

Long Form Notice

In the United States District Court for the Central District of California

If you received prerecorded debt collection calls from or on behalf of DIRECTV, and you were not a DIRECTV customer, you may be entitled to money from a class action settlement.

Puede tener derecho a recibir dinero de un acuerdo de demanda colectiva. Para leer este aviso y obtener más información en Español, visite www.DTVPrerecordClassAction.com.

A court authorized this notice. This is not a solicitation from a lawyer.

- The Plaintiff claims that DIRECTV, LLC (“DIRECTV”) and its debt collection agencies made debt collection calls using prerecorded messages to the cellular telephones of individuals who did not have a customer relationship with DIRECTV, in violation of the Telephone Consumer Protection Act (“TCPA”). DIRECTV denies the allegations in this lawsuit and denies that it did anything wrong.
- The parties have reached a proposed settlement (“Settlement”). The Settlement, if approved, would create a common fund of seventeen million dollars (\$17,000,000) to pay individuals who are entitled to cash awards under the Settlement, as well as pay Plaintiff’s attorneys’ fees and costs, an incentive award for the Representative Plaintiff, and the administrative costs of the Settlement.
- The Settlement avoids the further cost and risk associated with continuing the lawsuit; pays money to recipients of the calls who are eligible Settlement Class Members; and releases DIRECTV and the Debt Collectors from liability:

Your legal rights are affected whether you act or don't act. Read this Notice carefully.

BASIC INFORMATION

1. Why was this notice issued?

A Court has established, or “certified,” this case as a class action lawsuit. You may have received notice of this lawsuit previously. The Plaintiff and Defendant have reached a proposed Settlement of this matter that will affect your rights. The person who sued is called the Plaintiff. The company she is suing, DIRECTV, is called the Defendant.

Judge Dolly M. Gee of the United States District Court for the Central District of California is overseeing this case. The case is known as *Brown v. DIRECTV, LLC*, Case No. 2:13-cv-01170. She has authorized this notice to explain all of your options before the Court decides whether to approve the Settlement. If the Court approves the Settlement and if such approval is final with respect to appeal(s), if any, an administrator appointed by the Court will make the payments and take other actions that the Settlement allows. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully.

2. What is a class action?

In a class action, one or more people called Class Representatives (in this case, Jenny Brown) sue on behalf of people who have similar claims. All these people are called Class members. One court resolves the issues for all Class members, except for those who exclude themselves from the Class.

The Court decided that this lawsuit should be a class action because it meets the requirements of Federal Rule of Civil Procedure Rule 23, which governs class actions filed in United States Federal Court.

WHAT THE LAWSUIT IS ABOUT

3. What is this lawsuit about?

In this lawsuit, the Plaintiff says that DIRECTV, through four debt collection agencies (Credit Management, LP (“CMI”), iQor, Inc. (“iQor”), AFNI, Inc. (“AFNI”), and Enhanced Recovery Company, Inc. (“ERC”)), made debt collection calls using prerecorded messages to the cellular telephones of individuals who were not DIRECTV customers. Plaintiff says that these calls violated the Telephone Consumer Protection Act, or TCPA, because DIRECTV did not have the prior express consent to make calls using prerecorded messages to the cellular telephones of these non-customers, as is required by the law. DIRECTV disagrees and argues that it should not be held responsible for calls from the debt collection agencies, and that the calls do not violate the law.

4. What is the TCPA?

The TCPA is a federal law that attempts to prevent businesses or other institutions from making certain kinds of calls to the general public. In particular, the TCPA makes it illegal to make a debt collection call using a prerecorded message to a cellular telephone unless the calling party first obtains prior express consent to call the recipient of the call.

5. Why is there a Settlement?

The Court had held that DIRECTV is liable for calls made by CMI and iQor to members of the Class, but has not established which individuals who received calls are entitled to receive money.

The Court has not held that DIRECTV is liable for the calls made by AFNI or ERC. Both parties agreed to a Settlement instead of going to trial. That way, they avoid the cost and uncertainty of a trial, as well as appeals of the Court's decisions. The Class Representative and her attorneys think the Settlement is best for all Settlement Class Members. The Court in charge of this lawsuit has granted preliminary approval of the Settlement and ordered that this Notice be distributed to explain it.

WHO IS IN THE SETTLEMENT

6. How do I know if I am part of this?

The Settlement provides relief for all Settlement Class Members, who are described as:

The Settlement Class includes all persons residing within the United States who, within four years prior to and after the filing of this action, received a non-emergency telephone call(s) from DIRECTV and/or iQor, Inc., Credit Management, LP, AFNI, Inc, or Enhanced Recovery Company, Inc. regarding a debt allegedly owed to DIRECTV, to a cellular telephone through the use of an artificial or prerecorded voice, and who has not been a DIRECTV customer at any time since October 1, 2004. The Settlement Class encompasses only persons associated with the telephone numbers and calls during the Settlement Class Period in Plaintiff's summary judgment motions.

SETTLEMENT BENEFITS—WHAT YOU GET

7. What does the Settlement Provide?

DIRECTV has agreed to create a common fund of seventeen million dollars (\$17,000,000) to pay cash awards to Settlement Class Members, pay the costs of administration of the settlement, and pay attorney's fees, expenses, and an incentive award to the Class Representative as approved by the Court.

8. How do I get paid?

You must submit a valid and timely Claim Form by December 19, 2022, to receive a cash award. In order to make a claim under the Settlement, you must affirm that you have not been a customer of DIRECTV at any time after October 1, 2004.

If you submit a valid and timely claim, and you received calls from CMI or iQor, you will receive two pro-rata shares of the settlement fund, after deducting administrative expenses, any payments to the class representative, and attorneys' fees and expenses as approved by the Court. If you received calls from AFNI or ERC, you will receive one pro-rata share.

9. When do I get my cash award?

The Court will hold a hearing on **February 24, 2023** to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year, so we cannot say exactly when payment will be made. Please be patient.

YOUR RIGHTS AND OPTIONS

10. What am I giving up to get a payment or stay in the Settlement?

Being a Settlement Class Member means that, unless you exclude yourself, you cannot sue, continue to sue, or be part of any other lawsuit against DIRECTV or recover from DIRECTV about the legal issues in this case, and that all of the decisions and judgments by the Court will bind you.

If you were to file your own lawsuit for violations of the TCPA and prevailed, you could obtain damages of \$500 per violation, or up to \$1,500 per violation if the statute is found to have been willfully or knowingly violated. The TCPA does not provide for attorneys' fees to prevailing individual plaintiffs.

However, DIRECTV has denied that it made any illegal calls to anyone or engaged in any wrongdoing of any kind, or that it is responsible for any improper calls made by the debt collection agencies, and DIRECTV has a full range of potential defenses.

If you do not exclude yourself from the Settlement Class, you will be unable to file another lawsuit involving any of the claims described and identified below, and you will release DIRECTV and the Released Parties (defined as DIRECTV and each and all of DIRECTV's respective past, present, and future, direct and indirect, parents, subsidiaries, affiliated companies and corporations, successors, and predecessors in interest, and each of its respective past, present, and future directors, officers, managers, employees, general partners, limited partners, principals, insurers, reinsurers, shareholders, attorneys, advisors, representatives, predecessors, successors, divisions, assigns, or related entities, and each of their executors, successors, and legal representatives, and each of AFNI, ERC, CMI, and iQor, as well as their agents, parents, subsidiaries, and affiliates) from any liability for them.

Remaining in the Settlement Class, whether or not you submit a Claim Form, means that you, as well as your heirs, executors, administrators, representatives, agents, attorneys, partners, successors, predecessors-in-interest, assigns, all those who claim through them or who assert or could assert claims on their behalf, and any customary or authorized users of their accounts or telephones, release, resolve, relinquish, and discharge each and every one of the Released Persons from each of the Released Claims (as defined below). You further agree that you and they will not institute any action or cause of action (in law, in equity or administratively), suits, debts, liens, or claims, known or unknown, fixed or contingent, which they may have or claim to have, in state or federal court, in arbitration, or with any state, federal or local government agency or with any administrative or advisory body, arising from or related in any way to the Released Claims. "Released Claims" means any and all claims in this action relating to the placement of collections calls by Defendant, or by CMI, iQor, AFNI, and/or ERC regarding a debt

allegedly owed to Defendant, during the Settlement Class Period, including claims arising under the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*

The Released Claims specifically extend to claims that Plaintiff and Settlement Class Members do not know or suspect to exist in their favor at the time that the Settlement Agreement and the releases contained therein become effective. This release will be interpreted to the fullest extent of the law. In addition, any rights of the Class Representative and each and every one of the Settlement Class Members to the protections afforded under Section 1542 of the California Civil Code and/or any other similar, comparable, or equivalent laws, are terminated.

Remaining in the Settlement Class also means that you further agree and covenant not to sue any of the Released Persons with respect to any of the Released Claims, or otherwise to assist others in doing so, and agree to be forever barred from doing so, in any court of law or equity, or any other forum.

The Settlement Agreement (available at www.DTVPrerecordClassAction.com) provides more detail regarding the release and describes the Released Persons and Released Claims with accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed in the “Do I have a lawyer in this case?” section below for free or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Parties or the Released Claims or what they mean.

The release does not apply to Settlement Class Members who timely opt-out of or exclude themselves from the Settlement.

11. How do I opt-out or exclude myself from the Settlement?

If you want to keep the right to sue DIRECTV individually on your own or be a part of a case against DIRECTV (as a class member or otherwise) about the legal issues in this case, then you must take steps to exclude yourself or opt-out from the Settlement.

If you ask to be excluded, you will not get any payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this Settlement.

If you do not exclude yourself and the Settlement is finally approved, you give up any right to sue DIRECTV or any Released Persons on any of the claims that this Settlement resolves. You must exclude yourself from this Settlement Class to continue your own lawsuit.

12. How do I request to be excluded?

To exclude yourself from the Settlement, you must send a signed request by mail saying that you want to be excluded from *Brown v. DIRECTV, LLC*, Case No. 2:13-cv-1170 (C.D. Cal.). Your letter must include: (a) your name and address; (b) your telephone number(s) in which you received call(s) on behalf of DIRECTV; (c) a statement that reasonably indicates a desire to be excluded from the Settlement Class; and (d) your signature.

You must mail your request for exclusion postmarked no later than **November 18, 2022** to:

DIRECTV Prerecord TCPA Settlement Administrator
P.O. Box 25356
Richmond, VA 23260

You cannot exclude yourself by telephone or by email. You cannot exclude yourself by mailing a request to any location other than the address above or after the deadline. You must sign your letter requesting exclusion. A lawyer cannot sign for you. No one else can sign for you.

EXCLUSION REQUESTS THAT ARE NOT POSTMARKED ON OR BEFORE NOVEMBER 18, 2022 WILL NOT BE HONORED.

13. How do I tell the Court that I don't think the Settlement is fair?

You can tell the Court that you do not agree with the Settlement or any part of it. If you are a Class Member, you can object to the Settlement (or any part of it) if you do not think it is fair. You can state the reason(s) why you think the Court should not approve it. The Court will consider your views. To object, you must file a written objection saying that you object to the proposed Settlement in *Brown v. DIRECTV, LLC*, Case No. 2:13-cv-1170 (C.D. Cal.). Your letter must include: (1) your full name; (2) your address; (3) the telephone number where you may be contacted; (4) the telephone number(s) that you maintain were called; (5) all grounds for the objection, with specificity and with factual and legal support for each stated ground; (6) the identity of any witnesses you may call to testify; (7) copies of any exhibits that you intend to introduce into evidence at the Final Approval Hearing; (8) a statement of the identity (including name, address, law firm, phone number and email) of any lawyer who will be representing you with respect to any objection; (9) a statement of whether you intend to appear at the Final Approval Hearing with or without counsel; and (10) a statement as to whether the objection applies only to the objector, a specific subset of the Settlement Class, or the entire Settlement Class. Supporting documents must also be attached to the objection. **You must mail your objection postmarked no later than November 18, 2022 to:**

DIRECTV Prerecord TCPA Settlement Administrator
P.O. Box 25356
Richmond, VA 23260

Do Not Send Your Objections to the Court. The Settlement Administrator will provide them to the Court instead.

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Class. Excluding yourself (or opting out), is telling the Court that you do not want to be included in the Settlement. If you exclude yourself, you cannot object because the Settlement no longer affects you. Any Class Member who does not file objections in accordance with the requirements stated in this Notice waives the right to object or to be heard at the Final Approval Hearing discussed below.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

Yes. The Court appointed the law firms of Lief Cabraser Heimann & Bernstein, LLP; Meyer Wilson Co., LPA; and Burke Law Offices, LLC; to represent you as “Class Counsel.”

You do not have to pay Class Counsel. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

Class Counsel include:

Matthew R. Wilson
Meyer Wilson Co., LPA
305 W. Nationwide Blvd.
Columbus, OH 43215
Telephone: (614) 224-6000
mwilson@meyerwilson.com

Daniel M. Hutchinson
Lief Cabraser Heimann & Bernstein, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
dhutchinson@lchb.com

15. How will the lawyers and the Class Representative be paid?

Class Counsel will ask the Court to approve payment of one-third of the Settlement Fund, or \$5,666,666.67 to compensate them for attorneys’ fees for investigating the facts, litigating the case, and negotiating the Settlement. Class Counsel will also ask for their costs in litigating the case. Class Counsel will also request an award of an incentive payment of \$10,000 to the Class Representative, in compensation for her time and effort. The Court may award less than these amounts.

Any objection to Class Counsel’s application for attorneys’ fees and costs, or to the request for the Class Representative incentive payment, may be mailed, and must be postmarked no later than **November 18, 2022**, which is thirty (30) days following the filing of Class Counsel’s motion for an award of attorneys’ fees and costs. You can object by sending a letter addressed to the Settlement Administrator at the address listed in Section 13 of this Notice, above. In your letter you must state that you object. Be sure to include your full name, address, telephone number, and the reasons you object to the proposed award, or to the amount of the proposed award.

THE FINAL APPROVAL HEARING

16. When and where will the Court decide whether to approve the Settlement?

The Court will hold a hearing to decide whether to approve the Settlement. This Final Approval Hearing will be held at **10:00 A.M. PST on February 24, 2023** in Courtroom 8C of the U.S. District Court for the Central District of California, 350 West 1st Street, Los Angeles, CA 90012-4565. The hearing may be held virtually by video conference or moved to a different date or time without additional notice, so it is a good idea to check the settlement website for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and whether to award attorneys' fees, expenses, and incentive award as described above, and in what amounts. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long it will take the Court to issue its decision. It is not necessary for you to attend this hearing, but you may attend at your own expense.

17. May I speak at the Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file a notice with the Court saying that you intend to appear at the Final Approval Hearing in *Brown v. DIRECTV, LLC*, Case No. 2:13-cv-1170 (C.D. Cal.). You may include this request in any objection you file, see Section 13 above, but you must also file a notice of intention to appear with the Court. Be sure to include the case name and number, your full name, address, and telephone number, and to the extent not otherwise submitted in relation to a filed objection, copies of any documents you will present to the Court in connection with the Final Approval Hearing. You cannot speak at the hearing if you do not file a timely notice or if you excluded yourself from the Settlement Class. **Your notice of intention to appear must be filed with the Court and postmarked no later than November 18, 2022:**

THE COURT

Clerk of Court
U.S. District Court, Central District of California
350 West 1st Street
Suite 4311
Los Angeles, CA 90012-4565

IF YOU DO NOTHING

18. What happens if I do nothing?

If you do nothing, you will not receive a cash award. Either way, unless you exclude yourself, if the Court grants final approval of the Settlement, then you will be bound by the terms and conditions of the Settlement and you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against DIRECTV about the legal issues in this case, ever again.

GETTING MORE INFORMATION

19. Are more details available?

Visit the website at www.DTVPrerecordClassAction.com, where you will find the key documents in this case, including key orders from the Court during the lawsuit and related to this Settlement. You may also call toll-free at 888-639-1080, email Class Counsel for more information, or write to the Settlement Administrator using the address below.

DIRECTV Prerecord TCPA Settlement Administrator

P.O. Box 25356
Richmond, VA 23260