

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

FREE MARTIN f/k/a FREE JETT,)	
individually, and on behalf of all others)	
similarly situated,)	
)	
Plaintiff,)	
)	Case No. 20SL-CC04219
v.)	
)	Div. 21
LVNV FUNDING, LLC,)	
)	
Defendant.)	

NOTICE OF CLASS ACTION SETTLEMENT

A Missouri Court has authorized this Notice. This is **not** a solicitation from a lawyer. **You are not being sued**, please read this Notice carefully as it may affect your legal rights.

You are receiving this Notice because you may be among a group or “Class” of persons who had default judgments entered against them and who were served by a special process server who was not appointed to serve you with the lawsuit papers.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CASE

These rights and options and the deadlines to exercise them are explained below.

IF YOU WANT TO PARTICIPATE FULLY IN THIS CASE	<p>If you want to be included in this case, <u>then you do not need to do anything. If you are a Class Member, you are automatically included in the class.</u></p> <p>The relief afforded to you is described in Section 7 below and in the Settlement Agreement on the Settlement Website, www.MOLVNVSettlement.com.</p>
IF YOU <u>DO NOT</u> WANT TO PARTICIPATE IN THIS CASE AT ALL	<p>If you do not want to participate or be included in this case, then you must mail in your “Exclusion Request Form” enclosed with this Notice by mail, postmarked no later than May 23, 2025. Instructions for doing so are in Section 8 below.</p> <p>If you choose not to participate in this case, you give up the possibility of getting money or benefits that come from this settlement. You keep any rights to sue LVNV Funding, LLC separately about the legal claims arising from the default judgments subject to this case, but the statute of limitations (the deadline for you to file your potential claims) continues to run.</p> <p>Your options are fully explained in Section 8 below.</p>

Your options are explained in this Notice.

1. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff (“Plaintiff”) Pree Martin filed a civil lawsuit in the Circuit Court of St. Louis County, Missouri against LVNV Funding, LLC (“the lawsuit”). Plaintiff filed the lawsuit on behalf of herself and as a class action on behalf of the group or “Class” of persons who had default judgments entered against them where special process server was not appointed to deliver the lawsuit papers. Plaintiff alleges that these judgments are void because the special process servers who served the papers were not properly appointed to serve process. LVNV Funding, LLC denies the allegations.

2. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action case, one or more persons sue on behalf of other people who have similar claims. The person who sues is called the named Plaintiff. The named Plaintiff represents all similarly situated people in the court. The named Plaintiff in this lawsuit is Pree Martin.

3. WHY DID I RECEIVE THIS NOTICE?

This Notice is being sent to you because LVNV Funding, LLC’s and/or court records reflect that you had a default judgment entered against you on or after August 18, 2015, and the special process server who signed the return of service was not appointed to deliver the lawsuit papers. If this is the case, you are a member of a “class” of persons whose rights may be affected by the outcome of this Lawsuit (the “Class”).

Do not be alarmed. You have not been sued; nor have you “filed” a lawsuit. This Notice simply informs you of the named Plaintiff’s lawsuit and lets you know that you have been identified as a potential member of the Class and to advise you of your rights and options as a Class member.

4. HAS THE JUDGE DECIDED WHO IS RIGHT?

No. By certifying the Class and issuing this Notice, the judge is not suggesting that the named Plaintiff or the Class will win or lose the case.

5. HOW DO I KNOW IF I AM A MEMBER OF THE CLASS?

By Order dated March 18, 2025, the Court certified the following class of persons in the Lawsuit:

Plaintiff and the 288 persons who were served with process in a Missouri court by a person not appointed by the court as a special process server in a collection lawsuit filed by LVNV and subsequently had a default judgment entered against them in those cases as identified by LVNV in its supplemental answers to interrogatories.

If you are not sure whether you are a member of the Class, you should contact the lawyers representing the Class, who are listed in paragraph 11 below.

6. WHO IS CLASS COUNSEL?

The Court appointed the named Plaintiff's attorneys in the Lawsuit as Counsel for the Class ("Class Counsel"). Class Counsel are David T. Butsch and Christopher E. Roberts of Butsch Roberts & Associates LLC, 7777 Bonhomme Ave, Suite 1300, Clayton, MO 63105.

You are not required to hire your own lawyer because Class Counsel will be working on your behalf as a member of the Class. If you want to hire your own lawyer, you are permitted to do so at your own expense.

7. WHAT DOES THE SETTLEMENT PROVIDE?

LVNV Funding, LLC, will move to set aside the judgment entered against you. If the Court does not set aside the judgment, LVNV Funding, LLC will file a satisfaction of judgment. LVNV Funding, LLC, will then dismiss the case filed against you without prejudice. While the debt will not be eliminated, discharged, or cancelled, LVNV Funding, LLC agrees to not take any further collection activities related to or concerning the account which was the subject of the lawsuit and agrees to not report the account to any credit reporting agency.

If you paid any money to LVNV Funding, LLC, as to the default judgment entered against you, LVNV will refund all amounts paid to you.

8. WHAT DO I NEED TO DO?

You have a choice. You can either participate in the Lawsuit as a member of the Class or you have the right to exclude yourself from the Lawsuit and the Class. You can also enter an appearance in the Lawsuit individually or through your own attorney, or you can seek to intervene as a party. Each of these choices has consequences that you should understand before making your decision.

A. If you want to participate as a member of the Class.

You do not need to do anything if you want to stay in the case and participate as a member of the Class in this Lawsuit. Your rights and claims against LVNV Funding, LLC, if any, concerning the default judgment entered against you, will be determined in the Lawsuit.

If you choose to stay in the case and participate as a Class Member:

1. The named Plaintiff and Class Counsel will represent you in the Lawsuit. By joining this case, you designate the named Plaintiff, to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, the entering of an agreement with Class Counsel regarding payment of attorney's fees and litigation costs, the approval of settlements and all other matters pertaining to this case. These decisions and agreements made and entered into will be binding on you if you do not opt out of the case. You are also entitled to attend any hearings in this matter.
2. If you believe your interests are not being fairly and adequately represented by the named Plaintiff or Class Counsel, you will have an opportunity to advise the Court and let the judge know your concerns. You will also receive any future notices concerning any decision affecting the Class. You will also have an opportunity to be heard in regard to any proposed settlement of the Class claims.

3. As a member of the Class, you will be entitled to share in any monetary recovery that the named Plaintiff obtains for the Class. You will also receive the benefit of any other relief that the Court may award the Class.
4. Your ability to recover from LVNV Funding, LLC will depend on the results of the Lawsuit. It is important to understand that as a member of the Class in this case you will be bound by any judgment entered by the Court, whether favorable or unfavorable.
5. The damages that the named Plaintiff seeks to recover for the Class relate to the default judgments entered against the named Plaintiff and the Class.

B. If you want to exclude yourself from the Class or object to the Settlement.

If you do not want to be a member of the Class and participate in this Lawsuit, you can ask the Court to exclude you from the Lawsuit and allow you to “opt out” of the Class by completing, signing and returning the **Exclusion Request Form** included with this Notice to the Notice Administrator at: Martin v LVNV Funding, c/o Atticus Administration, PO Box 64053, Saint Paul, MN 55164 or by email: LVNVSettlement@atticusadmin.com. If you have questions, please call the administrator toll-free at: 1-800-316-0448.

To be effective, the Exclusion Request Form must be completed, signed and postmarked, or e-mailed to LVNVSettlement@atticusadmin.com by **May 23, 2025**.

If you choose to be excluded from the Class:

1. Your claims against LVNV Funding, LLC, if any, will not be decided in the Lawsuit and you will not share in any recovery that the named Plaintiff obtains for the Class as a result of a settlement or trial.
2. You will not be bound by any determinations or any judgment that the Court makes or enters whether favorable or unfavorable.
3. You will not be entitled to any further notice with regard to the Lawsuit.
4. You may pursue any claims you have against LVNV Funding, LLC at your own expense and risk by filing your own separate lawsuit, should you choose to do so.
5. Be aware that any claims that you have or may have against LVNV Funding, LLC, are limited by the applicable statute of limitations and by declining to participate in this case by opting out, or by proceeding separately, in the possibility exists that some or all of your claims will expire.

You may also object to the Settlement by submitting your objection to Martin v LVNV Funding, c/o Atticus Administration, PO Box 64053, Saint Paul, MN 55164 or by email: LVNVSettlement@atticusadmin.com no later than **May 23, 2025**.

Any Class Member who wishes to object to the Settlement or wishes to appear at the Final Approval Hearing and show cause, if any, why the Settlement should not be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class, or why a final judgment should not be entered thereon, must serve and file written objections. The objection must contain the objecter's

full name, telephone number, and current address; must declare that the objector is a member of the Class; and must provide a detailed statement of the objector's specific objections to any matter before the Court and the grounds of the objection.

C. If you want to enter an appearance through counsel.

You also have the right to not exclude yourself from the Settlement and have your own counsel represent you in this matter. You must have counsel represent you at your own expense. Your counsel must enter their appearance in the case no later than **May 23, 2025**.

9. WHAT IF I WAS IN BANKRUPTCY?

You may still be able to participate in this Lawsuit as a member of the Class and may still be entitled to relief. If you are (or were) a debtor in a Chapter 7 or Chapter 13 bankruptcy proceeding that was filed after you had a default judgment entered against you by LVNV Funding, LLC, you should send a copy of this Notice of Class Action Lawsuit to the bankruptcy trustee and your bankruptcy attorney. If you remain a member of the Class, your ability to recover under this Lawsuit may depend on those bankruptcy proceedings.

10. WHAT WILL CLASS COUNSEL AND THE CLASS REPRESENTATIVE BE PAID?

Class Counsel will seek an award of attorneys' fees of \$123,000 for their work on the case. Plaintiff will seek an award of \$5,000.00 for her service as the class representative. The Court's award of these amounts will not reduce or impact the relief afforded as part of this Settlement.

11. WHAT IF I HAVE QUESTIONS?

You should not contact the Clerk of The Court, Judge, LVNV Funding, LLC or the attorneys for LVNV Funding, LLC with questions about this case. Instead, if you have any questions about your claim or rights or would like more information, you should call Class Counsel David T. Butsch or Christopher E. Roberts of Butsch Roberts & Associates LLC at 1-314-863-5700. You can also speak with your own attorney.

You can review and obtain copies of the Lawsuit, The Court's Order granting Class Certification and any other pleadings and filings in the Lawsuit directly from Class Counsel, by contacting Class Counsel at the number above. You can also review and obtain copies of these papers at your own expense at the Office of the Clerk of the Court of the Circuit Court of St. Louis County, Missouri, 105 S. Central Avenue, Clayton, Missouri 63105.

12. WILL THERE BE A HEARING REGARDING FINAL APPROVAL OF THE SETTLEMENT?

Yes. The Court will hold a final approval hearing on **June 10, 2025, at 8:30 a.m.** in Division 1 of the Circuit Court of St. Louis County, 105 S. Central Avenue, Clayton, Missouri 63105. The Court will determine: (1) whether the settlement agreement should be approved as fair, reasonable, adequate and in the best interests of the Settlement Class; (2) Whether a final judgment should be entered in favor of the claims of Plaintiff and the Settlement Class Members; and, (3) whether to

approve, with or without modification, the requested incentive award and of attorney's fees. **You are not required to attend this hearing but may do so if you wish.**

Dated: April 8, 2025

This Notice is being mailed pursuant to Missouri Supreme Court Rule 52.08 and by Order of the Court.

EXCLUSION REQUEST FORM

Free Martin v. LVNV Funding, LLC

Case No. 20SL-CC04219 (Circuit Court of St. Louis County, Missouri)

IGNORE THIS FORM IF YOU WANT TO PARTICIPATE IN THE LAWSUIT

If you want to exclude yourself from the Lawsuit and opt out of the Class, you must complete, sign and submit this Exclusion Request Form, to: Martin v LVNV Funding, c/o Atticus Administration, PO Box 64053, Saint Paul, MN 55164 or by email: LVNVSettlement@atticusadmin.com.

By opting out, you understand that you are giving up any possibility of getting money or any benefit that may come from a judgment or settlement of the claims the named Plaintiff is pursuing in this lawsuit. You also understand that you will keep any rights to pursue those claims against LVNV Funding, LLC separately and at your own expense, and are aware that any claims that you may have against LVNV Funding, LLC may be limited by applicable statutes of limitation, and declining to participate in this case by opting out, or by proceeding separately, may result in some or all of your claims being barred as a matter of law.

To be effective, this Exclusion Request Form must be completed and signed by each Class Member who seeks to opt out of the Lawsuit or their legal representatives and postmarked by May 23, 2025.

Required Information

Name: _____
(print)

Address: _____
Street

(City, State, zip code)

_____ I wish to be excluded from this class action lawsuit. **[MUST BE CHECKED IF YOU WISH TO BE EXCLUDED]**.

Signature: _____ Date: _____

Claimant ID: _____ [found on your mailed Notice]