

## **NOTICE OF CLASS ACTION COUNTERCLAIM SETTLEMENT**

1. This notice is to advise you that the Class Action Counterclaim in the case of *HSBC Bank v L'Italien* (referred to as *L'Italien v. Ocwen*), Case No. 502017CA003860XXXXMBAG has been settled, subject to court approval. You may be a member of the Settlement Class.
2. The Class Action Counterclaim alleged that in foreclosure cases, Ocwen sought, through mortgage account statements, to collect from borrowers improper and illegitimate charges which violated the Florida Consumer Collection Practices Act (FCCPA) and the Florida Unfair and Deceptive Trade Practices Act (FDUPTA) and breached the mortgage contracts. These charges included (a) service of process fees for unknown tenant(s) and/or a spouse; (b) attorneys' fees for services not performed; and (c) a registration fee for properties located in West Palm Beach that was not owed to the city. Ocwen denied these allegations and claimed that each of these charges were justified. Ocwen also raised numerous affirmative defenses.
3. The Settlement provides for total class damages of \$1,200,000. The statutory cap on damages for class action cases (\$500,000 per violation) was an important consideration in settling the case and in allocating the Settlement funds among Settlement Class Members.
4. The Settlement funds are allocated as follows:
  - a. If you are a member of the West Palm Beach Property Maintenance Class, you will receive payment in the amount of \$250. There are 147 class members in this class.
  - b. If you are a member of the Service of Process Class, you will receive payment in the amount of \$65. There are 11,837 members in this class.
  - c. If you are a member of the Attorneys' Fee Class, you will receive payment in the amount of \$14.14. There are 27,855 members in this class.
5. You can be a member of one or all three of the Settlement Classes and will receive payment accordingly.
6. A list of the three Settlement Classes can be found on the Class Administrator's website, OcwenFloridaSettlement.com and on Silber & Davis's website, www.silberdavis.com (there is a link on the homepage for the "L'Italien/Ocwen Class Action Litigation").
7. If you are a defendant in an active foreclosure case and you are a member of one or all Settlement Classes described above, your current debt will be reduced by the amounts listed above.
8. In recognition of the legal services rendered on behalf of the Settlement Class since 2018, Ocwen has agreed to separately pay attorneys' fees and expenses in the amount of \$1,990,000. Therefore, the class damages will not be reduced by any amount for attorneys' fees and expenses. Ocwen has also agreed to pay all administrative costs with respect to administering the Settlement going forward.
9. Ocwen has also agreed to pay the Class Representative, Monique L'Italien, a Service Award of \$10,000 for the time and effort she has spent on behalf of the Settlement Class since 2018, when the Class Counterclaim was first brought.
10. You can review the entire **Settlement and Release Agreement** and the **Motion for Preliminary Approval of the Settlement** on the Class Administrator's website, OcwenFloridaSettlement.com, and on Silber & Davis's website, www.silberdavis.com (there is a link on the homepage for the "L'Italien/Ocwen Class Action Litigation").
11. As a Settlement Class Member, you have the right to object to the Settlement or any portions thereof. You must object **in writing, by February 4, 2026**. The objection must be sent to Class Counsel Louis M. Silber via mail (Silber & Davis, 501 S. Flagler Drive, Flagler Center, Suite 306, West Palm Beach, FL 33401) or email (lsilber@silberdavis.com) and Counsel for Counterclaim Defendants Thomas Kidera by mail (c/o Orrick, Herrington, & Sutcliffe L.L.P., 51 West 52<sup>nd</sup> Street, New York, NY 10019-6142) or email (tkidera@orrick.com). The objection must set forth the following: (a) the Settlement Class Member's full name, current address, email address, and telephone number; (b) the loan number and address of the property bringing the Settlement Class Member within the scope of the Settlement Class; (c) whether the Settlement Class Member objects to the Settlement in whole or in part; (d) whether the objection applies to the objector or the entire Settlement Class; (e) the specific grounds for the objection; (f) whether the Settlement Class Member intends to appear at the Final Hearing, which will take place on February 19, 2026 at 10:00 am; and (g) whether the Settlement Class Member will be represented by counsel. The Final

Hearing will take place in Judge Daniel T. K. Hurley Courthouse, 205 North Dixie Hwy, West Palm Beach, FL 33401, Courtroom 9C. You may appear in person or by Zoom, and the Zoom link is <https://us02web.zoom.us/j/94110438096?pwd=TjVsQ3ROYWZQcklZbjV3RkdRTUd5Zz09>. Counsel representing any Settlement Class Member shall file a Notice of Appearance and a Notice of Intention to Appear and state the number of times during the prior 5-year period counsel has filed an objection to a class action settlement on its own behalf or on behalf of a class member. Counsel shall serve Class Counsel and Counsel for the Counterclaim Defendants through email or mail as indicated above.

**The Court will not consider any objection that does not comply with the above.**

12. If you have any questions, you can call the Class Administrator at 888-913-6110 or Class Counsel, Louis M. Silber, at 561-615-6262.