

UNITED STATES DISTRICT COURT FOR THE SOUTHRN DISTRICT OF OHIO

Peter Blasi Jr., et al. v. United Debt Services, LLC, et al.

Case No: 2:14-cv-0083

**If you received a mail solicitation from United Debt Services, LLC,
then you could get a payment from a class action settlement.**

A federal court authorized this Notice. This is not a solicitation from a lawyer.

- Defendant United Debt Services, LLC (“UDS”) has agreed to pay \$500,000.00 into a fund from which eligible persons who file claims will receive cash awards, estimated to be approximately \$15 - \$25 per claim.
- The Settlement partially resolves a lawsuit involving allegations that UDS used and/or obtained the consumer reports of Ohio citizens for impermissible target marketing purposes via prescreened marketing lists provided to UDS by AMG Lead Source from June 1, 2011 through June 30, 2014.
- Lawyers for the class (“Class Counsel”) will ask the Court for up to \$150,000 of the fund as fees as well as reimbursement for the out-of-pocket expenses they paid to investigate the facts litigate the case, and negotiate the Settlement.
- UDS denies all allegations of wrongdoing or liability in the lawsuit. As part of the proposed Settlement, UDS does not admit any wrongdoing or liability of any kind or nature whatsoever, and continues to deny the allegations against it.
- The two sides disagree on whether Plaintiffs and the class could have won at trial.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

QUESTIONS? CALL 1-833-759-2978 TOLL FREE OR VISIT
WWW.UNITEDDEBTCLASSSETTLEMENT.COM

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM FORM BY OCTOBER 15, 2019	This is the only way to receive a payment.
EXCLUDE YOURSELF BY OCTOBER 15, 2019	Get no payment. This is the only option that allows you to ever be part of any other lawsuit against UDS about the legal claims in this case.
OBJECT BY JULY 29, 2019	Write to the Court explaining why you do not like the Settlement.
ATTEND A HEARING ON AUGUST 28, 2019	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no payment. Give up your right to ever be part of any other lawsuit against UDS about the legal claims in this case.

BASIC INFORMATION

1. Why did I receive the Notice?

The purpose of this Notice is to let you know that a proposed settlement has been reached in the class action lawsuit entitled *Peter Blasi Jr., et al. v. United Debt Services, LLC, et al.*, Case No. 2:14-cv-0083. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully. This Notice summarizes the Settlement and your rights under it.

2. Why is this lawsuit a class action?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All of these people are a class, or class members. One court resolves the issues for all class members, except those who exclude themselves from the class.

Here, the Class Representative alleges that, on or after February 27, 2011, Defendants violated the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681 *et seq.* by obtaining and/or using the consumer reports

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of Ohio citizens for impermissible purposes. Specifically, the class representatives allege that UDS obtained and/or used the consumer reports of Ohio citizens for the impermissible purpose of targeted marketing via prescreened marketing lists provided to UDS by AMG Lead Source. The Class Representatives allege that UDS did not have the permission of the recipients to obtain and/or use their consumer reports, respectively.

The Court has certified a class for settlement purposes only (the “Settlement Class”). U.S. District Court Judge George C. Smith (the “Court”) is in charge of this class action.

UDS denied and continues to deny that it did anything wrong, and denied and continues to deny that this case would be certified as a class action in litigation.

THE SETTLEMENT

3. Did the Court decide in favor of the Plaintiffs or the Defendants?

The Court did not decide in favor of the Plaintiffs or UDS. Instead, both sides agreed to a settlement. That way, they avoid the cost, risks, and uncertainties of a trial, and the Settlement Class will get compensation. The Class Representatives and their attorneys think the Settlement is best for the Settlement Class.

WHO IS IN THE SETTLEMENT?

4. Who is included in the Settlement Class?

You are in the “Settlement Class” if, between June 1, 2011 through June 30, 2014, UDS obtained and used your consumer report for targeted marketing purposes via prescreened marketing lists provided by AMG Lead Source, and you received target marketing materials from UDS.

If you have questions about whether you are part of the Settlement Class, you may call 1-833-759-2978 or visit www.uniteddebtclasssettlement.com for more information.

THE SETTLEMENT BENEFITS – WHAT YOU GET

5. What does the Settlement provide?

UDS has agreed to pay \$500,000.00 to be divided among the members of the Settlement Class who send in a valid Claim Form after any fees, costs, service awards, and settlement administration expenses have been deducted.

UDS has also agreed, to the extent not already in place, that it will take remedial steps in an effort to comply with the FCRA’s requirements concerning the use of consumer reports for targeted marketing purposes via prescreened marketing lists.

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6. How much will I receive?

Your share of the Settlement will depend on the number of Claim Forms that members of the Settlement Class submit. Class Counsel estimate you will receive approximately \$15-25 per claim, but this is only an estimate.

HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

7. How do I get a payment?

To qualify for payment, you must submit a Claim Form by **October 15, 2019**. There are multiple ways to submit a Claim Form. A Claim Form was mailed to potential Class Members in the form of a postcard notice. Read the instructions on the postcard carefully, fill out the form, sign it, and mail it postmarked no later than **October 15, 2019**. You may also submit a Claim Form online by going to the Settlement Website at www.uniteddebtclasssettlement.com and following directions. You also may download a paper Claim Form on the Settlement Website or call the Claims Administrator at 1-833-759-2978. Claim Forms sent by mail must be postmarked by **October 15, 2019** and mailed to:

Blasi v. UDS Claims Administrator
c/o JND Legal Administration
P.O. Box 91068
Seattle, WA 98111

8. When will I receive a payment from the Settlement?

The Court will hold a hearing on **August 28, 2019** to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take time. Please be patient.

9. What do I give up by staying in the Settlement Class?

Unless you exclude yourself, you are staying in the Settlement Class and you will be a member of the Settlement Class. That means you cannot sue, continue to sue, or be part of any other lawsuit against UDS regarding the FCRA claim that is subject to the Settlement. If the Settlement is approved and becomes final and not subject to appeal, then you and all members of the Settlement Class release all “Released Claims” against all “Released Parties.” It also means that all of the Court’s orders will apply to you and legally bind you.

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The Settlement Agreement (available at www.uniteddebtclasssettlement.com) describes the claims you are releasing (the “Released Claims”) and against whom you are releasing claims (“Released Parties”) in detail, so please read it carefully. To summarize, the Release includes, but is not limited to, the claim that UDS impermissibly obtained and used the consumer reports of Ohio citizens for target marketing purposes via prescreened lists provided by AMG Lead Source, as well as all other claims based upon, relating to, or arising out of these general, alleged facts.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don’t want a payment from this Settlement, but you want to keep the right to sue or continue to sue UDS, then you must take steps to remove yourself from the Settlement Class. This is called excluding yourself—or is sometimes referred to as “opting out” of the Settlement Class.

10. How do I exclude myself from the Settlement Class?

To exclude yourself from the Settlement, you must send a letter saying that you want to be excluded from *Peter Blasi, Jr., et al. v. United Debt Services, LLC, et al.*, Case No. 2:14-cv-00083-JCS-TPK. You must sign the letter and include the following statement: “I request to be excluded from the Settlement in *Peter Blasi, Jr., et al. v. United Debt Services, LLC, et al.*, Case No. 2:14-cv-00083-JCS-TPK. Please be sure to include your name, address, telephone number, last four digits of your Social Security Number, and signature. You must mail your exclusion request postmarked no later than **October 15, 2019** to the following address:

Blasi v. UDS Claims Administrator
c/o JND Legal Administration
P.O. Box 91068
Seattle, WA 98111

You cannot exclude yourself on the phone or by fax or email. If you ask to be excluded, you will not get any payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue UDS in the future.

11. If I don’t exclude myself, can I sue UDS for the same thing later?

Unless you exclude yourself, you give up any right to sue UDS for the claims that this Settlement resolves. If you already have a lawsuit that may relate to the claims being released as part of this class Settlement, you should speak to your lawyer in that case immediately. You must exclude yourself from this Settlement Class to continue your own lawsuit. Remember, the exclusion deadline is **October 15, 2019**.

12. If I exclude myself, can I still submit a Claim Form and receive a payment?

If you exclude yourself, do not submit a Claim Form to ask for a payment.

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THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

The Court has appointed Kitrick, Lewis & Harris, Co. LPA, Luftman, Heck & Associates, LLP, the Law Office of Brian M. Garvine, LLC, and Robert J. Wagoner, Co., L.L.C. to represent you and other members of the Settlement Class. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will Class Counsel and the Class Representatives be paid?

Class Counsel will ask the Court to approve payment of up to \$150,000 to them for attorneys' fees. This amounts to 30% of the total \$500,000.00 fund. Class Counsel will also seek recovery of their actual expenses spent on the litigation in the amount not to exceed \$25,000. These payments would pay Class Counsel for investigating the facts, litigating the case, and negotiating the Settlement. Class Counsel also will request a service award of \$9,000 for the three named Plaintiffs to compensate them for their time and effort. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

15. How do I object to the Settlement?

If you are a member of the Settlement Class and you do not exclude yourself from the Settlement Class, you can object to the Settlement by providing the Court reasons why you think the Court should not approve the Settlement. The Court will consider your views. To object, you must send a letter saying that you object to *Peter Blasi, Jr., et al. v. United Debt Services, LLC, et al.*, Case No. 2:14-cv-00083-JCS-TPK. You must make your objection in writing and file it with the Court. The written objection must (a) contain information sufficient to allow the parties to confirm that you are a member of the Settlement Class, including your full name, address, telephone number, and signature; (b) include a statement of your specific objections, as well as any witness testimony and documents that you would like the Court to consider; and (c) the name and contact information of any attorney you intend to have assert your objection(s) before the Court. You must file the objection with the Court no later than **July 29, 2019**.

Peter Blasi, Jr., et al. v. United Debt Services, LLC, et al., Case No. 2:14-cv-00083-JCS-TPK
Office of the Clerk
U.S. District Court for the Southern District of Ohio
Joseph P. Kinneary U.S. Courthouse
85 Marconi Boulevard
Room 121
Columbus, OH 43215

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16. What is the difference between objecting and excluding?

Objecting simply means telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself from the Settlement Class is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FAIRNESS HEARING

17. When and where will the Court decide to approve the Settlement?

The Court will hold the Final Fairness Hearing at **2:00 p.m.** on **August 28, 2019**, before the Honorable George C. Smith at the U.S. District Court for the Southern District of Ohio, Joseph P. Kinneary U.S. Courthouse, 85 Marconi Boulevard, Courtroom 5, Columbus, Ohio 43215. The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees and expenses, and the incentive awards to the Class Representatives. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

Note: The date and time of the Fairness Hearing are subject to change by Court Order. Any changes will be posted at the Settlement website, www.uniteddebtclasssettlement.com.

18. Do I have to come to the hearing?

Class Counsel will answer any questions the Court may have. But you are welcome to come to the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as your written objection was filed or mailed on time, and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to.

19. Can I speak at the hearing?

If you do not exclude yourself from the Settlement Class, you may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement Agreement. If you filed an objection and intend to appear at the hearing, you must state your intention to do so in your objection. To speak, you must send a letter saying that it is your "Notice of Intention to Appear" in "*Peter Blasi, Jr., et al. v. United Debt Services, LLC, et al.*, Case No. 2:14-cv-00083-JCS-TPK." Be sure to include your name, address, telephone number, that you are a member of the Settlement Class, and your signature. Your Notice of

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Intention to Appear must be received at the address reflected above, no later than **July 29, 2019**. You cannot speak at the hearing if you exclude yourself.

IF YOU DO NOTHING

20. What happens if I do nothing?

If you do nothing, then you will not receive any money from the Settlement. If you do not exclude yourself from the Settlement, then you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against UDS concerning the allegation(s) and claim(s) released in this case.

GETTING MORE INFORMATION

21. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You may review the Settlement Agreement on the Settlement Website at www.uniteddebtclasssettlement.com. You can also get a copy of the Settlement Agreement by writing to any of the Court appointed Class Counsel.

22. How do I get more information?

You can call 1-833-759-2978 toll free; write to Blasi v. UDS Claims Administrator, c/o JND Legal Administration, P.O. Box 91068, Seattle, WA 98111; or visit the website at www.uniteddebtclasssettlement.com, where you will find answers to common questions about the Settlement, a Claim Form, plus other information to help you determine whether you are a member of the Settlement Class. You also may write to Class Counsel.

PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.

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