



## **2. What is this lawsuit about?**

Plaintiff filed the above-captioned lawsuit on behalf of himself and a nationwide class in the United States District Court for the Northern District of Illinois, Eastern Division (the “Lawsuit”) against Defendants AT&T Services Inc. and Illinois Bell Telephone Company (collectively “AT&T”) alleging violations of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227. Specifically, Plaintiff claims that AT&T placed calls regarding its U-verse service that utilized an automated telephone dialing system or a prerecorded or artificial voice message to the cellular telephone numbers of individuals who did not consent to receive such calls. Plaintiff sought to recover for himself and for each person who received such calls statutory damages of \$500 per violation, subject to trebling for any willful or knowing violations of the TCPA. AT&T denies that it violated the TCPA, denies that any calls that may have violated the TCPA were made willfully or knowingly, and denies that Plaintiff and members of the Settlement Class are entitled to any damages.

## **3. Why is this a class action?**

In a class action, a person called the Class Representative (in this case, Kison Patel) filed suit on behalf of a group (the “Class”) who may have similar legal claims.

## **4. Why is there a settlement?**

In order to avoid the cost, risk, and uncertainty associated with continued litigation and a trial, the parties agreed to a class-wide settlement.

## **5. How do I know if I am a part of the settlement?**

The Court decided that everyone falling under the following definition is a member of the Settlement Class:

All subscribers to those wireless telephone numbers identified as having lodged a complaint prior to November 18, 2015, regarding receiving a communication from AT&T regarding an AT&T U-Verse account for which they were not the accountholder (excluding subscribers of AT&T wireless and/or U-verse services).

A list of the telephone numbers that fall within this definition is attached to the settlement agreement as Exhibit F, and is available on the settlement website.

## **6. What can I get from the settlement?**

Under the settlement agreement, settlement class members who file a timely claim will receive a share from a \$1,925,000 Settlement Fund, after attorney’s fees are deducted from that fund. Plaintiff’s counsel has requested that the Court award him attorney’s fees of one-quarter of the \$1,925,000 Settlement Fund – an amount that remains subject to final Court approval. Each class member who submits a timely claim will receive a base payment of a *pro rata* share of the Settlement Fund, up to \$250 per claimant. If the number of claims is such that the base payment is not sufficient to exhaust the Settlement Fund, the remainder of the Settlement Fund will be distributed on a *pro rata* basis to the claimants based on the number of automated collection calls made to the person’s telephone number, as reflected in the AT&T call records produced in discovery. This *pro rata* distribution will be capped at \$500 per call, the standard statutory damages under the TCPA.

## **7. How do I receive a payment?**

To receive the cash payment from the Settlement Fund, you need to complete a Claim Form and return it to the Settlement Administrator either by U.S. Mail to *Patel v. AT&T Services Inc. et al.*, c/o KCC Claims Administrator, P.O. Box 43449, Providence, RI 02940-3449, or by submitting a Claim Form electronically through the Settlement Website, [www.UverseTCPASettlement.com](http://www.UverseTCPASettlement.com).

## **8. What am I giving up to receive these benefits?**

By staying in the class, all of the Court's orders will apply to you, and you agree to give AT&T a "release." A release means you can't sue or be part of any other lawsuit against AT&T regarding any calls using an autodialer or a prerecorded or artificial voice message made to your cellular telephone number about AT&T's U-verse service. This includes the TCPA claims covered by the Lawsuit.

## **9. How much will the Class Representative receive?**

AT&T, in addition to and separate from the Settlement Fund, has agreed to pay up to \$10,000 to Plaintiff for Plaintiff's alleged statutory damages, as an incentive for Plaintiff serving as the class representative in this case, and for Plaintiff's time representing the interests of the Class in this lawsuit. This amount is subject to the Court's final approval.

## **10. What happens to Unclaimed Settlement Cash Amounts?**

To the extent the total number of claimants is insufficient to completely exhaust the Settlement Fund, the amount remaining will be distributed as *cy pres* to the Better Business Bureau, a 503(c) organization agreed upon by Plaintiff and Defendants, subject to the Court's approval.

Checks drawn on the Settlement Fund shall expire and be void if not cashed within 60 (sixty) days. Checks that become stale as a result of not being timely cashed shall be distributed as *cy pres* to the Better Business Bureau, a 503(c) organization agreed upon by Plaintiff and Defendant, subject to the Court's final approval.

## **11. How do I exclude myself from the Settlement?**

If you don't want to receive the benefits of the settlement, but you want to keep your legal claims against the Defendants, then you must take steps to exclude yourself from the settlement. To exclude yourself from the settlement, you must send a written request by mail to the Settlement Administrator stating that you want to be excluded from the settlement in *Patel v. AT&T Services Inc.* Be sure to include your name, address, telephone number and your signature. You must mail your exclusion request no later than **July 24, 2017**.

## **12. If I exclude myself, do I still receive benefits from this settlement?**

No, if you opt out of the settlement, you will not receive anything resulting from the settlement of this case, but you will retain any rights you may have to sue the Defendants over the claims raised in this case on your own.

## **13. Do I have a lawyer in this case?**

The Court has named Curtis Warner of Warner Law Firm, LLC as class counsel. You will not be charged by that firm. The firm will petition the Court for attorney's fees and expenses from the Settlement Fund, in the total amount of one-quarter of the Settlement Fund. The amount paid as attorney's fees is subject to Court approval. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **14. How do I tell the Court that I don't like the settlement?**

If you are a class member, you can object to the settlement. In order to object to the settlement or any part of the settlement, you must send a letter or legal brief stating that you object and the reasons why you think the Court should not approve the settlement. You must include the name and number of your case (*Patel v. AT&T Services Inc.*, 15-cv- 8174 (N.D. Ill.)), your name, address, telephone number, and your signature. If you are objecting to the settlement, you may also appear at the final fairness hearing. You must file a Claim Form certifying you are a member of the class to have the Court consider your objection. If your objection is overruled, you will receive the same distribution in the same manner made to other class members, as if you had not objected.

You must mail or your attorney must file your objection by **July 24, 2017**. The objection should be mailed to:

Clerk of the Court  
United States District Court for the Northern District of Illinois  
Everett McKinley Dirksen United States Courthouse  
219 S. Dearborn St.  
Chicago, Illinois 60604

A copy of your objection should be provided to the Settlement Administrator. Copies can be, but they are not required to be, provided to counsel for the parties, as follows: for Class Counsel: to Curtis Warner, Warner Law Firm, LLC, 350 S. Northwest Hwy, Ste. 300, Park Ridge, IL 60068; for AT&T: Hans Germann, Mayer Brown, LLP, 71 S. Wacker Drive, Chicago, IL 60606.

#### **15. When and where is the final fairness hearing?**

The Court will hold a hearing to decide whether to approve the settlement. You may attend if you wish, but you are not required to do so. The Court will hold that fairness hearing on **September 20, 2017, at 11:00 a.m.** at the United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, Illinois 60604. The hearing will take place before Judge John Z. Lee in Courtroom 1225. The purpose of the hearing will be for the Court to determine whether the proposed settlement is fair, reasonable and adequate and in the best interest of the class. The Court will also decide whether to approve the payments to the Plaintiff and to class counsel at that time. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement. The hearing may be postponed to a later date without notice.

**YOU ARE NOT REQUIRED TO ATTEND THIS HEARING. THE COURT WILL CONSIDER YOUR OBJECTIONS WITHOUT YOU OR AN ATTORNEY APPEARING ON YOUR BEHALF.**

#### **16. How do I get more information?**

You can go the website, [www.UverseTCPASettlement.com](http://www.UverseTCPASettlement.com) or call the Settlement Administrator at 1-844-510-5939.