

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

DOLEMBA

v.

FORA FINANCIAL, LLC and FORA FINANCIAL HOLDINGS, LLC
Case No. 16 C 10651

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 FOR INFORMATION ABOUT THE LAWSUIT, THE
SETTLEMENT, AND YOUR LEGAL RIGHTS.

WHAT IS THIS LAWSUIT ABOUT?

Scott Dolemba ("Plaintiff") sued Fora Financial, LLC and Fora Financial Holdings, LLC (collectively, "Defendants") alleging that Plaintiff received autodialed calls 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 cellular phone number was on the list of cellular phone numbers of individuals and entities who were called two or more times by or on behalf of Defendants after February 6, 2016, and may be included in the Settlement. Specifically, the Court certified a "Settlement Class" of: all persons, who on or after February 6, 2016, were called two or more times by or on behalf of Defendants Fora Financial, LLC and Fora Financial Holdings, LLC on their cell phones, using an automated dialer or a prerecorded or artificial voice.

THE PROPOSED SETTLEMENT

Defendants and their insurer, Certain Underwriters at Lloyd's of London, shall collectively create a \$500,000 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 \$89,000), an incentive award to Plaintiff (an amount not to exceed \$10,000) and attorneys' fees and costs (an amount not to exceed 1/3 of the Net Settlement Fund or no less than \$137,000). Settlement Class Counsel will file a Petition for Attorney's Fees by **FEBRUARY 23, 2018**. Each member of the Settlement Class who does not opt-out will receive an equal *pro rata* share of the Net Settlement Fund, per unique cell phone number and for each phone call that was placed by or on behalf of Defendants based on the information in Defendants' call records. Your share of the Settlement Fund depends on how many members of the Settlement Class submit valid claims and the number of calls represented by those claims. This notice is being sent to approximately 47,385 members of the Settlement Class who received two or more calls from Defendants.

WHO REPRESENTS YOU

The Court appointed Daniel A. Edelman and Heather Kolbus of Edelman, Combs, Lattuner, & Goodwin, LLC as Settlement Class Counsel to represent the Settlement Class.

YOUR LEGAL RIGHTS AND OPTIONS

(1) Remain a Member of the Settlement Class and Submit a Claim Form to Receive a Portion of the Settlement Fund.

In order to receive a payment under this settlement, you must fully complete and submit the Claim Form at the end of this notice in the manner indicated (see instructions on Claim Form) by **MARCH 26, 2018**. If you do not submit a fully completed Claim Form by the date indicated you will not receive payment, you will still remain a member of the Settlement Class and be bound by the terms of the Settlement Agreement. Under federal tax laws, if you receive a payment in excess of \$599.99, the person making the payment is required to obtain a form W-9 from you. It is a 1 page form that asks for basic identification information. If you are entitled to recover payment in excess of \$599.99, then you must also submit a completed W-9 form, which will be sent to you after the Final Approval Hearing. If you are entitled to recover payment in excess of \$599.99 and you do not submit a completed W-9 form, then the Settlement Class Administrator will deduct tax withholdings from the settlement payment.

(2) Opt-Out / Exclude Yourself.

If you do not wish to participate in the Settlement you may exclude yourself from it by **MARCH 26, 2018** by sending (via US Mail) a letter to Settlement Class Counsel at Edelman, Combs, Lattuner & Goodwin, LLC (33236), 20 S. Clark Street, Suite 1500, Chicago, IL 60603 and Defendants' Counsel, Lewis S. Wiener, Eversheds Sutherland (US) LLP, 700 Sixth Street NW, Washington, D.C. 20001. The Notice of Exclusion must state your name or your company's name, address, the cell phone number to which the call(s) were made, 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 Defendants 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 the call(s) were 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 **MARCH 26, 2018** 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 (33236), 20 S. Clark St., Suite 1500, Chicago, IL 60603; and (3) Lewis Wiener, Eversheds Sutherland (US) LLP, 700 Sixth Street NW, Suite 700, Washington, D.C. 20001.

(4) Do Nothing.

You are not required to take any action and may simply do nothing. If you do nothing, you will remain a member of the Settlement Class but you will not receive a cash recovery and will be bound by all the terms of the Settlement Agreement including but not limited to a release of any claim(s) you may have against the Defendants and Released Parties for any telephone calls made to your cellular telephone using an automatic telephone dialing systems or a prerecorded message or artificial voice.

WHAT AM I GIVING UP UNDER THE SETTLEMENT?

If the Settlement becomes final, you will be releasing Fora Financial, LLC and Fora Financial Holdings, LLC 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 or artificial voice providing information about Defendants' property, goods, or services. The Released Claims are fully explained in the Settlement Agreement, available at www.edcombs.com and www.class-settlement.com/forafinancial, or at the Clerk's Office, during regular business hours, U.S. District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, IL 60604.

FINAL APPROVAL HEARING

The Court has scheduled a Final Approval Hearing before Judge Wood on **MAY 15, 2018** at **10:00 a.m.** in Courtroom 1925 of the United States District Court, Northern District of Illinois at 219 S. Dearborn St., Chicago, IL 60604. You do not have to appear at this hearing. 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/forafinancial. 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 Settlement Class Counsel at (312) 917-4504. **DO NOT CONTACT THE COURT OR DEFENDANTS FOR INFORMATION.**

BY ORDER OF THE U.S. DISTRICT COURT, N.D. III.