

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

DARRELL BRUCE,)	
)	2:05-CV-00243
PLAINTIFF,)	JUDGE PHILIP P. SIMON
)	
v.)	
)	MAGISTRATE JUDGE ANDREW P. RODOVICH
WELLS FARGO BANK, N.A.,)	
DEFENDANT.)	

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

To: All persons with addresses in Lake or Porter Counties, Indiana, to whom Wells Fargo Bank, N.A. sent or caused to be sent a solicitation in the same form as was received by Plaintiff Darrell Bruce, between June 20, 2003 and July 10, 2005, and did not receive credit in response thereto.

YOU MAY BE A "CLASS MEMBER" AND ENTITLED TO A \$200.00 CASH PAYMENT UNDER THE PROPOSED SETTLEMENT.

***PLEASE READ THIS NOTICE CAREFULLY.
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.
YOU MAY BENEFIT FROM READING THIS NOTICE.***

IN ORDER TO RECEIVE \$200.00 YOU MUST RETURN THE PROOF OF CLAIM FORM AT THE END OF THIS NOTICE. THE CLAIM FORM MUST BE POSTMARKED BY SEPTEMBER 20, 2007.

Class action litigation against Wells Fargo has been pending in the United States District Court for the Northern District of Indiana. The parties to that action have reached a proposed Settlement. The Court has previously certified a Class and has preliminary authorized the publication of this Notice to advise potential class members of the Settlement and their right to remain a class member and receive benefits thereunder.

DESCRIPTION OF THE LAWSUIT: Plaintiff's Complaint alleges in the Litigation that Wells Fargo violated the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* ("FCRA") by willfully obtaining, using, or causing to be obtained and used, consumer reports of Plaintiff and the Class without their written permission or a "permissible purpose" under the FCRA. Wells Fargo denies all of the claims and charges brought by the Plaintiff and deny that the Plaintiff or any other members of the Class were injured or entitled to any damages. However, the parties have now agreed to a Settlement, which will result in payments to all Class Members who do not exclude themselves from the Settlement and file a timely and valid claim form.

SUMMARY OF THE BENEFITS UNDER THE SETTLEMENT: Each class member who submits a properly completed claim form postmarked by September 20, 2007, shall be entitled to a cash payment of TWO HUNDRED DOLLARS (\$200.00) from Wells Fargo. Only class members who submit a claim form shall be entitled to receive the \$200.00 payment from Wells Fargo.

DESCRIPTION OF THE CLASS: The Class consists of all with addresses in Lake or Porter Counties, Indiana, to whom Wells Fargo Bank, N.A. sent or caused to be sent a solicitation in the same form as was received by Plaintiff Darrell Bruce, between June 20, 2003 and July 10, 2005, and did not receive credit in response thereto.

FAIRNESS HEARING: On October 18, 2007, at 1:00 p.m. the Honorable Philip P. Simon will hold a hearing at United States District Court for the Northern District of Indiana, Hammond Division, 5400 Federal Plaza, Hammond, Indiana, 46320 to determine among other things (1) whether the proposed Settlement of the case should be approved as fair, reasonable and adequate; (2) whether Class Members should be bound by the release set forth in the proposed Settlement Agreement; and, (3) whether Plaintiff's attorneys' application for an award of attorneys' fees and expenses should be approved. It is NOT necessary for you to appear at the hearing to consider whether the proposed settlement should be approved, although you have the right to do so.

WHAT TO DO IF YOU WISH TO REMAIN A CLASS MEMBER: If you wish to obtain the benefits of the Settlement, you must submit a claim form postmarked by September 20, 2007. As a Class Member, your interests will be represented by counsel for Plaintiff and the Class: Daniel A. Edelman, Edelman, Combs, Lattuner & Goodwin, LLC, 120 South LaSalle Street, Suite 1800, Chicago, Illinois 60603. Regardless of whether you submit a claim form, if you remain in the class you will release Wells Fargo from all claims you have against it regarding your receipt of a prescreened mailer.

HOW TO GET \$200.00: (A) Remain in the Class. If you fit the description above, and you have not requested exclusion from the Class, you will remain a Class Member. **(B) Submit a Claim Form.** If you are a member of the Class described above you will need to complete and mail a fully filled-out Claim Form, postmarked no later than September 20, 2007, by sending it to Bruce Claims Administrator, PO Box 11487, Birmingham, AL 35202-1487. The Claim Form is the final page of this mailing.

WHAT TO DO IF YOU WISH TO BE EXCLUDED FROM THE CLASS ACTION LAWSUIT OR OBJECT TO THE SETTLEMENT: If you do not wish to participate in the class action lawsuit and receive the benefits of the Settlement, you have the right to exclude yourself. If you exclude yourself from the Class, you have the right to bring your own claim against Wells Fargo at your own expense, or to do nothing at all. You need not state your reason for asking to be excluded from the class action lawsuit. If you wish to exclude yourself from the Class, you must mail a letter or postcard requesting exclusion stating: (i) your full name and address; (ii) contain your (or your attorney's) signature; (iii) state your intent to be excluded from the Settlement; and (iv) that "I/We wish to be excluded from the Bruce v. Wells Fargo Bank, N.A., postmarked on or before September 20, 2007 to:

Daniel A. Edelman (14567) EDELMAN, COMBS, LATTURNER & GOODWIN, LLC 120 S. LaSalle Street, 18th Floor Chicago, Illinois 60603 (312) 917-4504 (312) 419-0379 (FAX) info@edcombs.com www.edcombs.com (Counsel for Plaintiff and the Class)	Robert J. Emanuel Burke Warren MacKay and Serritella 330 N. Wabash Avenue Chicago, IL 60611 (312) 840-7000 (312) 840-7900 (fax) (Counsel for the Defendant)
---	---

If you want to remain in the class, but object to the terms of the settlement, you may forward your objection to class counsel at the above address and they will forward your objection to the Court. If you wish to object to the Settlement you must mail a letter or postcard objecting which states: (i) your full name and current address; (ii) your (or your attorney's) signature; (iii) state that the you object to the Settlement, in whole or in part; (iv) set forth a statement of the legal and factual basis for your objection; (v) provide copies of any documents that you wish to submit in support of your position and (vi) be postmarked on or before September 20, 2007, to the two addresses above.

ATTORNEYS' FEES AND COSTS: If the settlement is finally approved, Class counsel will request a total of \$75,000 as compensation for their services and reimbursement of expenses, payable by Wells Fargo.

PLAINTIFF'S RECOVERY: Subject to Court Approval, Wells Fargo will pay Darrell Bruce \$1,000 for a full release of his claims and in recognition of his services as class representative.

ADDITIONAL INFORMATION: This Notice is only a summary of the terms of the settlement and your rights. To review a copy of the Complaint or the actual Settlement Agreement, go to www.edcombs.com. If you would like additional information, you may also contact Class Counsel at (312) 917-4504 or info@edcombs.com. The pleadings and other records in this litigation may be examined and copied during regular office hours at the office of the Clerk's Office, United States District court for the Northern District of Indiana, 5400 Federal Plaza, Hammond, Indiana 46320. **Please do NOT call the Court, or Wells Fargo for information.**

By Order of the United States District Court for the Northern District of Indiana.

CLAIM FORM

RE: BRUCE v. WELLS FARGO BANK, N.A., No. 2:05-CV-00243

**IMPORTANT: THIS CLAIM FORM MUST BE POSTMARKED
ON OR BEFORE SEPTEMBER 20, 2007
AND MAILED TO THE FOLLOWING ADDRESS:**

**Bruce Claims Administrator
PO Box 11487
Birmingham, AL 35202-1487**

I wish to receive \$200.00:

Please print below your full name and current mailing address:

Full Name (First, Middle Initial, Last) (Jr., Sr., III, etc.)

Current Address (P.O. Box No., House No., Street Name)

City State Zip Code

Please print below any alternate or past mailing addresses you had between June 20, 2003 and July 10, 2005:

Address (P.O. Box No., House No., Street Name) City, State ZIP Code

Address (P.O. Box No., House No., Street Name) City, State ZIP Code

I submit this Claim Form under penalty of perjury and state that the information I have provided above is true and accurate to the best of my knowledge and belief. I wish to participate in the Settlement. I understand that I will be bound by all the terms of the settlement, which includes releasing Wells Fargo Bank, N.A. and affiliates for any claims I have related to this matter. I further understand that I am forfeiting my right to opt-out or object to the Settlement.

Signature (Required)