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SUPERIOR COURT IN AND FOR THE COUNTY OF SAN DIEGO

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

IF YOU PAID MONEY IN RESPONSE TO ONE OR MORE DEMAND LETTERS SENT BY THE LAW FIRM OF LINEBARGER GOGGAN BLAIR & SAMPSON, LLP, WHERE THE MONEY WAS PAID TO EXTINGUISH A DEBT OWED BY YOU TO A CLIENT OF LINEBARGER AND LINEBARGER RECEIVED A FEE FOR THE COLLECTION OF THAT DEBT, THIS NOTICE CONTAINS IMPORTANT INFORMATION THAT MAY AFFECT YOU

-PLEASE READ IT CAREFULLY-

The Court Ordered this Notice - It is Not from a Lawyer, and You are Not being Sued

This Notice summarizes the terms of a proposed Class Action settlement. This Notice also describes what you can do to object to the proposed settlement or to request exclusion from the class. If you wish to remain in the class, be bound by the settlement and receive the benefits of the settlement, you are not required to contact the court or the attorneys.

Basic Information - This Action

On March 6, 2017, a lawsuit entitled *Edmund Hoy, et. al. v. John Clinnin, et. al.*, was filed in the San Diego Superior Court, Case No. 37-2017-00007840-CU-BT-NC. By stipulation and order of the Court, the title of the case is now *Edmund Hoy, et. al. v Linebarger Goggan Blair & Sampson, LLP*. The Complaint alleges that Linebarger, a Texas-based law firm that assists clients with collecting debts owed to them, had improperly sent letters into California seeking payment of these debts.

These debts may include most any sort of debt owing to a governmental entity, from unpaid taxes, tolls or fines to fees for services rendered (for example, court costs or fees for services at a public hospital). Linebarger denied the material allegations of the Complaint.

The court in charge of the lawsuit is the San Diego Superior Court, North County Division. Although no determination has been made about merits of this Action, Linebarger is willing to enter into this settlement to end further litigation. The settlement is a compromise.

The Action is called a "Class Action," because the Plaintiff is a Class Representative suing on behalf of other people with similar claims, called "Class Members." The trial court already has agreed to treat the Action as a Class Action.

Who Is A Settlement Class Member?

Under the order of the Court granting class certification, you are a Class Member if, between September 16, 2013 and April 15, 2019, you paid money in response to one or more demand letters sent by the law firm of Linebarger Goggan Blair & Sampson, LLP, where the money was paid to extinguish a debt owed by you to a client of Linebarger, and Linebarger received a fee for the collection of that debt.

The Settlement Benefits - What You Will Get

If the settlement is approved by the Court, all Class Members who file a claim may receive cash refunds, as described below. If the settlement is not approved by the Court, Class Members will not get any benefits of the settlement and the parties will go back to Court for a trial on the merits of the Action. The parties have made their best efforts to negotiate a settlement that is fair and reasonable under the circumstances.

After diligent investigation of its records, Linebarger Goggan Blair & Sampson, LLP affirms that there are 148,895 Class Members. As part of this settlement, Linebarger Goggan Blair & Sampson, LLP agrees to conduct its debt collection practices, pursuant to the Settlement Agreement, in accordance with California law.

Cash Refunds; If you are a Class Member who paid money in response to one or more demand letters sent by the law firm of Linebarger Goggan Blair & Sampson, LLP, where the money was paid to extinguish a debt owed by you to a client of Linebarger, and Linebarger received a fee for the collection of that debt, you will be sent a check refund of 23.32% of the amount you actually paid Linebarger Goggan Blair & Sampson, LLP.

Attorneys' Fees and Award to Class Representative; Counsel for the class will receive attorneys' fees and costs in an amount not to exceed \$2,500,000.00 subject to approval by the Court at the final Approval Hearing referred to below. The fees and costs will be paid by Linebarger Goggan Blair & Sampson, LLP and will not diminish your benefits under the settlement. In addition, the Class Representative Plaintiff, Edmund Hoy, will request an award of \$2,500.00 to be approved by the Court at the Final Approval Hearing referenced below. Attorneys' fees and costs as well as the incentive awards will be paid by Linebarger Goggan Blair & Sampson, LLP.

Potential Tax Consequences

Any benefits you receive may or may not be the subject of state or federal taxation, depending on your circumstances. Counsel for the parties in this lawsuit are not tax attorneys and you are advised to seek separate legal advice on matters of taxation.

The Settlement Release - What You Will Give Up

In exchange for the benefits described herein, every Class Member gives Linebarger Goggan Blair & Sampson, LLP a Release and agrees to be bound by all court orders in the Action. You will be bound by the terms of the settlement, once it is final. A release means you can't sue or be part of any other lawsuit against Linebarger Goggan Blair & Sampson, LLP about the claims or issues in *this* Action ever again. For more information about the terms of the Release, you may consult the Settlement Agreement, which is on file with the Court, and can be viewed as explained below.

Your Rights - Exclusion

As a Class Member, you are included in the settlement, unless you request to be excluded. If you remain in the Class and this settlement is approved by the Court, you will receive the non-monetary benefits described above, and if you paid all or part of a debt, you may be entitled to receive the monetary benefits. You can exclude yourself or “opt out.”

If you exclude yourself, you will not receive any benefits of the settlement, but you will not be bound by any judgment or release in this Action and will keep your right to sue Linebarger Goggan Blair & Sampson, LLP on your own if you want. If you seek to be excluded, you may not object to the settlement.

To exclude yourself from the settlement, you must send a request for exclusion to the Claims Administrator by First-Class Mail postmarked no later than July 30, 2019, and containing all of the following: (1) The name of the Action “*Hoy v. Linebarger Goggan Blair & Sampson, LLP*, San Diego Superior Court Case No. 37-2017-00007840-CU-BT-NC,” (2) Your full name, current address, and telephone number, (3) A statement of your intent to exclude yourself, (4) Your signature and the date you signed it, and (5) Your claim number, as shown above your name on this Notice. If you do not follow these procedures to exclude yourself, your rights will be determined in this Action if this settlement receives final judicial approval.

Your Rights - Objection to the Settlement

If you do not request to be excluded, you may object to the settlement. You may not do both. To object to the settlement, send your objection in writing to the Claims Administrator and counsel for Defendant Linebarger and Class Counsel at the addresses provided below, by First-Class Mail postmarked no later than July 30, 2019, and provide all of the following: (1) The name of the Action “*Hoy v. Linebarger Goggan Blair & Sampson, LLP*, San Diego Superior Court Case No. 37-2017- 00007840-CU-BT-NC,” (2) Your full name, current address, and telephone number, (3) A clear statement of each objection, (4) All supporting evidence and briefing you wish to have considered in support of the objection, and (5) Your signature and the date of your signature. Objectors are not required to attend the Final Approval Hearing, but may do so.

The Final Approval Hearing

The proposed settlement must be finally approved by the Court. The Court has set the Final Approval Hearing for Friday, August 23, 2019 at 9:00 AM (subject to change by the Court without further Notice), in Courtroom 28-N of the San Diego Superior Court, North County Division, located at 325 S. Melrose Drive, Vista, CA 92081, to determine whether the proposed settlement should be approved as fair, reasonable and adequate, the amount of reasonable attorneys’ fees, the amount of class representative award, and whether the settlement should be finally approved. Class Counsel will apply to the Court for an award of attorneys’ fees and expenses not to exceed \$2,500,000.00, including \$2,500.00 for the Class Representative. Defendant Linebarger will oppose this application.

You do not need to hire a lawyer, but may do so if you want to. You and the Settlement Class are already represented by Class Counsel listed below, at no out-of-pocket cost to you.

The settlement will not take effect unless and until: (1) the Court approves the settlement at the Final Approval Hearing, and (2) a Final Order and Judgment is entered by the Court and no longer subject to any appellate challenge. After the Court rules on the final approval and the time to appeal has expired or appeals are exhausted, the settlement will become final, and you will receive the class benefits set forth above. If the Court does not approve the settlement, settlement Class Members will not receive any benefits described in this Notice. It will be as if no settlement had been reached and no class established.

More Information

This Notice, which has been approved by the Court, is only a summary. You may call the Claims Administrator directly for updates regarding the Court hearing dates, at 1-866-688-4905. If you have additional questions concerning this Action, Notice, or Settlement, you may contact Class Counsel.

The Settlement Agreement, along with records and other papers regarding the Action, are on file with the Court and available to be inspected during regular business hours at the Clerk's Office. The Clerk of the Court is located at: 325 S. Melrose Drive, Vista, CA 92081. Please do not contact the Judge.

Claims Administrator:

Hoy v. Linebarger Claims Administrator
P.O. Box 404138
Louisville, KY 40233-4138
Tel: 1-866-688-4905
www.HoySettlement.com

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