

NOTICE OF CLASS ACTION SETTLEMENT
Rodriguez v. National Credit Center, LLC, No. A-23-869000-B

A NEVADA STATE COURT AUTHORIZED THIS NOTICE.

You have been identified as a member of a proposed class action settlement. You are eligible to receive a payment from the Settlement if it is approved. You are not being sued.

Your rights and options are explained in this Notice. Please read this Notice carefully.

What Is This Case About?

Plaintiff Angel Luis Rodriguez, Jr. (“Plaintiff”) filed a class action lawsuit, or a lawsuit seeking to recover on behalf of a group of people, against National Credit Center, LLC (“NCC” or “Defendant”). NCC offers services to auto dealers, power sports dealers, and lenders while they are considering prospective borrowers for loans or finance deals. Plaintiff claims that NCC provided an NCC OFAC Screen to its customers inaccurately stating that he and other Class Members were possible matches to an entry on the Office of Foreign Asset Control’s List of Specially Designated Nationals (the “OFAC List”). The OFAC List, which is maintained by the U.S. Department of the Treasury, is a list of people, groups, and companies, such as terrorists and narcotics traffickers, that U.S. businesses are not allowed to do business with.

NCC denies any and all allegations or assertions of wrongdoing in this lawsuit and the Court has not made any finding that NCC has engaged in any wrongdoing or misconduct of any kind. However, Plaintiff and NCC have agreed to resolve disputed claims through a proposed class action settlement. The Settlement has not yet been approved by the Court.

Am I Included in the Settlement?

Yes. That means that, according to Defendant’s records, between May 5, 2020 and June 11, 2024, Defendant sold a report to a third party about your name, and that report identified your name as being similar to a person or an entity that is listed on the OFAC List. Being a member of the Settlement Class does *NOT* mean that you are actually listed on the OFAC List.

If you would like more information about why you are a Class Member or what was reported about you, you may contact the Settlement Administrator at (833) 366-0325 or info@RodriguezOFACsettlement.com.

What Does the Settlement Provide?

Defendant has agreed to pay \$30,000,000.00 and to make changes to its policies and procedures for NCC OFAC Screens to settle the lawsuit. This amount will cover: (1) cash payments to Class Members, (2) attorneys’ fees and costs that the Court may later approve, (3) settlement administration expenses, and (4) any service award for Plaintiff that the Court may later approve.

How Much Money Will I Receive?

Each Settlement Class Member will receive a Pro Rata Award payment of an estimated **\$38.00 - \$42.00**.

**FOR MORE INFORMATION, PLEASE VISIT www.RodriguezOFACsettlement.com,
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Additionally, Settlement Class Members that experienced particularized harm as a result of the NCC OFAC Screen reported by Defendant may also file a Claim Form to receive an Actual Damages Award of up to \$1,500.00, depending on the form of harm claimed and whether the Class Member submits supporting documentation. The claimed harm must be due to the results of an NCC OFAC Screen (as opposed to being denied for creditworthiness, such as where a credit score failed to meet a lender's predetermined threshold). Forms of harm that Class Members may have experienced that qualify for an Actual Damages Award include: (1) Experiencing significant emotional distress as a result of the NCC OFAC Screen. This includes stress that caused or worsened physical symptoms (sleeplessness, panic attacks, etc.). It also includes experiencing significant embarrassment or humiliation due to having the results of the NCC OFAC Screen provided to another person. Other forms of significant emotional distress will be determined by the Settlement Administrator. (2) Having a transaction delayed, being denied credit, or being unable to complete a transaction as a result of the NCC OFAC Screen, with no supporting documentation. (3) Having a transaction delayed, being denied credit, or being unable to complete a transaction as a result of the NCC OFAC Screen, with supporting documentation.

Valid Claim Forms submitted online, emailed, or postmarked by **December 9, 2024** will be honored. Claims made after December 9, 2024 may still be honored, as the final claims deadline depends on the Court's final approval order. The settlement website will be updated with the claims deadline after final approval, and reminder notices will be sent accordingly. You can obtain a Claim Form at www.RodriguezOFACsettlement.com. Any Actual Damages Awards payment will be sent after the Pro Rata Award payment.

How Will I Be Paid?

Unless you elect otherwise, your payment will be mailed as a check to the address listed at the top of this Notice. If you wish to receive payment in another form, you may complete a Payment Election Form at www.RodriguezOFACsettlement.com.

If you move, you must inform the Settlement Administrator of your new address. You may do so by visiting www.RodriguezOFACsettlement.com, emailing info@RodriguezOFACsettlement.com, or calling (833) 366-0325.

What Are My Options?

- (1) **Do Nothing.** You will receive a Pro Rata Award payment. You will lose any legal rights you may have against Defendant related to this lawsuit, and you will lose the right to object to the settlement of this lawsuit. If you do not submit an online Payment Election Form, your payment will be sent by check to the address listed at the top of this Notice.
- (2) **Submit a Claim Form.** If you experienced particularized harm as a result of the NCC OFAC Screen reported by Defendant, you may make a claim for an Actual Damages Award in addition to the Pro Rata Award by filling out a Claim Form and submitting it by **December 9, 2024**. That deadline may be extended by the Court's final approval order, which will be posted on the settlement website. You will lose any legal rights you may have against Defendant related to this lawsuit.
- (3) **Submit a Payment Election Form.** If you wish to receive your payment at a different address or via electronic means, you can submit a Payment Election Form by **December 9, 2024** requesting payment by other means (Zelle, Venmo, etc.). That deadline may be extended by the Court's final approval order, which will be posted on the settlement website. You are not required to submit a Payment Election Form in order to be paid, except if mail to the above address is returned. In that case, we will send you a further notice by email informing you that you are required to submit a Payment Election Form in order to be receive your payment. You will lose any legal rights you may have against Defendant related to this lawsuit.
- (4) **Exclude Yourself.** You may exclude yourself from the Settlement Class by mailing a written notice to the Settlement Administrator, postmarked by **September 25, 2024**, that includes a signed and dated statement saying that you want to be excluded from the Class. If you exclude yourself, you will not receive a settlement payment and you will lose the right to object to the settlement of this lawsuit, but you will keep any legal rights you may have against Defendant.
- (5) **Object.** If you do not exclude yourself, you have the right to appear (or to hire a lawyer to appear for you) before the Court and object to the Settlement. If you wish to object, you must send a written, signed objection to the Settlement Administrator (and file it with the Court) no later than **September 25, 2024**. If the Court overrules your objection, you will be bound by the Court's decision, and you will remain a part of the Settlement.

Specific instructions on how to object to or exclude yourself from the Settlement are available at www.RodriguezOFACsettlement.com.

Who Represents Me?

The Court has appointed lawyers from Berger Montague PC and Eglet Adams to serve as Class Counsel. As part of the settlement process, these lawyers will ask the Court to authorize them to make certain payments from the Settlement Fund, including: (1) settlement administration expenses; (2) legal fees, which will not exceed one-third of the total Settlement Fund; (3) out-of-pocket costs; and (4) a service award for Plaintiff, which will not exceed \$25,000.00.

When Will the Court Consider the Settlement?

The Court will hold a Final Approval Hearing on October 10, 2024 at 9:30 a.m. PDT in Department 16 of the Regional Justice Center at 200 Lewis Avenue, Las Vegas, NV 89101. At that hearing, the Court will: (1) hear any objections about the fairness of the Settlement; (2) decide whether to approve the requested attorneys' fees and costs, as well as Plaintiff's service award; and (4) decide whether the Settlement should be approved.

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