

CHRISTOPHER Y. MEEK,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

V.

KANSAS CITY LIFE INSURANCE
COMPANY,

Defendant.

Case No. 19-00472-CV-W-BP

ORDER APPROVING NOTICE PLAN

On February 7, 2022, the Court granted in part Plaintiff's motion for class certification and certified a Kansas-only class of individuals who purchased life insurance from Defendant. (Doc. 136.) Now, Plaintiff has filed a motion to approve and disseminate class notice. (Doc. 158.)¹ Defendant initially opposed one aspect of the notice plan, but subsequently withdrew its objection.²

Having reviewed the proposed notice plan, the Court agrees that it satisfies the requirements of Rule 23(c)(2)(B)(i)–(vii): the proposed class notice, (Doc. 158-1), is written in readily understood language and accurately presents the facts of the case such that a class member

The motion mentions an additional issue: Plaintiff points out that the Court’s class certification order designated Stueve Sigel Hanson LLP as class counsel, when in fact Plaintiff requested that Miller Schirger LLC also serve as class counsel. (*See* Doc. 158, p. 1, n.1.) To ensure that the Record is clear, the Court agrees that both Stueve Sigel Hanson LLP and Miller Schirger LLC are Plaintiff’s class counsel, and appoints Miller Schirger LLC to also serve in that role to whatever extent the Court’s prior order did not do so.

² Specifically, the Court certified a class of individuals who, among other things, “purchased the life insurance policy while domiciled in Kansas.” The parties initially disagreed on how to ascertain whether a person was domiciled in Kansas when she purchased her life insurance policy; Plaintiff thought that the “Issued State” listed for each insured in Defendant’s files properly represented that person’s domicile, while Defendant disagreed. (Doc. 158, pp. 2–3.) Defendant subsequently agreed that “Issued State” is an appropriate proxy for domicile.

can determine whether she is a class member and wants to participate in this class action; the opt-out process, which requires individuals who do not wish to be part of the class to simply sign and return a letter, is simple and clear; the notice plan provides 60 days to request exclusion, which is sufficient to meet due process requirements; and the notice plan is reasonably calculated to reach as many potential class members as possible. (*See* Doc. 158-2 (describing notice plan).)

Consequently, Plaintiff's motion is **GRANTED**, and the proposed class notice and notice plan are **APPROVED**. Per Plaintiff's request, Analytics LLC is appointed to supervise and administer the notice plan; Analytics shall compile a list of names and addresses of potential class members from Defendant's records, to be provided by Defendant within seven days of this order; it shall then ensure the distribution of class notice via first class US mail, create a website compiling the relevant information, and assemble any timely requests for exclusion.

IT IS SO ORDERED.

Date: July 5, 2022

/s/ Beth Phillips
BETH PHILLIPS, CHIEF JUDGE
UNITED STATES DISTRICT COURT