

**If you received a prerecorded voice message from National Credit Adjusters, LLC,  
you may benefit from this class action settlement.**

*The case is titled Humberto Vallejo, Jr. v. National Credit Adjusters, LLC,  
Case No. 2:10-cv-103-PRC.  
A Federal court authorized this notice.  
This is not a solicitation from a lawyer.*

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT**

<b>SUBMIT THE ATTACHED CLAIM FORM BELOW</b>	Submit the claim form below and you will be entitled to a <i>pro rata</i> share of the class settlement. The amount will vary depending on how many claim forms are received.
<b>DO NOTHING BUT STAY IN THE SETTLEMENT</b>	By doing nothing, you will remain in the settlement class and you will not be entitled to receive a cash payment.
<b>EXCLUDE YOURSELF</b>	You will receive no benefits, but you will not be giving up your legal claims against the defendant.
<b>OBJECT</b>	Write to the Court about why you don't like the settlement. You may also appear at the fairness hearing.
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the settlement.

**These rights and options and the deadlines to exercise them are explained below.**

**1. What is this lawsuit about?** Plaintiff alleged that defendant violated the Law when it left prerecorded telephone messages for Plaintiff and the putative class members that did not disclose its business name or that the communication was from a debt collector.

**2. Why is this a class action?** In a class action, one or more people called Class Representatives (in this case, Humberto Vallejo, Jr.), sue on behalf of a group (or a "Class") of people who have similar claims.

**3. Why is there a settlement?** In order to avoid the cost, risk, delay of litigation and uncertainty of trial the parties agreed to settle.

**4. How do I know if I am a part of the settlement?** The Court decided that everyone falling under the following definition was a Class Member. You have been identified as a member of the following Class:

All natural persons with an Indiana address who Defendant's records show that a prerecorded voice message in the form of the message in the complaint was left for during a period beginning one year prior to the filing this action [March 4, 2009] and ending 20 days after the filing of this action [March 24, 2010].

**5. What can I get from the settlement?** If you participate in the Settlement, you will receive a pro rata portion of the class settlement fund established by the defendant. The class settlement fund is \$20,600.00 to be divided on a pro rata basis to those class members who timely return a claim form. Any un-cashed funds after 60 days shall be awarded as *cy pres* to Indiana Legal Services.

**6. When will I receive these benefits?** You will receive these benefits approximately thirty (30) days after the effective date.

**7. I want to be a part of the settlement and receive these benefits. What do I do?** To receive the benefits of the class settlement you need to complete the claim form at the bottom of this notice and return it. If you do nothing you will remain a member of the Class but you will not get any of the benefits of the settlement fund.

**8. What am I giving up to receive these benefits?** By staying in the class, all of the Court's orders will apply to you, and you give defendant a "release." A release means you can't sue or be part of any other lawsuit against defendant about the Fair Debt Collection Practices Act claims raised in this lawsuit.

**9. How much will the Class Representative receive?** The defendant has agreed to pay \$2,000.00 to Plaintiff for his statutory damages and as an incentive for being the class representative. This is subject to the Court's Approval.

**10. How do I get out of the settlement?** To exclude yourself from the settlement, you must send a letter by mail stating that you want to be excluded from *Vallejo v. National Credit Adjusters, LLC*, No. 2:10-cv-103-PRC (N.D. Ind.). Be sure to include the name and number of the case, your name, address, telephone number, and your signature. You must mail your exclusion request so that it is postmarked **no later than September 2, 2010**, and sent to the following address: Clerk of the Court, United States District Court for the Northern District of Indiana – Hammond Division, 5400 Federal Plaza, Hammond, IN 46320

You must also send a copy of your request for exclusion to: Curtis C. Warner, Warner Law Firm, LLC, 155 N. Michigan Ave. Suite 560, Chicago, IL 60601.

**11. If I exclude myself, do I still receive benefits from this settlement?** No, you will not receive any payment from the settlement fund. You will retain your claims, if any, against Defendant. If you exclude yourself, the time you have in which to file your own lawsuit (called the "statute of limitations") will begin to run again. You will have the same amount of time to file the suit that you had when this case was filed.

**12. Do I have a lawyer in this case?** The Court has named the law firm of the Warner Law Firm, LLC as Class Counsel. You will not be charged by these lawyers; however they will receive a payment from the Defendant in the amount of \$8,500, if that amount is approved by the Court. If you want to be represented by your own lawyer, you may hire one at your own expense. If you choose to hire your own lawyer, he or she must file an appearance by **October 29, 2010**.

**13. How will the lawyers be paid?** Class Counsel will ask the Court for attorney's fees and expenses of no more than \$8,500.

**14. Is this a fair settlement?** Class Counsel believes that this settlement is fair. The claim asserted on behalf of the class against defendant is under the Fair Debt Collection Practices Act. ("FDCPA") The FDCPA is a federal statute which provides for both individual actions and class actions.

In an individual action, the person bringing the suit may recover (i) any actual damages suffered; and (ii) statutory damages of between \$0 and \$1,000.00. In a class action, the maximum possible recovery for the class is (i) any actual damages suffered by the Class members and (ii) the lesser of 1% of the Defendant's net worth or \$500,000.00. The Court, in its discretion, may award anything from \$0 up to the maximum amount to a prevailing party. In either an individual or class action, the person bringing the suit can also recover attorney's fees and the expenses of prosecuting the suit, if it is successful. No actual damages were sought in this case on behalf of the Class.

In this case, the settlement fund is approximately 1% of its net worth which is \$20,600 to be divided on a pro rata basis to those class members who return a claim form. In light of the violations alleged, class counsel believes this is a fair settlement as the settlement fund is approximately the maximum amount for the class in a class action.

There are approximately 10,868 members of the class as defined above. From class counsel's experience typically 10% to 15% of the class members make a claim. If 10% of the class members make a claim then each claimant will receive approximately \$18.95. If 15% of the class members make a claim then each claimant will receive approximately \$12.63. In the unlikely event that all 10,868 class members make a claim, the each claimant's recovery would be \$1.89

**15. What is the Defendant's view of this settlement?** As stated above, by settling this lawsuit, defendant is not admitting that it has done anything wrong. Defendant expressly denies the claims asserted by the plaintiff and denies all allegations of wrongdoing and liability.

**16. Objecting to the Settlement if you do not like it?** If you are a Class Member, you can object to the settlement. In order to object to the settlement or any part of the settlement, you must send a letter (or legal brief) stating that you object and the reasons why you think the Court should not approve the settlement. You must also provide all documents that support your objection. You must include the name and number of the case: *Vallejo v. National Credit Adjusters, LLC*, No. 2:10-cv-103-PRC (N.D. Ind.), your name, address, telephone number and your signature. If you are objecting to the settlement, you may also appear at the fairness hearing (explained below in answer to question no. 18).

You must mail your objection so that it is postmarked no later than **September 2, 2010** to: Clerk of the Court, United States District Court for the Northern District of Indiana – Hammond Division, 5400 Federal Plaza, Hammond, IN 46320.

You must also send a copy of your objection to: Curtis C. Warner, Warner Law Firm, LLC, 155 N. Michigan Ave. Suite 560, Chicago, IL 60601.

**17. Where and when is the fairness hearing?** The Court will hold a fairness hearing on **October 29, 2010 at 10:00 a.m.** in the courtroom of Magistrate Judge Paul R. Cherry, Room 3500 of the U.S. Courthouse, 5400 Federal Plaza, Hammond, IN 46320. The purpose of the hearing will be for the Court to determine whether the proposed settlement is fair, reasonable and adequate and in the best interests of the class and to determine the appropriate amount of compensation for the Class Counsel. At that hearing the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement. The hearing may be postponed to a later date without notice.

**YOU ARE NOT REQUIRED TO ATTEND THIS HEARING.**

**18. How do I get more information?** You can call or write Curtis C. Warner, Warner Law Firm, LLC, 155 N. Michigan Ave. Suite 560, Chicago, IL 60601. who is the attorney and law firm representing the class, if you have any questions. You can also send an email to: [cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com).

**19. What if I have a new address?** If this notice was sent to you at your current address, you do not have to do anything more to receive further notices concerning this case. However, if this notice was forwarded to you, or if it was otherwise sent to you at an address that is not current, you should immediately send a letter to: **First Class, Inc. / J10882 - Vallejo, 5410 W Roosevelt Rd Ste 222, Chicago, IL 60644-1479.**

**DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

