT AGREEMENT**

Through this Stipulation and Amendment, the parties agree to the following modification to the Class Action Partial Settlement Agreement (ECF No. 502-1, “Agreement”), executed by counsel for Plaintiffs on September 24, 2024, and counsel for Defendants on October 4, 2024.

The first paragraph under Section III of the Agreement shall be replaced with the following language:

Within seven days after the later of (1) the Final Approval of this Settlement Agreement, and (2) the determination by Claims Administrator Michael Lewis of the Final Allocation of the Settlement Payment to each eligible class member (“Final Allocation”), Defendants, through counsel, will provide the Judgment Fund Branch at the U.S. Department of Treasury, Bureau of Fiscal Service (“Fiscal Service”) with all necessary forms and documentation to request payment of the Settlement Payment from the Judgment Fund to the Qualified Settlement Fund. In order to comply with the finality requirement in 31 U.S.C. § 1304, this documentation must include the Final Allocation. After receiving such information, it is anticipated that Fiscal Service will (1) conduct a “pre-check” of the Treasury Offset Program (“TOP”) database to determine whether any individual class members who will receive awards based on the Final Allocation have delinquent debts owed to the United States (or certain delinquent debts owed to states with whom Treasury has reciprocal delinquent debt collection agreements); (2) instruct Defendants, through counsel, how to submit the payment request to the Judgment Fund separating payment amounts owed to class members who have delinquent

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d) Attorney General Bondi is automatically substituted for her predecessor in office.

debts in TOP from class members without delinquent debts in TOP (thereby ensuring that when the Judgment Fund Branch makes its payment to the Qualified Settlement Fund, TOP will intercept and offset only the payment amounts owed to class members with delinquent debts); (3) make one or more payments - subject to offset, as required by the Debt Collection Improvement Act at 31 U.S.C. § 3716 - totaling to the Settlement Payment amount into the Qualified Settlement Fund in accordance with payment instructions provided by the Defendants, through counsel; and (4) provide an accounting to Plaintiffs, through counsel, showing the amount of any offsets taken from the Settlement Payment and from which class members' payment amounts these offsets were taken.

The remainder of the Agreement remains unchanged by this Stipulation and Amendment.

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**AGREED AND ACCEPTED ON BEHALF OF:**

DEFENDANTS:

*Stephen M DeGenaro*

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STEPHEN DEGENARO  
D.C. Bar #1047116  
Assistant United States Attorney  
601 D Street, NW  
Washington, DC 20530  
(202) 252-7229  
Stephen.DeGenaro@usdoj.gov

BRIAN P. HUDAK  
Chief, Civil Division

*Attorneys for the United States of America*

PLAINTIFFS AND CLASS:

*Daniel Volchok*

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Daniel S. Volchok, D.C. Bar #497341  
WILMER CUTLER PICKERING  
HALE & DORR LLP  
2100 Pennsylvania Avenue N.W.  
Washington, D.C. 20037  
Tel: 202.663.6000

*Counsel for Plaintiffs*