

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JUSTIN DUFOE, on Behalf of Himself and All
Others Similarly Situated,

Plaintiff,

v.

DRAFTKINGS INC., JASON D. ROBINS,
JASON K. PARK, and MATTHEW KALISH,

Defendants.

Case No. 23-cv-10524-DJC

CLASS ACTION

Honorable Judge Denise J. Casper

**SUPPLEMENTAL DECLARATION OF KATHLEEN M. BRAUNS REGARDING
LATE CLAIMS RECEIVED**

I, Kathleen M. Brauns, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a Project Manager with A.B. Data, Ltd. (“A.B. Data”),¹ the Court appointed Settlement Administrator in the above-captioned matter. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. This declaration is to supplement my original declaration regarding late claims received dated November 3, 2025, and provide the Court with claims administration information for the late claims filed by Jerrod Burbank, Steve Rodems, Steven McKosky, Eric Chan, Michael Syme, Jakub Kornafel, Michael Camizzi, and Alex Lowen and the impact on the recovery percentage for Settlement Class Members if these additional late claims are accepted.

3. As of November 5, 2025, A.B. Data has received no additional late claims since October 31, 2025.

¹ Unless otherwise indicated, defined terms shall have the definitions set forth in the Stipulation of Settlement (“Settlement” or “Settlement Agreement”), which was filed on February 26, 2025 (ECF No. 87-2). Citations to the Settlement Agreement are abbreviated as “§ ____.”

4. As of November 5, 2025, A.B. Data has received one additional request to accept a late claim since October 31, 2025.

5. As of November 5, 2025, A.B. Data has received a total of 27 claimants who received an Untimely Claim Notice or filed a claim after October 7, 2024, and who have subsequently requested that the untimeliness of their claims should be excused. A.B. Data is currently reviewing the submitted statements from the claimants.

6. If the late claims filed by David Kipe, Jerrod Burbank, Steve Rodems, Steven McKosky, Eric Chan, Michael Syme, Jakub Kornafel, Michael Camizzi, and Alex Lowen, and no other late claims received after July 30, 2025, were accepted the estimated recovery percentage for each Settlement Class Member would decrease to 59.67%.

JERROD BURBANK'S LATE CLAIM

7. On April 1, 2025, A.B. Data caused the Email Notice to be emailed to Jerrod Burbank using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

8. On August 8, 2025, A.B. Data received a Claim Form submitted by Mr. Burbank. Mr. Burbank listed his email address as the same email address used by A.B. Data to send the original Email Notice.

9. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Burbank. Mr. Burbank responded to this Untimely Claim Notice on October 13, 2025.

10. Mr. Burbank has \$65,518.86 in individual recognized loss.

STEVE RODEMS'S LATE CLAIM

11. On March 29, 2025, A.B. Data caused the Email Notice to be emailed to Steve Rodems using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

12. On August 11, 2025, A.B. Data received a Claim Form submitted by Mr. Rodems. A.B. Data sent the Email Notice to the email address provided by DraftKings and received a confirmation of successful delivery. The email address provided by Mr. Rodems when he filed his claim is different from the email address utilized by A.B. Data during the notice phase.

13. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Rodems. Mr. Rodems responded to this Untimely Claim Notice on October 13, 2025.

14. Mr. Rodems has \$52,501.78 in individual recognized loss.

STEVEN MCKOSKY'S LATE CLAIM

15. On March 31, 2025, A.B. Data caused the Email Notice to be emailed to Steven McKosky using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

16. On August 4, 2025, A.B. Data received a Claim Form submitted by Mr. McKosky. Mr. McKosky listed his email address as the same email address used by A.B. Data to send the original Email Notice.

17. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. McKosky. Mr. McKosky responded to this Untimely Claim Notice on October 19, 2025.

18. Mr. McKosky has \$22,293.33 in individual recognized loss.

ERIC CHAN'S LATE CLAIM

19. On March 31, 2025, A.B. Data caused the Email Notice to be emailed to Eric Chan using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

20. On August 11, 2025, A.B. Data received a Claim Form submitted by Mr. Chan. Mr. Chan listed his email address as the same email address used by A.B. Data to send the original Email Notice.

21. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Chan. Mr. Chan responded to this Untimely Claim Notice on October 14, 2025.

22. Mr. Chan has \$111,909.56 in individual recognized loss.

MICHAEL SYME'S LATE CLAIM

23. On March 28, 2025, A.B. Data caused the Email Notice to be emailed to Michael Syme using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

24. On July 31, 2025, A.B. Data received a Claim Form submitted by Mr. Syme. Mr. Syme listed his email address as the same email address used by A.B. Data to send the original Email Notice.

25. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Syme. Mr. Syme responded to this Untimely Claim Notice on October 24, 2025.

26. Mr. Syme has \$55,277.44 in individual recognized loss.

JAKUB KORNAFEL'S LATE CLAIM

27. On March 29, 2025, A.B. Data caused the Email Notice to be emailed to Jakub Kornafel using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

28. On August 13, 2025, A.B. Data received a Claim Form submitted by Mr. Kornafel. Mr. Kornafel listed his email address as the same email address used by A.B. Data to send the original Email Notice.

29. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Kornafel. Mr. Kornafel responded to this Untimely Claim Notice on October 15, 2025.

30. Mr. Kornafel has \$103,775.76 in individual recognized loss.

MICHAEL CAMIZZI'S LATE CLAIM

31. On March 28, 2025, A.B. Data caused the Email Notice to be emailed to Michael Camizzi using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

32. On August 8, 2025, A.B. Data received a Claim Form submitted by Mr. Camizzi. A.B. Data sent the Email Notice to the email address provided by DraftKings and received a confirmation of successful delivery. The email address provided by Mr. Camizzi when he filed his claim is different from the email address utilized by A.B. Data during the notice phase.

33. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Camizzi. Mr. Camizzi responded to this Untimely Claim Notice on October 21, 2025.

34. Mr. Camizzi has \$133,142.38 in individual recognized loss.

ALEX LOWEN'S LATE CLAIM

35. On March 29, 2025, A.B. Data caused the Email Notice to be emailed to Alex Lowen using the information provided by DraftKings pursuant to the Court's Preliminary Approval Order. A.B. Data has received a report from the email vendor confirming that this email was sent successfully without a notification of a bounce.

36. On August 11, 2025, A.B. Data received a Claim Form submitted by Mr. Lowen. Mr. Lowen listed his email address as the same email address used by A.B. Data to send the original Email Notice.

37. On October 7, 2025, A.B. Data mailed an Untimely Claim Notice to Mr. Lowen. Mr. Lowen responded to this Untimely Claim Notice on October 15, 2025.

38. Mr. Lowen has \$285,469.69 in individual recognized loss.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 6, 2025 in Milwaukee, Wisconsin.

/s/ Kathleen Brauns
Kathleen M. Brauns