

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
Southern Division

Brian J. Martin, Yahmi Nundley, and
Katherine Cadeau, individually and on behalf
of all others similarly situated,

Case No. 2:15-cv-12838

Hon. David M. Lawson

v.

CLASS ACTION

Trott Law P.C. and David A. Trott,

Defendants.

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT,
FAIRNESS HEARING, AND MOTION FOR
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

This notice ("Notice") advises you of the proposed Class Action Settlement (the "Settlement") of the class action lawsuit, *Martin et al. v Trott Law PC and David A. Trott*, Case No. 2:15-cv-12838 (E.D. Mich.) (the "Lawsuit"). In the Lawsuit, the Plaintiffs allege that the Defendants violated certain provisions of the Fair Debt Collection Practices Act ("FDCPA") and the Michigan Regulation of Collection Practices Act ("RCPA"), in connection with letters sent in non-judicial foreclosures in Michigan. Plaintiffs' claims ("Class Claims") are described more fully below. You may have received a postcard notice and Claim Form if Trott Law PC's records reflect that you are a member of the proposed Settlement Class (defined below).

**PLEASE READ THIS NOTICE CAREFULLY.
A FEDERAL COURT AUTHORIZED THIS NOTICE.
THIS IS NOT A SOLICITATION.
YOU HAVE NOT BEEN SUED.**

As described in more detail below, the case concerns allegations in the Second Amended Complaint (Corrected) ("Complaint") that the Defendants violated fair debt laws, specifically the FDCPA and the RCPA, in form foreclosure letters (which they refer to internally as "fair debt letters") that the law firm sent to Michigan homeowners from August 11, 2009, through June 29, 2018.

Defendants maintain that the firm's fair debt letters comply with all federal and state fair debt collection laws, and therefore deny all allegations of wrongdoing. The Court has not determined whether or not the firm's fair debt letters violate the FDCPA or the RCPA.

In exchange for the dismissal of the Lawsuit, the Settlement provides a cash payment by Defendants of \$7.5 million (seven million, five hundred thousand dollars) into a Settlement Common Fund. This is estimated to represent an amount equivalent to approximately \$30 per Class Member. However, because the Net Settlement Fund will be distributed only to those Class Members who submit valid claims, the amount you will receive if you submit a valid claim will likely be significantly higher. For an estimate of the size of the distribution, please see Question 8 below. As part of the Settlement, Trott Law PC will also stipulate to injunctive relief in the form of changes to its fair debt letters for a period of five years.

THE STATUS AND VALIDITY OF ANY PAST, PENDING, OR FUTURE FORECLOSURE PROCEEDING WILL NOT BE AFFECTED BY THE SETTLEMENT.

The Settlement resolves all claims against Defendants and applies to all members of the Settlement Class who do not exclude themselves from the Settlement Class by the opt-out deadline.

**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
DO NOT CALL THE COURT as they cannot answer your questions.**

The Court in charge of the case still has to decide whether to approve the Settlement. The payments and other settlement terms described above will be made only if the Court approves the Settlement and that approval is upheld if there are any appeals. This process is explained in greater detail below.

Your legal rights are affected if you are a member of the Settlement Class whether or not you act.

“Settlement Class” means: All individuals to whom Trott Law PC caused to be sent any version of the Trott PC Foreclosure Letter in connection with mortgages conveyed for residential real property located in Michigan, which was not returned as undelivered by the U.S. Post Office, dated from August 11, 2009, through June 29, 2018. The Settlement Class **excludes:**

- a. any person whose name and address is not supplied to the Claims Administrator as a Class Member;
- b. the Court and any member of the Court staff; and
- c. any potential Class Member who timely submits a request for exclusion.

“Trott PC Foreclosure Letter” is defined in Paragraph 71 of the Complaint and includes any version of Trott Law PC’s fair debt letters sent during the Class Period to start the foreclosure by advertisement process, and not just the versions attached to the Complaint.

Identification of Other Key Terms: This Notice contains summary information with respect to the Settlement. The terms and conditions of the Settlement are set forth in the Settlement Agreement signed by the parties (the “Settlement Agreement”). The Settlement Agreement, and additional information with respect to the Lawsuit and the Settlement, is available at www.TrottFairDebtSettlement.com. If you do not have access to the Internet, you may obtain a copy of the Settlement Agreement by writing to the Claims Administrator at the address below.

Reasons for the Settlement: The Settlement resolves all claims in the Lawsuit against the Defendants regarding Trott Law PC’s form fair debt letters. The Settlement is not, and should not be construed as, an admission of any fault or liability whatsoever by any of the Defendants, who continue to deny any and all of the allegations of wrongdoing. The Plaintiffs and Class Counsel believe that the proposed Settlement is fair, reasonable, and adequate, and in the best interests of the Settlement Class. The Plaintiffs and Class Counsel believe that the Settlement provides substantial benefits to all Settlement Class Members as compared to the risks, significant litigation costs, and delays of proceeding with the Lawsuit.

Identification of Claims Administrator and Class Counsel: The Claims Administrator is Epiq Class Action & Claims Solutions, Inc. You should first try to answer any questions you may have about the Settlement or the Lawsuit by reviewing the information available on the website for this Settlement, www.TrottFairDebtSettlement.com, or by calling 1-855-540-5610. You can also write to the Claims Administrator at the following address:

Trott Class Action Settlement Administrator
PO Box 3747
Portland, OR 97208-3747

The Court has provisionally appointed the following attorneys as Class Counsel: Andrew J. McGuinness, Esq., of Ann Arbor, Michigan; and Andrew N. Friedman, Cohen Milstein Sellers & Toll, PLLC, of Washington, D.C. **Please do not contact the Court and do not contact Trott Law P.C. about this Settlement;** their personnel will not be able to answer your questions.

PLEASE READ THIS NOTICE CAREFULLY. IF YOU ARE A MEMBER OF THE SETTLEMENT CLASS TO WHOM THE POSTCARD NOTICE WAS ADDRESSED, THE SETTLEMENT WILL AFFECT YOUR RIGHTS. YOU ARE NOT BEING SUED IN THIS MATTER. YOU DO NOT HAVE TO APPEAR IN COURT, AND YOU DO NOT HAVE TO HIRE

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AN ATTORNEY. IF YOU ARE IN FAVOR OF THE SETTLEMENT, YOU NEED NOT DO ANYTHING, UNLESS YOU WISH TO FILE A CLAIM FOR CASH PAYMENT. IF YOU DISAPPROVE, YOU MAY OBJECT TO THE SETTLEMENT PURSUANT TO THE PROCEDURES DESCRIBED BELOW.

ACTIONS YOU MAY TAKE IN THE SETTLEMENT	
NO ACTION IS NECESSARY.	If you do not wish to object to the Settlement or to submit a claim, you do not need to do anything.
YOU CAN SUBMIT A CLAIM FORM BY RETURN POSTCARD OR ONLINE NO LATER THAN SEPTEMBER 3, 2018.	If you received a postcard notice indicating that you are a Settlement Class Member, you must fill out and sign the Claim Form and mail it before the deadline to receive a cash payment. Alternatively , you may submit a claim online at www.TrottFairDebtSettlement.com using the unique code found on your postcard Claim Form. Different individuals at the same address may each submit a claim if they received separate postcards with unique I.D. numbers.
YOU CAN OPT OUT BY SEPTEMBER 3, 2018.	If you do not want to be part of the Settlement Class or to participate in the Settlement, you can exclude yourself (“opt out”) by following the instructions below. You must opt out by the deadline in order to preserve claims you may have against Defendants that are being released or resolved as part of the Settlement. <i>If you and another individual at your address each received separate postcards, you must each exercise your Class Member rights, including opt-out rights, individually.</i>
CLASS MEMBERS CAN OBJECT NO LATER THAN SEPTEMBER 3, 2018.	If do not opt out, and if you wish to object to any part of the Settlement, you can write to the Court and explain why you do not like the Settlement.
CLASS MEMBERS CAN GO TO THE HEARING ON SEPTEMBER 27, 2018, BY FILING A NOTICE OF INTENTION TO APPEAR NO LATER THAN SEPTEMBER 3, 2018.	If you have not opted out and have submitted a written objection to the Court, you can ask to speak in Court about the fairness of the Settlement. You may enter your appearance in Court through an attorney if you so desire.

**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
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**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
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As discussed more fully below, the Lawsuit was filed in federal district court in Detroit, Michigan, against the law firm Trott Law PC, formerly known as Trott & Trott PC, and David A. Trott (collectively, “Defendants”). The named plaintiffs (“Named Plaintiffs” or “Class Representatives”) are Brian Martin, Yahmi Nundley, and Kathleen Cadeau. Named Plaintiffs and Defendants collectively are referred to herein as the “Parties.”

A copy of the Complaint and other documents relevant to this Settlement are available at www.TrottFairDebtSettlement.com.

SUMMARY OF SETTLEMENT

The Settlement Class is defined above, and generally consists of all Michigan residential homeowners (as opposed to commercial property owners) who were mailed a Trott PC Foreclosure Letter, as defined above and in Paragraph 71 of the Complaint, from August 11, 2009, to June 29, 2018. The Settlement provides specific monetary and non-monetary benefits to the Settlement Class, including a \$7.5 million payment to a Settlement Common Fund and changes to the wording of the Trott PC Foreclosure Letter.

Class Counsel believe the Settlement provides substantial benefits to the Settlement Class. In particular, the maximum class recovery in a class action under the FDCPA is \$500,000; the statute of limitations is one year from the violation; and several courts have held that injunctive relief is not available under that statute. And while class damages under the RCPA are not capped and injunctive relief is available under that statute, there are relatively few class actions certified in cases alleging claims under the RCPA. The total Settlement Common Fund (before deductions for attorneys’ fees, costs, and Service Awards) represents a per Class Member consideration of approximately \$30, slightly more than 50% of the potential RCPA statutory damages of \$50 per Class Member for violations not found to be willful. However, because the Net Settlement Fund will be distributed only to those Class Members who submit valid claims, the amount you will receive if you submit a valid claim will likely be significantly higher. For an estimate of the size of the distribution, please see Question 8 below.

As with any litigation, the Parties would face an uncertain outcome if the case were to continue. Continued litigation of this case against the Defendants may result in a judgment or verdict greater or less than the recovery under the Settlement Agreement or result in no recovery at all. Throughout the Lawsuit, Plaintiff and Defendants have disagreed on both liability and damages. Defendants maintain that the Trott PC Foreclosure Letters comply fully with federal and state fair debt law, and that the RCPA claims cannot properly be pursued in this class action. Plaintiffs disagree.

Class Counsel represent that, among other things, (1) they have conducted an extensive investigation into the facts, circumstances, and legal issues associated with the allegations made in this case; (2) they believe, based on the risks of litigation, the time necessary to achieve a complete resolution through litigation, the complexity of the claims set forth in the Complaint, and the benefit accruing to Class Members under the Settlement, that the Settlement will provide a substantial benefit to the Settlement Class, and that, when that benefit is weighed against the risks of continuing the prosecution of the Lawsuit, the Settlement represents a reasonable, fair, and adequate resolution of the claims presented; and (3) they believe that the Settlement will provide the Settlement Class with much of the benefits and protections they would have received if the case had been litigated to a conclusion and Plaintiffs had prevailed.

Defendants have denied, and continue to deny, the validity of any and all claims asserted in the Complaint. The Settlement is not evidence of liability of any type. Plaintiffs, on the other hand, continue to deny the validity of all defenses asserted by Defendants. Nevertheless, the Parties have taken into account the uncertainty and risks inherent in the Lawsuit and have concluded that it is desirable that the Lawsuit be fully and finally settled on the terms and conditions set forth in the Settlement Agreement, solely to avoid further risk, significant cost, expense, and time associated with litigation.

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BASIC INFORMATION

1. Why did I get the postcard notice and Claim Form associated with this Notice?

If you received a postcard Claim Form or learned of one addressed to you associated with this class action, then according to Trott Law PC's records you were sent a Trott PC Foreclosure Letter during the Class Period and are a member of the Settlement Class. The Trott PC Foreclosure Letters were typically sent to the address of the property that the firm was initiating foreclosure upon. Members of your household may have received more than one postcard notice and Claim Form (each with a unique identification number). In that case, each person to whom a postcard was addressed is entitled to file a claim, and must exercise his or her rights separately.

The Court has directed that the postcard notice(s) and Claim Form(s) be sent to you, and that this Class Notice be made available to you, because as a potential member of the Settlement Class you have a right to know about the proposed Settlement before the Court decides whether to approve it. If the Court approves the Settlement, and all related objections and appeals are favorably resolved, the Defendants will provide the specified monetary and non-monetary relief to the Settlement Class described in this Class Notice and detailed in the Settlement Agreement. This includes the aggregate contribution of \$7.5 million to the Settlement Common Fund as well as other specific non-monetary relief as described in Question 6 below.

This Notice explains generally the case, the Settlement, and your legal rights. An additional purpose of the postcard notice and this Notice is to inform you of a hearing (the "Final Fairness Hearing") to be held by the Court to consider the fairness, reasonableness, and adequacy of the proposed Settlement, and to consider the application of Class Counsel for their attorneys' fees and reimbursement of litigation expenses, as well as an application for Service Awards for the Class Representatives.

The Final Fairness Hearing will be held at **1:00 p.m. on September 27, 2018**, before the Honorable David M. Lawson, Courtroom 716, in the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231, W. Lafayette Blvd., Detroit, Michigan, to determine:

- (a) Whether the Settlement Agreement is fair, reasonable, and adequate and should be approved by the Court;
- (b) Whether final judgment approving the Settlement Agreement should be entered;
- (c) Whether the Settlement Class should be certified as a class meeting the applicable requirements for a settlement class imposed by Federal Rules of Civil Procedure 23(b)(2) and (b)(3);
- (d) Whether the requirements of Federal Rule of Civil Procedure 23 and due process have been satisfied in connection with notice to members of the Settlement Class;
- (e) Whether the requirements of the Class Action Fairness Act have been satisfied;
- (f) Whether to grant Service Awards to the Named Plaintiffs, and, if so, the amounts; and
- (g) Whether to award attorneys' fees and litigation expenses to counsel who represent members of the Settlement Class and, if so, the amounts.

The issuance of this Notice is not an expression of the Court's opinion on the merits of any claim in this case, and the Court still has to decide whether to approve the Settlement. If the Court approves the Settlement, the payments by Defendants described above will be distributed after all related appeals, if any, are favorably resolved. It is always uncertain whether such appeals can be favorably resolved, and resolving them can take time, perhaps more than a year.

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2. What is the Lawsuit about? What has happened so far?

On August 11, 2015, a putative class action complaint was filed in the United States District Court for the Eastern District of Michigan against Trott Law PC and David A. Trott, Case No. 2:15-cv-12838, alleging violations of federal and state fair debt collection laws. The original complaint was superseded by a Second Amended Complaint (Corrected) (“Complaint”), filed on August 8, 2016. Specifically, the Complaint alleges that the form Trott PC Foreclosure Letters violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*; and the Michigan Regulation of Collection Practices Act, Michigan Compiled Laws § 445.251, *et seq.* The Complaint alleges that the Trott PC Foreclosure Letters (which Defendants refer to as “fair debt letters”), violate both statutes in each of three ways: (i) by misleadingly suggesting that they were from an attorney when no attorney had engaged in a “meaningfully review” of homeowners’ accounts before the letters were sent; (ii) by “overshadowing,” in a subset of the letters mentioning possible reinstatement of the mortgage, the federal validation rights of homeowners (e.g., the right to dispute or seek certain information about the debt within 30 days); and (iii) by use of the misleading undefined phrase “Corporate Advances” in a subset of the letters.

Defendants have maintained throughout the case that the Trott PC Foreclosure Letter complies with federal and state fair debt laws in all respects and deny any wrongdoing.

The Parties have been actively engaged in litigation for the past two and a half years. Defendants have filed multiple motions to dismiss the claims or some of them. Plaintiffs filed a motion to strike numerous defenses. The Court has dismissed certain claims and denied motions to dismiss the claims being settled in this Settlement. The Court also struck certain defenses and declined to dismiss others. The Class Representatives have each been deposed and have supplied requested documents to Defendants. Counsel for the Parties have attempted to resolve numerous discovery disputes, and Class Counsel filed and obtained partial relief in a motion to compel documents requested of Trott Law PC. Class Counsel also subpoenaed and obtained documents from former employees of Trott Law PC. Class Counsel has deposed multiple employees of Trott Law PC and two former employees of the firm, and have received thousands of pages of documents produced in discovery by Defendants and non-parties. Trott Law PC has, at substantial expense, engaged in extensive compilation and review of potentially relevant electronically stored information (ESI) and has produced tens of thousands of pages of same to Class Counsel.

The Parties agreed to engage in settlement negotiations late in 2017, as encouraged by the Court. Settlement negotiations were facilitated by a neutral, third-party mediator in the late winter of 2017–18. On February 16, 2018, February 27, 2018, and March 9, 2018, the Parties participated in mediation sessions with the mediator, followed by ongoing negotiations by telephone and email over the course of several weeks. This process led to a Settlement Agreement signed by the Parties on April 20, 2018.

The Settlement is the product of intensive, arm’s length negotiations between Class Counsel and Defendants’ Counsel, with the assistance of an experienced third-party mediator.

3. Why is this case a class action?

In a class action, one or more plaintiffs, called “named plaintiffs,” or (where a class is certified) “class representatives,” sue on behalf of people who have similar claims. The Court has certified the Settlement Class, subject to approval after the Final Fairness Hearing. The Class Representatives (Named Plaintiffs) are seeking relief on behalf of the Settlement Class. All of the individuals on whose behalf the Class Representatives are suing are “Class Members,” and they are also referred to in this Notice as members of the “Settlement Class.” The Court resolves the issues for all Class Members. The Honorable David M. Lawson, United States District Judge, is presiding over this Lawsuit.

In this case, the Named Plaintiffs are Brian Martin, Yahmi Nundley, and Kathleen Cadeau. The Court has appointed each as Class Representatives for purposes of this Settlement.

**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
DO NOT CALL THE COURT as they cannot answer your questions.**

4. Why is there a settlement?

Under the proposed Settlement, the Court will not decide the merits of the case in favor of either the Plaintiffs or the Defendants. By agreeing to a settlement, both the Plaintiffs and the Defendants avoid the significant costs, risks, and delays of litigating the Lawsuit.

This Settlement is the product of extensive arm's length negotiations between Class Counsel and the Defendants' Counsel, including utilizing the services of an experienced mediator. Class Counsel believe that the proposed Settlement is fair, reasonable, and adequate, and in the best interest of the Class.

WHO IS IN THE SETTLEMENT

5. How do I know whether I am part of the Settlement?

The Court has certified this case as a class action for settlement purposes only. You are a member of the Settlement Class if you were sent a Trott PC Foreclosure Letter dated between August 11, 2009, and June 29, 2018. You should have received a postcard with Claim Form from the Claims Administrator if you are a member of the Settlement Class. Different individuals in the same household may each have received a separate postcard. In that case, each such individual is a Class Member according to Trott Law PC's records. If you believe you may be a member of the Settlement Class but did not receive a postcard, immediately contact the Claims Administrator by mail or phone and request that a claims package be sent to your current address. Please include the address of the property that was the subject of your Trott PC Foreclosure Letter. If you did not receive a postcard, but request a claims package, the Claims Administrator will first have to confirm from a review of the applicable records whether or not you are a member of the Settlement Class.

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the Settlement provide?

The Settlement provides specific monetary and non-monetary benefits to the Settlement Class.

The Settlement requires that Defendants make a \$7,500,000 cash payment to a Settlement Common Fund, to be held initially in the trust account of the law firm representing Trott Law PC, and then transferred to an account to be established by the Claims Administrator upon final approval of the Settlement. This payment will fully satisfy the monetary requirements of this Settlement. Trott Law PC has also agreed to an injunction requiring certain negotiated changes to its fair debt letters for a period of five years.

Specifically, Trott Law PC will include the following sentence in its future fair debt letters: "An attorney has reviewed information supplied by our client in preparation of this letter." Trott Law PC represents that this is consistent with its past practices. Additionally, if a Trott PC Foreclosure Letter mentions reinstatement, Trott Law PC will include the following sentence: "No timing requirement relating to reinstatement alters the homeowner's rights under the FDCPA to dispute the debt or seek validation within the time provided by that statute." After the Settlement becomes final, and during the injunctive relief period, Trott Law PC may, after reasonable notice to Class Counsel, seek leave of Court to modify the language required by the Settlement to reflect changes in the law or a change in Trott Law PC's business practices.

Once the Settlement becomes effective, pro rata cash payments from the Net Settlement Fund (the \$7.5 million minus Service Awards, attorneys' fees, and expenses awarded by the Court, and notice and claims administration expenses), will be mailed to Class Members who timely submit valid claims. Checks not cashed after ninety days will revert 50% to the Michigan Foreclosure Prevention Project, of the non-profit organization Michigan Advocacy Fund, and 50% to Defendants.

The above description of the Settlement is only a summary. The governing provisions are set forth in the Settlement Agreement, which is available at www.TrottFairDebtSettlement.com.

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7. How will the Settlement be distributed?

Each Class Member who timely submits a valid claim, via return postcard or website Claim Form with a valid unique I.D. number, will be mailed a check for their pro rata share of the Net Settlement Fund after the “Effective Date.” The Effective Date is thirty-seven (37) days after the Court enters its Final Order approving the Settlement and the time to appeal has expired.

One pro rata distribution will be made for each unique I.D. associated with a timely claim. If different members of your household each received a postcard Claim Form—each with a different unique I.D. number—this means that, according to Trott Law PC’s records, each recipient is a Class Member. If this is the case, each Class Member may submit a separate claim, or otherwise exercise his or her rights. You may not act on behalf of another Class Member unless you have been appointed legal guardian or other legal representative.

The Settlement also provides significant non-monetary injunctive relief as described in this Notice, which will become effective on the Effective Date as identified in the Settlement Agreement.

8. How much will my payment be?

You will receive a pro rata share of the Net Settlement Fund if you timely file a valid claim. Your share of the Net Settlement Fund will depend upon how many valid claims are timely filed. While the precise amount of your check is unknown at this time, Class Counsel estimate that each valid claim will be in the range of \$75-\$150. The actual distribution amount could be lower or higher than this range.

9. When will I receive my payment?

The Court will hold a hearing on **September 27, 2018**, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain how these appeals will be resolved, and resolving them can take time, perhaps more than a year. After any approval by the Court and assuming that any appeals are decided favorably, it may take several months for the Claims Administrator to pay the ultimate distribution amounts.

10. What rights am I giving up in the Settlement?

If the Settlement is approved, the Court will enter a judgment, which will have the effect of releasing certain claims you may have. To “release” a claim means to give up the right to sue on it. This judgment, when it becomes effective, will fully, finally, and forever release all claims asserted or which could have been asserted by Class Members against Trott Law PC and its predecessors and successors, past and present employees, agents, officers, directors, shareholders, insurers, and partners, and David A. Trott and his heirs and successors (the “Released Parties”) based upon the facts alleged in the Complaint, including any claim under any federal or state law based upon or relating to lack of attorney meaningful review of Class Member accounts prior to the sending of the Trott PC Foreclosure Letter, a contention that language in the Trott PC Foreclosure Letters regarding the timing of reinstatement requests or approvals overshadowed Class Members’ validation rights under federal or state law; or that use of the phrase “Corporate Advance” in the Trott PC Foreclosure Letter was misleading; and also including any claim of individual responsibility of David A. Trott for use by Trott Law PC of the form template, or form language, in any version of the Trott PC Foreclosure Letters. These claims described above are referred to as the “Released Claims.” See Section 13 of the Settlement Agreement, available at www.TrottFairDebtSettlement.com.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in the case?

Andrew J. McGuinness, of Andrew J. McGuinness, Esq., and Andrew N. Friedman, of Cohen Milstein Sellers & Toll PLLC, represent Plaintiffs and the Settlement Class (“Class Counsel”). You will not

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be charged by any lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

12. How will the lawyers be paid?

At the Final Fairness Hearing, Class Counsel will apply for an award of attorneys' fees, expenses, and Service Awards of \$5,000 to each of the Class Representatives. The application for attorneys' fees will not exceed \$2,500,000 (33⅓% of the Settlement Common Fund). These applications are subject to approval by the Court, which may award an amount less than the amount requested. Any approved fees, expenses, Service Awards, and claims administration costs will be paid from the Settlement Common Fund.

To date, Class Counsel have not received any payment for their services in prosecuting this case on behalf of the Settlement Class, nor have Class Counsel been reimbursed for their out-of-pocket expenses. The fees requested by Class Counsel would compensate them for their efforts in achieving the Settlement for the benefit of the Settlement Class and for their risk in undertaking this representation on a contingency basis, meaning that they would only receive payment to compensate them for their years of work and expense in this class action if it resulted in a benefit to you. The Court will determine the actual amount of the attorneys' fees and expenses to be awarded.

EXCLUDING YOURSELF FROM THE SETTLEMENT

13. Can I exclude myself from the Settlement?

Yes. If you exclude yourself ("opt out"), you will not be eligible to receive any cash payment and will not be bound by any judgment or release of claims against the Defendants under the Settlement.

To opt out, Settlement Class Members must send by U.S. Mail, First-Class postage prepaid, a Request for Exclusion to the Claims Administrator postmarked no later than **September 3, 2018**. The Request for Exclusion must (a) identify the full name and address of the potential Settlement Class Member requesting exclusion; (b) be personally signed (original signatures only) by the potential Settlement Class Member requesting exclusion, or by a person documented to be acting under valid power of attorney, guardianship, or other legal authority to sign on behalf of the potential Settlement Class Member or his or her estate; and (c) contain a statement that reasonably indicates a desire to be excluded from the Settlement. The following statement shall be deemed to meet the requirement of subpart (c) of the preceding sentence: "I want to opt out of the Settlement Class certified in the *Martin v. Trott Law PC* case." Additionally, the Request for Exclusion must provide EITHER the unique I.D. number on a postcard sent by the Claims Administrator to the potential Settlement Class Member OR the address of the property to which Trott & Trott, PC, or Trott Law PC mailed the foreclosure/fair debt letter(s) to the potential Settlement Class Member during the Settlement Class Period. Requests for Exclusion that do not meet these requirements will not operate to exclude a Class Member from the Settlement. Mass or class opt-outs will not be allowed.

Please mail requests for exclusion to:

Trott Class Action Settlement Administrator
PO Box 3747
Portland, OR 97208-3747

Only Class Members who do not opt out may object to the Settlement, as set forth below.

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14. If I do not exclude myself from the Settlement Class, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself from the Settlement Class by filing a timely and valid Request for Exclusion as detailed above, you give up any rights to bring a lawsuit or claim in any forum asserting any of the Released Claims against the Released Parties.

15. If I exclude myself, can I get money from this Settlement?

No. You will, however, retain any right you may have to bring a lawsuit, to continue to pursue an existing lawsuit, or to be part of a different lawsuit asserting a Released Claim against a Released Party.

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court if I don't like the Settlement?

Any member of the Settlement Class who wishes to object to the fairness, reasonableness, or adequacy of the Settlement, to any term of the Settlement Agreement, to the application for payment of attorneys' fees and expenses, or to the application for Service Awards for the Class Representatives, may file an "Objection" in writing. If you wish to file an Objection, the written Objection and supporting papers must (1) clearly identify the case name and number *Martin et al. v. Trott Law PC and David A. Trott*, Case No. 2:15-cv-12838; (2) be filed with the Court; (3) be postmarked and mailed, or faxed, to Class Counsel and Defendants' Counsel at the addresses below no later than thirty (30) days before the Final Fairness Hearing (unless you file an objection via the Court's ECF system by that date, such that copies will be transmitted electronically to these counsel); (4) set forth your full name, current address, and telephone number; (5) set forth a statement of the position you wish to assert, including the factual and legal grounds for the position; (6) set forth the names and a summary of testimony of any witnesses that you might want to call in connection with the Objection; (7) provide copies of all documents that you wish to submit in support of your position; (8) provide the name(s), address(es), and phone number(s) of any attorney(s) representing you; (9) identify by case name, case number, and court each class action settlement objected to by you or your attorney (if any) in the last three years; and (10) include your signature. The right to object to the Settlement must be exercised individually by a Class Member and, except in the case of a deceased or incapacitated Class Member or where a Class Member is represented by counsel, not by another Person acting or purporting to act in a representative capacity.

The addresses for filing Objections with the Court and service on counsel are listed below. **Your written Objection must be filed with the Court, and mailed to the counsel listed below, postmarked (or sent via fax or served via the Court's ECF system to counsel) by no later than September 3, 2018:**

FILE WITH THE CLERK OF COURT:

Clerk's Office
Theodore Levin U.S. Courthouse
231 W. Lafayette Blvd., Room 564
Detroit, MI 48226

And, by the same date, serve copies of all such papers by mail or fax/ECF to each of the following:

PLAINTIFFS' and CLASS COUNSEL:

**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
DO NOT CALL THE COURT as they cannot answer your questions.**

Andrew J. McGuinness
ANDREW J. MCGUINNESS, ESQ.
PO Box 7711
Ann Arbor, MI 48107
Fax: (734) 786-9935

Andrew N. Friedman / Sally Handmaker
COHEN MILSTEIN SELLERS & TOLL PLLC
1100 New York Avenue, N.W. Suite 500
Washington, D.C. 20005
Fax: (202) 408-4699

COUNSEL FOR TROTT LAW, PC:

Kathleen H. Klaus
MADDIN, HAUSER, ROTH & HELLER PC
28400 Northwestern Hwy, 2nd Floor
Southfield, MI 48034
Fax: (248) 359-7560

COUNSEL FOR DAVID A. TROTT:

Bruce L. Segal
HONIGMAN MILLER SCHWARTZ AND COHN LLP
39400 Woodward Ave, Suite 101
Bloomfield Hills, MI 48304
Fax: (248) 566-8483

UNLESS OTHERWISE ORDERED BY THE COURT, ANY MEMBER OF THE SETTLEMENT CLASS WHO DOES NOT OBJECT IN THE MANNER DESCRIBED HEREIN WILL BE DEEMED TO HAVE WAIVED ANY OBJECTION AND SHALL BE FOREVER FORECLOSED FROM MAKING ANY OBJECTION TO THE PROPOSED SETTLEMENT AND THE APPLICATION FOR ATTORNEYS' FEES AND EXPENSES AND SERVICE AWARDS TO THE NAMED PLAINTIFFS.

17. What is the difference between objecting and requesting exclusion?

Objecting is simply telling the Court that you do not like something about the proposed Settlement. Objecting does not prevent you from participating and recovering money in the Settlement. However, you can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE COURT'S FAIRNESS HEARING

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

The Court will hold a Final Fairness Hearing at **1:00 p.m. on September 27, 2018**, at the United States District Court for the Eastern District of Michigan, 231 W. Lafayette Blvd., Detroit, Michigan, Courtroom No. 716.

YOU DO NOT NEED TO ATTEND THE FINAL FAIRNESS HEARING.

At the hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. After the Final Fairness Hearing, the Court will decide whether to approve the Settlement. The Court will also rule on the motions for attorneys' fees and expenses

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and Service Awards to the Named Plaintiffs. We do not know how long the hearing or these decisions will take.

19. Do I have to come to the hearing?

No. Class Counsel will answer any questions Judge Lawson may have. You are welcome to come at your own expense. If you send an Objection, you do not have to come to Court to talk about it. As long as you mailed your written Objection on time, it will be before the Court when the Court considers whether to approve the Settlement as fair, reasonable, and adequate. At your own expense, you may also have your own lawyer attend the Final Fairness Hearing, but such attendance is not necessary.

20. May I speak at the hearing?

If you are a member of the Settlement Class and you have filed a timely Objection, you may ask the Court for permission to speak at the Final Fairness Hearing. To do so, you must file with the Court a letter or other paper called a "Notice of Intention to Appear at Fairness Hearing in *Martin et al. v. Trott Law PC and David A. Trott*, Case No. 2:15-cv-12838." Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be served on the attorneys listed in Question 13, above, postmarked or sent via facsimile no later than **September 3, 2018**, and must also be filed with the Clerk of the Court, postmarked no later than **September 3, 2018**.

The Final Fairness Hearing may be delayed by the Court without further notice to the Settlement Class. If you wish to attend the hearing, you should confirm the date and time on the Settlement Website or check with Class Counsel.

IF YOU DO NOTHING

21. What happens if I do nothing at all?

If you do nothing and you are a Class Member, your claims against the Trott Law PC and David A. Trott will be released if the Settlement is approved. Remember, you can only obtain your Settlement benefit by completing and timely submitting the Claim Form.

GETTING MORE INFORMATION

22. How do I get more information?

This Notice summarizes the proposed Settlement. Full details of the Settlement are set forth in the Settlement Agreement. You may read or download a copy of the Settlement Agreement at the Settlement Website at the URL provided in this Notice, or by calling the listed toll-free number, or by making a written request to the Claims Administrator. Copies of the Settlement Agreement, as well as the Motion Seeking Preliminary Approval of the Settlement and the Preliminary Approval Order, may be viewed at www.TrottFairDebtSettlement.com. Do not call Trott Law PC with questions about the Settlement.

DATED: June 29, 2018

By Order of the Court
Hon. David M. Lawson
United State District Judge

**Questions? Visit www.TrottFairDebtSettlement.com or call 1-855-540-5610.
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