

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
NOTICE OF PROPOSED CLASS ACTION SETTLEMENT:

DOLEMBA

v.

ILLINOIS FARMERS INSURANCE COMPANY and
JAMES V. LOMBARDI INSURANCE AGENCY, INC.

Case No. 15-CV-463

**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 WILL BE AFFECTED BY THE SETTLEMENT OF THIS LAWSUIT. PLEASE READ THIS NOTICE CAREFULLY. IT EXPLAINS THE LAWSUIT, THE SETTLEMENT, AND YOUR LEGAL RIGHTS.

WHAT IS THIS LAWSUIT ABOUT?

Scott Dolemba ("Plaintiff") sued *James V. Lombardi Agency, Inc. and Illinois Farmers Insurance Company* ("Defendants") alleging that Plaintiff received a prerecorded telemarketing call on his cellular phone in violation of the Telephone Consumer Protection Act ("TCPA") and the Illinois Consumer Fraud Act. Defendants deny these allegations, but agreed to settle to avoid the costs and uncertainties of litigation.

WHO IS INCLUDED IN THE SETTLEMENT?

Defendants' records show that your wireless phone number was on the list of wireless phone numbers of individuals and entities who may have received one or more calls by or on behalf of Defendants from January 19, 2011 through February 28, 2017 and may be included in the Settlement. Specifically, the Court certified a "Settlement Class" of: all persons or entities within the United States whose wireless phone number was placed on lists from which calls were made using an automatic telephone dialing system or an artificial or prerecorded voice to provide information about becoming a Farmers Insurance Agent through Lombardi Insurance Agency during the Class Period of January 19, 2011 through February 28, 2017.

THE PROPOSED SETTLEMENT

James V. Lombardi Agency, Inc. and Illinois Farmers Insurance Company will fund a \$175,000 Settlement Fund. Before making payments to Settlement Class members, the Settlement Fund will be used to pay notice and administrative expenses (in an amount not to exceed \$10,000), an incentive award to Plaintiff (an amount not to exceed \$7,500) and attorneys' fees and costs (an amount not to exceed \$58,333.33, which is 1/3 of the Settlement Fund). Each member of the Settlement Class who does not opt-out will receive an equal *pro rata* share of the Net Settlement Fund. Your share of the Settlement Fund depends on how many members of the Settlement Class decline to participate. This notice is being sent to approximately 1,323 members of the Settlement Class who were on the list of individuals and entities who may have received at least one call.

WHO REPRESENTS YOU

The Court appointed Daniel A. Edelman and Julie Clark of Edelman, Combs, Latturmer, & Goodwin, LLC as Class Counsel to represent the Settlement Class.

YOUR LEGAL RIGHTS AND OPTIONS

(1) Do Nothing and Receive a Payment in exchange for Release of your claim.

If you do nothing you will be bound by all the terms of the Settlement Agreement and assuming that the Court approves the Settlement, you will receive a share of the Net Settlement Fund. Your share is presently estimated to be \$75 but may increase depending upon the number, if any, of class members who seek to exclude themselves (or "opt-out") of the Settlement.

(2) Opt-Out / Exclude Yourself.

If you do not wish to participate in the Settlement you may exclude yourself from it by October 23, 2017 by sending (via US Mail) a letter to the Class Administrator, *Dolemba v Illinois Farmers* Class Administrator, Class-Settlement.com, PO Box 9009, Hicksville, NY 11802-9009. The Notice of Exclusion must state your name or your company's name, address, the cell phone number to which you believe the call was placed, the case name and number, and state that you wish to be excluded from the Settlement Class. If you exclude yourself from the Settlement, *you will not receive a payment and you will not release any claims* against James V. Lombardi Agency, Inc. and Illinois Farmers Insurance Company or the Released Parties.

(3) Object.

If you do not exclude yourself, you can file an objection, either on your own or through an attorney, explaining why you think the Court should not approve the settlement. The objection must contain the case name and number; your name and address; the cell phone number to which you believe the call was placed; a statement of your objection; an explanation of the legal and factual basis for the objection; and documentation, if any, to support your objection. The objection must be filed by November 14, 2017 with (1) the Clerk of the United States District Court, Northern District of Illinois at 219 S. Dearborn St., Chicago, IL 60604; and sent via first class U.S. Mail to (2) Edelman, Combs, Lattuner, & Goodwin, LLC (31810), 20 S. Clark St., Suite 1500, Chicago, IL 60603; (3) Randall Hack, Locke Lord LLP, 111 S. Wacker Dr., Chicago, IL 60606, and (4) David Cutler, Cutler & Hull, 70 W. Madison St., Suite 2101, Chicago, IL 60602.

WHAT AM I GIVING UP UNDER THE SETTLEMENT?

If the Settlement becomes final, you will be releasing James V. Lombardi Agency, Inc., Illinois Farmers Insurance Company and the Released Parties for any claims you may have relating in any way to any telephone calls made to your cellular phone using an automatic telephone dialing system or prerecorded message inviting you to learn about becoming a Farmers Insurance Agent through the James V. Lombardi Insurance Agency during the Class Period. The Released Claims are fully explained in the Settlement Agreement, available at www.edcombs.com and www.class-settlement.com.

FINAL APPROVAL HEARING

The Court has scheduled a Final Approval Hearing before Judge Durkin on November 28, 2017 in Courtroom 1438 of the United States District Court, Northern District of Illinois at 219 S. Dearborn St., Chicago, IL 60604. You or your attorney may attend this hearing if you desire and request to address the Court regarding any matters relating to this Settlement.

MORE INFORMATION

More information is available at www.edcombs.com and www.class-settlement.com. You may also inspect the pleadings and other papers that have been filed in this case at the office of the Clerk of the Court, United States District Court, Northern District of Illinois at 219 S. Dearborn St., Chicago, IL 60604. If you have questions about this notice or the proposed settlement, you may contact Class Counsel.

THE COURT AND THE DEFENDANT CANNOT PROVIDE INFORMATION.

PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO KEEP A CURRENT ADDRESS ON FILE WITH THE CLASS ADMINISTRATOR IN ORDER TO RECEIVE YOUR PAYMENT

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