

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

If Hartweg, Turner, Wood & DeVary, P.C. sent you a collection letter that informed you of certain dispute procedures, you may benefit from this class action settlement.

The case is titled *Grady McGraw v. Allen L. DeVary and Hartweg, Turner, Wood & DeVary, P.C.* Case No. 1:15-cv-01877 (“Litigation”). A Federal Court authorized this notice. This is not a solicitation from a lawyer.

**THIS IS A NOTICE OF A SETTLEMENT OF A CLASS ACTION LAWSUIT.
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

DO NOTHING AND STAY IN THE CLASS TO RECEIVE A CHECK	By doing nothing, you will be bound by the terms of the settlement and any order the Court issues and you will be entitled to receive a settlement check from the settlement fund.
EXCLUDE YOURSELF	You will receive no benefits, but you will retain your legal claims against the Defendants.
OBJECT	Write to the Court explaining why you don’t like the settlement. You may also appear at the fairness hearing.
GO TO A HEARING	Ask to speak in Court about the fairness of the settlement.

1. Why did I get this notice?

You are receiving this notice because you were identified as a person to whom Allen L. DeVary (“DeVary”) and *Hartweg, Turner, Wood & DeVary, P.C.* (“Hartweg”) (together, “Defendants”) sent a collection letter similar to the collection letter received by the plaintiff in this case.

2. What is the lawsuit about?

This lawsuit claims that the Defendants sent a letter to collect a debt owned by the Defendants which did not clearly state how to dispute the debt identified in the letter and violated the Fair Debt Collection Practices Act, (“FDCPA”), 15 U.S.C. §1692 *et seq.*

QUESTIONS? CALL 312-739-4200 TO CONTACT CLASS COUNSEL’S OFFICE
Please Refer to Settlement #31017

3. Why is this a class action?

In a class action, one or more people called Class Representatives (in this case, Grady McGraw), sue on behalf of a group (or a “Class”) of people who have similar claims regarding the collection letters allegedly used by the Defendants in an attempt to collect a debt.

4. Why is there a settlement?

To avoid the cost, risk, and delay of litigation, the parties reached a settlement agreement as to Plaintiff’s and the Class’s claims in the Litigation.

5. How do I know if I am a part of the settlement?

According to the Defendants’ records, you are a class member.

YOUR BENEFITS UNDER THE SETTLEMENT

6. What can I get from the settlement?

If you do not timely exclude yourself from the settlement you will be entitled to a *pro rata* share of the Class Recovery. The Class Recovery will be \$7,000. If all 64 class members remain in the class, you will be entitled to a check in the amount of approximately \$109. No class member is eligible to receive more than one check or more than \$1,000.

7. When will I receive these benefits?

You will receive these benefits approximately 45-60 days after the Court enters a Final Approval Order. This estimation is premised on the assumption that no objections are received.

8. I want to be a part of the settlement and receive these benefits. What do I do?

Nothing. If you do not exclude yourself you will remain in the class and you will be entitled to a pro rata share of the Class Recovery.

9. What am I giving up to receive these benefits?

By staying in the class, all of the Court’s orders will apply to you, and you give Defendants a “release”. A release means you cannot sue or be part of any other lawsuit against Defendants about the claims or issues in the case. This description is general and does not cover the full release language. For a complete statement of all the contentions, proceedings and settlement terms in this case, you should consult the files relating to this lawsuit, which are available for

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your inspection at the Clerk of the United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, 20th Floor, Chicago, Illinois, 60604.

10. How much will the Class Representative receive?

Plaintiff McGraw will receive a payment which includes his damages for the claim asserted on behalf of the class and an incentive award for acting as class representative. The total payment to Plaintiff McGraw will be \$2,000, which is subject to the Court's Approval.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to receive the benefits of the settlement but you want to keep your legal claims against the Defendants, then you must take steps to exclude yourself from this settlement.

11. How do I get out of the settlement?

To exclude yourself from the settlement, you must send a letter by mail which states:

I hereby wish to exclude myself from the settlement in *Grady McGraw v. Allen L. DeVary and Hartweg, Turner, Wood & DeVary, P.C.*, Case No. 1:15-cv-01877 (N.D. Ill.)

Be sure to include your name, address, telephone number, and your signature. You must mail your exclusion request so that it is postmarked **no later than July 11, 2016**, to:

Cassandra P. Miller (31017)
20 S. Clark St., Suite 1500
Chicago, IL 60603

12. If I exclude myself, do I still receive benefits from this settlement?

No, you will not receive anything resulting from the settlement, but you will have the right to sue the Defendants over the claims raised in the Litigation, either on your own or as a part of a different lawsuit. If you exclude yourself, the time you have in which to file your own lawsuit (called the "statute of limitations") will begin to run again. You will have the same amount of time to file the suit that you had when this case was filed.

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THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

The Court has named the law firm of Edelman, Combs, Lattuner & Goodwin, LLC as Class Counsel. You will not be charged for these lawyers; however, they will receive a payment from the Defendants in an amount to be determined by and approved by the Court and as set forth below in Paragraph 14. If you want to be represented by your own lawyer, you may hire one at your own expense. If you choose to hire your own lawyer, he or she must file an appearance by **August 4, 2016**.

14. How will the lawyers be paid?

Class Counsel, Edelman, Combs, Lattuner & Goodwin, LLC, will petition the Court for an approval of reasonable attorney fees and costs incurred with respect to the Plaintiff and the Class' claims. Pending the Court's approval, Defendant will pay Class Counsel that amount which the Court deems reasonable, but not more than a total of \$22,500.00. This payment will be made in addition to the Class Recovery and will not reduce the amount that you or any other class member is entitled to receive from the settlement.

CLASS COUNSEL'S VIEWS ABOUT THE SETTLEMENT

15. Is this a fair settlement?

Class Counsel believes that this settlement is fair. The claims asserted on behalf of the class against the Defendants are under the FDCPA. The FDCPA is a federal statute which provides for both individual actions and class actions. In an individual action, the person bringing the suit may recover (i) any actual damages suffered; and (ii) statutory damages of between \$0 and \$1,000.00. (Plaintiff's complaint did not allege actual damages.) In a class action, the maximum possible recovery is (i) any actual damages suffered by the class members and (ii) the lesser of 1% of the Defendant's net worth or \$500,000.00. The Court, in its discretion, may award anything up to the maximum amount to a prevailing party. In either an individual or class action, the person bringing the suit can also recover attorneys' fees and the expenses of prosecuting the suit, if it is successful. Based upon the financial information that Defendants provided to Class Counsel and the nature of the claims alleged, Class Counsel believes this is a fair and reasonable settlement.

16. What are the Defendants' views of this settlement?

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As stated above, by settling this lawsuit, the Defendants are not admitting that they did anything wrong. Defendants expressly deny the claims asserted by the Plaintiff and deny all allegations of wrongdoing and liability.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the settlement or some part of it.

17. How do I tell the Court that I do not like the Settlement?

If you are a class member, you can object to the settlement. In order to object to the settlement or any part of the settlement, you must send a letter stating that you object and the reasons why you think the Court should not approve the settlement. You must include the name and number of the case: *Grady McGraw v. Allen L. DeVary and Hartweg, Turner, Wood & DeVary, P.C.*, Case No. 1:15-cv-01877 (N.D. Ill.), your name, address, telephone number, and your signature. If you are objecting to the settlement, you may also appear at the fairness hearing (explained below in answer to question no. 18). You must mail your objection so that it is postmarked no later than **July 11, 2016** to:

Clerk of the Court, United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, IL 60604

You must also send a copy of your objection to **these attorneys**:

Cassandra P. Miller (31017) Edelman, Combs, Lattuner & Goodwin, LLC 20 S. Clark St., Suite 1500 Chicago, IL 60603	Jason L. Santos Hinshaw & Culbertson LLP 222 N LaSalle St., Suite 300 Chicago, IL 60601
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THE FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. You may attend if you wish, but you are not required to do so.

18. Where and when is the fairness hearing?

The Court will hold a fairness hearing on **August 4, 2016 at 9:30 a.m.** in the courtroom of Judge Charles P. Kocoras, Room 2325 of the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, IL 60604. The purpose of the hearing will be for the Court to determine whether the proposed settlement is fair, reasonable, and adequate, and in the best interests of the class, and to determine the appropriate amount of compensation for Class Counsel. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement.

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YOU ARE **NOT** REQUIRED TO ATTEND THIS HEARING TO BENEFIT FROM THIS SETTLEMENT. The hearing may be postponed to a later date without notice.

GETTING MORE INFORMATION – CONTACT:

Cassandra P. Miller (31017)
Edelman, Combs, Lattuner & Goodwin, LLC
20 S. Clark St., Suite 1500
Chicago, IL 60603
(312) 917-4200
info@edcombs.com
www.edcombs.com

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