

Superior Court of California, County of Alameda

Notice of Proposed Settlement of Class Action

IF YOU RECEIVED A COLLECTION LETTER FROM BRACHFELD LAW GROUP, OR WERE SUED BY THE BRACHFELD LAW GROUP, ON BEHALF OF A MIDLAND COMPANY, THE PROPOSED SETTLEMENT OF A CLASS ACTION LAWSUIT MAY AFFECT YOUR RIGHTS

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

Summary: In 2019, the Court hearing this case certified plaintiffs' claims as a class action against Brachfeld Law Group and Midland Funding, LLC, Midland Credit Management, Inc., Midland Funding NCC-2 Corp. (collectively, "Midland"). You were sent a Notice about the class being certified on or about June 1, 2020. In 2021, you also were sent Notice of a settlement of the class's claims against one of the defendants – the Brachfeld Law Group. On October 20, 2021 the Court approved that settlement. Now, plaintiffs and Midland have agreed to settle *all* the remaining claims in the case – namely, the claims against Midland. Your rights regarding this proposed Midland settlement are explained below.

THE COURT WILL HOLD A HEARING TO DETERMINE THE FAIRNESS OF THE SETTLEMENT AND THE ATTORNEYS' FEES APPLICATION ON **June 13, 2023 AT 10:00:**

**ALAMEDA COUNTY SUPERIOR COURT
DEPARTMENT 21
ADMINISTRATION BUILDING
1221 OAK STREET
OAKLAND, CA 94612**

PLEASE CHECK THE SETTLEMENT WEBSITE, www.Midland-BLGClassAction.com, FOR ANY UPDATED INFORMATION ABOUT THE DATE AND TIME OF THE HEARING AND WHETHER IT WILL BE HELD IN PERSON OR BY VIDEOCONFERENCE.

Your legal rights will be affected by the proposed settlement, and you have a choice to make, as is explained below. To ask to be excluded from the settlement or to object to the settlement, you must act before May 26, 2023.

| YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT | |
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| DO NOTHING | Await the Court's decision whether to approve the settlement. Be bound by the result. If you received a collection letter and/or were sued by from Brachfeld Law Group on behalf of Midland, you may be eligible to receive a portion of the Midland settlement fund if the settlement is approved. |

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| | <p>By doing nothing, you keep the possibility of getting money or benefits that may come from the settlement. But you give up any rights to sue Midland on your own about the legal claims in this lawsuit.</p> |
| <p>ASK TO BE EXCLUDED BY May 26, 2023</p> | <p>Opt out of the Midland settlement. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded, you won't share in any of the money recovered in the settlement. But you will keep any rights to sue Midland separately about the same legal claims in this lawsuit.</p> |
| <p>OBJECT</p> | <p>If you do not exclude yourself from the settlement, you may object to the settlement with Midland or to class counsel's request for an award of attorney's fees. Any such objection must be filed with the Court on or before May 26, 2023, and served on the attorneys in this case, postmarked on or before May 26, 2023.</p> |

1. Why am I getting this notice?

Midland's records identify you as someone who between August 5, 2006, through February 2, 2015, (a) may have received a collection letter from Brachfeld Law Group ("BLG") concerning a debt allegedly owed to Midland and/or (b) may have been sued by Midland where BLG was Midland's attorney AND you had excluded yourself from the class in *Vassalle v. Midland Funding, LLC*, United States District Court, No. 3:11-cv-0096 (N.D. Ohio).

2. What is the case about?

Plaintiffs Judith Reimann and Michael DaRonco have made two claims in this lawsuit.

1. Midland purchased allegedly unpaid credit card accounts from lenders, and then tried to collect on them. It hired BLG, a law firm, to collect some of these accounts in California. This lawsuit claims that when BLG collected supposed debts for Midland, BLG did not have enough information to know whether the debts were actually owed to the original lender by the person being dunned, and that BLG's lawyers did not properly investigate the validity of the debt before trying to collect, nor properly oversee the collection process.

2. When there was no response to a lawsuit that Midland and BLG filed, defendants generally

obtained judgments by default. To obtain these judgments, Midland and BLG submitted false affidavits to the courts.

The lawsuit asserts that these practices are unfair and fraudulent business practices under the California Fair Debt Collection Practices Act (the “Rosenthal Act”), California Civil Code section 1788, and the Unfair Competition Law, California Business and Professions Code section 17200. Midland denies both of plaintiffs’ claims.

3. What is the current status of the case?

The Court has not made any decisions about who is right or who will win the case. If the proposed settlement is approved, the Court will not need to decide who wins.

The Court has appointed named plaintiffs Judith Reimann and Michael DaRonco to represent the class and the firms listed in paragraph 10 as Class Counsel.

In reaching the settlement described below, the class and Midland have chosen to avoid the cost, uncertainties and time of a trial. The class will ask the Court to approve the settlement with Midland as fair, adequate and reasonable to class members.

4. How much is the settlement for?

Midland has agreed to establish a cash settlement fund of \$2,800,000. This amount is in addition to the \$700,000 settlement with BLG that has already been paid by BLG and is being held by a bank for the benefit of the class. Thus if the settlement with Midland is approved by the Court, the total amount of funds available for the class will be \$3,500,000. Subject to Court approval, any unclaimed funds will be distributed to the Housing and Economic Rights Advocates, a statewide not-for-profit legal service and advocacy organization.

5. What does the settlement provide?

If the settlement is approved by the Court as fair, adequate and reasonable, all class members will receive, at a minimum, \$50. Class members who made payments to Midland may receive more, depending on how much they paid. The additional amount class members who made payments will receive will be calculated on a pro rata percentage basis applied to the amount they paid. It is not yet possible to determine how much these additional payments will be. More information about the case and the settlement is, however, available on the settlement website, www.Midland-BLGClassAction.com

6. What about attorneys’ fees?

Class Counsel intends to seek an award of attorneys’ fees and expenses of 30% of the total settlement fund. The Court will decide whether to approve this request. Your right to object to this application is described below.

Your Rights and Options

YOU MUST DECIDE WHETHER TO BE PART OF THE SETTLEMENT WITH MIDLAND OR ASK TO BE EXCLUDED BEFORE THE FAIRNESS HEARING, AND YOU HAVE TO DECIDE THIS NOW.

7. What do I do if I want to be part of the settlement?

If you do nothing at all, you will automatically be part of the settlement and legally bound by whatever ruling the Court makes on the fairness of the settlement with Midland, including how much the payments to class members should be.

Keep in mind that if you do nothing now, this also means that you will not be able to bring, or continue, a separate lawsuit against Midland based on the same legal claims that are the subject of this lawsuit.

8. Why would I ask to be excluded?

If you exclude yourself, you will keep any right you have to sue or continue to sue Midland in a separate case. However, if you exclude yourself from the Class -- sometimes called “opting-out” of the settlement — you will not be entitled to benefit from the settlement between the Class and Midland.

9. How do I ask the Court to be excluded from the settlement?

If you wish to ask to be excluded, you must send a letter, postmarked by **May 26, 2023**, addressed to *MIDLAND SETTLEMENT CLAIMS ADMINISTRATOR ATTN: EXCLUSIONS, P.O. BOX 58220 PHILADELPHIA, PA 19102*, stating that you want to opt out of the Midland settlement. Be sure to include your name and address and remember to sign the letter. **PLEASE DO NOT CONTACT THE COURT.**

10. Can I object to the settlement?

If you want to object to the proposed settlement with Midland, you should do so by filing a written objection with the Court and sending a copy to Class Counsel by **May 26, 2023**. The Court’s address is:

Alameda County Superior Court
Department 21
Administration Building
1221 Oak Street
Oakland, CA 94612

Class counsels' firm names and addresses are:

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| <p>BRAMSON, PLUTZIK, MAHLER & BIRKHAEUER, LLP 2125 Oak Grove Road, Suite 125 Walnut Creek, CA 94598 Telephone: (925) 945-0200 Attn. Daniel E. Birkhaeuser. dbirkhaeuser@bramsonplutzik.com</p> | <p>THE NATIONAL CONSUMER LAW CENTER 7 Winthrop Square, 4th Fl. Boston, MA 02110 Telephone: (617) 542-8010 Attn: Charles Delbaum Email: cdelbaum@nclc.org</p> | <p>LAW OFFICE OF IAN CHOWDHURY 8605 Santa Monica Blvd. #4789 West Hollywood, CA 90069 Telephone: (661) 242-1898 Email: ian@ianchowdhury.com</p> |
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11. Should I get my own lawyer?

If you choose to accept the class settlement with Midland, you do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, however, you can choose one to represent you separately, but you will be responsible for paying that lawyer.

For more information and updates on the litigation's progress, go to www.Midland-BLGClassAction.com. You may also contact one of the lawyers listed above.