

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

Venerus, et. al. v. Avis Budget, et al.,  
Case No. 6:13-cv-921-CEM-GJK

**IMPORTANT NOTICE OF CLASS ACTION SETTLEMENT**

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

**PLEASE READ THIS NOTICE CAREFULLY**

A settlement has been reached in the case *Heather Venerus, et al. v. Avis Budget Car Rental, LLC, et al.*, Case No. 6:13-cv-921-CEM-GJK. This Notice explains: 1) the terms of the Settlement; 2) who is a member of the Class; 3) how to submit a claim for payment; 4) how to object to the Settlement; 5) how to get more information about the Settlement.

You may have previously received a Notice in this Action. You are receiving this Notice because the Parties have now reached a settlement agreement in the case, which entitles Settlement Class Members to a payment upon submission of a timely claim.

**HELP IS AVAILABLE TO ASSIST YOUR UNDERSTANDING OF THIS NOTICE.**

Call **1-855-637-1999** toll free for more information. You can also contact Class Counsel at the contact information listed in this Notice.

**What is a Class Action?**

A class action is a lawsuit in which one or more individuals bring claims on behalf of other persons or entities. These persons or entities are referred to as a “Class” or “Class Members.” In a certified class action, the Court resolves certain issues, legal claims, and/or defenses for all Class Members in a single action, except for those persons or entities who timely request to be excluded from the Class.

**What is this Class Action About?**

The Settlement resolves a lawsuit claiming that Avis Budget Car Rentals, LLC and Budget Rent A Car System, Inc. (together, “Avis Budget”) breached its rental contracts by failing to purchase a \$1 million supplemental liability insurance (“SLI”) policy from ACE American Insurance Co. for individuals who are not United States citizens and who rented a vehicle in Florida pursuant to a prepaid voucher after June 12, 2008, through December 31, 2015. Plaintiff alleged that Avis Budget entered rental contracts whereby Avis Budget agreed to purchase a \$1 million SLI Policy from ACE on behalf of Settlement Class Members, and breached the contracts by failing to do so.

Avis Budget maintains that it complied with the terms of the rental contracts and Florida law and deny that they acted wrongfully or unlawfully and continue to deny all material allegations.

This case was previously certified as a Class Action. You may have received Notice of the class certification. You are receiving this Notice because a Settlement of the case has been reached between the Plaintiffs, acting on behalf of the Class, and Avis Budget.

The district court will conduct a FAIRNESS HEARING on November 10, 2022, to decide whether to grant final approval of the Proposed Settlement.

### **Settlement Terms**

As a part of the settlement, Avis Budget has agreed to:

1. pay Settlement Class Members who submit valid claims at least \$6.51 per rental day, plus applicable prejudgment interest, which amounts to available benefits of \$33,956,613.00 for the Class, for an average claim size of \$87.32 plus interest since the date of rental(s) per Settlement Class Member, although the actual claim payment for individual Settlement Class Members depends on the length of the Settlement Class Member's rental(s);
2. if there are unclaimed funds after submission of all valid claims, increase the payments to eligible Settlement Class Members who submit timely and valid claims from \$6.51 per rental day to up to \$7.46 per rental day, plus applicable prejudgment interest;
3. included as part of the \$33,956,613.00, pay any attorneys' fees, attorneys' costs, and incentive awards to the Named Plaintiff and class counsel, if approved by the Court, which will not reduce any payment made to Settlement Class Members, unless the Valid Claims, administrative costs, attorneys' fees and costs approved by the Court, and service award approved by the Court together total an amount that exceeds \$33,956,613.00.

In exchange, Plaintiff and the members of the Class, which does not include anyone who has previously requested to opt out of the Class after receiving the previous Notice in this Action, agree to give up any claim they have based on Avis Budget's alleged failure to procure a \$1 million ACE SLI Policy or based upon Avis Budget's alleged provision of contractual third-party coverage or contractual self-insurance. If you are a member of the Class, you can submit a claim to be eligible for a payment as described herein. You may also, if you wish, object to the terms of the Settlement, if you comply with the requirements set forth below.

### **How Do I Know if I'm a Member of the Class?**

**You are a member of the class action (a "Settlement Class Member") if: (1) you rented a vehicle, pursuant to a prepaid voucher, from Avis Budget in Florida (2) during the period of June 12, 2008 through December 31, 2015, (3) the prepaid voucher included \$1 million in supplemental third-party liability insurance, and (4) neither you nor a third party submitted a claim following a motor vehicle accident in connection with your rental. You received this Notice because Avis Budget's records indicate you are a member of the Class. The full class definition is as follows:**

**All individuals who (1) rented an Avis or Budget vehicle in the State of Florida after June 12, 2008 and before January 1, 2016, pursuant to a prepaid voucher, and (2) whose Rental Receipt contained the notation “SLI .00/Day Accepted” or “ALI .00/Day Accepted.**

**Excluded from the Class are all such renters who have been involved in accidents and who have outstanding claims for liability or uninsured/underinsured motorist coverage, as well as all such renters whose liability or uninsured/underinsured motorist claims have been paid by Defendants.**

Also excluded from the Class is anyone who previously requested to opt out of (i.e., to not be a part of) the Class after receiving the previous Notices that were sent out in this case. If you previously requested to opt out of the Class, you are not part of the Class, you are not eligible to submit a Claim for payment, and you do not need to request to opt out of the Class again.

### **If I Am a Class Member, What Are My Options?**

If you are a Class Member, you have three options.

#### **Option 1: Submit a Claim Form for Payment.**

You may submit a Claim Form for payment of at least \$6.51 per rental day, plus applicable prejudgment interest, and up to \$7.46 per rental day, plus applicable prejudgment interest. The total benefits available to Settlement Class Members, if all Settlement Class Members submit timely claims, is \$33,956,613.00. If you received a Notice in the mail or by e-mail, the Notice included your Claimant ID and Confirmation Code, and linked or directed you to the settlement website where you can access a pre-filled Claim Form by entering your Claimant ID and Confirmation Code. You can call 1-855-637-1999 or visit [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com) and request that the Settlement Administrator send you a prefilled Claim Form by providing your Claimant ID listed in the mailed or e-mailed Notice(or a blank form that you will need to fill out if you do not have your Claimant ID).

You can submit a Claim Form online by visiting [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com), clicking the SUBMIT A CLAIM button, and following the steps outlined for you. You will need a Claimant ID, which was included in the Mailed and/or Emailed Notice. Otherwise, to submit a blank Claim Form, you will need to input your full name and current mailing address, as well as either the year(s) during which your rental(s) occurred, or the rental agreement number(s) listed on your rental contract(s). The rental agreement number is the nine-digit number following the notation “RA” on your rental receipt.

When calculated as \$6.51 per rental day, plus prejudgment interest, the average Claim Payment size is approximately \$87.32 plus interest since the date of rental(s). However, the actual amount to which Settlement Class Members who submit valid claims will be entitled depends on the length of the rental. When calculated as \$7.46 per rental day, plus prejudgment interest, the average Claim Payment size is approximately \$100.06 plus interest since the date of rental(s). The most Avis Budget is obligated to pay to Settlement Class Member is \$33,956,613.00, which includes

settlement of all valid claims of Settlement Class Members, settlement administration costs (including the costs of implementing and effectuating class Notice), attorneys' fees and attorney's costs/expenses of litigation of up to \$8,925,000.00, and any service award to the Plaintiff, all of which is subject to court approval. If, after submission of all timely, valid claims, unclaimed funds remain, the claim payment paid to eligible class members who submit timely and valid Claims will be increased from \$6.51 per rental day to up to \$7.46 per rental day, plus applicable prejudgment interest. The amount between the minimum amount (\$6.51 per rental day, plus prejudgment interest) and the maximum amount (\$7.46 per rental day, plus prejudgment interest) that Settlement Class Members will receive will depend on the amount of unclaimed funds.

If you submit a Claim Form online, you will also be asked to identify the method by which your Claim Payment will be issued (assuming your Claim is determined to be valid). Your options are: (1) a physical check mailed to your current address (if you choose this option, you will need to confirm the address listed remains your current address, update the address, or enter your current address if blank); (2) an electronic gift card sent via e-mail (if you choose this option, you will need to either confirm the e-mail address listed remains your current e-mail address, update the e-mail address, or enter your current e-mail address if blank); or (3) electronic payment via Venmo, PayPal, or similar companies (if you choose this option, you will need to e-mail the Settlement Administrator to facilitate the process of providing account information for the payment deposit).

If you submit a Claim Form in the mail, it must be postmarked no later than January 20, 2023. If you submit an Electronic Claim, you must do so by 11:59 p.m. on January 13, 2023.

**Option 2: Object to the Terms of the Settlement.**

The full terms of the Settlement can be found at [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com). If you think the terms of the Settlement are not fair, reasonable, or adequate to the Class Members, you can file a Notice of Intent to object to the terms of the Settlement.

To properly object to the terms of the Settlement, you must send, with sufficient postage, a Notice of Intent to object to the terms of the settlement and to appear at the Fairness Hearing (described below) to the following:

Venerus, et. al. v. Avis Budget, et al.  
c/o Settlement Administrator  
Attn: Objection  
P.O. Box 58220  
Philadelphia, PA 19102

The Notice of Intent must include the following:

1. The name of the case and case number;
2. Your name, address, telephone number, and signature;
3. The specific reasons why you object to the terms of the Proposed Settlement;

4. The name, address, bar number, and telephone number of any attorney who represents you related to your intention to object to the terms of the Settlement;
5. State whether you and/or your attorney intend to appear at the Fairness Hearing and whether you and/or your attorney will request permission to address the Court at the Fairness Hearing.

If you and/or your attorney intend to request permission to address the Court at the Fairness Hearing, your Notice of Intent must also include the following:

1. A detailed statement of the legal and factual basis for each of your objections;
2. A list of any witness you may seek to call at the Fairness Hearing (subject to applicable rules of procedure and evidence and at the discretion of the Court), with the address of each witness and a summary of his or her proposed testimony;
3. A list of any legal authority you may present at the Fairness Hearing; and
4. Documentary proof of membership in the Settlement Class.

Notices of Intent to object must be postmarked by November 5, 2022. Any Notice of Intent that is not postmarked by the deadline set forth above or which does not comport with the requirements listed above may waive the right to be heard at the Fairness Hearing.

**Option 3. Do Nothing.**

You have the right to do nothing. If you do nothing, you release any claim against Avis Budget related to the claims and allegations in this lawsuit which are part of the Released Claims as defined by the Settlement Agreement, even if you do not submit a Claim for payment.

**Who Is Representing the Class?**

The District Court has appointed Heather Venerus (the “Named Plaintiff”) to be the representative of the Class. The District Court has also appointed the following lawyers as Class Counsel for those Class Members:

Edmund Normand, Esq. Jacob Phillips, Esq. Normand PLLC 3165 McCrory Place, Suite 175 Orlando, FL 32803 Telephone: (407) 603-6031 Facsimile: (888) 974-2175 Ed.normand@normandpllc.com Jacob.phillips@normandpllc.com <a href="http://NormandPLLC.com">NormandPLLC.com</a>	Christopher J. Lynch Christopher J. Lynch, P.A. 6915 Red Road, Suite 208 Coral Gables, Florida 33143 Telephone: (305) 443-6200 Facsimile: (305) 443-6204 clynch@hunterlynchlaw.com <a href="http://HunterLynchlaw.com">HunterLynchlaw.com</a>
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These lawyers are experienced in handling class action lawsuits. More information about Class Counsel is available on their websites above.

Class Counsel will file an application for attorneys' fees and costs of no more than \$8.925 million dollars, subject to approval by the Court. Avis Budget has agreed to pay Class Counsel that amount if approved by the Court. You will not be personally responsible for any fees, costs or expenses incurred by Class Counsel relating to the prosecution of this case. After it is filed, the Motion for Attorneys' Fees and Costs will be posted and can be accessed at the settlement website.

Class Counsel will also seek a Service Award to the Plaintiffs in the amount of \$25,000, subject to court approval. The Service Award is designed to reward the Plaintiff for securing the recovery awarded to members of the Class, and to acknowledge the time spent by the Plaintiffs in sitting for deposition, providing discovery, participating in the case and mediation, and prosecuting the claim for the benefit of the Class. In this case, the Plaintiff has been prosecuting this claim for almost nine years, which has included extensive discovery, depositions, travel, mediations, appeals, and other time expended. Avis Budget has agreed to pay the Service Award to the Plaintiff up to the amount of \$25,000, if approved by the District Court.

### **What Claim(s) Are Settlement Class Members Releasing?**

As a part of the Settlement, Settlement Class Members agree not to sue Avis Budget by asserting any claim related to allegations that Avis Budget failed to procure a \$1 million SLI Policy from a licensed insurance company, or that Avis Budget improperly provided self-funded contractual coverage or contractual self-insurance, in connection with a prepaid voucher rental after June 12, 2008, through December 31, 2015. The full terms of the Released Claims and Released Parties can be found in the Proposed Settlement at [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com).

### **How Do I Find Out More About This Lawsuit?**

If you have any questions about the lawsuit or any matter raised in this notice, please call toll-free at **1-855-637-1999** or go to [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com).

This [www.VenerusCarRentalInsurance.com](http://www.VenerusCarRentalInsurance.com) website provides:

1. An Electronic Claim Form and directions for how to submit;
2. The full terms of the Settlement;
3. Information and requirements for submitting a claim, requesting exclusion, or filing a Notice of Intent to object to the terms of the Settlement
4. A copy of the complaints filed by Plaintiffs and other important rulings and orders from the District Court during the case prior to Settlement; and
5. Other general information about the class action.

You also may contact class counsel, whose contact information and websites are provided above. Please do not contact Avis Budget about this case or proposed Settlement. Avis Budget's employees and customer service representatives will likely not have any knowledge about this case or settlement and will be unable to assist you. If you have further questions, please instead contact the Settlement Administrator or Class Counsel.

Complete copies of the documents filed in this lawsuit that are not under seal may be examined and copied at any time at the United States District Court, Middle District of Florida, 401 West Central Boulevard, Orlando, FL 32801.

PLEASE DO NOT TELEPHONE OR CONTACT THE DISTRICT COURT OR THE CLERK OF THE DISTRICT COURT REGARDING THIS NOTICE.

IT IS SO ORDERED, HON. CARLOS MENDOZA, U.S. DISTRICT COURT JUDGE  
DATED: JUNE 24, 2022