

NOTICE OF PENDING CLASS ACTION AND PROPOSED SETTLEMENT

READ THIS NOTICE FULLY AND CAREFULLY; THE PROPOSED SETTLEMENT MAY AFFECT YOUR RIGHTS!

IF YOU HAVE OR HAD A DEPOSIT ACCOUNT WITH DOLLAR BANK AND YOU WERE CHARGED CERTAIN OVERDRAFT FEES OR NSF FEES (DESCRIBED BELOW) BETWEEN DECEMBER 1, 2017 AND FEBRUARY 14, 2023 THAT WERE NOT REFUNDED, THEN YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.

The Court of Common Pleas of Allegheny County, Pennsylvania has authorized this Notice; it is not a solicitation from a lawyer.

SUMMARY OF YOUR OPTIONS AND THE LEGAL EFFECT OF EACH OPTION	
DO NOTHING	If you have received this notice, you will receive a payment from the Settlement Fund and/or debt forgiveness if you do not opt out. You will be bound by the judgment in this case.
EXCLUDE YOURSELF FROM THE SETTLEMENT; RECEIVE NO PAYMENT BUT RELEASE NO CLAIMS	You can choose to exclude yourself from the Settlement or “opt out.” This means you choose not to participate in the Settlement. You will keep your individual claims against Dollar Bank, but you will not receive a payment and/or forgiveness of Uncollected Relevant Fees. If you exclude yourself from the Settlement but want to recover against Dollar Bank, you will have to file a separate lawsuit or claim.
OBJECT TO THE SETTLEMENT	You can file an objection with the Court explaining why you believe the Court should reject the Settlement. If you object and the Court overrules your objection, then you will receive a payment and/or forgiveness of Uncollected Relevant Fees and you will not be able to sue Dollar Bank for the claims asserted in this litigation. If the Court agrees with your objection, then the Settlement may not be approved, and the case will go forward.

These rights and options – *and the deadlines to exercise them* – along with the material terms of the Settlement are explained in this Notice.

BASIC INFORMATION

1. What is this lawsuit about?

The lawsuit that is being settled is entitled *Devore et al. v. Dollar Bank*, Court of Common Pleas of Allegheny County, Case No. GD-21-008946. The case is a “class action.” That means that the “Plaintiffs,” Beverly Devore, Kitty Johnson, The Colombian Spot, LLC, and Jessica Weingartner, are acting on behalf

of Accountholders of Dollar Bank who were charged certain overdraft and NSF fees between December 1, 2017, and February 14, 2023 (the “Class Period”).

The Plaintiffs claim Dollar Bank improperly charged the following (“Relevant Fees”) during the Class Period: (1) an overdraft fee on signature Debit Card Transactions on business accounts that authorized against a sufficient available balance but was presented for payment and posted against an insufficient available balance (“APPSN Fee”); (2) an NSF or overdraft fee on a transaction as a result of Dollar Bank having deducted the dollar amount of a prior returned insufficient funds transaction, temporarily reducing the account balance such that Dollar Bank deemed a subsequent transaction to be posted against insufficient funds and assessing a fee for that transaction (“False Negative Balance Deduction Fee”); (3) an overdraft or NSF fees on transactions when the account’s ledger balance was sufficient to pay the transaction (“Sufficient Funds Fee”); and (4) an NSF fee or overdraft fee on an ACH transaction or check after the merchant’s first attempt at being paid was returned for insufficient funds (“Multiple Fee”). The operative Complaint alleges Breach of Contract and Breach of the Implied Covenant of Good Faith and Fair Dealing and violations of the Pennsylvania Unfair Trade Practices and Consumer Protection Law. Dollar Bank denies liability and contends it assessed these fees in accordance with the terms of its account agreements and applicable law.

“Uncollected Relevant Fees” are Relevant Fees that were assessed by Dollar Bank to members of the Settlement Classes but not collected during the Class Period and will be forgiven if the Settlement is approved.

2. Why did I receive this Notice of this lawsuit?

You received this Notice because Dollar Bank’s records indicate you were charged one or more Relevant Fees. You may be a member of one or more of the Settlement Classes (APPSN Fee Class, False Negative Balance Deduction Fee Class, Multiple Fee Class, and Sufficient Funds Fee Class). The Court directed that this Notice be sent to all Settlement Class members because each Settlement Class member has a right to know about the proposed Settlement and the options available to him, her, or it before the Court decides whether to approve the Settlement.

3. Why did the parties settle?

In any lawsuit, there are risks and potential benefits that come with a trial versus settling at an earlier stage. It is the Class Representatives’ and their lawyers’ job to identify when a proposed settlement offer is good enough that it justifies recommending settling the case instead of continuing to trial. In a class action, these lawyers, known as Class Counsel, make this recommendation to the Class Representatives. The Class Representatives have the duty to act in the best interests of the class as a whole and, in this case, it is their belief, as well as Class Counsel’s opinion, that this Settlement is in the best interest of all Settlement Class members for at least the following reasons:

There is legal uncertainty about whether a judge or a jury will find that Dollar Bank was contractually and otherwise legally obligated not to assess overdraft and NSF fees in the manner alleged in the lawsuit, and, even if it was, there is uncertainty about whether the claims are subject to other defenses that might result in no or less recovery to Settlement Class members. Even if the Class Representatives were to win at trial, there is no assurance that the Settlement Class members would be awarded more than the current Settlement amount and it may take years of litigation before any payments would be made. By settling, the Settlement Class members will avoid these and other risks and the delays associated with continued litigation.

While Dollar Bank disputes the allegations in the lawsuit and denies any liability or wrongdoing, it enters into the Settlement solely to avoid the expense, inconvenience, and distraction of further proceedings in litigation.

WHO IS IN THE SETTLEMENT

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

If you received this notice, then Dollar Bank's records indicate that you are a member of one or more of the following Settlement Classes: APPSN Fee Class, False Negative Balance Deduction Fee Class, Multiple Fee Class, and Sufficient Funds Fee Class. As a member of any of the Settlement Classes, you may be entitled to receive a payment, forgiveness of Uncollected Relevant Fees, or both.

YOUR OPTIONS

5. What options do I have with respect to the Settlement?

You have three options: (1) do nothing and you will receive a payment and/or debt forgiveness according to the terms of this Settlement and will be bound by the judgment of the court; (2) exclude yourself from the Settlement ("opt-out" of it); or (3) participate in the Settlement but object to it. Each of these options is described in a separate section below. In addition, you may enter an appearance by hiring your own counsel.

6. What are the critical deadlines?

There is no deadline to receive a payment. If you do nothing, then you will receive a payment and/or forgiveness of Uncollected Relevant Fees.

The deadline for sending a letter to exclude yourself from or opt out of the Settlement is February 20, 2024.

The deadline to file an objection with the Court is February 20, 2024.

7. How do I decide which option to choose?

If you do not like the Settlement and you believe that you could receive more money by pursuing your claims on your own (with or without an attorney that you could hire) and you are comfortable with the risk that you might lose your case or get less than you would in this Settlement, then you may want to consider opting out.

If you believe the Settlement is unreasonable, unfair, or inadequate and the Court should reject the Settlement, then you can object to the Settlement terms, including Class Counsel's application for an award of attorneys' fees and costs or a Service Award to each of the Class Representatives. The Court will decide if your objection is valid. If the Court agrees, then the Settlement may not be approved and no payments or forgiveness of Uncollected Relevant Fees will be made to you or any other member of the Settlement Classes. If your objection (and any other objection) is overruled, and the Settlement is approved, then you may still get a payment and/or forgiveness of Uncollected Relevant Fees and will be bound by the Settlement.

If you want to participate in the Settlement, you need not do anything, and you will receive a payment and/or forgiveness of Uncollected Relevant Fees if the Court approves the Settlement and you will be bound by the Court's judgment in this case.

8. What has to happen for the Settlement to be approved?

The Court has to decide that the Settlement is fair, reasonable, and adequate before it will approve it. The Court already has granted Preliminary Approval of the Settlement, which is why you received a Notice. The Court will make a final decision regarding the settlement at a Final Approval Hearing, which is currently scheduled for March 21, 2024, at 4:30 p.m.

THE SETTLEMENT PAYMENT

9. How much is the Settlement?

Dollar Bank has agreed to create a Settlement Fund of \$6,739,356.00 that will be allocated for the Settlement Classes proportionately. As discussed separately below, attorneys' fees, litigation costs, a Service Award to each of the Class Representatives, and the costs paid to a third-party Settlement Administrator to administer the Settlement (including mailing or emailing this notice) will be paid out of the Settlement Fund. The balance of the Settlement Fund known as the Net Settlement Fund will be divided proportionally among all Settlement Class Members based on the amount of Relevant Fees they paid during the Class Period. Dollar Bank will also forgive Uncollected Relevant Fees in an amount calculated to be \$271,488.00 to eligible Settlement Class Members.

10. How much of the settlement fund will be used to pay for attorney fees and costs?

Class Counsel will request an attorney fee be awarded by the Court of not more than 33-1/3% of the Value of the Settlement (including the Settlement Fund and the total Uncollected Relevant Fees). Class Counsel will also request reasonable costs incurred in prosecuting the case in an amount not to exceed \$50,000. The Court will decide the amount of the attorneys' fees and costs based on a number of factors, including the risk associated with bringing the case on a contingency basis, the amount of time spent on the case, the amount of costs incurred to prosecute the case, the quality of the work, and the outcome of the case.

11. How much of the Settlement Fund will be used to pay the Class Representatives Service Awards?

Class Counsel on behalf of the Plaintiffs has requested that the Court award the Class Representatives of up to \$10,000.00 each for their work in connection with this case and securing this Settlement on behalf of the Settlement Classes. The Court will decide if a Service Award is appropriate and, if so, the amount of the award.

12. How much of the Settlement Fund will be used to pay the Settlement Administrator's costs?

The Settlement Administrator estimates its costs at \$109,981.00.

13. Do I have to do anything if I want to participate in the Settlement?

No. If you received this Notice, as long as you do not opt-out, a check will be mailed to you at the last known address Dollar Bank has for you if you are entitled to payment and/or your Uncollected Relevant Fees will be forgiven. If your address has changed, you should provide your current address to the Settlement Administrator at the address set forth in Question 16, below. Excluding yourself from the Settlement means you choose not to participate in the Settlement. You will keep your individual claims against Dollar Bank, but you will not receive a payment and/or forgiveness of Uncollected Relevant Fees. In that case, if you choose to seek recovery against Dollar Bank, then you will have to file a separate lawsuit or claim.

14. When will I receive my Settlement benefits?

The Court will hold a Final Approval Hearing (explained below in Questions 22-24) on March 21, 2024 at 4:30 p.m. to consider whether the Settlement should be approved. If the Court approves the Settlement, then payments should be made, and Uncollected Relevant Fees should be forgiven within 60 days after the Settlement is approved. However, if someone objects to the Settlement, and the objection is sustained, then there may be no Settlement. Even if all objections are overruled and the Court approves the Settlement, an objector could appeal and it might take months or even years to have the appeal resolved, which would delay any of the Settlement's benefits.

15. When will I receive my Settlement benefits?

The balance of the Settlement Fund after deducting attorneys' fees and costs, the Service Awards and the Settlement Administration Costs, also known as the Net Settlement Fund, will be divided among all Settlement Class Members entitled to Settlement Class Member Payments in accordance with the following formulas included in the Settlement Agreement:

The APPSN Fee Net Settlement Fund shall be paid pro rata to the Settlement Class Members in the APPSN Fee Class using the following calculation:

- The dollar amount of the APPSN Fee Net Settlement Fund divided by the total number of APPSN Fees paid by all Settlement Class Members in the APPSN Fee Class, which yields a per-fee amount.
- Multiply the per-fee amount by the total number of APPSN Fees charged to and paid by each Settlement Class Member in the APPSN Fee Class.
- This results in an APPSN Fee Settlement Class Member Payment.

The False Negative Balance Deduction Fee Net Settlement Fund shall be paid pro rata to the Settlement Class Members in the False Negative Balance Deduction Fee Class using the following calculation:

- The dollar amount of the False Negative Balance Deduction Fee Net Settlement Fund divided by the total number of False Negative Balance Deduction Fees paid by all Settlement Class Members in the False Negative Balance Deduction Fee Class, which yields a per-fee amount.
- Multiply the per-fee amount by the total number of False Negative Balance Deduction Fees charged to and paid by each Settlement Class Member in the False Negative Balance Deduction Fee Class.
- This results in a False Negative Balance Deduction Fee Settlement Class Member Payment.

The Multiple Fee Net Settlement Fund shall be paid pro rata to the Settlement Class Members in the Multiple Fee Class using the following calculation:

- The dollar amount of the Multiple Fee Net Settlement Fund divided by the total number of Multiple Fees paid by all Settlement Class Members in the Multiple Fee Class, which yields a per-fee amount.
- Multiply the per-fee amount by the total number of Multiple Fees charged to and paid by each Settlement Class Member in the Multiple Fee Class.
- This results in the Multiple Fee Settlement Class Member Payment.

The Sufficient Funds Fee Net Settlement Fund shall be paid pro rata to the Settlement Class Members in the Multiple Fee Class using the following calculation:

- The dollar amount of the Sufficient Funds Fee Net Settlement Fund divided by the total number of Sufficient Funds Fees paid by all Settlement Class Members in the Sufficient Funds Fee Class, which yields a per-fee amount.
- Multiply the per-fee amount by the total number of Sufficient Funds Fees charged to and paid by each Settlement Class Member in the Sufficient Funds Fee Class.
- This results in the Sufficient Funds Fee Settlement Class Member Payment.

The total of the APPSN Fee Settlement Class Member Payment, False Negative Balance Deduction Fee Settlement Class Member Payment, Multiple Fee Settlement Class Member Payment, and/or Sufficient Funds Fee Settlement Class Member Payment due to each Settlement Class Member is the total Settlement Class Member Payment due from the Net Settlement Fund.

Settlement Class Members entitled to a Settlement Class Member Payment shall receive a check from the Settlement Administrator. Settlement Class Members entitled to forgiveness of Uncollected Relevant Fees shall receive this benefit automatically. You may receive both a cash payment and forgiveness of Uncollected Relevant Fees, if you are eligible for both Settlement benefits, or you may only be eligible for one of those Settlement benefits.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I exclude myself from the Settlement?

If you do not want to receive a payment or debt forgiveness, or if you want to keep any right you may have to sue Dollar Bank for the claims alleged in this lawsuit, then you must exclude yourself or “opt out.”

To opt out, you must send a letter to the Settlement Administrator that you want to be excluded. Your letter can simply say “I hereby elect to be excluded from the settlement in the *Devore et al. v. Dollar Bank* class action.” Be sure to include your name, last four digits of your current or past account number, address, telephone number, and email address. Your opt-out request must be postmarked by February 20, 2024, and sent to:

Devore et al. v. Dollar Bank
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9966

17. What happens if I opt-out of the Settlement?

If you opt out of the Settlement, you will preserve and not give up any of your rights to sue Dollar Bank for the claims alleged in this case. However, you will not be entitled to receive a payment or forgiveness of Uncollected Relevant Fees from this Settlement.

18. If I opt-out, can I obtain a Settlement benefit?

No. If you exclude yourself, you will not be entitled to a payment or debt forgiveness.

OBJECTING TO THE SETTLEMENT

19. How do I notify the Court that I do not like the settlement?

You can object to the settlement or any part of it that you do not like **IF** you do not opt out from the Settlement. (Members of the Settlement Classes who opt-out from the Settlement have no right to object to how other Settlement Class members are treated.) To object, you must send a written document by mail or private courier (e.g., Federal Express) to the Clerk of the Court, Class Counsel, and Dollar Bank's Counsel at the addresses below. Your objection must include the following information:

- the name of the Action;
- the objector's full name, address, telephone number, and email address (if any);
- all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
- the number of times the objector has objected to a class action settlement within the five years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
- the identity of all counsel who represent the objector, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement or the application for attorneys' fees and costs and Service Awards;
- the number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date that of the filed objection, the caption of each case in which counsel or the firm has made such objection, and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding 5 years;
- any and all agreements that relate to the objection or the process of objecting— whether written or oral—between objector or objector's counsel and any other person or entity;
- the identity of all counsel (if any) representing the objector who will appear at the Final Approval Hearing;

- a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- the objector’s signature (an attorney’s signature is not sufficient).

All objections must be post-marked no later than February 20, 2024, and must be mailed to the Clerk of the Court, Class Counsel, and Dollar Bank as follows:

CLERK OF THE COURT	CLASS COUNSEL	DEFENDANT’S COUNSEL
Clerk of the Court Allegheny County Courthouse, Room 114 436 Grant Street Pittsburgh, PA 15219	Sophia Gold KalielGold PLLC 950 Gilman St., Ste. 200 Berkeley, CA 94710 Taras Kick The Kick Law Firm, APC 815 Moraga Drive Los Angeles, CA 90049 Jonathan Streisfeld Kopelowitz Ostrow P.A. 1 West Las Olas Blvd, Suite 500 Fort Lauderdale, FL 33301 David Berger Gibbs Law Group 1111 Broadway, Suite 2100 Oakland, CA 94607	Andrew J. Demko, Esq. Mayer Brown LLP 333 S. Grand Ave, Ste 4700 Los Angeles, CA 90071 ademko@mayerbrown.com Counsel for Dollar Bank

20. What is the difference between objecting and requesting exclusion from the settlement?

Objecting is telling the Court that you do not believe the Settlement is fair, reasonable, and adequate for the Settlement Classes, and asking the Court to reject it. You can object only if you do not opt-out of the Settlement. If you object to the Settlement and do not opt-out, then you may be entitled to a payment and/or forgiveness of Uncollected Relevant Fees if the Settlement is approved, but you will release claims you might have against Dollar Bank. Excluding yourself or opting-out is telling the Court that you do not want to be part of the Settlement, and do not want to receive a payment or forgiveness of Uncollected Relevant Fees, or release claims you might have against Dollar Bank for the claims alleged in this lawsuit.

21. What happens if I object to the Settlement?

If the Court sustains your objection, or the objection of any other Settlement Class Member, then there may be no Settlement. If you object, but the Court overrules your objection and any other objection(s), then you will be part of the Settlement.

THE COURT’S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at 4:30 p.m. on March 21, 2024, at the Court of Common Pleas of Allegheny County, Pennsylvania, which is located at 820 City-County Building, 414 Grant Street, Pittsburgh, PA 15219. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court may also decide how much to award Class Counsel for attorneys’ fees and litigation costs and how much each of the Class Representatives should get as Service Awards. The hearing may be virtual, in which case the instructions to participate shall be posted on the website at www.DBFeesSettlement.com.

23. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You may attend if you desire to do so. If you have submitted an objection, then you may want to attend.

24. May I speak at the hearing?

If you have objected, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include with your objection, described in Question 19, above, the statement, “I hereby give notice that I intend to appear at the Final Approval Hearing.”

THE LAWYERS REPRESENTING YOU

25. Do I have a lawyer in this case?

The Court ordered that the lawyers and their law firms referred to in this notice as “Class Counsel,” The Kick Law Firm, APC; Kopelowitz Ostrow P.A.; Kaliel Gold PLLC; and Gibbs Law Group, will represent you and the other Settlement Class Members.

26. Do I have to pay the lawyer for accomplishing this result?

No. Class Counsel will be paid directly from the Settlement Fund.

27. Who determines what the attorneys’ fees will be?

The Court will be asked to approve the amount of attorneys’ fees at the Final Approval Hearing. Class Counsel will file an application for fees and costs and will specify the amount being sought as discussed above. You may review the fee application at www.DBFeesSettlement.com or view a physical copy at the Office of the Clerk for the Court of Common Pleas of Allegheny County, Pennsylvania.

GETTING MORE INFORMATION

This Notice only summarizes the proposed Settlement. More details are contained in the Settlement Agreement, which can be viewed/obtained online at www.DBFeesSettlement.com or at the Office of the Clerk for the Court of Common Pleas of Allegheny County, Pennsylvania, by asking for the Court file containing the Motion For Preliminary Approval (the Settlement Agreement is attached to the motion).

For additional information about the Settlement and/or to obtain copies of the Settlement Agreement, or to change your address for purposes of receiving a payment, you should contact the Settlement Administrator as follows:

Devore et al. v. Dollar Bank
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9966

For more information you also can contact the Class Counsel as follows:

Sophia Goren Gold
Kaliel Gold LLP
950 Gilman St., Ste. 200
Berkeley, CA 94710
Telephone: 202-350-4783
sgold@kalielgold.com

Taras Kick
The Kick Law Firm, APC
815 Moraga Drive
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Taras@kicklawfirm.com

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1111 Broadway, Suite 2100
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streisfeld@kolawyers.com

PLEASE DO NOT CONTACT THE COURT OR ANY REPRESENTATIVE OF DOLLAR BANK CONCERNING THIS NOTICE OR THE SETTLEMENT.