

In Re Rechnitz Nursing Facilities
c/o CPT Group, Inc.
50 Corporate Park,
Irvine, CA 92606
1-888-498-1124

NOTE: ONLY COMPLETE AND RETURN THIS FORM IF THE SETTLEMENT CLASS MEMBER IS DECEASED. IF THIS FORM IS REQUIRED, MAIL IT WITH THE COMPLETED CLAIM FORM, POSTMARKED ON OR BEFORE April 20, 2024.

DECLARATION UNDER PROBATE CODE § 13100, ET. SEQ. AND CODE OF CIVIL PROCEDURE § 377.32

Name of Deceased Settlement Class Member: _____

I/we, _____,
hereby declare:

The following is set forth of my own personal knowledge, and if called upon to testify thereto, would do so competently.

1. _____ died on _____, 20__, in the County of _____, State of _____.

2. At least 40 days have elapsed since the death of the decedent, as shown by the attached copy of the decedent's death certificate.

If less than 40 days have elapsed since the death of the decedent, please contact the Settlement Administrator at _____.

3. Check one:

a. No proceeding is now being or has been conducted in California for the administration of the decedent's estate.

OR

b. A proceeding for the administration of the decedent's estate has been held and the decedent's personal representative appointed in that proceeding has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described below. The personal representative's written consent, and proof of the personal representative's appointment, must be attached to this affidavit.

OR

c. A proceeding for the administration of the decedent's estate has been held and the decedent's personal representative appointed in that proceeding is executing this affidavit. **Proof of the personal representative's appointment must be attached to this affidavit.**

4. The current gross fair market of the decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code, does not exceed one hundred sixty-six thousand two hundred fifty dollars (\$166,250). (To see what property is excluded, see the website at www.cptgroupcaseinfo.com/rechnitznursingsettlement.)

If the value of the Deceased Class Member's property exceeds \$166,250, please visit the website at www.cptgroupcaseinfo.com/rechnitznursingsettlement.

An explanation regarding the applicable California Probate Code sections can be found on the Claim Administrator Website at www.cptgroupcaseinfo.com/rechnitznursingsettlement.

5. The property to be transferred, delivered, or paid to the declarant under the provisions of California Probate Code section 13100 is the decedent's cash payment pursuant to the settlement in the class action lawsuit entitled JUDICIAL COUNCIL COORDINATED PROCEEDINGS: *In Re Rechnitz Nursing Facilities*; CASE NO. JCCP4988 [Lead Case No. BC711982].

6. The successor(s) of the decedent, as defined in Probate Code section 13006 (generally successors-in-interest are such people as the surviving spouse, children, parents or brothers and sisters; for a complete list, see the website at www.cptgroupcaseinfo.com/rechnitznursingsettlement is/are:

- a. _____
- b. _____
- c. _____

7. Check one:

a. The undersigned declarant is the successor of the decedent (as defined in Section 13006 of the California Probate Code, generally the spouse, children, parents or brothers and sisters) with respect to the decedent's interest in the above described property and is the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) with respect to the decedent's interest in the action or proceeding (To see who is a successor-in-interest, see the website at www.cptgroupcaseinfo.com/rechnitznursingsettlement.)

OR

b. The undersigned declarant is authorized under Section 13051 of the California Probate Code (generally, this is a guardian, conservator, trustee, custodian, personal representative, foreign personal representative, or attorney in fact) to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect to the decedent's interest in the above described property and is authorized to act on behalf of the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) with respect to the decedent's interest in the action or proceeding. (To see who is a guardian, conservator, trustee, custodian, foreign personal representative, or attorney in fact, see the website at www.cptgroupcaseinfo.com/rechnitznursingsettlement.)

8. No other person has a superior right to the interest of the decedent in the described property.

9. No other person has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action or proceeding.

10. The undersigned declarant requests that the described property be paid, delivered, or transferred to the declarant.

I/we declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature: _____

Date: _____