

United States District Court
Southern District of New York

**If You Purchased a Chicco “KidFit” Booster Seat Between April 22, 2015 and
December 31, 2021, You May Be Eligible for a Payment of Up to \$50
Under a Class Action Settlement**

**The United States District Court for the Southern District of New York
has preliminarily approved a class action settlement that may affect your legal rights.**

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

- A Settlement has been reached in a class action lawsuit involving Artsana USA, Inc.’s (“Defendant”) Chicco-branded “KidFit” booster seats.
- You are eligible to participate in the Settlement if you purchased a Chicco “KidFit” branded booster seat, including the KidFit, KidFit Zip, KidFit Zip Air, KidFit Luxe, KidFit Plus, and KidFit Air Plus models, between April 22, 2015 and December 31, 2021. To receive payment under the Settlement, you must submit a Claim Form.
- The Settlement provides for cash payments of \$25 or \$50.

Please read this Notice carefully and in its entirety.

**Your rights may be affected by the Settlement of this Lawsuit,
and you have a choice to make now about how to act:**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:		
SUBMIT A CLAIM FORM	This is the only way to receive a cash payment provided under the Settlement.	Claims must be received by 60 days after Final Approval , which could be as early as December 11, 2023 .
EXCLUDE YOURSELF	Write to the Settlement Administrator to opt out of the Settlement. If you opt out of the settlement, you will not be eligible to receive the Settlement Benefits, but you will keep your right to be part of any other lawsuit or to sue on your own regarding any claims that are part of the settlement.	Requests for Exclusion must be received by September 7, 2023 .

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414

OBJECT	You may write to the Court about why you do not like the Settlement.	Objections must be filed with the Court and copies received by September 7, 2023 .
APPEAR IN THE LAWSUIT OR ATTEND A HEARING	You may ask to speak in Court about the fairness of the Settlement. You may appear in Court yourself or appear through an attorney at your own expense if you so desire. Written notice of your intent to appear in the Lawsuit must be filed with the Court and served on the Parties by September 28, 2023 .	The Court's Fairness Hearing is currently scheduled for October 12, 2023 at 10:00 a.m.
DO NOTHING	If you do nothing, you will receive no reimbursement. You also give up your right to be part of any other lawsuit against the Defendant about the same 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 must decide whether to approve the Settlement before any benefits can be distributed. The Settlement Benefits will be made available if the Court approves the settlement and after any appeals are resolved. Please be patient.
- If you have any questions, please read on and/or visit www.ArtsanaBoosterSeatSettlement.com.

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BASIC INFORMATION

1. Why is there a notice?

A Court has authorized this notice because you have a right to know about the proposed Settlement of this class action lawsuit, and your options, before the Court decides whether to give “final approval” to the Settlement. This notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Honorable Vincent L. Briccetti of the United States District Court, Southern District of New York, is overseeing this class action lawsuit, known as *Jimenez v. Artsana USA, Inc.*, Case No. 7:21-cv-07933-VB (the “Action”). Mashayila Sayers, Brittney Tinker, Jennifer Monachino, Kimberly Mullins, Hilda Michelle Murphree, and Amanda Jimenez, the people who filed this lawsuit, are called the “Plaintiffs” or “Class Representatives,” and the company they sued, Artsana, is called the “Defendant.”

2. What is the lawsuit about?

This lawsuit involves Artsana’s Chicco-branded booster seats marketed under the “KidFit” branding, which includes the KidFit, KidFit Zip, KidFit Zip Air, KidFit Luxe, KidFit Plus, and KidFit Air Plus (the “Eligible Products”). The lawsuit alleges that Artsana misrepresented the minimum weight requirement for and side-impact collision protection provided by its Chicco-branded “KidFit” booster seats. Defendant denies these allegations.

3. Why is this a class action and who is involved?

In a class action, one or more people called “Class Representatives” assert claims on behalf of people who have similar claims. All of these people are the “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who timely exclude themselves from (or “opt out” of) the Class. The Class Representatives in the lawsuit are the Plaintiffs identified above. The company sued is called the Defendant, Artsana.

4. Why is there a Settlement?

All parties have agreed to a Settlement to avoid further cost and the risk of a trial, and so that the people affected can begin getting benefits in exchange for releasing the Defendant from liability for the claims that were raised or could have been raised in the lawsuit involving Chicco branded “KidFit” booster seats. The Court did not decide which side was right. The Class Representatives and their attorneys assert that the settlement is in the best interests of the Class because it provides an appropriate recovery at an early stage while avoiding the risk, expense, and delay of pursuing the case through trial and any appeals.

WHO IS IN THE SETTLEMENT

To see if you will be entitled to the Settlement Benefits from this Settlement, you first have to decide if you are a Class Member.

5. How do I know if I am part of the Settlement?

You are a Class Member if you purchased one or more of the Chicco “KidFit” branded booster seats, including the KidFit, KidFit Zip, KidFit Zip Air, KidFit Luxe, KidFit Plus, and KidFit Air Plus models, in the United States,

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its territories, and/or its possessions between April 22, 2015 and December 31, 2021.

Excluded from the Class are (a) all persons who are employees, directors, officers, and agents of Artsana or its subsidiaries and affiliated companies; (b) persons or entities that purchased the Eligible Products primarily for the purposes of resale; (c) governmental entities; (d) persons and entities that timely and properly exclude themselves from the Class as provided in the Stipulation of Settlement; (e) persons and entities that purchased the Eligible Products via the Internet or other remote means while not residing in the United States; and (f) the Court, the Court's immediate family, and Court staff.

If you are still not sure whether you are included in the Settlement Class, you can go to **www.ArtsanaBoosterSeatSettlement.com**, or you can call 1-844-491-1414, and ask for free help.

THE BENEFITS: WHAT YOU GET

6. What are the benefits of the Settlement?

The Settlement provides the following benefits to Class Members who complete and send in a valid Claim Form:

Cash Benefits to Class Members

(1) Class Members who submit a timely Claim Form and either (1) purchased an Eligible Product directly from www.chiccousa.com, (2) registered an Eligible Product with Artsana or the National Highway Traffic Safety Administration (NHTSA), or (3) provide other proof of purchase will receive fifty dollars (\$50) per Eligible Product purchased between April 22, 2015 and December 31, 2021.

Proof of purchase is defined to include a valid receipt or retail rewards submission from an authorized retailer, product packaging, a picture of the Eligible Product showing a new or recently purchased product, or other physical evidence corroborating the Class Member's purchase claim (e.g., a credit card statement or invoice showing the Class Member's purchase). For Class Members who directly purchased the Product from Artsana or registered their booster seat with Artsana or the National Highway Traffic Safety Administration (NHTSA), www.ArtsanaBoosterSeatSettlement.com will maintain a tool that will pre-populate the Claim Form with the requisite Eligible Product details.

(2) Class Members who submit a Claim Form without proof of purchase will receive twenty-five dollars (\$25) per Eligible Product purchased between April 22, 2015 and December 31, 2021.

On the Claim Form, Class Members without proof of purchase will be asked to corroborate their purchase of the Eligible Product by satisfying at least two of the below four requirements: (1) identifying the serial number, (2) identifying the model of the Eligible Product they purchased and either the primary and/or secondary colors of the seat, (3) identifying the retailer from which they purchased, as well as the approximate month (or season) and year of purchase, or (4) if the Eligible Product was not purchased online, identifying the municipality and state in which the Eligible Product was purchased and attaching a picture of the Eligible Product.

Injunctive Relief

In consideration for the Release contained in the Stipulation of Settlement, and as a result of the efforts of the Plaintiffs and Class Counsel, Artsana agrees to the following injunctive relief:

(1) Artsana shall include a link to the video titled "Chicco USA Live: Vehicle Boosters," on its consumer-facing website for Chicco USA (<https://www.chiccousa.com>) enabling consumers to access the informational

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video currently available at <https://www.facebook.com/ChiccoUSA/videos/210182254417323> (the “Facebook Video”). The Facebook Video shall appear on the Chicco USA website on (i) the product video page (currently available at <https://www.chiccousa.com/product-video-page/product-videos.html>) under the existing heading “KidFit® Booster Car Seat”;

(2) Artsana will add an overlay of text to the Facebook Video, which will appear on the bottom of the video screen or over the video, stating: “The National Highway Traffic Safety Administration (NHTSA) recommends that you keep your child in a forward-facing car seat with a harness and tether until he or she reaches the top height or weight limit allowed by your car seat’s manufacturer.” Artsana will display such overlay (the “NHTSA Overlay”) on the Facebook Video clearly and conspicuously for a reasonable length of time;

(3) Artsana shall create a new educational video, which discusses the subject of transitioning a child to a booster seat, and has a title reasonably related to the topic of transitioning or fitting a child to a booster seat, and addresses the minimum requirements for safe use of a booster, including weight, age, height, and child maturity level (the “New Video”). The New Video will appear on the Chicco USA’s website on the product video page (currently available at <https://www.chiccousa.com/product-video-page/product-videos.html>) under the existing heading “KidFit® Booster Car Seat.” Artsana will either include an audio message identical to the language utilized in the NHTSA Overlay or display the NHTSA Overlay on the New Video clearly and conspicuously for a reasonable length of time.

In addition, Artsana will pay for Notice to the Class and administration costs of the settlement. Subject to Court approval, Artsana will also pay an incentive award not to exceed \$1,500 to each of the six Class Representatives in this lawsuit.

7. What am I giving up in exchange for the Settlement Benefits?

If the Settlement becomes final, Class Members will be releasing the Defendant and the Released Parties from all of the claims described and identified in the Stipulation of Settlement. Please visit www.ArtsanaBoosterSeatSettlement.com to view the Stipulation of Settlement and Released Claims.

HOW TO GET A PAYMENT: SUBMITTING A CLAIM FORM

8. How do I get a monetary payment from this Settlement?

If you are a Class Member and would like to receive a cash benefit, you need to complete and submit a Claim Form. Claims Forms may be found and submitted online via the Settlement Website at www.ArtsanaBoosterSeatSettlement.com. You may also download a Claim Form from the Settlement Website at www.ArtsanaBoosterSeatSettlement.com and mail your completed Claim Form to the Settlement Administrator to the following address: Chicco Booster Seat Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

To be valid, Claim Forms must be received by the Settlement Administrator or submitted online no later than 60 days after Final Approval, which could be as early as December 11, 2023.

9. When will I get the Settlement Benefits?

The Court will hold a hearing on **October 12, 2023 at 10:00 a.m.**, to decide whether to grant final approval to the Settlement. If the Court approves the Settlement, there may be objections. It is always uncertain whether objections will be filed and, if so, how long it will take to resolve them. Settlement payments will be distributed

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414

to Class Members who have submitted timely and valid Claim Forms as soon as possible, if and when the Court grants final approval to the Settlement and all objections (if any) have been resolved.

YOUR RIGHTS AND CHOICES: EXCLUDING YOURSELF FROM THE SETTLEMENT

10. Can I exclude myself from this Settlement?

Yes. If you want to keep the right to sue or if you are already suing the Defendant in another action over the legal issues in this case, then you must take steps to exclude yourself from this Settlement. This is sometimes called “opting out” of the Settlement.

11. If I exclude myself, can I get anything from this Settlement?

No. If you ask to be excluded, you cannot object to the Settlement, and you will not receive any of the benefits of the Settlement. But you may sue, continue to sue, or be part of a different lawsuit against the Defendant in the future, including for claims that this Settlement resolves. You will not be bound by anything that happens in this lawsuit.

12. If I don’t exclude myself, can I sue later?

No. If you do not properly and timely submit a request for exclusion, you give up the right to sue the Defendant for the claims that this Settlement resolves. If you have a pending lawsuit against Artsana, other than this class action, speak to your lawyer in that lawsuit immediately.

13. How do I exclude myself from the Settlement?

Class Members wishing to opt out of the Settlement must send to the Settlement Administrator by U.S. mail a personally signed letter including (a) their full name; (b) current address; (c) a clear statement communicating that they elect to be “excluded” from the Settlement; (d) their signature; and (e) the case name and case number (*Jimenez v. Artsana USA, Inc.*, Case No. 7:21-cv-07933-VB).

Requests for exclusion must be mailed to the Settlement Administrator at the address below, received on or before **September 7, 2023**.

Chicco Booster Seat Settlement Administrator
Attn: Exclusions
P.O. Box 58220
Philadelphia, PA 19102

You cannot exclude yourself on the phone or by e-mail. Failure to comply with any of these requirements for excluding yourself may result in you being bound by this Settlement.

YOUR RIGHTS AND CHOICES: OBJECTING TO THE PROPOSED SETTLEMENT

You can tell the Court that you do not agree with the settlement or some part of it.

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414

14. How do I tell the Court if I don't like the Settlement?

Any Class Member who intends to object to the fairness, reasonableness, and/or adequacy of the Settlement must, in addition to timely filing a written objection with the Court through the Court's CM/ECF system (or any other method in which the Court will accept filings, if any), send a copy of the written objection by U.S. mail or email to the Settlement Administrator, Class Counsel, and Defense Counsel (at the addresses set forth below) received no later than **September 7, 2023**.

Class Members who object must set forth: (a) their full name; (b) current address; (c) a written statement of their objection(s) and the reasons for each objection; (d) a statement of whether they intend to appear at the Fairness Hearing; (e) their signature; (f) the case name and case number (*Jimenez v. Artsana USA, Inc.*, Case No. 7:21-cv-07933-VB); (g) a statement of his or her membership in the Class, including a verification under oath of Eligible Product(s) purchased and, to the extent known, the location, approximate date, and identity of the retailer from which they purchased; (h) the case name and number of any other case in which they have objected in the last five (5) years; (i) the identity of any current or former lawyer who may be entitled to compensation for any reason related to the objection; and (j) a statement of whether the objector or the objector's attorney intends to appear at the Fairness Hearing.

COURT (by ECF (or any other method in which the Court will accept filings, if any))	Clerk of the Court United States District Court Southern District of New York 300 Quarropas St. White Plains, NY 10601-4150 OR The Court's Case Management/Electronic Case Files ("CM/ECF") system
CLASS COUNSEL (by U.S. Mail or email)	Martha Geer MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 900 W. Morgan Street Raleigh, NC 27603 Email: mgeer@milberg.com
DEFENDANT'S COUNSEL (by U.S. Mail or email)	Christopher Chorba Jeremy Smith GIBSON, DUNN & CRUTCHER LLP 333 South Grand Avenue Los Angeles, California 90071 Email: CChorba@gibsondunn.com; JSSmith@gibsondunn.com
SETTLEMENT ADMINISTRATOR (by U.S. Mail or email)	Chicco Booster Seat Settlement Attn: Objections P.O. Box 58220 Philadelphia, PA 19102 Email: objections@ArtsanaBoosterSeatSettlement.com

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414

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15. What's the Difference between Objecting and Excluding Myself?
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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, and thus do not want to receive any benefits from the Settlement. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

YOUR RIGHTS AND CHOICES: APPEARING IN THE LAWSUIT

16. Can I appear in this lawsuit or Speak in Court about the Proposed Settlement?
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As long as you do not exclude yourself, you can (but do not have to) participate and speak for yourself in this lawsuit and Proposed Settlement. This is called making an appearance. You can also have your own lawyer appear in court and speak for you, but you will have to pay for the lawyer yourself.

17. How can I appear in this lawsuit?
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If you want yourself or your own lawyer (instead of Class Counsel) to participate or speak for you in this lawsuit, you must file with the Court a paper that is titled a "Notice of Appearance." The Notice of Appearance must contain the title of the lawsuit (*Jimenez v. Artsana USA, Inc.*, Case No. 7:21-cv-07933-VB), a statement that you wish to appear at the Fairness Hearing (discussed below), and the signature of you or your lawyer.

Your Notice of Appearance can also state that you or your lawyer would like to speak at the Court's Fairness Hearing on the Proposed Settlement. If you submit an objection (see question 14 above) and would like to speak about the objection at the Court's Fairness Hearing, both your Notice of Appearance and your objection should include that information.

Your Notice of Appearance must be signed, mailed, and **filed by September 28, 2023** with the Court's CM/ECF system or through any other method in which the Court will accept filings, if any, at:

Clerk of Court
U.S. District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

Copies of your Notice of Appearance must also be mailed to Class Counsel and Defendant's Counsel at the same addresses appearing on page 8 of this Notice, in question 14.

IF YOU DO NOTHING

18. What if I do nothing?

If you do nothing, you will give up the right to be part of any other lawsuit against the Defendant about the legal claims released by the Settlement. **You will not receive a Settlement payment unless you timely submit a Claim Form.**

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414

THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in the case?

Yes, the Court has appointed the following law firms as Class Counsel:

L. Timothy Fisher BURSOR & FISHER, P.A. 1990 N. California Blvd., Suite 940 Walnut Creek, CA 94596	Martha Geer MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 900 W. Morgan Street Raleigh, NC 27603	Gregory F. Coleman Arthur Stock Jonathan B. Cohen MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 800 Gay Street, Ste. 1100 Knoxville, TN 37929	Antonio Vozzolo VOZZOLO LLC 345 Route 17 South Upper Saddle River, NJ 07458
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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.

20. How will the lawyers be paid?

Class Counsel will make a motion to the Court for an award of Attorneys' Fees and Expenses in the Actions, not to exceed \$2,250,000, which shall be the sole compensation paid by Artsana for Plaintiffs' Counsel.

The Parties agree to meet and confer regarding the motion for Attorneys' Fees and Expenses. If the Parties are unable to reach an agreement, the Parties agree to hold a mediation concerning Class Counsel's request for Attorneys' Fees and Expenses. If, after the mediation, the Parties do not agree on the amount of Attorneys' Fees and Expenses to be awarded to Class Counsel, the amount of the Attorneys' Fees and Expenses will be determined by the Court.

Class Counsel may also ask the Court for a Service Award payable to each of the Plaintiffs of \$1,500.

THE COURT'S FAIRNESS HEARING

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

The Court will hold a "Fairness Hearing" to decide whether to approve the Settlement on **October 12, 2023** at **10:00 a.m.** in Courtroom 620 located at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150. At this Hearing, the Court will determine whether the Settlement is fair, adequate, and reasonable and whether the objections by Class Members, if any, have merit. If you have filed an objection on time, and also filed a Notice of Intention to Appear, as described in Questions 14, 16, and 17 you may attend and ask to speak at the Hearing, but you don't have to. However, Judge Briccetti will only listen to people who have asked to speak at the Hearing. At this Hearing, the Court will also consider the Service Awards for the Class Representatives, as well as the Attorneys' Fees and Expenses for Class Counsel. We do not know how long the Court's decision will take.

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The hearing may be postponed to a different date or time without notice, so please check www.ArtsanaBoosterSeatSettlement.com or call 1-844-491-1414 for updates. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the time and date of such hearing.

22. Do I need to go to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to attend 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 file and mail your valid written objection on time, the Court will consider it. You may also pay another lawyer to attend the Hearing, but that's not required.

23. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must file a "Notice of Intent to Appear" in *Jimenez v. Artsana USA, Inc.*, Case No. 7:21-cv-07933-VB as explained in Questions 14, 16, and 17, by no later than **September 28, 2023**. You cannot speak at the Hearing if you have excluded yourself from the Settlement.

GETTING MORE INFORMATION

24. Are there more details about the Settlement?

This notice summarizes the proposed Settlement. You may obtain the complete text of the settlement in the Stipulation of Settlement a copy of which is located at www.ArtsanaBoosterSeatSettlement.com or from the court file, which is available for your inspection during regular business hours at the Office of the Clerk of the United States District Court for the Southern District of New York, The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150, under the Civil Action Number 7:21-cv-07933-VB. In addition, you can access the Court docket in this case, for a fee, through the Court's PACER site at <https://ecf.sdnj.uscourts.gov>. You may also contact the Settlement Administrator by mail, email, or phone:

Mail: Chicco Booster Seat Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Email: info@ArtsanaBoosterSeatSettlement.com

Phone: 1-844-491-1414

PLEASE DO NOT CALL OR DIRECT ANY INQUIRIES TO THE COURT.

QUESTIONS? VISIT www.ArtsanaBoosterSeatSettlement.com OR CALL TOLL-FREE 1-844-491-1414