

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

*Lucille Simpson v. Safeguard Properties*  
Case No. 13-cv-02453, Judge Joan B. Gottschall

**NOTICE OF PENDENCY OF CLASS ACTION**

*PLEASE READ THIS NOTICE CAREFULLY.  
YOU HAVE RIGHTS RELATING TO A PENDING LAWSUIT.  
YOU MAY BENEFIT FROM READING THIS NOTICE.  
THIS IS NOT A LAWSUIT AGAINST YOU.*

To: **Class:** All natural persons with (a) Illinois addresses (b) on whose door defendant's agents placed a door hanger (c) on or after April 2, 2012 (d) on or before April 22, 2013 (e) to whom defendant's agents did not provide their identification as agents of Safeguard or any Fair Debt Collections Practices Act disclosures.

**WHY ARE YOU RECEIVING THIS NOTICE?**

You are a class member in a lawsuit filed against the defendants, Safeguard Properties because Safeguard Properties left a door hanger on your door which asked you to call your mortgage servicer about your mortgage debt.

**WHAT IS THIS LAWSUIT ABOUT?**

This lawsuit claims that defendants violated a federal law called the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA"). Plaintiff claims that defendant was attempting to collect a debt when it left the door hangers and it violated the FDCPA when it left the door hangers. The defendants deny they violated any laws and deny liability to Plaintiff and the class.

THE COURT HAS MADE NO FINDING OF LIABILITY AGAINST THE DEFENDANT and defendant denies any wrongdoing. Further, if the Court ultimately finds that there was no violation of the law or that the alleged violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid such error, the class members will receive nothing. At this time, this class-action and Notice has no impact on any collection activity, including litigation, defendants have taken against you, and such activity may be ongoing at this time.

If Plaintiff prevails, you may be entitled to recover statutory and actual damages under the FDCPA. Under the statute, an individual can recover: i) any actual damages suffered; ii) statutory damages from \$0-\$1,000; and iii) attorney's fees. In a class action, the class as a whole may recover up to \$500,000 or 1% of the defendant's net worth, whichever is less. Defendants estimate that there are approximately 2,644 members of the class.

**WHAT ARE YOUR OPTIONS?**

Judge Gottschall has determined that this case can proceed as a class action. However, the claim is disputed and defendants deny all liability. There is no guarantee that Plaintiff will prevail, or that Plaintiff and the class members will obtain a recovery.

As a member of the class you have the choice of remaining in or excluding yourself from the class. Please review your options below. Each choice has certain risks and consequences. You have the right to discuss your decision with Class Counsel or your own attorney.

**a) REMAIN IN THE CLASS**

You do not need to take any further action if you want to remain a member of the class. You will be represented by

the law firm that brought this action on behalf of the Plaintiff which has been designated as the Class Counsel by Judge Gottschall. These attorneys are:

Daniel A. Edelman  
Cathleen M. Combs  
James O. Latturner  
Emiliya Gumin Farbstein  
EDELMAN, COMBS, LATTURNER & GOODWIN, LLC  
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Chicago, IL 60603  
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[www.edcombs.com](http://www.edcombs.com) (website)

If you stay in the class, you will be bound by the result of the lawsuit, whether the result is favorable or unfavorable. This means, for example, if the judge enters a judgment against defendants, you might receive money from the lawsuit. On the other hand, if the judge finds no liability on the part of defendants, you would not receive any money.

**b) EXCLUDE YOURSELF FROM THE CLASS**

If you exclude yourself from the class, you: (i) will not be bound by any judgment or disposition of this case; (ii) will retain any claims you may have against defendants; and (iii) will not share in any recovery that may be awarded by the Court or obtained under any settlement with defendants.

If you elect to be excluded from the class, you may file an individual action or intervene in this action. You also have the right to file an appearance yourself or through an attorney. If you want your own lawyer to represent you in an individual case, the terms of such representation are for you and your lawyer to negotiate.

The statute of limitations, which stopped running on April 2, 2013, when this case was filed, will begin running again upon your filing of request for exclusion. You will have the same number of days to file suit as you had on April 2, 2013. Your request to exclude yourself must be postmarked by **December 20, 2016**, and sent to class counsel listed above.

**CORRECT ADDRESS**

If this Notice was sent to you at your current address, you do not have to do anything to receive any further notices concerning this case. If it was forwarded by the postal service, or if it was otherwise addressed to you at an address which is not current, you should immediately send a letter to Edelman, Combs, Latturner & Goodwin, LLC at the address listed above.

If the person to whom this notice was sent is deceased, kindly send a letter to the same lawyers with this information and include any supporting documentation.

**INQUIRIES**

Any questions you have concerning this notice should be directed to Edelman, Combs, Latturner & Goodwin, LLC. Please include the case name and number (“*Simpson v. Safeguard Properties*, Case No. 13-cv-02453, File 28050”), your name and your address on any letters, and not just on the envelope.

***DO NOT CONTACT THE COURT OR THE JUDGE REGARDING THIS NOTICE.***