

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAWN TARDIBUONO-QUIGLEY, on
behalf of herself and all others similarly
situated,

Plaintiff,

v.

HSBC MORTGAGE CORPORATION
(USA) and HSBC BANK USA, N.A.,

Defendants.

Case No. 7:15-cv-06940-KMK-JCM

PROOF OF CLAIM

TO BE ELIGIBLE TO RECEIVE A CLAIM PAYMENT IN THE SETTLEMENT OF THE ABOVE-CAPTIONED ACTION, PLEASE PROVIDE THE INFORMATION REQUESTED BELOW AND SUBMIT THIS FORM WITH A COMPLETED IRS FORM W-9 (AVAILABLE ON THE SETTLEMENT WEBSITE) CONSISTENT WITH THE INSTRUCTIONS SET FORTH AT THE END OF THIS DOCUMENT BY APRIL 8, 2020.

1. Unique identification number: _____

This number can be found on the front of the postcard notice that you received and is for use only when submitting a claim through the dedicated website found at www.MortgageDefaultSettlement.com. If you lost your unique identification number, you may contact the settlement administrator for assistance.

2. Your name:

First Name	Middle Initial	Last Name	Suffix
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Note that only one settlement payment will be issued for each property, even where more than one borrowing party signed the operative mortgage or security agreement. The settlement payment will be issued to the person named here and that person shall be solely responsible for the allocation of the payment between and among any co-borrowers. In the event that more than one claim is received for a single property, the settlement payment will be issued to the person listed on the first-submitted claim.

3. The address of the residential property for which you entered into a mortgage or security agreement with HSBC Mortgage Corporation (USA) or HSBC Bank USA,

N.A. (together, “HSBC”), and for which you were assessed fees by HSBC for property inspections and/or broker price opinions:

Street Address (including apartment number, if applicable)

City, State and ZIP code

4. Your current preferred mailing address:

Street Address (including apartment number, if applicable)

City, State and ZIP code

**5. Your current preferred phone number and e-mail address:
(optional)**

(__ __ __) __ __ __ - __ __ __ __
Phone Number

E-mail Address

6. You must certify the following declaration:

I HEREBY ACKNOWLEDGE that (a) plaintiff and defendants in the above-captioned action have consented to the jurisdiction of the Court for purposes of hearing and determining plaintiff’s motions for preliminary and final approval of the Settlement Agreement and Settlement, and, if approved, for all proceedings related to the implementation, enforcement and administration of the Settlement Agreement; (b) by submitting this Proof of Claim, I am submitting to the jurisdiction of the Court to hear and determine this matter for all proceedings relating to my submission; and (c) by submitting this Proof of Claim, I will be deemed, upon the Effective Date, to have released the Released Claims against the Released Parties, pursuant to the terms of the Judgment to be entered if the Settlement Agreement and Settlement are approved.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON THE DATE SET FORTH BELOW.

Signature

Date

7. You must complete an IRS Form W-9 (available on the Settlement Website) and submit that form with your claim, in accordance with the instructions below, to receive an award.

INSTRUCTIONS:

1. All information required to be supplied should be typed or legibly written.
2. The Proof of Claim and IRS Form W-9 may be submitted either (a) on-line at www.MortgageDefaultSettlement.com (the “Settlement Website”) at the section entitled “Submit A Proof Of Claim” or (b) by mail, first class postage pre-paid, addressed as follows:

HSBC Mortgage Settlement Administrator
P.O. Box 58236
Philadelphia, PA 19102

Please submit only one Proof of Claim.

3. The Proof of Claim and IRS Form W-9 must be submitted either through the Settlement Website no later than April 8, 2020 or by mail, at the address set forth above, post-marked no later than April 8, 2020. If you fail to timely submit your Proof of Claim and IRS Form W-9, your claim will be rejected and you will not be eligible to receive a Claim Payment from the Settlement.
4. On the Proof of Claim form:
 - a. Item 1 should be completed only if submitting a Proof of Claim through the Settlement Website. You will have received your Unique Identification Number on the settlement notice postcards mailed directly to you. (If you did not receive such notices or have misplaced them, contact Class Counsel at the number listed in instruction 7, below.) Use of the Unique Identification Number will cause Items 2 and 3 to be automatically completed and will also reveal the amount of the Claim Payment associated with the Property (Item 3). If you believe the information that automatically appears is incorrect, delete the Unique Identification Number and complete Items 2 and 3 manually.
 - b. Items 2 through 4 must be fully and accurately completed and the Proof of Claim must be signed and dated. Failure to do so will result in the rejection of your Proof of Claim and, unless you fail to supply your current preferred mailing address (Item 4), the Settlement Administrator will contact you concerning any incomplete or inaccurate information.
 - c. To confirm the information required for Item 3, use either of the following options. First, visit the Settlement Website and go to the section entitled “Are You a Class Member.” Use the search feature of the Settlement Website to find if the address of the residential property for which you entered into a mortgage or security agreement with HSBC Mortgage Corporation (USA) or HSBC Bank USA, N.A. is part of the Settlement. Second, request confirmation from Class Counsel, the law firm of Finkelstein, Blankinship, Frei-Pearson & Garber LLP, by calling them at (914) 298-3281.
 - d. Item 5 is not required to be completed. The information requested, however, will allow the Settlement Administrator to quickly contact you, if necessary.
5. On the IRS Form W-9 (available on the Settlement Website):

- a. Provide any available information requested in lines 1 through 6 of the IRS Form W-9. You do not need to complete line 7 or provide the “Requester’s name and address” fields. However, you must at least provide the information sought in lines 1, 3, 5, and 6.
 - b. You must provide your Taxpayer Identification Number in accordance with the instructions in Part I of the IRS Form W-9.
 - c. You must sign the certification in Part II of the IRS Form W-9. If you fail to sign Part II of the IRS Form W-9, your claim will be rejected and you will not be eligible to receive a Claim Payment.
6. All capitalized terms used herein that are not otherwise defined herein shall have the meanings ascribed to them in that certain Stipulation and Agreement of Settlement, dated as of September 25, 2019 executed by the Settling Parties in these Actions (the “Settlement Agreement”). A copy of the Settlement Agreement is available on the Settlement Website or can be requested by contacting the Settlement Administrator by mail, e-mail or phone as follows:

HSBC Mortgage Settlement Administrator

P.O. Box 58236

Philadelphia, PA 19102

(877)-720-6290

info@MortgageDefaultSettlement.com

If you choose to contact the Settlement Administrator, please refer to the above-captioned action and provide your full name and e-mail or mailing address.