

LONG FORM NOTICE

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

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

A settlement has been reached in a class action lawsuit pending in the United States District Court for the Western District of Texas titled *Almon, et al. v. Conduent State & Local Solutions, Inc.*, Case No. 5:19-cv-01075-XR (W.D. Tex.) (the “Action”). In the Action, eight people who have or had a Direct Express Card issued by Comerica Bank allege that Defendants Conduent State & Local Solutions, Inc. (incorrectly named as Conduent Business Services, LLC), Comerica Bank, and Comerica, Inc. improperly handled fraud claims made by Direct Express cardholders in violation of certain provisions of the Electronic Funds Transfer Act (15 U.S.C. § 1693f) and Regulation E (“12 C.F.R. § 1005.11”). Defendants dispute those contentions, deny that they engaged in any wrongdoing, and contend that they complied in all respects with the contractual and other obligations imposed on them. The Court has not decided which side is right. The Court has tentatively approved the proposed settlement agreement (available at www.DirectExpressClassAction.com) to which the parties have agreed (the “Settlement”).

Current and former holders of a Direct Express card who submitted a claim of allegedly fraudulent transaction(s) or other error(s) between February 12, 2018 and September 28, 2022 that was denied may be eligible to receive some form of payment.

Read this Notice carefully. This Notice advises you of the benefits that may be available to you under the proposed Settlement and your rights and options as a Settlement Class Member.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM	If you believe you are a member of the Settlement Class, you can submit a Claim Form for review. The Claim Form, which is available on the Settlement Website, must include the information specified in Question 8 (below). If the Court approves the Settlement and it becomes final and effective, your Claim will be reviewed and, if approved, you will receive payment.
EXCLUDE YOURSELF FROM THE SETTLEMENT	Receive no benefits from the Settlement. This is the only option that allows you to retain your right to bring another lawsuit against Defendants about claims related to their handling of your fraud claim on your Direct Express card during the Class Period.
OBJECT	Write to the Court if you wish to object to the Settlement.
Do NOTHING	You will not receive a payment. If you are a Settlement Class Member, you will give up your right to participate in further litigation against Defendants about claims related to their handling of your fraud claim on your Direct Express card during the Class Period. You will be bound by the Settlement in all respects.

These rights and options – **and the deadlines to exercise them** – are explained in this Notice.

The Court still has to decide whether to approve the Settlement. If it does, and any appeals are resolved, benefits will be distributed to members of the Settlement Class who submit approved Claims and who do not exclude themselves from the Settlement.

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BASIC INFORMATION

1. Why is there a Notice?

A court ordered that this notice be provided because you have a right to know about the proposed Settlement of this class action lawsuit and its effect on you. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Xavier Rodriguez, of the United States District Court for the Western District of Texas, is overseeing this case, *Almon, et al. v. Conduent State & Local Solutions, Inc.*, Case No. 5:19-cv-01075-XR (W.D. Tex.). The persons who sued – Joe Almon, Jon Carnley, Cynthia Clark, Jackie Densmore, Jennifer Kreegar, Harold McPhail, JB Simms, and Kenneth Tillman – are the Plaintiffs. Conduent State & Local Solutions, Inc. (incorrectly named as Conduent Business Services, LLC) (“Conduent”), Comerica Bank, and Comerica, Inc. (collectively “Comerica”), are the Defendants.

2. What is this litigation about?

The lawsuit claims that Conduent and Comerica improperly handled claims of fraud made by Direct Express cardholders in violation of certain provisions of the Electronic Funds Transfer Act (15 U.S.C. § 1693f) and Regulation E (“12 C.F.R. § 1005.11”). You can review the operative complaint in this lawsuit on the website, www.DirectExpressClassAction.com. Conduent and Comerica deny that they engaged in any wrongdoing. Conduent and Comerica maintain that they properly addressed the alleged fraud claims and complied in all respects with the law. The Court has not decided which side is right.

3. Why is this a class action?

In a class action, one or more Plaintiffs sue on behalf of themselves and other people with similar claims. Together, all the people with similar claims are members of a Class.

4. Why is there a Settlement?

The Court has not decided in favor of either Plaintiffs or Conduent and Comerica (together, the “Parties”). Instead, the Parties have agreed to a Settlement. In doing so, the Parties avoid the costs and uncertainty of litigation and a trial, and Settlement Class Members (except those who exclude themselves) are eligible to receive the benefits described in this Notice. The proposed

5. Who is included in the Settlement?

Settlement does not necessarily mean that any law was broken or that Conduent or Comerica did anything wrong. Defendants deny all claims in this case. The Class Representative and their lawyers believe the proposed Settlement is in the best interests of Settlement Class Members.

WHO IS PART OF THE SETTLEMENT?

If you received Notice of the Settlement from a postcard or email addressed to you, then the Parties believe you may be in the Settlement Class.

You are a member of the Settlement Class if you are a current or former holder of a Direct Express Debit Card account that, between February 12, 2018 and September 28, 2022 (“Class Period”), submitted one or more claims of allegedly fraudulent transactions that were denied by Defendants.

Even if you did not receive a postcard or email with Notice of the Settlement, you may still be a member of the Settlement Class described above. If you did not receive a postcard or email addressed to you but you believe you are in the Settlement Class defined above, you may contact the Settlement Administrator.

6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are in the Settlement Class, or have any other questions about the Settlement, visit the Settlement website at www.DirectExpressClassAction.com or call the toll-free number, 1-833-425-9800. You may also send questions to the Settlement Administrator at Almon, et al. v. Conduent State & Local Solutions, Inc., c/o Kroll Settlement Administration LLC, PO Box 225391, New York, NY 10150-5391. Please do not contact the Defendants. They cannot assist you in determining whether you are in the Settlement Class.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

If the Court approves the Settlement and it becomes final, Conduent and Comerica will provide one million two hundred thousand dollars (\$1,200,000.00) (“Settlement Amount”) to the Class Members, which includes money for (a) payments to Class Members who file a claim, and (b) service awards to the Plaintiffs. Conduent and Comerica have also agreed to separately pay for settlement administration costs and attorneys’ fees, costs, and expenses.

8. How do I receive payment under the Settlement?

You must submit a Claim to obtain payment. Class Members who submit a valid Claim will receive a payment either by check to the address provided on the Claim Form, or electronic payment, for their pro rata portion of the Settlement Amount. For owners of jointly-held accounts, only one Claim will be approved with respect to each account, and the Claim will bind all joint account holders. Once the Court approves the Settlement, your Claim will be reviewed and, if approved, you will receive a payment. The Claim Form is available at www.DirectExpressClassAction.com. Claim Forms must be postmarked or uploaded to the Settlement website no later than **September 12, 2024**.

9. How will my Claim be decided?

The Settlement Administrator will review your Claim after you submit it. If your Claim is incomplete or does not establish that you are entitled to a payment, the Settlement Administrator will notify you to correct any problems with your Claim. If you do not correct the problems, your Claim will be denied. More details on how Claims will be decided are available at www.DirectExpressClassAction.com.

Submission of a Claim Form does not guarantee a payment under the Settlement, any Claim is subject to confirmation by the Settlement Administrator, and the amount distributed to each

Settlement Class Member who does not opt out is governed by the Settlement Agreement, which is available on the Settlement Website.

If you are a Settlement Class Member and your Claim is rejected, you will not receive any payment and you will release your claims against Defendants. If your Claim is rejected because it is determined that you are not a Settlement Class Member, you will not receive any payment and any claims you may have against Defendants will not be released.

10. When will I receive my payment?

If the Court approves the Settlement and it becomes final, and you do not exclude yourself from the Settlement (*see* Questions 12 to 14), then a payment will be made to each Settlement Class Member who submitted an approved Claim via the selected method (check mailed to the address provided on the Claim Form, or form of electronic payment).

Payments will be sent only after the Court grants final approval of the Settlement and after any appeals are resolved (*see* “The Final Approval Hearing” below). If there are appeals, resolving them can take time. Please be patient.

11. What am I giving up if I participate in the Settlement?

If the Settlement receives Final Approval from the Court, every Settlement Class Member who has not been excluded from the Settlement Class, each on behalf of himself, herself, or itself, and on behalf of his, her, or its respective heirs, executors, assigns, beneficiaries, predecessors, and successors, and any person or entity claiming under them (collectively, “Releasing Parties”), of and from any and all liabilities, rights, claims, actions, causes of action, demands, damages, costs, attorneys’ fees, losses, and remedies, whether known or unknown, existing or potential, suspected or unsuspected, liquidated or unliquidated, legal, statutory, or equitable, (i) that were or could have been alleged or asserted in the Action or (ii) that result from, arise out of, or relate in any way to the contention that Defendants did not fairly respond to, address, or resolve a claim that any Direct Express transaction was unauthorized, fraudulent, or inappropriate in any way. Further, each of the Releasing Parties agrees to be bound by this Agreement, including by the releases contained herein, without regard to subsequent discovery of different or additional facts or subsequent changes in the law. Each Settlement Class Member who is not excluded from the Settlement Class will also be bound by all of the decisions by the Court.

Section X of the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement. The Settlement Agreement is available at www.DirectExpressClassAction.com.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don’t want benefits from the Settlement, and you want to keep the right to sue Conduent and Comerica on your own about the claims in this case or any other Released Claims, then you must take steps to opt out of the Settlement. This is called excluding yourself – or it is sometimes referred to as “opting out” of the Settlement.

12. How do I exclude myself from the Settlement?

To exclude yourself from the Settlement, you must submit a statement with the following information:

- Your full name, address, and last four digits of your Direct Express Debit Card number;
- A statement that you want to be excluded from the Settlement in this Action (*Almon, et al. v. Conduent State & Local Solutions, Inc.*, Case No. 5:19-cv-01075-XR (W.D. Tex.)), and that you understand you will receive no money from the Settlement;
- The identity of the counsel representing you in this Action, if any; and
- Your signature and the date on which the request to be excluded was signed.

You must mail your exclusion request, postmarked no later than **August 13, 2024**, to Almon, et al. v. Conduent State & Local Solutions, Inc., c/o Kroll Settlement Administration LLC, PO Box 225391, New York, NY 10150-5391.

If any owner of a jointly-held account submits a statement excluding himself or herself from the Settlement, such a statement will exclude all other joint owners of the account from the Settlement.

13. If I do not exclude myself, can I sue Defendants for the same thing later?

No. If you do not exclude yourself, you will give up the right to sue Defendants for the claims that the Settlement resolves. You must exclude yourself from the Settlement Class if you want to pursue your own lawsuit.

14. If I exclude myself, can I still get a payment?

No. You will not receive a payment if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING THE ENTIRE SETTLEMENT CLASS

15. Do I have a lawyer in the case?

The Court has appointed lawyers as “Class Counsel” to represent you and others in the Settlement Class:

E. Adam Webb
G. Franklin Lemond, Jr.
WEBB, KLASE & LEMOND, LLC
1900 The Exchange, SE, Suite 480
Atlanta, GA 30339

Allen Vaught
Vaught Firm, LLC
1910 Pacific Avenue, Suite 9150
Dallas, Texas 75201

Class Counsel will represent you and others in the Settlement Class. You will not be charged for these counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

16. How will the lawyers be paid?

Class Counsel intend to request attorneys’ fees of up to Eight Hundred Seventy-Two Thousand Four Hundred Twenty-Five Dollars and Fifty Cents (\$872,425.50), and the reimbursement of reasonable costs and expenses of up to the agreed upon amount of Twenty-Nine Thousand One Hundred Fifty-Seven Dollars and Seventh-Eight Cents (\$29,157.78). Any award of attorneys’ fees, costs, and expenses to Class Counsel shall be paid by Defendants separate, apart, and in addition to the Settlement Fund and the Costs of Notice and Administration. Class Counsel will file their motion seeking attorneys’ fees, costs, and expenses by July 15, 2024. That motion will

be available at www.DirectExpressClassAction.com. The Court will review Class Counsel's request and determine the amount of fees, costs, and expenses to award.

Class Counsel will also request Service Awards of up to \$2,000 for Joe Almon, Jon Carnley, Cynthia Clark, Jackie Densmore, Jennifer Kreegar, Harold McPhail, and Kenneth Tillman, to be paid out of the Settlement Fund Account, for their service bringing this action for the benefit of the entire Settlement Class.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

17. How do I tell the Court if I do not like the Settlement?

If you are a member of the Settlement Class, you can object to any part of the Settlement, the Settlement as a whole, Class Counsel's request for attorneys' fees, costs, and expenses, and/or Class Counsel's requests for Service Awards for the Plaintiffs. To object, you must submit a letter to each of the following addresses:

<u>The Court</u>	<u>Counsel for Defendants</u>	<u>Class Counsel</u>
Clerk of the Court U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 262 West Nueva Street Room 1-400 San Antonio, TX 78207	Jonathan R. Chally, Esq. COUNSEL, GUNNEMANN & CHALLY, LLC 75 Fourteenth Street, Suite 2475 Atlanta, GA 30309	E. Adam Webb G. Franklin Lemond, Jr. WEBB, KLASE & LEMOND, LLC 1900 The Exchange, SE Suite 480 Atlanta, GA 30339

Your objection must be mailed with first-class postage prepaid and be postmarked on or before **August 13, 2024** and must include:

- The name of this Action (*Almon, et al. v. State & Local Solutions, Inc.*, Case No. 5:19-cv-01075-XR (W.D. Tex.));
- Your full name, address, e-mail address, and telephone number;
- An explanation of the basis upon which you claim to be a Settlement Class Member;
- A statement of whether your objection applies only to you, to a specific part of the class, or to the entire class;
- All grounds for the objection, accompanied by any legal support for the objection known to you or your counsel;
- The number of times you have objected to a class action settlement in the past five (5) years, including the caption of each case in which you made such objection and a copy of any orders related to or ruling on your prior objections in each case;
- The identity of all counsel who represent you in this matter, including any former or current counsel who may be entitled to compensation for any reason related to the

- objection to the Settlement or fee application;
- If applicable, the number of times your counsel or your counsel's law firm have objected to a class action settlement in the past five (5) years, including the caption of each case in which such an objection was made and a copy of any orders related to or ruling on such prior objections in each case;
- The identity of all counsel representing you who will appear at the Final Approval Hearing, if any;
- A list of any persons you or your counsel will call to testify at the Final Approval Hearing, if any;
- A statement confirming whether you intend to personally appear or testify at the Final Approval Hearing; and
- Your signature (an attorney's signature is not sufficient). Any objection submitted on behalf of a business entity must identify the title of the authorized individual signing the objection.

18. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement *only if you do not exclude yourself*. Excluding yourself from the Settlement is telling the Court that you do not want to be part of the Settlement. If you exclude yourself from the Settlement, then you cannot object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

The Court will hold a Final Approval Hearing to decide whether to approve the Settlement and whether to approve Class Counsel's request for attorneys' fees, costs, and expenses and for Service Awards for the Plaintiffs. You may attend and you may ask to speak, but you don't have to do so.

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

The Court has scheduled a Final Approval Hearing on **September 5, 2024 at 10:30 am** at the United States District Court for the Western District of Texas, located at 262 West Nueva Street, Courtroom H, San Antonio, Texas 78207. The hearing may be virtual or moved to a different date or time without additional notice, so it is a good idea to check www.DirectExpressClassAction.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider any requests by Class Counsel for attorneys' fees, costs, and expenses and for Service Awards for the Plaintiffs. If there are objections, the Court will consider them at the hearing. After the hearing, the Court will decide whether to approve the Settlement, the request for attorneys' fees, costs, and expenses, and the request for Service Awards. We do not know how long these decisions will take.

20. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. But you may attend the hearing at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you submit your written objection on time, to the proper addresses, and it complies with the requirements set forth in Question 17 above and in Section VI of the Settlement Agreement, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

21. 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 submit an objection that complies with the requirements set forth in Question 17 above and file a notice with the Court at the address listed in Question 17 at least fourteen days before the Final Approval Hearing indicating that you intend to appear and wish to be heard. You must submit your objection no later than **August 13, 2024**. You cannot speak at the hearing if you exclude yourself from the Settlement.

IF You Do NOTHING

22. What happens if I do nothing at all?

If you do nothing at all, you will not receive a payment, and you will give up your right to participate in further litigation against Conduent and Comerica about claims related to their handling of fraud claims on your Direct Express card during the Class Period.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can obtain the complete Settlement Agreement at www.DirectExpressClassAction.com. You also may write with questions to the Settlement Administrator at Almon, et al. v. Conduent State & Local Solutions, Inc., c/o Kroll Settlement Administration LLC, PO Box 225391, New York, NY 10150-5391, or call the toll-free number, 1-833-425-9800. **Please do not contact Conduent, Comerica, or the Court for information.**