

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT
BRISTOL COUNTY

Crystal Rego and Dawn Lepore, <i>on behalf of themselves and all others similarly situated,</i>)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 2073CV00703
)	
Midland Credit Management, Inc.,)	
)	
Defendant.)	

**NOTICE REGARDING RIGHT TO BENEFIT FROM
CLASS ACTION SETTLEMENT**

A Settlement Agreement has been reached in a class action lawsuit alleging that Midland Credit Management, Inc. (“Midland” or “MCM”) violated the law by placing in excess of two telephone calls in a seven-day period to Massachusetts consumers to collect a debt. MCM’s records show that you may be a Class Member under the Settlement Agreement reached in the case.

A Settlement Fund of \$725,000 has been established to pay valid claims, attorneys’ fees, costs, any incentive award to the Class Representatives (Crystal Rego and Dawn Lepore) and settlement administration costs. You may be entitled to receive an equal share of the fund. The final cash payment will depend on the total number of valid and timely claims filed by all Class Members. Your legal rights are affected whether you act or don’t act, so read this Notice carefully.

YOUR OPTIONS	
Option 1: Submit a Claim Form Deadline: August 21, 2023	Complete and submit a Claim Form and receive an equal share of the Settlement Fund. By completing and submitting a Claim Form, you may recover an equal share of the Settlement Fund. This is the only way to claim and receive payment from the Fund.
Option 2: Object Deadline: August 21, 2023	Object to the terms of the Settlement Agreement. You may object to the terms of the Settlement Agreement and have your objections heard at the October 17, 2023, at 2:00 p.m. Final Approval Hearing.

1. What is this lawsuit about?

In the lawsuit, the Plaintiffs allege that MCM violated the Massachusetts Consumer Protection Act, M.G.L. c. 93A § 2, *et seq.* (“MCPA”), and the Massachusetts Debt Collection Regulations, 940 CMR § 7.00, *et seq.* (“MDCR”), by placing in excess of two calls regarding a debt within a seven-day period to Plaintiffs and other Massachusetts consumers.

MCM denies any wrongdoing, denies that that it violated the MCPA, the MDCR or any other law.

Both sides have agreed to settle the lawsuit to avoid the cost, delay, and uncertainty of further litigation.

You can read Plaintiffs’ Complaint, the Settlement Agreement, other case documents, and submit a Claim Form at www.RegoMCM.com.

2. Why is this a class action?

In a class action, a Class Representative sues on behalf of a group (or a “Class”) of people. Here, the Class Representatives sued on behalf of people who have similar claims regarding allegedly excessive debt collection calls.

3. Why is there a settlement?

To avoid the cost, risk, and delay of litigation, the Parties reached a settlement agreement as to Plaintiffs’ and the Class’s claims.

4. How do I know if I am a part of the Settlement?

For settlement purposes, the Court has certified a Class consisting of all people who meet the following definition:

All persons residing in the Commonwealth of Massachusetts to whom, between October 13, 2016 and January 31, 2023, MCM made calls that exceeded the call limitations set forth in 940 C.M.R. 7.04(1)(f) as reflected on the Class List.

5. How do I recover?

Submit a Claim Form. This is the only way to get a payment. You have the right as a member of the Settlement Class to receive an equal share of the Settlement Fund.

The final cash payment will depend on the total number of valid and timely claims filed by all Class Members. Each claiming Class Member will be entitled to an equal share of the Settlement Fund, after deductions from the fund for administrative costs, attorneys' fees and expenses, and any incentive awards to the Plaintiffs.

You can submit a Claim Form online at www.RegoMCM.com

Or, you can download the Claim Form online and mail it to:

Rego v. Midland Settlement Administrator
P.O. Box 301130
Los Angeles, CA 90030-1130

All Claim Forms must be postmarked or filed online no later than August 21, 2023.

After all valid Claim Forms are counted, and the Settlement is given final approval by the Court, the Settlement Administrator will provide each claiming Settlement Class Member their share of the Settlement Fund after the deductions above. Any excess settlement funds or benefit checks not cashed by Settlement Class Members will be provided to a charitable organization.

6. 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 give a "release" for any claims arising from allegedly excessive telephone calls to you. A release means you cannot sue or be part of any other lawsuit against MCM and the Released Parties about the claims or issues in this lawsuit, and you will be bound by the Settlement Agreement.

7. How much will the Class Representatives receive?

The Class Representatives will receive their portion of the Settlement as a Class Member and an incentive award for having pursued this action. Any incentive payment is subject to Court Approval. The Class Representatives may request an Incentive Award of \$15,000 each.

8. Do I have a lawyer in this case?

To represent the class, the Court has appointed attorneys with the law firm of Lemberg Law, LLC, 43 Danbury Road, Wilton, CT 06897 as "Class Counsel."

Class Counsel will request an award of attorneys' fees of up to 33% of the Settlement Fund and for reimbursement of expenses. Any attorneys' fee and expense award is subject to Court Approval. You may hire your own attorney, but only at your own expense.

9. How do I object?

Any Settlement Class Member may object to the Settlement. In order to exercise this right, you must submit your objection to the Court by the Objection Deadline. Your objection must (i) set forth the Settlement Class Member's full name, current address, and telephone number; (ii) contain the Settlement Class Member's original signature or the signature of counsel for the Settlement Class Member; (iii) state that the Settlement Class Member objects to the Settlement, in whole or in part; (iv) set forth the complete legal and factual bases for the Objection; (v) provide copies of any documents that the Settlement Class Member wishes to submit in support of his/her position; and (vi) state whether the objecting Settlement Class Member intends on appearing at the Final Approval Hearing either *pro se* or through counsel and whether the objecting Settlement Class Member plans on offering testimony at the Final Approval Hearing. Any Class Member that fails to object in the manner set forth herein shall be foreclosed from making such objection or opposition, by appeal, collateral attack, or otherwise and shall be bound by all of the terms of this Settlement upon Final Approval and by all proceedings, orders and judgments, including but not limited to the Release in the Action.

Objections must be filed with the Clerk of the Court, and delivered or postmarked no later than August 21, 2023.

The Court's address is: *Clerk of the Court, 441 County St, New Bedford, MA 02740.*

The Final Approval Hearing

The Court will hold a Final Approval Hearing on **October 17, 2023, at 2:00 p.m.** in Bristol County Superior Court, 441 County St, New Bedford, MA 02740. 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 interests of the Class and to rule on applications for compensation for Class Counsel and an incentive award for the Class Representatives. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed Settlement.

YOU ARE **NOT** REQUIRED TO ATTEND THIS HEARING TO BENEFIT FROM THIS SETTLEMENT. The hearing may be postponed to a later date without notice.

FOR MORE INFORMATION

Additional information and documents, including case documents, are available at www.RegoMCM.com, or you can call **1-888-886-7173**.