

ATTENTION:

Recipients of Release Cards from Jails and Other Correctional Facilities

A Settlement Agreement May Affect Your Rights.

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

- Individuals taken into custody have their cash taken from them, which is held for them until they are released. Some prisoners also have money added to their account during detention. These funds are required to be returned when a person is released from custody. Some detention facilities, however, require persons being released to receive these funds through a prepaid debit card ("release card") that may have limitations and charge various fees. This lawsuit alleges it is illegal to require people released from custody to accept release cards to receive back money they are owed. Defendants are Stored Value Cards, Inc., which does business under the name of Numi Financial, and Central National Bank and Trust Company, n/k/a Stride Bank, N.A ("CNB") (collectively, "Defendants"). Defendants contend they did not require individuals released from correctional facilities to accept and use the release cards, and that any fees were assessed legally through cardholder agreements provided with the release cards.
- The Court certified a nationwide class on behalf of persons released from detention facilities after July 23, 2014, who received money owed to them through unrequested release cards provided by one or both of the Defendants. You received this notice because you may be a member of the Class.
- The Defendants agreed to settle the claims brought against them by the Class. Defendant CNB agreed to pay up to \$3 million to a settlement fund and Defendant Numi agreed to pay ten semiannual payments of \$100,000 for five years to the Class, totaling \$1 million. The Court must approve these settlements after a hearing before they are final and settlement funds can be distributed. This notice describes your rights in the proposed settlement, including your right to object to the settlement, and how to submit a claim to receive money from the settlement fund.

Your Legal Rights In This Lawsuit	
You may comment on the proposed Agreement.	You have the right to comment on, object to or support the proposed Agreements. The Court will decide whether to approve or reject the proposed Agreements after a final hearing currently scheduled for December 10, 2024, at 10:00 a.m. in courtroom 16 of the United States Courthouse, 1000 SW 3rd Ave, Portland, OR 97204. You may submit written comments or objections that you want the Court to consider by November 19, 2024 . You should not call the Court.
You may make a claim.	You may submit a claim if you qualify as a Class Member and incurred fees from a Release Card from one of the facilities serviced by Defendant Numi during the covered period of time. Claims must be submitted by November 19, 2024 . As explained in this notice, <u>you may make a claim at the website www.NumiReleaseCard.com</u> You must make a claim to receive money.
If you do nothing.	Your claims against Defendants will be released and you will receive no money from the settlement. If you do nothing, you will (a) receive no money from this settlement and (b) give up any claims you have against Defendants CNB and Numi.
You may ask to be excluded.	Get out of this lawsuit. Get no benefits from it. Keep rights to pursue claims against Defendants. If you ask to be excluded you will not receive any money from the settlements, but you may bring claims against Defendants Numi and CNB in another forum for the same legal claims.

FREQUENTLY ASKED QUESTIONS

1. Why did I get this notice?

You received this notice because you were identified as a person who may have been issued release cards by Defendants CNB or Numi during the time period covered by this case. The Court directed that this notice be sent to advise you and other potential class members of your rights and options before the Court decides whether to approve the settlements.

You are not a Class Member simply because you received this notice. Only individuals who fit the following definition are in the class:

All persons (1) taken into custody at a jail, correctional facility, detainment center, or any other law enforcement facility within the United States, (2) entitled to the return of money confiscated from them or remaining in their inmate accounts when they were released from custody, and (3) who had those funds returned through a debit card provided by Defendant Stored Value Cards and/or its partner bank, Defendant Central National Bank and Trust Company, despite never having requested nor applied for a debit card, within one year prior to the filing of the original Complaint in this action, and during its pendency, and (4) who incurred fees or charges. Those who satisfy these four criteria but who received a debit card from April 1, 2017, to April 30, 2018, and did not opt out of the settlement class in *Humphrey v. Stored Value Cards*, No. 1:18-CV-01050 (N.D. Ohio), are excluded from this class.

2. What is this lawsuit about?

Plaintiff is an individual who was required to accept a “Numi Prestige” release card that charged fees in order to receive the money held for her when she was in custody in a detention facility. She alleges that the Electronic Fund Transfer Act prohibits the issuance of these release cards to persons who did not request prepaid debit cards to obtain their money. She alleges issuance of an activated release cards are only allowed after full disclosure of the applicable terms and conditions of the card and other requirements. She also alleges that the fees charged by these cards are illegal under the Electronic Fund Transfer Act. Defendants deny those claims and allege that their conduct was lawful.

3. Why is this lawsuit a class action?

This lawsuit was filed as a class action because thousands of persons in addition to the Plaintiff received money owed to them through Defendants’ release cards. The Plaintiff agreed to serve as Class Representatives on behalf of those persons. The Court decided that this lawsuit can be a class action because: (1) there are thousands of individuals who were given release cards upon being released from a correctional institution; (2) there are legal questions and facts that are common to each of them; (3) the claims of the Plaintiff is typical of the claims of the rest of the class; (4) the Plaintiff and the lawyers representing the Class will fairly and adequately represent the Class’s interests; and (5) a class action will be more efficient than having class members bring individual lawsuits.

4. What does the proposed Settlement Agreement provide?

The main points are described below. You may review the entire Settlement Agreements, which are at: www.NumiReleaseCard.com/documents. These agreements are not effective until approved by the Court.

♦ Payments of up to \$4 million to the class

The Settlement Agreement with CNB provides that it will pay \$2,800,000 into a settlement fund and up to an additional \$200,000 to defray actual incurred notice costs under the conditions in its settlement agreement. This amount will be used to make payments to (1) class members who submit valid claims, (2)

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attorney fees and costs payable to class counsel, (3) case contribution awards to Plaintiff, (4) costs of providing notice to the class members and claims administration expenses, and (5) potential *cy pres* awards. The Settlement Agreement with Numi provides that it will pay \$1 million in ten semiannual payments of \$100,000. These payments will pay unpaid claims (if necessary), claims administration expenses, and potential *cy pres* awards. Numi also agreed to provide a security interest in all assets owned or controlled by Numi and a stipulated judgment for \$34 million should Numi default on its obligations under its Settlement Agreement.

- ♦ **Claims Process for Reimbursement of Fees**

The amount of payment for each eligible class member shall be determined as follows:

First, the payments will be reserved or made from the settlement funds for: (1) costs of providing notice and other expenses to administer settlement, (2) attorney fees awarded by the Court, (3) taxes and accounting expenses for the qualified settlement account containing the settlement funds, and (4) Case contribution awards, if awarded by the Court. The amount remaining after these disbursements will be available to pay claims submitted by eligible class members.

Second, each class member submitting a valid claim will receive three times the amount of fees charged by their release cards or \$15, whichever is higher. If there is insufficient money to pay all valid claims on this basis, claims will be paid on a pro rata basis based on the amount of fees charged to the class member. Class Counsel anticipates – but does not guarantee – that sufficient funds will be available to pay all class member claims without reduction.

Third, any money remaining from the settlements after all valid claims other distributions are paid, shall be distributed to one or more *cy pres* recipients approved by the Court. Information concerning any potential *cy pres* proposal to the Court will be posted on www.NumiReleaseCard.com in advance of the final approval hearing. Class members have the right to object to any proposed *cy pres* distribution.

- ♦ **Attorney Fees, Litigation Costs and the Costs of Claims Administration**

Class Counsel may apply for attorney fees under the common fund doctrine/common benefit doctrine to be paid out of the Settlement Fund. Litigation costs (sums Class Counsel paid out-of-pocket on behalf of the Class) and costs for claims administration and notice incurred by the Claims Processor will be paid from the Settlement Fund. Class Counsel's requests for attorney fees and litigation costs are subject to review and approval by the Court. Class Counsel anticipates seeking a fee award equal to 33% of the recovery as fees. Class members have the right to comment on, support, or object to attorney fees and costs.

- ♦ **Incentive Awards**

Incentive awards for the Named Plaintiffs may be requested from the Settlement Amount. Class counsel anticipates asking for approval of \$15,000 for the class representative. The Court must approve any incentive awards. Class members have the right to comment on, support, or object to incentive awards.

- ♦ **Comment on Award of Attorney Fees, Litigation Costs and Incentive Awards.**

You are permitted to review, object to, support or comment on any request for attorney fees, litigation costs and incentive awards. On or before **October 29, 2024**, Class Counsel will post the Motion for award of attorney fees, costs and incentive awards on www.NumiReleaseCard.com.

- ♦ **Release**

Class Members will release Numi and CNB from any and all claims related to this lawsuit, or that were or could have been brought in the lawsuit. This means that if you have any actual or potential claims arising out of the Defendants' involvement in release cards, those claims will be resolved as part of the Agreements, and your right to payment for any damages will be governed exclusively by the Settlement Agreements.

5. When will claims be paid?

The Court must finally approve the Agreement and, if any Class Member appeals, a final decision on any Questions? Call 1-XXX-XXX-XXXX or visit www.NumiReleaseCard.com

appeal(s) must be made before claims can be paid from the settlement fund. Anticipated timing of payments will be posted at www.NumiReleaseCard.com.

6. How can I respond to the proposed Settlement Agreements?

♦ You May Make a Claim.

You may make a claim in one of three ways: (1) go online at www.NumiReleaseCard.com and follow the instructions; or (2) send an email to NumiReleaseCard@sylaw.com with your name, address, date of birth, the name of the state and the facility where you received a release card; or (3) if you received notice by postcard with a claim form, complete and mail back that form or take a picture of it and email it to the email address above. You may get paid up to three times the fees charged by release cards you received or \$15, whichever amount is higher. Please note that claims will only be paid if the Court approves the settlement agreements.

♦ You May Comment on, Object to, or Support the Proposed Agreement.

The Court scheduled a hearing for **December 10, 2024, at 10:00 a.m.** on the proposed Agreements to consider comments and approve or reject the Agreement. The hearing will be held at courtroom 16, United States Courthouse, 1000 SW 3rd Ave, Portland, OR 97204. The hearing date, time, and location can change without further notice. Please contact Class Counsel at NumiReleaseCard@sylaw.com to confirm the date and time of the hearing as that date approaches.

All comments on the Agreements must be submitted in advance to the address listed below. You are not required to submit comments or attend the hearing.

You may attend the hearing and may choose to bring a legal representative if you wish at your own expense. You must tell the Court if you plan to come to the hearing to object to, comment on, or formally support the Agreement by **November 19, 2024**.

If you choose to submit written comments or appear at the Court hearing, your letter must be received no later than **November 19, 2024**, and must be mailed to:

Brown v. Stored Value Cards Settlement Hearing
3101 Western Avenue
Suite 350
Seattle, WA 98121

All communications with the Court must be in writing, and Class Members should not attempt to call the Court.

♦ You May Opt-Out of the Settlement.

You have the right to opt out of this settlement if you wish to do so. If you opt out, you cannot receive payment from this settlement. You may go to <https://www.NumiReleaseCard.com/opt-out> to submit your opt out request. Alternatively, you can opt out by mailing an "Exclusion Request" in the form of a letter stating that you want to be excluded from the *Brown v. Stored Value Cards* settlement. Include your name, address, and date of birth and sign the letter. You must mail your Exclusion Request postmarked by **November 19, 2024**, to: *Brown v. Stored Value Cards* Exclusion Request, 3101 Western Avenue, Suite 350, Seattle, WA 98121. You can also email that request to NumiReleaseCard@sylaw.com.

♦ You May Do Nothing.

You are not required to take action, but if you choose not to respond you will not participate in the settlement and your claims against Defendants will be dismissed and you will not have the right to pursue those claims against Defendants in the future.

♦ Where can I get more information?

For information about your rights related to the lawsuit, you may refer to the information at www.NumiReleaseCard.com or call or send an email to NumiReleaseCard@sylaw.com.