

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

If you are a U.S. resident who paid an e-Toll-Related Charge in connection with renting an Avis or Budget vehicle in the U.S. from April 1, 2007 through December 31, 2015, you may be eligible for a payment from a class action Settlement.

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

- A Settlement has been reached with Avis Budget Group, Inc. (“ABG”) and Highway Toll Administration, LLC (“HTA”) (collectively, the “Defendants”) in a class action lawsuit about the disclosure of toll-related charges associated with the “e-Toll” electronic toll payment system.
- You are included in this Settlement as a Class Member if you are a U.S. resident who (1) rented an Avis or Budget vehicle from a company owned location in the U.S. from April 1, 2007 through December 31, 2015 (“Class Period”), and (2) in connection with that rental, paid Avis, Budget or their electronic toll processing administrator, HTA, for use of their e-Toll.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	This the only way to receive a payment from this Settlement. If you submit a Claim Form, you will give up the right to sue the Defendants in a separate lawsuit about the legal claims this Settlement resolves.	February 28, 2023
EXCLUDE YOURSELF	Get no payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims this Settlement resolves.	December 24, 2022
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not exclude yourself from the Settlement, you may object to it by writing to the Court about why you don’t like the Settlement. If you object, you may still submit a claim form. You may object to the Settlement and ask the Court for permission to speak at the Final Approval Hearing about your objection.	December 24, 2022
DO NOTHING	Unless you exclude yourself, you are automatically part of the Settlement. If you do nothing, you will not get a payment from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendants about the legal claims resolved by this Settlement.	No Deadline

- 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 the Settlement.

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BASIC INFORMATION

1. Why was this Notice issued?

A court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The Honorable Claire C. Cecchi of the United States District Court for the District of New Jersey is overseeing this class action. The case is known as *Mendez v. Avis Budget Group, Inc. et al.*, Case No. 2:11-cv-06537-CCC-JSA (D.N.J.). The individual who filed this lawsuit is called the “Plaintiff” or “Class Representative” and the companies that were sued, Avis Budget Group, Inc. and Highway Toll Administration LLC, are called the “Defendants.”

2. What is this lawsuit about?

This lawsuit is about certain fees and toll-related charges associated with the “e-Toll” electronic toll payment system available for use by Avis and Budget rental vehicle customers. Plaintiff alleges that the Defendants breached the ABG rental agreement or the implied covenant of good faith and fair dealing by collecting these charges from customers in violation of the terms of the ABG rental agreement; violated the New Jersey Consumer Fraud Act by failing to disclose these fees; and caused unjust enrichment in the Defendants’ favor. Defendants deny all of the allegations in the litigation and believe that the claims asserted against them are without merit.

3. What is a class action?

In a class action, a Plaintiff or Class Representative (in this case Jose Mendez) sues on behalf of other people with similar claims. Together, the people included in the class action are called a Class or Class Members. One court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiff or Defendants. Instead, Plaintiff and Defendants agreed to a Settlement. This way, they avoid the cost and burden of a trial and the people affected can get benefits. The Class Representative and his attorneys think the Settlement is best for all Class Members.

WHO IS IN THE SETTLEMENT

5. Who is in the Settlement?

The Class includes all U.S. residents who (1) rented an Avis or Budget vehicle from a company owned location in the U.S. during the “Class Period” and, (2) in connection with that rental, paid Avis, Budget or their electronic toll processing administrator, HTA, for their use of e-Toll.

“e-Toll-Related Charges” means e-Toll-Related Service Fees (a/k/a “convenience fees”) and, if any, e-Toll-Related Toll Differential incurred by an Avis or Budget customer for that customer’s use of e-Toll during the rental period.

“e-Toll-Related Toll Differential” means, with respect to an Avis or Budget rental customer who has used e-Toll, the difference, if any, between the amount charged to that customer for a toll or tolls incurred during a rental and the amount paid by HTA to a toll authority for the customer’s incurred toll or tolls during that rental.

The “Class Period” means April 1, 2007 through December 31, 2015, except that for rental transactions originating in Florida, Texas, and Colorado the class period is March 2, 2009 to December 31, 2015.

6. Are there exceptions to being included?

Yes. Excluded from the Class are the following categories of customers: (1) Persons who were employed by the Defendants at any time from April 1, 2007 through the present; (2) legal representatives of the Defendants; and (3) judges who have presided over this case and their immediate families.

If you are not sure whether you are included in the Class, you can find out by contacting the Settlement Administrator at info@eTollSettlement.com or at 1-844-448-0078. You may also view the Settlement Agreement at www.eTollSettlement.com

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

ABG will pay up to forty-five million dollars (\$45,000,000) (the “Settlement Amount”) for all valid claims in this claims-made settlement, administration costs (including the costs of implementing and effectuating class notice and claim payments), attorneys’ fees and attorney’s costs/expenses of litigation, any service award to Plaintiff, all as explicitly set forth in the Settlement Agreement and subject to court approval. In no event shall ABG be obligated to pay more than the Settlement Amount.

8. How much will my payment be?

Each Class Member who submits a timely and approved claim will receive a partial reimbursement of eligible e-Toll-Related Charges. For each Class Member, the reimbursement amount shall be calculated according to the formula set forth below. In any circumstance where Defendants possess no records showing e-Toll-Related Charges for a particular Class Member, that Class Member shall be entitled to a reimbursement only to the extent he or she produces proof of payment of e-Toll-Related Charges in a form and manner accepted and approved by the Settlement Administrator.

In all cases, the reimbursement amounts will be calculated as follows:

- With respect to a Class Member's first and second (if any) Covered Rental Transaction, the Class Member shall be entitled to receive an eighty percent (80%) reimbursement of e-Toll-Related Charges paid by that Class Member.
- With respect to the third through seventh Covered Rental Transactions (if any), the Class Member shall be entitled to receive a sixty-five percent (65%) reimbursement of e-Toll-Related Charges paid by the Class Member.
- "Covered Rental Transaction" means any rental transaction originating at an Avis or Budget corporate location as to which a Class Member incurred e-Toll-Related Charges during the Class Period. Excluded from the definition of "Covered Rental Transaction" are transactions originating at licensee operated locations.
- In calculating the settlement payment, the e-Toll Related Charges for any Covered Rental Transaction shall be reduced to the extent that: (i) the Class Member previously received a refund for any portion of the Covered Transaction directly from ABG or HTA; and (ii) the e-Toll Related Charges were paid directly by a third-party through a central billing account.
- In the event that the combined amount of valid claims, attorneys' fees and costs, service award and administration costs exceed \$45 million, the class recovery will be reduced on a *pro rata* basis.

The average settlement payments, based on the number of eligible rental transactions, are described below:

Number of Rental Transactions	Average Settlement Amount
1	\$9.36
2	\$18.13
3	\$24.89
4	\$31.58
5	\$38.13
6	\$44.61
7	\$46.07

9. What claims am I releasing if I stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against Defendants about any of the legal claims this Settlement resolves. The “Class Released Claims” section in the Settlement Agreement describes the legal claims that you release if you remain in the Class. The Settlement Agreement can be found at www.eTollSettlement.com.

HOW TO GET A PAYMENT—MAKING A CLAIM

10. How do I submit a claim and get a cash payment?

You must complete and submit a Claim Form by **February 28, 2023**. Claim Forms may be submitted online at www.eTollSettlement.com or printed from the website and mailed to the Settlement Administrator at Avis Budget Group E-Toll Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Claim Forms submitted by mail must be **postmarked no later than February 28, 2023**.

You may contact the Settlement Administrator to request a Claim Form by telephone 1-844-448-0078, by email: info@etollsettlement.com or U.S. mail at Avis Budget Group E-Toll Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

11. What is the deadline for submitting a claim?

Claims must be submitted online by **February 28, 2023**. Claim Forms submitted by mail must be **postmarked no later than February 28, 2023**.

12. When will I get my payment?

The Court will hold a Final Approval Hearing on **February 23, 2023** at **10:00 AM ET**, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. Whether appeals will be filed and how long it will take to resolve them is uncertain. Settlement payments will be distributed as soon as possible, if and when the Court grants final approval to the Settlement and after any appeals are resolved.

The date and time of the Final Approval Hearing is subject to modification by the Court so check www.eTollSettlement.com for updates.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed the law firms of Lite DePalma Greenberg & Afanador LLC, and Abbey Spanier, LLP to represent you and the Class. These attorneys are called Class Counsel.

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel works for you. If you want your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Class Counsel will ask the Court for an award of attorneys' fees and costs of up to \$6,750,000. They will also ask the Court to approve a \$7,500 service award for the Class Representative. The Court may award less than these amounts.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to sue the Defendants on your own about the legal issues in this case, then you must take steps to exclude yourself from the Class. This is called "opting out" of the Settlement. The deadline for opting out of the Settlement is **December 24, 2022**.

To opt out of the Settlement, you must submit a written request by mail. Your request to opt out must include: (1) your name; (2) your current address; (3) a statement that you are a Class Member, and you wish to opt out of the Settlement in *Mendez v. Avis Budget Group, Inc. et al.*, Case No. 2:11-cv-06537-CCC-JSA (D.N.J.); and (4) your signature. Your request to opt out must be mailed to the Settlement Administrator so it is **postmarked no later than December 24, 2022**:

Avis Budget Group E-Toll Settlement
ATTN: Exclusion Request
PO Box 58220
Philadelphia, PA 19102

If you opt out, you are telling the Court you do not want to be part of the Settlement. You will not be eligible to receive a payment if you exclude yourself. "Mass" or "class" opt-outs are not permitted.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you are a Class Member, you can object to the Settlement if you do not like all or part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

Your written objection must include: (i) the case name and number: *Mendez v. Avis Budget Group, Inc. et al.*, Case No. 2:11-cv-06537-CCC-JSA (D.N.J.); (ii) your name and address and the name and address of any lawyer representing you; (iii) attach documents sufficient to establish your membership in the Class; (iv) submit the factual and legal basis of each objection; (v) provide the names and addresses of any and all witnesses in support of the objection; and (vi) state whether you intend to appear at the Final Approval Hearing in person or through counsel.

Your written objection may be filed with the Court and serve a copy to the Settlement Administrator, Class Counsel and Defendants' Counsel by **December 24, 2022**:

Court	Settlement Administrator	Defendants' Counsel
Clerk of the Court Martin Luther King Building & U.S. Courthouse 50 Walnut Street Newark, NJ 07102	Avis Budget Group E-Toll Settlement ATTN: Objections PO Box 58220 Philadelphia, PA 19102	Paul J. Halasz Paul R. Marino Day Pitney LLP One Jefferson Road Parsippany, NJ 07054
Class Counsel		Class Counsel
Joseph J. DePalma Lite DePalma Greenberg & Afanador LLC 570 Broad Street Suite 1201 Newark, NJ 07102		Judith L. Spanier Abbey Spanier, LLP 212 East 39th St. New York, NY 10016

You or your attorney may speak at the Final Approval Hearing about your objection. To do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Final Approval Hearing. Remember, your objection must be filed with the Court with copies delivered to the Settlement Administrator, Class Counsel and Counsel for Defendants by **December 24, 2022**.

18. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and telling the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

19. When is the Court's Final Approval Hearing?

The Court will hold a Final Approval Hearing at **10:00 AM ET on February 23, 2023**, at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102. At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. It will also consider whether to approve Class Counsel's request for an award of attorneys' fees and costs, as well as the Class Representative's service award. If there are objections, the Court will consider them. Judge Cecchi will listen to people who have asked to speak at the hearing (*see* Question 17 above). After the hearing, the Court will decide whether to approve the Settlement.

The date or time of the Final Approval Hearing may change. Be sure to check the Settlement Website, www.eTollSettlement.com for any updates.

20. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to the Final Approval Hearing to talk about it. If you delivered your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF I DO NOTHING

21. What happens if I do nothing at all?

If you are a Class Member and you do nothing, you will give up the rights explained in Question 9, including your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against Defendants and the Released Parties about the legal issues resolved by this Settlement. In addition, you will not receive a payment from this Settlement.

GETTING MORE INFORMATION

22. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.eTollSettlement.com.

If you have additional questions, you may contact the Settlement Administrator by email, phone, or mail:

Email: info@eTollSettlement.com

Toll-Free: 1-844-448-0078

Mail: *Avis Budget Group E-Toll Settlement*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Publicly filed documents can also be obtained by visiting the office of the Clerk of the United States District Court for the District of New Jersey or by reviewing the Court's online docket.