

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHELLE PETREY, *on behalf of herself
and others similarly situated,*

Plaintiff,

v.

VISIONS FEDERAL CREDIT UNION,

Defendant.

Case No.: 3:20-CV-01147 (MAD/ML)

Judge MAE A. D'AGOSTINO

DECLARATION OF EDWARD DATTILO
REGARDING IMPLEMENTATION OF
NOTICE AND SETTLEMENT
ADMINISTRATION

**DECLARATION OF EDWARD DATTILO REGARDING
IMPLEMENTATION OF NOTICE AND SETTLEMENT ADMINISTRATION**

I, Edward Dattilo, hereby declare and state as follows.

1. I am a Project Manager employed by Epiq Class Action & Claims Solutions, Inc. (“Epiq”). I have more than 3 years of experience handling all aspects of settlement administrations. The statements of fact in this declaration are based on my personal knowledge and information provided to me by my colleagues in the ordinary course of business, and if called on to do so, I could and would testify competently thereto.

2. Epiq was appointed as the Settlement Administrator pursuant to the Court’s Order (the “Order”) dated December 6, 2022, and in accordance with the Settlement Agreement and Release dated July 5, 2022 (the “Agreement”).¹ I submit this Declaration in order to advise the Parties and the Court regarding the implementation of the Court-approved Notice Program, and to report on Epiq’s handling to date of the Settlement administration, in accordance with the Order and the Agreement.

¹ All capitalized terms not otherwise defined in this document shall have the same meanings ascribed to them in the Agreement.

3. Epiq was established in 1968 as a client services and data processing company. Epiq has administered bankruptcies since 1985 and settlements since 1993. Epiq has routinely developed and executed notice programs and administrations in a wide variety of mass action contexts including settlements of consumer, antitrust, products liability, and labor and employment class actions, settlements of mass tort litigation, Securities and Exchange Commission enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation. Epiq has administered more than 4,500 settlements, including some of the largest and most complex cases ever settled. Epiq's class action case administration services include administering notice requirements, designing direct-mail notices, implementing notice fulfillment services, coordinating with the United States Postal Service ("USPS"), developing and maintaining notice websites and dedicated telephone numbers with recorded information and/or live operators, processing exclusion requests, objections, claim forms and correspondence, maintaining class member databases, adjudicating claims, managing settlement funds, and calculating claim payments and distributions. As an experienced neutral third-party administrator working with settling parties, courts, and mass action participants, Epiq has handled hundreds of millions of notices, disseminated hundreds of millions of emails, handled millions of phone calls, processed tens of millions of claims, and distributed hundreds of billions in payments.

OVERVIEW OF ADMINISTRATION

4. Pursuant to the Agreement and Order, Epiq was appointed to provide, and did provide, the following administrative services for the benefit of Settlement Class Members, as they are defined in the Agreement:

- As appropriate, email an Email Notice to Class Members;

- As appropriate, mail a Postcard Notice to Class Members;
- As appropriate, mail a Long Form Notice to Class Members;
- Establish and maintain an official Settlement Website containing information about the *Petrey v Visions Federal Credit Union* Settlement;
- Establish and maintain an official toll-free number that Settlement Class Members may contact for additional information about the Settlement;
- Review and process requests for exclusion sent to or received by Epiq;
- Review and track objections sent to or received by Epiq;

CAFA NOTICE

5. On July 15, 2022, Epiq sent one CAFA Notice Package (“CAFA Notice”) at the direction of counsel for Visions Federal Credit Union as required by the federal Class Action Fairness Act of 2005 (CAFA), 28 U.S.C. § 1715. The CAFA Notice was sent via United Parcel Service (“UPS”) to the National Credit Union Administration. Details regarding the CAFA Notice mailing are provided in the *Declaration of Stephanie J. Fiereck, Esq. on Implementation of CAFA Notice*, dated July 27, 2022, which is included as **Exhibit A**.

DATA TRANSFER

6. On December 22, 2022, the Defendant provided Epiq with one electronic file containing potential Class Member records. The file contained 36,237 of names, addresses, and other relevant custom data for potential Class Members (“Class List”).

7. Epiq loaded the information provided by Defendant into a database created for the purpose of administration of the proposed Settlement. Epiq assigned unique identifiers to all the records it received in order to maintain the ability to track them throughout the Settlement administration process.

DISSEMINATION OF INDIVIDUAL CLASS NOTICE VIA EMAIL

8. Pursuant to Section VII of the Agreement, Epiq was to cause the Court-approved Email Notice to be formatted for electronic distribution by email to Class Members for whom an email address was included in the Class Data. Attached hereto as **Exhibit B** is a template of the Court-approved Email Notice that Epiq electronically disseminated to Class Member for whom an email address was provided in the Class Data (“Email Notice”). The Email Notice contained substantial, albeit easy to read, information that made potential Class Members aware of their rights under the Settlement and provided instructions on how to obtain more information by visiting the Settlement website or toll-free number.

9. The Email Notice, which was formatted for distribution using imbedded html text, provided Class Members with a link to the Settlement website. The Email Notice was formatted with easy to read text without graphics, tables, images and other elements that would increase the likelihood that the message could be blocked by Internet Service Providers and/or SPAM filters. Epiq also followed standard email protocols, including utilizing “unsubscribe” links and Epiq’s contact information in the Email Notice.

10. Epiq sent the Email Notice to the 34,164 potentially valid email addresses on January 5, 2023. Each Email Notice was transmitted with a unique message identifier. If the receiving e-mail server could not deliver the message, a “bounce code” was returned along with the unique message identifier.

11. For all Class Members with potentially valid email addresses in the Class Data, Epiq closely monitored all deliverability attempts of the Email Notice throughout the Email Notice campaign. A total of 27,326 Email Notices were delivered. Amongst the 6,838 Email Notices that could not be delivered, 3,470 of them were undeliverable because the email address no longer

existed, the email account was closed, or the email address had a bad domain name or address error (collectively, "Hard Bouncebacks"). After three attempts, the remaining 3,368 Email Notices could not be delivered due to an inactive or disabled account, the recipient's mailbox was full, technical auto-replies, or the recipient server was busy or unable to deliver (collectively, "Soft Bouncebacks"). Ultimately, Epiq was able to deliver direct Email Notice to 79.98% of the email addresses provided in the Class Data.

12. Pursuant to Section VII of the Agreement, on February 3, 2023, Epiq will send the Postcard Notice to each of the email addresses that "bounced" back as undeliverable in the email campaign effort, and had a valid physical mailing address on file.

DISSEMINATION OF THE INDIVIDUAL CLASS NOTICE BY POSTAL MAIL

13. Pursuant to Section VII of the Agreement, Epiq was responsible for sending the Postcard Notice to all potential Class Members via U.S. First Class Mail that did not have a valid email address. Attached hereto as **Exhibit C** is the Postcard Notice that Epiq disseminated by mail.

14. Prior to mailing the Postcard Notice to the Class List, all mailing addresses were checked against the National Change of Address ("NCOA") database maintained by the United States Postal Service ("USPS").² In addition, the addresses were processed via the Coding Accuracy Support System ("CASS") to ensure the quality of the zip code, and verified through Delivery Point Validation ("DPV") to verify the accuracy of the addresses. To the extent that any Class Member had filed a USPS change of address request, and the address was certified and verified, the current address listed in the NCOA database was used in connection with the Notice mailing. This address updating process is standard for the industry and for the majority of

² The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person's name and last known address.

promotional mailings that occur today. A total of 2,525 records in the Class List sent through the USPS NCOA, CASS, and DPV process were updated with new addresses.

15. Prior to commencing any mailings for this matter, Epiq established a post office box to mail notice from and to allow Class Members to contact the Settlement Administrator or submit documents by mail. Epiq has and will continue to maintain the P.O. Box throughout the administration process.

16. On January 5, 2023, Epiq mailed 2,072 Postcard Notices via First Class USPS Mail to potential Class Members on the Class List with a valid mailing address who did not have a valid email address. In addition, a Long Form Notice has been mailed via First Class U.S. Mail to all persons who submitted a request for one. As of January 31, 2023, two Long Form Notices have been mailed as a result of such requests.

17. The return address on the Postcard Notices is the post office box maintained by Epiq. As of January 31, 2023, eight Notices have been returned by the USPS with forwarding information and promptly re-mailed to the forwarding address.

18. As of January 31, 2023, a total of 237 Postcard Notices have been returned to Epiq without forwarding address information. As a result of skip trace searches performed by Epiq using a third-party lookup service, a total of 156 addresses were updated and 131 Postcard Notices were re-mailed to the updated addresses. Address updating and re-mailing for undeliverable Postcard Notices is ongoing and will continue through February 19, 2023.

19. As of January 31, 2023, Epiq has mailed and emailed Notices to 36,236 Class Members, with Notice to 228 unique Class Members currently known to be undeliverable, which is a 99.37% deliverable rate to 99.36% of the Class.

SETTLEMENT WEBSITE

20. Pursuant to Section VI of the Agreement, on January 4, 2023, Epiq launched a website, www.bankfeesclassaction.com, that potential Class Members could visit to obtain additional information about the Settlement, as well as important documents, including the Long Form Notice, Settlement Agreement, and Order (“Website”). The Website contains a summary of options available to Class Members, deadlines to act, and provides answers to frequently asked questions. References to the Website were prominently displayed in the Email Notice, Postcard Notice, and Long Form Notice.

21. As of January 31, 2023, the Website has been visited by 175 unique visitors and 285 website pages have been viewed. Epiq has maintained and will continue to maintain and update the Website throughout the administration of the Settlement.

TOLL-FREE INFORMATION LINE

22. Pursuant to Section VI of the Agreement, on January 4, 2023, Epiq established and is maintaining a toll-free interactive Voice Response Unit (“VRU”), telephone number, to provide information and accommodate inquiries from Class Members. Callers hear an introductory message and then are provided with scripted information about the Settlement in the form of recorded answers to frequently asked questions. Callers also have the option of requesting a Long Form Notice by mail. The toll-free number was included in the Email and Postcard Notices sent to Class Members and the automated telephone system is available 24 hours per day, 7 days per week.

23. As of January 31, 2023, the toll-free number has received 54 calls representing 113 total minutes. Epiq has and will continue to maintain and update the VRU throughout the Settlement administration process.

REQUESTS FOR EXCLUSION

24. Pursuant to Section 11 of the Order, Class Members who wished to be excluded from the Settlement were required to mail a written Opt Out requests to Epiq postmarked on or before February 19, 2023. As of January 31, 2023, Epiq has not received any requests for exclusion.

OBJECTIONS RECEIVED

25. Pursuant to Section 11 or the Order, Class Members who wished to object to the Settlement were required to submit written objections to the Clerk of the Court, Counsel for the Defendant, Class Counsel, and Epiq, such that they were postmarked on or before the objection deadline of February 19, 2023. As of January 31, 2023, Epiq is not aware of any objections.

I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct and that this declaration was executed on February 2, 2023, in Louisville, Kentucky.

Edward Dattilo

Edward Dattilo
Project Manager
Epiq Class Action & Claims Solutions, Inc. (“Epiq”)

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHELLE PETREY, on behalf of herself)	
and all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:20-CV-1147-MAD-ML
)	
VISIONS FEDERAL CREDIT UNION,)	District Judge Mae A. D’Agostino
)	
Defendant.)	

DECLARATION OF STEPHANIE J. FIERECK, ESQ. ON IMPLEMENTATION OF CAFA NOTICE

I, STEPHANIE J. FIERECK, ESQ., hereby declare and state as follows:

1. My name is Stephanie J. Fiereck, Esq. I am over the age of 21 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.
2. I am the Director of Legal Noticing for Epiq Class Action & Claims Solutions, Inc. (“Epiq”). I have overseen and handled Class Action Fairness Act (“CAFA”)¹ notice mailings for more than 375 class action settlements.
3. Epiq is a firm with more than 25 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service (“USPS”), claims database management, claim adjudication, funds management, and distribution services.
4. This Declaration will describe the CAFA notice efforts undertaken here for the Settlement in *Petrey v. Visions Federal Credit Union*, 3:20-CV-1147-MAD-ML in the United States District Court for the Northern District of New York.
5. The facts in this Declaration are based on what I personally know, as well as

¹ Class Action Fairness Act, codified at 28 U.S.C. § 1715.

information provided to me in the ordinary course of my business and by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

6. At the direction of counsel for Visions Federal Credit Union, one official - the National Credit Union Administration was identified to receive CAFA notice.

7. Prior to mailing to the National Credit Union Administration, the address was verified, then run through the Coding Accuracy Support System (“CASS”) maintained by the USPS.²

8. On July 15, 2022, Epiq sent one CAFA Notice Package (“Notice”) via United Parcel Service (“UPS”) to the National Credit Union Administration. The CAFA Notice Service List is included as **Attachment 1**.

9. The materials sent to the National Credit Union Administration included a Cover Letter, which provided notice of the proposed Settlement of the above-captioned case. The Cover Letter is included as **Attachment 2**.

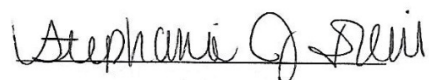
10. The cover letter was accompanied by a CD, which included the following:

- a. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:** Class Action Complaint and Amended Class Action Complaint.
- b. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:** The Forms of Notice were provided as Exhibit 1 (Email and Postcard Notice) and Exhibit 2 (Long Form Notice) to the Settlement Agreement and Release.
- c. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** In addition to the Settlement Agreement and Release, the following supporting documents were included:
 - Unopposed Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement; and

² CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

- Declaration of Jeffrey D. Kalief in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement (with Exhibits).
- d. **Per 28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** A reasonable estimate of the number of Settlement Class Members and an estimate of the proportionate share of the claims of such members to the entire Settlement was provided in the Class Member Geographic Location Report.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 27, 2022.



Stephanie J. Fiereck, Esq.

Attachment 1

UPS

Company	FullName	Address1	Address2	City	State	Zip
National Credit Union Administration	Todd M. Harper	1775 Duke Street		Alexandria	VA	22314

Attachment 2

CAFA NOTICE ADMINISTRATOR

HILSOFT NOTIFICATIONS
10300 SW Allen Blvd
Beaverton, OR 97005
P 503-350-5800
DL-CAFA@epiqglobal.com

July 15, 2022

VIA UPS OR USPS CERTIFIED MAIL

Class Action Fairness Act – Notice to Federal and State Officials

Dear Federal and State Officials:

Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), codified at 28 U.S.C. § 1715, please find enclosed information from Defendant Visions Federal Credit Union relating to the proposed settlement of a class action lawsuit.

- **Case:** *Michelle Petrey v. Visions Federal Credit Union*, Case No. 3:20-cv-1147-MAD-ML.
- **Court:** United States District Court for the Northern District of New York.
- **Defendant:** Visions Federal Credit Union.
- **Documents Enclosed:** In accordance with the requirements of 28 U.S.C. § 1715, please find copies of the following documents associated with this action on the enclosed CD:
 1. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:** Class Action Complaint and Amended Class Action Complaint.
 2. **Per 28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** The Court has not scheduled a preliminary approval hearing or a final approval hearing or any other judicial hearing concerning the settlement agreement at this time.
 3. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:** The Forms of Notice are available as Exhibit 1 (Email and Postcard Notice) and Exhibit 2 (Long Form Notice) to the Settlement Agreement and Release.
 4. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** In addition to the Settlement Agreement and Release, the following supporting documents are included:
 - Unopposed Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement; and
 - Declaration of Jeffrey D. Kalief in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement (with Exhibits).
 5. **Per 28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** There is no other Settlement or Agreement.
 6. **Per 28 U.S.C. § 1715(b)(6) – Final Judgment or Notice of Dismissal:** To date, the Court has not issued a final order, judgment or dismissal in the above-referenced action.

CAFA NOTICE ADMINISTRATOR

HILSOFT NOTIFICATIONS
10300 SW Allen Blvd
Beaverton, OR 97005
P 503-350-5800
DL-CAFA@epiqglobal.com

7. **Per 28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** As of the date of this CAFA Notice, the Defendant cannot feasibly determine the names of individual Settlement Class Members who reside in each state. A reasonable estimate of the number of Settlement Class Members and an estimate of the proportionate share of the claims of such members to the entire settlement is provided in the Class Member Geographic Location Report.
8. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** To date, the Court has not issued a final order or judgment in the above-referenced action.

If you have questions or concerns about this notice or the enclosed materials, please contact this office.

Very truly yours,

CAFA Notice Administrator

Enclosures

Exhibit B

To: Chris Cordial <christopher.cordial@epiqglobal.com>
From: Petrey v Visions Federal Credit Union Settlement Administrator
From Email: noreply@bankfeesclassaction.com
Subject: Important Notice About a Class Action Settlement
Preheader:

Petrey v. Visions Federal Credit Union

**NOTICE OF PENDING CLASS ACTION AND PROPOSED SETTLEMENT
READ THIS EMAIL NOTICE FULLY AND CAREFULLY; THE PROPOSED
SETTLEMENT MAY AFFECT YOUR RIGHTS!
IF YOU HAVE OR HAD AN ACCOUNT WITH VISIONS FEDERAL CREDIT
UNION AND YOU WERE CHARGED CERTAIN OVERDRAFT OR NSF
FEES BETWEEN SEPTEMBER 21, 2014, AND APRIL 30, 2022, THEN YOU
MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION
SETTLEMENT AND/OR FORGIVENESS OF CERTAIN UNCOLLECTED
FEES.**

The United States District Court for the Northern District of New York has authorized this Email Notice; it is not a solicitation from a lawyer.

You may be a member of the Settlement Class in *Michelle Petrey v. Visions Federal Credit Union*, in which the plaintiff alleges that defendant Visions Federal Credit Union (“Defendant”) unlawfully assessed certain Relevant Fees between September 21, 2014, and April 30, 2022. If you are a member of the Settlement Class and if the Settlement is approved, you may be entitled to receive a cash payment from the \$1,770,000.00 Settlement Fund established by the Settlement. If you are a member of one or both of the Settlement Classes, you will receive a payment from the Settlement Fund so long as you do not opt out of or exclude yourself from the Settlement. **You do not have to do anything to be entitled to a payment from the Settlement Fund.**

The Court has preliminarily approved this Settlement. It will hold a Final Approval Hearing in this case on **March 30, 2023**. At that hearing, the Court will consider whether to grant Final Approval to the Settlement, and whether to approve payment from the Settlement Fund of up to \$5,000.00 in a Service Award to the Class Representative, up to 33.33% of the Settlement Fund as attorneys’ fees, and reimbursement of costs to the attorneys and the Settlement Administrator. If the Court grants Final Approval of the Settlement and you do not request to be excluded from the Settlement, you will release your right to bring any claim covered by the Settlement. In exchange, Defendant has agreed to issue a credit to your Account, a cash payment to you if you are no longer a member, and/or to forgive certain Relevant Fees.

To obtain a Long-Form Notice and other important documents, please visit www.BankFeesClassAction.com. Alternatively, you may call 1-855-953-5753.

*If you do not want to participate in this Settlement—you do not want to receive a cash payment and you do not want to be bound by any judgment entered in this case—you may exclude yourself by submitting an opt-out request postmarked no later than **February 19, 2023**. If you want to object to this*

*Settlement because you think it is not fair, adequate, or reasonable, you may object by submitting an objection postmarked no later than **February 19, 2023**. You may learn more about the opt-out and objection procedures by visiting www.BankFeesClassAction.com or by calling 1-855-953-5753.*

AI004_v02

You are subscribed to this email as christopher.cordial@epiqglobal.com.

Click here to modify your [preferences](#) or [unsubscribe](#).



Exhibit C

Petrey v. Visions FCU
Settlement Administrator
PO Box 4254
Portland, OR 97208-4254

**BARCODE
NO-PRINT
ZONE**

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
Portland, OR
PERMIT NO. 2882

Petrey v. Visions Federal Credit Union

**NOTICE OF PENDING CLASS ACTION
AND PROPOSED SETTLEMENT**

**READ THIS NOTICE FULLY AND
CAREFULLY; THE PROPOSED
SETTLEMENT MAY AFFECT
YOUR RIGHTS!**

**IF YOU HAVE OR HAD AN ACCOUNT
WITH VISIONS FEDERAL CREDIT
UNION AND YOU WERE CHARGED
CERTAIN OVERDRAFT OR NSF FEES
BETWEEN SEPTEMBER 21, 2014, AND
APRIL 30, 2022, THEN YOU MAY BE
ENTITLED TO A PAYMENT FROM A
CLASS ACTION SETTLEMENT
AND/OR FORGIVENESS OF CERTAIN
UNCOLLECTED FEES.**

<<MAIL ID>>
<<NAME 1>>
<<NAME 2>>
<<ADDRESS LINE 1>>
<<ADDRESS LINE 2>>
<<ADDRESS LINE 3>>
<<ADDRESS LINE 4>>
<<ADDRESS LINE 5>>
<<CITY, STATE ZIP>>
<<COUNTRY>>

Barcode No-Print Zone

The United States District Court for the Northern District of New York has authorized this Notice, it is not a solicitation from a lawyer.

You may be a member of the Settlement Class in *Michelle Petrey v. Visions Federal Credit Union*, in which the plaintiff alleges that defendant Visions Federal Credit Union (“Defendant”) unlawfully assessed certain Relevant Fees between September 21, 2014, and April 30, 2022. If you are a member of the Settlement Class and if the Settlement is approved, you may be entitled to receive a cash payment from the \$1,770,000.00 Settlement Fund established by the Settlement. If you are a member of one or both of the Settlement Classes, you will receive a payment from the Settlement Fund so long as you do not opt out of or exclude yourself from the Settlement. **You do not have to do anything to be entitled to a payment from the Settlement Fund.**

The Court has preliminarily approved this Settlement. It will hold a Final Approval Hearing in this case on **March 30, 2023**. At that hearing, the Court will consider whether to grant Final Approval to the Settlement, and whether to approve payment from the Settlement Fund of up to \$5,000.00 in a Service Award to the Class Representative, up to 33.33% of the Settlement Fund as attorneys’ fees, and reimbursement of costs to the attorneys and the Settlement Administrator. If the Court grants Final Approval of the Settlement and you do not request to be excluded from the Settlement, you will release your right to bring any claim covered by the Settlement. In exchange, Defendant has agreed to issue a credit to your Account, a cash payment to you if you are no longer a member, and/or to forgive certain Relevant Fees.

To obtain a Long-Form Notice and other important documents, please visit www.BankFeesClassAction.com. Alternatively, you may call 1-855-953-5753.

*If you do not want to participate in this Settlement—you do not want to receive a cash payment and you do not want to be bound by any judgment entered in this case—you may exclude yourself by submitting an opt-out request postmarked no later than **February 19, 2023**. If you want to object to this Settlement because you think it is not fair, adequate, or reasonable, you may object by submitting an objection postmarked no later than **February 19, 2023**. You may learn more about the opt-out and objection procedures by visiting www.BankFeesClassAction.com or by calling 1-855-953-5753.*