

DISTRICT COURT OF TRAVIS COUNTY, TEXAS

If You Received Personal Injury Protection (PIP) Benefits From Progressive County Mutual Insurance Company, 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 do not act.

PLEASE READ THIS NOTICE CAREFULLY.

This Notice provides information about a proposed Settlement of a class action lawsuit regarding the timing of payments of Personal Injury Protection (“PIP”) benefits under Texas auto insurance policies issued by Progressive County Mutual Insurance Company (“Progressive”). The lawsuit generally alleges that Progressive failed to timely handle medical bills submitted under PIP coverage in accordance with the deadlines set forth in the Texas Prompt Payment of Claims Act and the Texas Insurance Code, and did not pay statutory remedies in every instance.

Progressive denies that it did anything wrong, maintains it complied with its obligations under Texas law and its insurance policies, and asserts that the Plaintiffs’ legal theories are incorrect. Nevertheless, Progressive has agreed to settle this case to avoid the costs, delay, and uncertainty of further litigation. The Court has not ruled on the merits of the claims.

If the Court approves the Settlement, Progressive has agreed to pay valid claims based on a specific calculation of damages (described below). If you are a Class Member, you **must submit a Claim Form** to receive a Settlement Payment.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

Option	What it Means
SUBMIT A CLAIM FORM	The only way to get a cash payment. You must submit a Claim Form online by January 19, 2027. If your claim is valid and timely, you will receive a cash payment based on an objective formula, and you will give up your right to sue Progressive regarding the claims in this lawsuit.
EXCLUDE YOURSELF	Get no payment. This is the only option that allows you to pursue your own lawsuit against Progressive for any legal claims arising out of or relating to the facts and circumstances alleged in this case.
OBJECT	Write to the Court about why you don’t like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no payment. Give up your right to sue Progressive regarding the legal claims in this lawsuit.

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.

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BASIC INFORMATION

1. Why did I get a Notice?

If you received an email notice or postcard notice, Progressive's records show that you are a Class Member and the Court authorized sending you Notice. 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 Parties' Class Action Settlement Agreement, and after any objections and appeals are resolved, an administrator appointed by the Court will make the payments that the Settlement allows.

2. Who are the Parties?

The persons who sued are called the "Plaintiffs," and the company they sued is called the "Defendant." The Plaintiffs in this case are Brian Koetter and Elyssa Parven. The Defendant is Progressive County Mutual Insurance Company ("Progressive").

3. What is this lawsuit about?

This case is *Koetter, et al. v. Progressive County Mutual Insurance Company*, Cause No. D-1-GN-18-005132 (District Court of Travis County, Texas, 419th Judicial District).

This lawsuit is about the timing of Progressive's handling of medical bills submitted for PIP benefits under Texas auto insurance policies. The lawsuit generally alleges that Progressive failed to handle PIP benefits within the statutory deadlines and failed to pay the statutory remedies on every late payment. Progressive strongly denies that it violated the statutes at issue or otherwise did anything wrong.

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. The Court has not yet decided that this case meets the requirements to be a class action lawsuit, but the parties have agreed to resolve the case on behalf of everyone who would be a Class Member. The Court still has to decide whether or not to approve the Settlement.

5. Why is there a settlement?

The Court has not decided in favor of Plaintiffs or Progressive. Instead, both sides agreed to a settlement to avoid the cost, delay, and uncertainty of further litigation. Progressive has denied all liability in the lawsuit. The Class Representatives and Class Counsel think that the Settlement is in the best interests of Class Members.

WHO IS IN THE SETTLEMENT

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

If you received an email notice or postcard notice, Progressive's records show that you are a Class Member. You are a Class Member if you meet the definition for either the "30-Day Class" and/or the "15-Day Class":

- **The 30-Day Class:** You are included if you submitted a covered medical bill pursuant to your PIP coverage under a Texas-based policy, and Progressive paid and issued an Explanation of Benefits (EOB) for a line item on that bill more than 30 days after receiving your bill, with an EOB print date between August 30, 2016, and June 1, 2026.
- **The 15-Day Class:** You are included if you submitted a covered medical bill pursuant to your PIP coverage under a Texas-based policy, and Progressive paid and issued an Explanation of Benefits (EOB) for a line item on that bill more than 15 business days after receiving your bill, with an EOB print date between August 30, 2016, and June 1, 2026.

(Excluded from the Classes are present or former officers and/or directors of Progressive, the Judge presiding over this Action, Class Counsel, and Progressive's counsel of record.)

THE SETTLEMENT BENEFITS—WHAT YOU GET

7. What does the proposed Settlement provide?

If the Court approves the Settlement, Progressive has agreed to pay Class Members who submit a valid and timely Claim Form.

In addition, Class Counsel will ask the Court for an award of attorneys' fees and costs of up to \$2,000,000, and an Incentive Award to the Class Representatives in the amount of up to \$10,000 each. (See Question 16 below.) Progressive has agreed to pay the amounts awarded by the Court, up to those maximum amounts, *completely separate from the Class Relief*. These awards, as well as the costs of notice and administration, will not reduce the amount available to Class Members.

8. How much will my payment be?

Because this Settlement is a compromise of disputed legal theories, your payment will be calculated based on an objective formula using Progressive's existing PIP billing data. The Settlement Administrator will calculate the payment based on each eligible line item within your Qualifying PIP Medical Bill:

- **For 15-Day Class Claims:** You will receive a Claim Payment equal to 11.452% annual interest based on the 15-Business-Day Interest Days and the line item's Allowed Amount.
- **For 30-Day Class Claims:** You will receive a Claim Payment equal to (1) a flat five percent (5%) of the line item's Allowed Amount, and (2) 11.452% annual interest based on the 30-Day Interest Days and the line item's Allowed Amount.
- **Cumulative Payments:** If a line item qualifies under both the 15-Day Class and the 30-Day Class, your payment will be calculated in two stages. First, you will receive 11.452% interest for the period between the 15th business day and the 30th day. Second, you will receive the flat five percent (5%) amount, plus 11.452% interest for the remaining period from the 30th day until the date the EOB was printed. The total of these stages will be your final payment for that line item.

You do not need to calculate the amount yourself. The Settlement Administrator will perform these calculations objectively for each eligible line item.

HOW YOU GET A PAYMENT

9. How can I get a payment?

To receive a payment, you **MUST complete and submit a Claim Form**. You can submit your Claim Form online at www.TravisCountyPIPSettlement.com. Your Claim Form must be submitted online no later than January 19, 2027.

10. When will I get my payment?

Payments will be made if the Court grants "final approval" of the Settlement and after any appeals are resolved. The Court will hold a hearing on December 17, 2026 at 9:00 a.m., to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. Resolving them can take time. Please be patient.

11. 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 Progressive for any legal claims arising out of or relating in any way to the facts and circumstances alleged in this case, including any legal claims arising out of Progressive's handling of PIP claims. 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" Progressive and the "Released Persons" from all "Released Claims," as described in the Settlement Agreement.

EXCLUDING YOURSELF ("OPTING OUT") FROM THE SETTLEMENT

12. How do I get out of the Settlement?

If you don't want a payment from the Settlement, and instead you want to keep the right to sue Progressive on your own for any legal claims arising out of or relating in any way to the facts and circumstances alleged in this case, you must take steps to get out of the Settlement. This is called excluding yourself, or is referred to as "opting out" of the Class.

To exclude yourself, you must mail a letter to the Settlement Administrator with a clear statement that you want to be excluded from the *Koetter v. Progressive* Settlement. Be sure to include your name, address, telephone number, and signature.

You must mail your exclusion request postmarked no later than November 12, 2026, to:

Koetter v. Progressive
Settlement Administrator
c/o Verita Global, LLC
P.O. Box 301132
Los Angeles, CA 90030-1132

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

No. Unless you exclude yourself from the Settlement, you give up any right to sue Progressive for the claims that are released by this Settlement.

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

No. If you exclude yourself, you will not be able to get any money from the Settlement, and you cannot object to the Settlement.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

Yes. The Court has appointed the following lawyers as “Class Counsel” to represent you and other Class Members. However, if you choose to exclude yourself from the Settlement, Class Counsel will no longer represent you.

STONE FIRM, PLLC Jarrett Stone jarrett@stonefirm.law 14902 Preston Road Suite 404-526 Dallas, TX 75254 Tel.: (512) 277-2882 Fax: (972) 777-2009	COLLEY FIRM, P.C. Paul Colley, Jr. paul@colleylaw.net P.O. Box 931 Lampasas, TX 76550 Tel.: (512) 477-2001 Fax: (512) 501-2602
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If you want to be represented by your own lawyer, you may hire one at your own expense.

16. How will Class Counsel be paid? What is the Class Representative’s Incentive Award?

Class Counsel will ask the Court to approve a payment of up to \$2,000,000 for attorneys’ fees and costs. Class Counsel will also ask for a payment of up to \$10,000 each to Brian Koetter and Elyssa Parven for their services as Class Representatives. The Court may award less than these amounts. Progressive will pay up to these amounts separately; these amounts will NOT be deducted from the money available to Class Members.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court that I don’t like the Settlement?

If you are a Class Member, you can object to the Settlement if you do not like it. You should state why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter slating that you object to the Settlement in *Koetter v. Progressive*, Cause No. D-1-GN-18-005132.

Your objection must be in writing and include: (1) the name of the case and cause number; (2) your full name, address, telephone number, and personal signature (even if represented by counsel); (3) the specific reasons why you object to the Proposed Settlement; (4) the name, address, bar number, and telephone number of your counsel, if any; (5) a statement whether you or your attorney intend to appear at the Final Approval Hearing; and (6) a list of other cases in which you or your counsel have appeared either as an objector or counsel for an objector in the last five (5) years. Furthermore, to be a valid objector, 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.

You must file your objection with the Clerk of the Court and mail copies to Class Counsel and Defense Counsel. Your objection must be filed and postmarked no later than **November 12, 2026**, to the following:

COURT: District Clerk of the Court, Travis County Courthouse, 1700 Guadalupe Street, Austin, TX 78701

CLASS COUNSEL: Jarrett Stone, STONE FIRM, PLLC, 14902 Preston Road, Suite 404-526, Dallas, TX 75254

DEFENSE COUNSEL: Zachary A. McEntyre, KING & SPALDING LLP, 1180 Peachtree Street, Atlanta, GA 30309

18. 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 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.

THE COURT’S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **December 17, 2026**, at **9:00 a.m.** before the Honorable Judge Mauzy presiding in the 419th Judicial District Court, Travis County Civil Courthouse, 1700 Guadalupe Street, Austin, Texas 78701. At the Hearing, the Court will consider whether the proposed Settlement and all of its terms are adequate, fair, and reasonable.

20. 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 send an objection, you don’t have to come to Court to talk about it as long as you mailed it on time.

21. May I speak at the Final Approval Hearing?

Yes. If you submitted a proper written objection to the Settlement and indicated your intent to appear, as described in Question 17 above, you or your lawyer may speak at the Final Approval Hearing.

IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you do nothing, you will get **NO PAYMENT** from this Settlement. Because this is a claims-made settlement, you must submit a Claim Form to receive a cash payment. Furthermore, unless you exclude yourself, you will be part of the Class, and you won't be able to sue Progressive for any legal claims arising out of or relating in any way to the facts and circumstances alleged in this case.

GETTING MORE INFORMATION

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

This Notice summarizes the proposed Settlement. For the precise terms, please see the Settlement Agreement available at www.TravisCountyPIPSettlement.com. You can also call the Settlement Administrator toll-free at **1-888-808-4386**. You can also contact Class Counsel (*See* Question 15).

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 PROGRESSIVE OR DEFENSE COUNSEL ABOUT THIS SETTLEMENT.