

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FLORENCE MUSSAT, M.D., S.C., an Illinois corporation, individually and on behalf of a class,)	
)	13-cv-8377
)	
Plaintiff,)	Hon. Andrea R. Wood
)	
v.)	
)	
BETTERDOCTOR, INC., a Delaware corporation, and DOES 1-3)	
)	
Defendant.)	

NOTICE OF SETTLEMENT OF CLASS ACTION

**PLEASE READ THIS NOTICE CAREFULLY,
IT MAY AFFECT YOUR LEGAL RIGHTS AND ENTITLE YOU UP TO \$500**
This is not a lawsuit against you.

TO: All persons in Illinois with a fax machine who received a fax from BetterDoctor, Inc., between November 20, 2013, and November 20, 2009, which impart requested the recipient to confirm if their information was correct.

PLEASE TAKE NOTICE that if you are a person defined above you are a member of a Plaintiff class (the “Class”) in this lawsuit filed against Defendants BetterDoctor, Inc. (“Defendant”) and Does 1-3, (collectively “Defendants”) in the United States District Court for the Northern District of Illinois (the “Lawsuit”). The Court has issued an Order conditionally approving the parties’ settlement on a class basis and for notice to be sent to the class members. As a class member, if you timely submit the attached claim form you are entitled to receive up to \$500 under the terms of the settlement.

The purpose of this Notice is to explain to you: (1) What the Lawsuit is about; (2) Your Rights as a Class Member; (3) How to make a claim and the benefit; and (3) How to Obtain More Information.

**FOR MORE INFORMATION CALL, WARNER LAW FIRM, LLC, (847) 701-5290
or email cwarner@warnerlawllc.com**

1. What is the Lawsuit About?

On November 20, 2013, Plaintiff filed a lawsuit claiming that Defendants violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”), Illinois Consumer Fraud Act (“ICFA”) and committed common law conversion (the “common law”) of toner, ink and paper in sending an unsolicited facsimile advertisement. Plaintiff has sought statutory damages only under the TCPA in the amount of \$500 for each violation and \$1,500 if it is determined that the Defendants willfully violated the TCPA. Plaintiff has sought actual damages under the ICFA and the common law for the loss of toner

and paper. Defendant denies these allegations. The Court has not decided whether Plaintiff or Defendant is right.

The Court has for the purposes of settlement conditionally approved of a settlement class, which according to Defendant's records you are a member of, approved of Florence Mussat, M.D., S.C., an Illinois Corporation, as the class representative and has approved of Curtis C. Warner of Warner Law Firm, LLC, 1400 E. Touhy, Ste. 260, Des Plaines, IL 60018, (847) 701-5290, as counsel for the class.

2. What are my Rights as a Class Member?

A. You have the right to (1) make a claim by submitting the attached claim form, (2) choose to stay in the class by doing nothing (3), opt-out thereby excluding you from the class, or (4) object to the settlement. If you stay in the Class, you will be legally bound by all orders and judgments of the Court, and you will not be able to sue, or continue to sue Defendant in any lawsuit related to the violations alleged in the lawsuit and you will not receive any monies from this settlement. You have the right to hire your own attorney. The Court has already appointed Curtis C. Warner of Warner Law Firm, as counsel for the class.

B. If you do not wish to remain in the class, you must make your request in writing and must send it to the counsel above at Warner Law Firm, LLC, 1400 E. Touhy, Ste. 260, Des Plaines, IL 60018, by first class mail **postmarked no later than June 16, 2014**. If you exclude yourself from the Class, you will not be able to participate in any settlement or favorable judgment in the Lawsuit, but you will also not be bound by any unfavorable judgment.

C. If you wish to object to the settlement you or your attorney must file your objection with the Court's Clerk's Office located on the 20th floor, 219 S. Dearborn St., Chicago, IL 60604, by **June 16, 2014**, and serve a copy of the objections on counsel for Plaintiff and for Defendant. If you wish to object, you must also file a claim by **June 16, 2014**, to preserve your right to object.

3. Further Court Proceedings.

The Court will hold a final approval hearing on **July 10, 2014, at 10:00 a.m., in Courtroom 1725** of the Dirksen Federal Courthouse, 219 S. Dearborn St., Chicago, IL 60604, to determine whether the settlement is fair and reasonable and to address any objections that have been filed. You are not required to attend the fairness hearing. If you have filed an objection to the settlement you may attend the fairness hearing.

4. How do I get More Information?

This Notice does not fully describe all of the claims and defenses of the parties. A copy of all pleadings regarding this case are available at the Court's Clerk's Office located on the 20th floor, 219 S. Dearborn St., Chicago, IL 60604. Additionally for more details you can call Counsel for Plaintiffs and the Class at (847) 701-5290. Additional information is available on Class Counsel's website http://warnerlawllc.com/Class_Action_Notices.html.

PLEASE DO NOT CALL THE JUDGE OR DEFENDANT

