

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

DAVID B. KARR, individually and on behalf of)
others similarly situated,)

Plaintiff,)

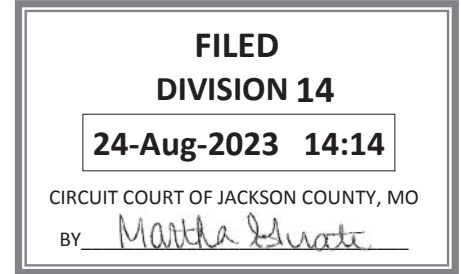
vs.)

KANSAS CITY LIFE INSURANCE)
COMPANY)

Defendant.)

Case No. 1916-CV26645

Division 14



FINAL JUDGMENT

This action by Plaintiff David B. Karr on behalf of the certified Class, as defined below pursuant to Mo. Sup. Ct. R. 52.08(c)(3) (collectively, “Plaintiffs”), came before the Court for a trial by jury.

IT IS ORDERED AND ADJUDGED that pursuant to the jury verdict rendered on December 9, 2022, the jury found as follows:

On Plaintiffs’ claim for breach of contract at Count I of the First Amended Petition against Defendant Kansas City Life Insurance Company, the jury found in favor of Plaintiffs.

On Plaintiffs’ claim for breach of contract at Count II of the First Amended Petition against Defendant Kansas City Life Insurance Company, the jury found in favor of Plaintiffs.

On Plaintiffs’ claim for breach of contract at Count III of the First Amended Petition against Defendant Kansas City Life Insurance Company, the jury found in favor of Plaintiffs.

The jury found damages of Plaintiffs to be \$28,362,830.96.

The Class is defined as:

All Missouri citizens who own or owned a Better Life Plan, Better Life Plan Qualified, LifeTrack, AGP, MGP, PGP, Chapter One, Classic, Rightrack (89), Performer (88), Performer (91), Prime Performer, Competitor (88), Competitor (91), Executive (88), Executive (91), Protector 50, LowerMax, Ultra 20 (93), Competitor II, Executive II, Performer II, or Ultra 20 (96) life insurance policy issued or administered by Defendant in the State of Missouri, or its predecessors in interest, that was active on or after January 1, 2002.

Excluded from the Class is Defendant, any entity in which Defendant has a controlling interest, any of the officers, directors, or employees of the Defendant, the legal representatives, heirs, successors, and assigns of the Defendant, anyone employed with Plaintiff's counsels' firms, any Judge to whom this case is assigned, and his or her immediate family. The Class also excludes the owners of sixty-eight (68) policies who timely requested exclusion from the Class as identified on the attached exclusion list.

IT IS FURTHER ORDERED AND ADJUDGED that the Class is entitled to post-judgment interest at the rate of nine percent per annum on the above damages award from this date of Final Judgment until satisfaction be made;

IT IS FURTHER ORDERED AND ADJUDGED that Class Counsel is awarded attorneys' fees equal to one-third of the \$28,362,830.96 judgment plus post-judgment interest at the time of distribution (the "Common Fund"), and reimbursement for expenses in the amount of \$351,231.84, less any amount taxed against Defendant, and that the Named Plaintiff and Class representative, David Karr, is awarded \$100,000 for his service on behalf of the Class, with each of these amounts to be paid from the Common Fund;

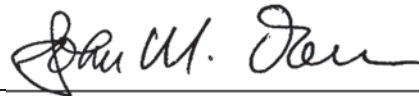
IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's proposed plan for allocating the damages and interest awards to the Class is hereby approved;

IT IS FURTHER ORDERED AND ADJUDGED that (1) the KCL Missouri UL COI Qualified Settlement Fund ("QSF") is established as a qualified settlement fund pursuant to Internal Revenue Code § 468B and Treasury Regulations § 1.468B-1 *et seq.* for the purpose of

collecting from KCL the Common Fund secured for the Class, and to distribute to each class member their share of the Common Fund, less a pro-rata reduction for the attorneys' fees and expenses awarded to Class Counsel and the service award to Mr. Karr, pursuant to the plan of allocation; and (2) that Analytics Consulting LLC is appointed as administrator of the QSF; and

IT IS FURTHER ORDERED AND ADJUDGED that all other claims, motions, or other prayers for relief are hereby dismissed, overruled, or denied, including KCL's Motion for Judgment Notwithstanding the Verdict, Motion for New Trial, Motion for Class Decertification, and Motion for Reconsideration of Summary Judgment Order.

Date: August 24, 2023



HONORABLE JOHN M. TORRENCE

Certificate of Service

This is to certify that a copy of the foregoing was automatically forwarded to the attorneys of record through the Court's eFiling system.



Law Clerk / Judicial Administrative Assistant, Division 14

Exclusion List

Excluded Policy Numbers

2213015
2214546
2245329
2249548
2263198
2279565
2284653
2302333
2305589
2309745
2315057
2323180
2350582
2350583
2350584
2352716
2358746
2358747
2359031
2363861
2379114
2401260
2405926
2418213
2427735
2431063
2431583
2433337
2441957
2443810
2444335
2451964
2452968
2453218
2477833
2479104
2492414
2495461
2498158
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2500492
2506549
2515433
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2534792
2539499
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2544131
2556742
2584214
2594474
2637952
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2662102
2665815
2670532
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2249297
2357946
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2631588