

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL
CIRCUIT BAY COUNTY, FLORIDA

If You Received an Email from Progressive Insurance Between 9:00 p.m. and 8:00 a.m. on or After July 2, 2022, You May Be Entitled to Compensation

A state court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement¹ has been reached in a class action lawsuit about whether Progressive¹ sent emails between 9:00 p.m. and 8:00 a.m. in violation of the Florida Consumer Collection Practices Act (“FCCPA”). Progressive denies the allegations and any wrongdoing. **The Court has not decided who is right.**
- The Settlement offers Claim Settlement Payments to Settlement Class Members who file valid Claims.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM November 24, 2025	If you are a member of the Settlement Class, you must submit a completed Claim Form to receive a Claim Settlement Payment. If the Court approves the Settlement and it becomes Final and effective, and you remain in the Settlement Class, you will receive a Claim Settlement Payment.
EXCLUDE YOURSELF November 7, 2025	You may request to be excluded from the Settlement and, if you do, you will receive no benefits from the Settlement.
OBJECT November 7, 2025	Write to the Court if you do not like the Settlement.
GO TO A HEARING December 8, 2025, at 10AM CT	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	You will not receive a Claim Settlement Payment if you fail to timely submit a completed Claim Form, and you will give up any right you may have to bring your own lawsuit against Progressive about the claims in this case.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, benefits will be distributed to those who submit valid Claim Forms. Please be patient.

¹ Capitalized terms herein have the same meanings as those defined in the Settlement Agreement, a copy of which may be found online at the Settlement Website below.

¹ “Progressive” means Progressive Direct Insurance Company, its parent, subsidiary, and any affiliate companies.

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BASIC INFORMATION

1. Why is there a Notice?

A Court authorized this Notice because you have a right to know about a proposed Settlement of a class action lawsuit known as *Teresa Frechou v. Progressive Direct Insurance Company*, Case No. 24-000584CA, and about all of your options before the Court decides whether to give Final Approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Judge William Scott Henry of the Fourteenth Judicial Circuit Court in and for Bay County, Florida, is overseeing this case. The person who sued, Teresa Frechou, is called the “Plaintiff.” Progressive is called the “Defendant.”

2. What is this Action about?

The Action alleges that Progressive sent emails between 9:00 p.m. and 8:00 a.m. on or after July 2, 2022, in violation of the FCCPA and seeks actual and statutory damages under the FCCPA on behalf of the named Plaintiff and a class of all individuals in Florida.

Progressive denies each and every allegation of wrongdoing, liability, and damages that were or could have been asserted in the litigation and that the claims in the litigation would be appropriate for class treatment if the litigation were to proceed through trial.

The Plaintiff’s First Amended Complaint, Settlement Agreement, and other case-related documents are posted on the Settlement Website, www.electroniccommssettlement.com. The Settlement resolves the lawsuit. The Court has not decided who is right.

3. What is the Florida Consumer Collection Practices Act (FCCPA)?

The FCCPA is a Florida law that restricts certain conduct when communicating and attempting to collect consumer debts.

4. Why is this a class action?

In a class action, one person called the “Class Representative” (in this case, Plaintiff Teresa Frechou) sues on behalf of herself and other people with similar claims.

All of the people who have claims similar to the Plaintiff are Settlement Class Members, except for those who exclude themselves from the class.

5. Why is there a Settlement?

The Court has not found in favor of either Plaintiff or Progressive. Instead, both sides have agreed to a Settlement. By agreeing to the Settlement, the parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class Claimants will receive the benefits described in this Notice. Progressive denies all legal liability in this case. Plaintiff and Plaintiff’s lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT

6. Who is included in the Settlement?

The Settlement includes all persons who received a Florida Debt Collection Email from Progressive between 9:00 p.m. and 8:00 a.m. Specifically, the Settlement Class is defined as:

All Florida residents who, between July 2, 2022, and May 16, 2025, received a Florida Debt Collection Email from Progressive between the hours of 9 p.m. and 8 a.m. local time to the individual's residential address.

"Florida Debt Collection Email" means any billing-related email (e.g., billing installment, billing reminder, billing lapse), cancel-related email (e.g., cancel warning, cancel collection notice, cancel collection reminder), or similar email relating to a Florida insurance policy covering property used primarily for personal, family, or household purposes. Persons meeting this definition are referred to collectively as the "Settlement Class" and, individually, as "Settlement Class Members."

Excluded from the Settlement Class are: (1) the trial judge presiding over this case; (2) Defendant, as well as any parent, subsidiary, affiliate, or control person of Defendant, and the officers, directors, agents, servants, or employees of Defendant; (3) any of the Released Parties; (4) the immediate family of any such person(s); (5) any Settlement Class Member who has timely opted out of this proceeding; and (6) Class Counsel, their employees, and their immediate family.

7. 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.electroniccommssettlement.com** or call the toll-free telephone number, **(833) 621-8303**. You also may send questions to the Administrator at Frechou v. Progressive Direct Insurance Company, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

To fully settle and release claims of the Settlement Class Members, Progressive has agreed to make Claim Settlement Payments to the Settlement Class Members and pay for Notice and Administrative Costs of the Settlement, Attorneys' Fees and Expenses incurred by counsel for the Settlement Class, and a Service Award for Plaintiff. Defendant will pay \$500,000 (the "Settlement Fund"). Each Settlement Class Member who submits a timely, valid, correct, and verified Claim Form by the Claim Deadline in the manner required by the Agreement, making all the required affirmations and representations, shall be sent a Claim Settlement Check by the Administrator on a *pro rata* basis not to exceed \$1,000. Settlement Class Claimants will receive their Claim Settlement Payments via electronic payment within sixty (60) Days following the Effective Date.

Only one Claim is allowed per Settlement Class Member.

9. How do I file a Claim?

If you qualify for a Claim Settlement Payment, you must complete and submit a valid Claim Form. You may download a Claim Form at the Settlement Website, **www.electroniccommssettlement.com**. To be valid, a Claim Form must be completed fully and accurately, signed under penalty of perjury, and submitted timely.

You must submit a Claim Form through the Settlement Website **or** by U.S. mail. The Claim Form must be submitted online by **November 24, 2025**, at 11:59 p.m. EST **or postmarked by November 24, 2025**.

Please read the Claim Form carefully and provide all the information required. Only one Claim Form may be submitted per Settlement Class Member.

10. When will I receive my Claim Settlement Payment?

Claim Settlement Payments to Settlement Class Members will be made only after the Court grants Final Approval to the Settlement and after any appeals are resolved (see "Final Approval Hearing" below). If there are appeals, resolving them can take time. Please be patient.

Any Claim Settlement Payments will be made via electronic payment to the email address you provide on your Claim Form.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep the right to sue or continue to sue Progressive on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself or "opting out."

11. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a timely letter by mail to:

Frechou v. Progressive Direct Insurance Company
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

The Request for Exclusion must contain the following information: (a) identify the case name; (b) identify the name, address, and telephone number of the Settlement Class Member; (c) identify the email address that was sent a Florida Debt Collection Email by Progressive; (d) be personally signed by the Settlement Class Member requesting exclusion; and (e) contain a statement that indicates a desire to be excluded from the Settlement Class in the action, such as "I hereby request that I be excluded from the proposed Settlement Class."

Your Request for Exclusion must be **postmarked no later than November 7, 2025**. You cannot ask to be excluded on the phone, by email, or at the Settlement Website.

You may opt out of the Settlement Class only for yourself.

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

No. Unless you exclude yourself, you give up the right to sue Progressive for the claims that the Settlement resolves. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

13. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue or be part of any other lawsuit against Progressive about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

The Settlement Agreement is available at **www.electroniccommssettlement.com**. The Settlement Agreement provides more detail regarding the releases and describes the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Settlement Class listed in **Question 15** for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Claims or what they mean.

14. If I exclude myself, can I still get a Claim Settlement Payment?

No. You will not get a Claim Settlement Payment from the Settlement Fund if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

The Court has appointed the following lawyers as “Class Counsel” to represent all members of the Settlement Class.

Christopher Gold, Esq.
Florida Bar No. 088733
chris@chrisgoldlaw.com
Gold Law, PA
350 Lincoln Rd., 2nd Floor
Miami Beach, FL 33139
Tel: 305-900-4653

Mariya Weekes, Esq.
Florida Bar No. 56299
mweekes@milberg.com
Milberg Coleman Bryson Phillips Grossman, PLLC
201 Sevilla Avenue, 2nd Floor
Coral Gables, FL 33134
Tel: (786) 879-8200

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

16. How will the lawyers be paid?

Class Counsel intend to request up to \$165,000 for Attorneys’ Fees and Expenses incurred in the Action to be paid by the Settlement Fund. The Court will decide the amount of fees and expenses to award.

Class Counsel will also request that a Service Award of \$2,500 to be paid from the Settlement Fund to the Class Representative for her service as representative on behalf of the whole Settlement Class.

OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement. To object, you must timely submit a letter that includes the following:

- 1) A heading that includes the case name and case number;
- 2) Your full name, mailing address, e-mail, telephone number;
- 3) An explanation of the basis on which the objector claims to be a Settlement Class Member;
- 4) All grounds for the objection, accompanied by any legal support for the objection known to the objector or his counsel;
- 5) The identity of all counsel who represent the objector, 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;

- 6) A copy of any orders related to or ruling on counsel's or the counsel's law firm's prior objections made by individuals or organizations represented by that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding 5 years and the objector's counsel;
- 7) A statement confirming of whether you intend to appear and/or testify at the Final Approval Hearing, either with or without counsel, and if with counsel, the name of your counsel who will attend;
- 8) the email address where the objector received a Florida Debt Collection Email from Defendant;
- 9) copies of any papers, exhibits, or other evidence that the objector will present to the Court in connection with the Final Approval Hearing;
- 10) The number of times in which your counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date that you file the objection, the caption of each case in which counsel or the firm has made such objection, and a copy of any orders related to or ruling upon counsel's or the firm's prior objections that were issued by the trial and appellate courts in each listed case;
- 11) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection;
- 12) Any and all agreements that relate to the objection or the process of objecting—whether written or verbal—between you or your counsel and any other person or entity
- 13) The identity of all counsel (if any) representing the objector who will appear at the Final Approval Hearing; and
- 14) The objector's wet-ink/physical signature (an e-signature or attorney's signature is not sufficient).

If you wish to object, you must file your objection with the Court (using the Court's electronic filing system or in any manner in which the Court accepts filings) and mail your objection to each of the following four (4) addresses, and your objection must be **postmarked by November 7, 2025**:

Clerk of the Court	Administrator	Class Counsel	Defendant's Counsel
Bay County Clerk of Court 300 E 4th Street Panama City, FL 32401	Frechou v. Progressive Direct Insurance Company Kroll Settlement Administration LLC P.O. Box 225391 New York, NY 10150-5391	Christopher Gold Gold Law, PA 350 Lincoln Rd., 2nd Floor Miami Beach, FL 33139	Zachary S. Foster Quarles & Brady LLP 101 E. Kennedy Blvd., Suite 3400 Tampa, FL 33602

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 is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for Attorney's Fees and Expenses ("Final Approval Hearing").

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

The Court has scheduled a Final Approval Hearing on **December 8, 2025, at 10:00am CT**. The Final Approval Hearing may be moved to a different date or time without additional notice, so it is a good idea to check **www.electroniccommssettlement.com** for updates. At this Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for Attorneys' Fees and Expenses and for a Service Award to the Class Representative. If there are objections, the Court will consider them at that time. After the Final Approval Hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

20. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to attend the Final Approval Hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time to the proper addresses and it complies with all the other requirements set forth above, the Court will consider it. You may also pay your own lawyer to attend the Final Approval Hearing, but it is not necessary.

21. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, your timely filed objection must include a statement of whether you intend to appear at the Final Approval Hearing (*see Question 17* above).

You cannot speak at the Final Approval Hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you are a Settlement Class Member and do nothing, meaning you do not file a timely Claim, you will not get benefits from the Settlement. Further, unless you exclude yourself, you will be bound by the terms of the Settlement Agreement and the judgment entered by the Court.

GETTING MORE INFORMATION

23. How do I get more information or I no longer live at my address?

This Notice summarizes the proposed Settlement. You are urged to review more details in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement available at **www.electroniccommssettlement.com**. You also may write with questions or to update your address to the Administrator at Frechou v. Progressive Direct Insurance Company, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391 or call the toll-free telephone number, **(833) 621-8303**.