

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN
Amy Marchek v. United States Services Automobile Association
Case No. 1:21-cv-00087

If You Insured a Leased Vehicle Under a USAA Michigan Auto Insurance Policy and Did Not Receive Full Payment for Sales Tax and/or Vehicle Regulatory Fees After the Vehicle Was Totaled, you may be eligible for a payment under a class action settlement.

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

If you are a Class Member, your legal rights are affected whether you act or don't act.

PLEASE READ THIS NOTICE CAREFULLY

- This Notice provides information about a proposed Settlement of a class action lawsuit regarding the payment of Michigan Sales Tax and Vehicle Regulatory Fees for leased vehicles that were totaled and were insured under a Michigan Automobile Insurance Policy issued by USAA. The lawsuit generally alleges that USAA failed to pay the full amount of Sales Tax and Vehicle Regulatory Fees on leased vehicles.
- USAA denies any wrongdoing and maintains that it has complied with and exceeded its obligations under Michigan law and its insurance policies. The Court has not ruled on the merits of the claims.
- Under the Settlement, USAA will pay up to \$647,263.74 to pay Qualifying Settlement Class Members their Claims Payments. USAA will separately pay attorneys' fees and expenses not to exceed \$174,761.21, and a Service Award not to exceed \$5,000 to the Class Representative, which must be approved by the Court, and will not come from or reduce any payment made to Settlement Class Members.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY OCTOBER 8, 2026	The only way to get a payment. A Claim Form is enclosed with this Notice.
EXCLUDE YOURSELF BY JULY 10, 2026	Get no payment. This is the only option that allows you to ever be a part of any other lawsuit against USAA about the legal claims in this case.
OBJECT BY JULY 10, 2026	Write to the Court about why you don't like the Settlement. You will still be bound by the Settlement if the Court approves it.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no payment. Give up your legal rights.

- 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 this Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

**QUESTIONS? CALL 1-800-598-3078 TOLL-FREE, OR VISIT www.MarchekSettlement.com.
PARA UNA NOTIFICACIÓN EN ESPAÑOL, LLAMAR 1-800-598-3078, O VISITAR www.MarchekSettlement.com.**

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BASIC INFORMATION

1. What is this Notice?

The Court authorized this Notice in connection with a proposed class action settlement. The Court also authorized mailing a “Short-Form Mailed Notice” to possible Settlement Class Members. The fact that you may have received a notice of this Settlement does not necessarily mean that you are a Class Member or that you are eligible for a payment. You have a right to know about a proposed Settlement of a class action, and about all of your options, before the Court decides whether to give “final approval” to the Settlement. If the Court approves the Settlement, and after any appeals are resolved, an administrator appointed by the Court will make the payments that the Settlement allows.

This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available under the Settlement, who is eligible for them, and how to get them.

The Court in charge of the case is the U.S. District Court for the Western District of Michigan, Judge Paul L. Maloney presiding. More information on the lawsuit is in Question 3 below.

2. Who are the Parties?

The person who sued is called the “Plaintiff,” and the company she sued is called the “Defendant.” The Plaintiff in this case is Amy Marchek, as Personal Representative of the Estate of Jeremy Marchek. The Defendant is United Services Automobile Association (“USAA”).

3. What is this lawsuit about?

This case is *Marchek v. United Services Automobile Association*, Case No. 1:21-cv-00087 (U.S. Dist. Ct. for the Western District of Michigan).

The lawsuit alleges that USAA failed to pay the full amount of Michigan Sales Tax and Vehicle Regulatory Fees to people who insured their leased vehicles under a USAA Michigan Automobile Insurance Policy, who submitted a claim for physical damage under their comprehensive or collision coverage, and whose vehicle was determined to be a total loss, during the Applicable Class Period. (See Question 6 below for more information on the Class definition.)

USAA denies that it did anything wrong and maintains that it has complied with and exceeded its obligations under Michigan law and its insurance policies. The Parties, however, have agreed to settle the lawsuit to avoid the cost, delay, and uncertainty of continued litigation.

4. Why is this a class action? What is a class action?

In a class action lawsuit, one or more people, called “Class Representatives,” sue on behalf of people who have similar claims. All these people together are a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who choose to exclude themselves from the Class. (See Questions 14-16 below for more information about excluding yourself from the Settlement).

5. Why is there a settlement?

The Court did not decide in favor of Plaintiff or Defendant. Instead, both sides agreed to a settlement to avoid the cost, delay, and uncertainty of further litigation, and if the Court approves the Settlement, the people affected will get compensation if they submit a valid and timely Claim Form. USAA has denied all liability in the lawsuit. The Class Representative and Class Counsel think that the Settlement is in the best interests of Class Members.

WHO IS IN THE SETTLEMENT

To see if you are affected by the proposed Settlement, you first have to determine if you are a Class Member.

6. How do I know if I am part of the Settlement? What is the Class definition?

The Settlement Class is defined as follows:

All individuals and entities insured by United Services Automobile Association (“USAA”) under a Michigan automobile insurance policy whose insurance covered or covers a leased vehicle under private-passenger physical damage coverage, including collision and physical damage other than collision coverage, and who made a first-party claim during the Applicable Class Period, whose leased vehicle was determined by USAA to be a total loss, and who received a total loss payment from USAA for the value of the totaled vehicle that did not include the full amount of the applicable (1) Sales Tax and (2) Vehicle Regulatory Fees.

Excluded from the Settlement Class are (i) all officers, employees, and agents of USAA and its affiliates, Class Counsel, and their immediate family members, and (ii) any members of the judiciary assigned to the Action and their immediate families.

“Sales Tax” means the applicable sales tax for vehicles under Michigan law.

“Vehicle Regulatory Fees” means the applicable Title Transfer Fees and Vehicle Registration Fees under Michigan law.

“Applicable Class Period” means January 27, 2015 through March 11, 2026.

7. I’m still not sure if I am included.

If you are still not sure whether you are included, you can get free help. You can call the Settlement Administrator toll-free at 1-800-598-3078; send an e-mail to info@MarchekSettlement.com; or visit the website, www.MarchekSettlement.com for more information. You may also contact any of the Class Counsel listed in Question 17 below. You are not required to pay anyone to assist you in obtaining information about or a payment from the Settlement.

THE SETTLEMENT BENEFITS—WHAT YOU GET

8. What does the proposed Settlement provide?

USAA will pay up to \$647,263.74 in claim payments to Qualifying Settlement Class Members. A Qualifying Settlement Class Member means a Settlement Class Member who has not submitted an exclusion request and who is otherwise eligible to receive a Settlement Claim Payment.

If the Settlement becomes final, the lawsuit will be dismissed with prejudice, and USAA will receive a complete release and discharge of the claims asserted in the lawsuit. (See Question 13 below for more details.)

9. How much will my payment be?

At this time, we don’t know what your individual payment will be. Settlement Claim Payments to Qualifying Settlement Class Members will be calculated as follows:

- i. **Sales Tax:** Each Qualifying Settlement Class Member shall be paid Michigan’s 6% Sales Tax on the value of his or her total loss vehicle as found in USAA records, to the extent not already paid by USAA.
- ii. **Vehicle Regulatory Fees:** Each Qualifying Settlement Class Member shall be paid a Title Transfer Fee of \$15 per vehicle and a Vehicle Registration Fee of \$8 per vehicle, to the extent not already paid by USAA.

HOW YOU GET A PAYMENT

10. How can I get a payment?

To be eligible for payment, (1) you must fit the Class definition in Question 6 above, (2) you must not have filed an exclusion request, and (3) you must submit a timely and valid Claim Form. A Claim Form is enclosed with this Notice. **If you have more than one insurance claim, you must submit a separate Claim Form for each claim.**

Read the instructions on the Claim Form carefully, fill out the Claim Form, and sign it. For your Claim Form to be timely, you must mail it to the Settlement Administrator at the address below so that it is **postmarked by October 8, 2026**:

Marchek Settlement Administrator
c/o Rust Consulting, Inc. - 8970
PO Box 2599
Faribault, MN 55021-9599

You may also submit your Claim Form online via the Settlement website, www.MarchekSettlement.com, as long as it is submitted online by **October 8, 2026**. Instructions for submitting a Claim Form online are on the website.

Do not send your Claim Form to the Court, the Judge, or USAA.

Note that only a Class Member or his or her “Legally Authorized Representative” can submit a claim. See Question 11 below for an explanation of that term.

11. What is a “Legally Authorized Representative”? What does a Legally Authorized Representative need to do to file a Claim for a Class Member?

A Legally Authorized Representative means an administrator/administratrix, personal representative, or executor/executrix of a deceased Class Member’s estate; a guardian, conservator, or next friend of an incapacitated Class Member; or any other legally appointed person or entity responsible for handling the business affairs of a Class Member. A Legally Authorized Representative of a Class Member can, for example, submit a Claim Form (Question 10 above), an exclusion request (see Question 14 below), or an objection (see Question 19 below) on behalf of the Class Member.

If you believe that you are a Legally Authorized Representative of a Class Member, and you wish to submit a Claim Form on behalf of that Class Member, you should fill out and sign the enclosed Claim Form per the instructions on the Claim Form (or submit a Claim Form online on the settlement website) and also provide additional information and documentation, including whether you are (1) the personal representative of a deceased Class Member, (2) the guardian, conservator, or attorney in fact of an incapacitated Class Member, or (3) the legally appointed representative of the Class Member (for example, through a power of attorney). You will also need to provide documentation establishing that you are the Class Member’s Legally Authorized Representative (for example, estate documents, powers of attorney, death certificates, etc.). Please contact the Settlement Administrator if you need help.

12. When will I get my payment?

The exact date that Qualifying Settlement Class Members will receive payment is not known at this time. Payments will be made after the Court grants “final approval” of the Settlement and any appeals are resolved.

The Court will hold a hearing on **September 8, 2026, at 10:00 a.m. Eastern time** to decide whether to approve the Settlement. If the Court approves the Settlement (see the section “The Court’s Final Approval Hearing,” below), there may be appeals. It’s always uncertain whether these appeals can be resolved, and resolving them can take time. Please be patient. Please check the Settlement website, www.MarchekSettlement.com, for updates and other important information about the Settlement, or call 1-800-598-3078 toll-free or send an e-mail to info@MarchekSettlement.com to learn the status of the Settlement.

13. What am I giving up to get a payment or stay in the Class?

Unless you exclude yourself from the Settlement, you are staying in the Class, and that means that you can’t sue or be part of any other lawsuit against USAA about the legal issues in this case. It also means that all of the Court’s orders will apply to you and legally bind you.

If you stay in the Class, you will agree to “release and discharge” USAA and the “Released Persons” from all “Released Claims,” as described in Paragraphs 42–47 of the Settlement Agreement. You can get a copy of the Settlement Agreement on the Settlement website or by contacting the Settlement Administrator.

The Settlement Agreement specifically describes the Released Claims in legal terminology. Talk to Class Counsel (see the section on “The Lawyers Representing You”) or your own lawyer if you have questions about the Released Claims or what they mean.

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EXCLUDING YOURSELF (“OPTING OUT”) FROM THE SETTLEMENT

If you don't want a payment from the Settlement, and instead you want to keep the right to sue USAA on your own about the legal issues in the case, then you must take steps to get out of the Settlement. This is called excluding yourself—or is sometimes referred to as “opting out” of the Class.

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must mail a letter to the Settlement Administrator with a clear statement that you want to be excluded from the *Marchek v. USAA Settlement*.

Be sure to include your name, address, and signature. If you are sending the request to be excluded as the “Legally Authorized Representative” of a Class Member (see Question 11 above for the definition of that term), you must include any information or documents that confirm your appointment or status as a Legally Authorized Representative. Requests for exclusion must be submitted individually by a Class Member or his or her Legally Authorized Representative, and not on behalf of a group or class of persons. If you have a personal lawyer, your lawyer may assist you with your exclusion request, but you must sign the exclusion request, unless the lawyer is also your Legally Authorized Representative.

You must mail your exclusion request **postmarked no later than July 10, 2026** to the following:

Marchek Settlement Administrator
c/o Rust Consulting, Inc. - 8970
PO Box 2599
Faribault, MN 55021-9599

You can't exclude yourself on the phone, by e-mail, or on the website. If you ask to be excluded, you will not get any money from the Settlement, and you cannot object to the Settlement or intervene in the case. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) USAA. If you have a pending lawsuit against USAA involving the same legal issues in the Settlement, speak to your lawyer in that case immediately.

15. If I don't exclude myself, can I sue USAA for the same thing later?

No. Unless you exclude yourself from the Settlement, you give up any right to sue USAA for the claims that are resolved by this Settlement. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately.

Remember, the exclusion deadline is **July 10, 2026**.

16. If I exclude myself, can I get a payment from the Settlement?

No. If you exclude yourself, do not send in a Claim Form to ask for money. You will not be able to get any money from the Settlement, and you cannot object to the Settlement. You will not be legally bound by anything that happens in the Settlement.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court has appointed the following law firms and attorneys to represent you and other Class Members in the Settlement: Scott Edelsberg of Edelsberg Law, P.A., Edwin Elliott of Shamis & Gentile, P.A., Jacob Phillips of Jacobson Phillips PLLC, and Edmund Normand of Normand Law PLLC. You may contact Class Counsel at info@shamisgentile.com. These lawyers are called Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

18. How will the lawyers be paid? What is the Class Representative's Service Award?

Class Counsel will ask the Court to approve a payment of up to \$174,761.21 for attorneys' fees and costs. If the Court approves that payment, it will be paid separately and apart from the amount available to pay to Qualifying Settlement Class Members for their claims. Class Counsel will also ask for a payment of up to \$5,000 to Amy Marchek for services as Class Representative (the “Class Representative Service Award”), to be paid separately and apart from the amount available to pay

to Qualifying Settlement Class Members for their claims. The Court may award less than these amounts. Class Counsel will file a petition for those Awards, which will be posted on the website. The costs of settlement administration will also be paid by Defendant separately from the amount available to pay to Qualifying Settlement Class Members for their claims.

OBJECTING TO THE SETTLEMENT

If you are a Class Member and do not exclude yourself, you can tell the Court that you don't agree with the Settlement or some part of it. You can't ask the Court for a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you must object.

19. How do I tell the Court that I don't like the Settlement?

If you're a Class Member (or a Class Member's Legally Authorized Representative), you can object to the Settlement if you don't like it, or you may try to intervene in the case. However, you cannot object if you have excluded yourself from the Settlement. In other words, you must stay in the case as a Class Member in order to object to or intervene in the Settlement.

You can object if you don't like any part of the proposed Settlement, including but not limited to the payments to Class Members, the request for the Attorneys' Fees and Expenses Award, the request for Service Award to the Class Representative, or any other part of the Settlement. You can give reasons why you think the Court should not approve any or all of these items. The Court will consider your views if you comply with the requirements for objecting.

To object, you must (a) **mail** your objection to the Settlement Administrator **and** (b) **file** it with the Court. To be timely, your objection must be mailed to the Settlement Administrator so that it is **postmarked** by **July 10, 2026**, and it must be **filed** with the Court by no later than **July 10, 2026**, at the following addresses:

Address of Settlement Administrator:

Marchek Settlement Administrator
c/o Rust Consulting, Inc. - 8970
P.O. Box 2599
Faribault, MN 55021-9599

Address of Court:

United States District Court for the Western District of Michigan
Case No. 1:21-cv-00087 (Marchek v. USAA)
137 Federal Bldg
410 W. Michigan Ave
Kalamazoo, MI 49007

Note: You may mail your objection to the Court, but it must be **received** by the Court **and filed** by **July 10, 2026**. See www.MarchekSettlement.com for more information on how to object to or intervene in the Settlement.

Your objection must (a) contain a heading which includes the name of the case and case number *Marchek v. United Services Automobile Association*, Case No. 1:21-cv-00087 (U.S. Dist. Ct., W.D. Mich.); (b) provide your full name, address, telephone number, and signature; (c) indicate the specific reasons why you object to the Settlement; (d) contain the name, address, bar number, and telephone number of your counsel, if you're represented by an attorney; if you are represented by an attorney, he or she must comply with all applicable laws and rules for filing documents; (e) provide a list of other cases in which you or your counsel has appeared either as an objector or counsel for an objector in the last five years; and (f) state whether you intend to appear at the Final Approval Hearing, either in person or through counsel. All objections must be signed by the objecting Class Member (or his or her Legally Authorized Representative), even if the Class Member is represented by counsel.

If you intend to appear at the Final Approval Hearing (also known as the Fairness Hearing) to object to the Settlement, you must also provide with your written objection a detailed statement of the specific legal and factual basis for each objection, a list of any witnesses you will call at the Hearing with each witness' address and summary of the witness' testimony, a description of all evidence you will offer at the Hearing with copies of the exhibits attached, and documentary proof of your membership in the Class. You or your lawyer may appear at the Final Approval Hearing if you have filed a written objection as provided above. (See the section on the "Court's Final Approval Hearing" below.) If you have a lawyer file an objection for you, he or she must follow all rules, and you must list the attorney's name, address, bar number, and telephone number in the written objection filed with the Court.

If you want to intervene as a party to the case, you must file a motion to intervene with the Court by **July 10, 2026** so that the Parties can respond to the motion.

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If you choose to object, you must make yourself available to be deposed by any Party in the county of your residence within seven (7) days of service of your timely written objection.

Please note that any objections or motions must be submitted by an individual Class Member or his or her attorney, not as a member of a group, class, or subclass. The only exception is that an objection may be submitted on behalf of a Class Member by the Legally Authorized Representative (see Question 11 above for a definition of that term).

20. What's the difference between objecting and excluding yourself?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you stay in the Settlement. Excluding yourself is telling the Court that you don't want to be part of the Settlement. If you exclude yourself, you have no basis to object, because the case no longer affects you. If you object, and the Court approves the Settlement anyway, you will still be legally bound by the result.

THE COURT'S FINAL APPROVAL HEARING

The Court will hold a hearing called a "Final Approval Hearing" (also known as a "Fairness Hearing") to decide whether to approve the Settlement. If you haven't excluded yourself from the Settlement, you may attend the Final Approval Hearing and may ask to speak to the Court, but you don't have to.

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

The Court will hold a Final Approval Hearing to decide whether to finally approve the proposed Settlement. You may attend and you may ask to speak, but you don't have to do either one.

The Final Approval Hearing will be on **September 8, 2026, at 10:00 a.m. Eastern time** before Judge Maloney. Please note that the Court may conduct the Final Approval Hearing by video conference. Please check the Settlement website, the Court's website, or call the Settlement Administrator for current information. Also, the Final Approval Hearing may be moved to a different date or time without additional notice, so you should check the Settlement website, the Court's website, or call the Settlement Administrator before making travel plans.

At the Hearing, the Court will consider whether the proposed Settlement and all of its terms are adequate, fair, and reasonable. If there are objections, the Court will consider them. The Court may listen to people who have asked for permission to speak at the Hearing. The Court may also decide how much to award Class Counsel for fees and expenses for representing the Class (the Attorneys' Fees and Expense Award) and whether and how much to award the Class Representative for representing the Class (the Service Award).

At or after the Final Approval Hearing, the Court will decide whether to finally approve the proposed Settlement. There may be appeals after that. There is no set timeline for either the Court's final approval decision, or for any appeals that may be brought from that decision, so it is impossible to know exactly when the Settlement will become final.

The Court may change deadlines listed in this Notice without further notice to the Class. To keep up on any changes in the deadlines, please contact the Settlement Administrator, the Settlement website, or the Court's docket.

22. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions asked by the Court. But you are welcome to come at your own expense. If you intend to have a lawyer appear on your behalf at the Final Approval Hearing, your lawyer must enter a written notice of appearance of counsel with the Clerk of the Court no later than **July 10, 2026**, and you must comply with all of the requirements explained in Question 19 above.

If you send an objection, you don't have to come to Court to talk about it. So long as you mailed your written objection on time and complied with the other requirements for a proper objection, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

23. May I speak at the Final Approval Hearing?

Yes. If you submitted a proper written objection to the Settlement, you or your lawyer acting on your behalf may speak at the Final Approval Hearing. To do so, you must send a Notice of Intention to Appear and follow the procedures set out in Question 19 above. Your Notice of Intention to Appear must be mailed to the Settlement Administrator so that it is **postmarked no later than July 10, 2026**, and it must be **filed** with the Clerk of the Court by that same date. See Question 19 above for the addresses of the Settlement Administrator and the Court. You cannot speak at the Final Approval Hearing if you excluded yourself.

IF YOU DO NOTHING

24. What happens if I do nothing at all?

If you do nothing, you will get no money from this Settlement. But unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against USAA about the legal issues in this case, ever again. To receive a payment you must submit a qualifying Claim Form. (See Question 10.)

GETTING MORE INFORMATION

25. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement, which is available at www.MarchekSettlement.com; the Settlement website also contains additional information about the Settlement. You may also get information by contacting the Settlement Administrator as noted below; by contacting Class Counsel (see Question 17); by accessing the Court docket in this case, for a fee; or by visiting the office of the Clerk of the Court, as noted below.

- Settlement Administrator: Call toll-free at 1-800-598-3078; email at info@MarchekSettlement.com; or write to the Settlement Administrator at the following address:

Marchek Settlement Administrator
c/o Rust Consulting, Inc. - 8970
PO Box 2599
Faribault, MN 55021-9599

- Clerk of the Court: You may review legal documents that have been filed with the Clerk of Court at the address noted in Question 19 during regular office hours. Please contact the Clerk's Office for information on accessing court documents, but the Clerk will NOT answer questions about the Settlement.

PLEASE DO NOT CALL THE JUDGE OR THE COURT CLERK TO ASK QUESTIONS ABOUT THE LAWSUIT, THE SETTLEMENT, OR THIS NOTICE.

THE COURT WILL NOT RESPOND TO LETTERS OR TELEPHONE CALLS. IF YOU WISH TO ADDRESS THE COURT, YOU MUST FILE AN APPROPRIATE PLEADING OR MOTION WITH THE CLERK OF THE COURT IN ACCORDANCE WITH THE COURT'S USUAL PROCEDURES.

PLEASE DO NOT CONTACT USAA ABOUT THIS SETTLEMENT.

