

Consumers Affected by High-Risk or Non-Residential Addresses on Experian Credit Reports

Could Get Money from a Class Action Settlement

A federal court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

- There is a proposed expansion of the previously approved Settlement in a class action lawsuit against Experian Information Solutions, Inc. (“Experian”). The lawsuit claims that Experian did not take steps to make sure it accurately reported certain Fraud Shield Indicators. Experian denies it did anything wrong.
- On April 27, 2022, the Court approved a settlement in this class action that resulted in Experian making certain changes to its business practices. However, that settlement did not resolve all class claims brought against Experian. After further negotiations, the parties agreed upon additional changes to Experian’s business practices and resolution of money damages claims.
- This Notice is being provided to inform you about the benefits available to consumers who were affected by Experian’s reporting of certain Fraud Shield Indicators.
- You may be eligible for a payment from the Expanded Settlement if you were likely affected by Experian’s reporting of certain Fraud Shield Indicators from July 1, 2018 through July 31, 2021; or (2) if you, from September 1, 2017 to July 31, 2021, contacted Experian to inquire about and/or dispute a non-residential or high-risk address indicator.
- The Settlement will provide \$22,450,000 to pay (1) money to eligible Class Members, (2) any court-approved attorneys’ fees and expenses, (3) a Class Representative service payment, and (4) administrative and notice costs. Anyone who was not affected by Experian’s Fraud Shield reporting or who did not dispute a non-residential or high-risk address indicator is not eligible to receive any money.
- Your legal rights are affected by the proposed Settlement even if you do nothing.
- Your rights and options relating to the Settlement — and the deadlines to exercise them — are explained in this notice. Please read this entire notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
Submit a Claim	Get a cash payment if you qualify. If you previously contacted Experian about the Fraud Shield reporting and you were affected or harmed by the reporting, you will have the option to have your current address no longer be reported as a non-residential or high-risk address. Claim Forms are due on January 30, 2023 .
Exclude Yourself (“Opt Out”)	Ask to exclude yourself from the proposed Settlement. You will not receive a payment from the Settlement. If the Settlement is approved, you will keep your right to sue Experian for actual damages on your own. Exclusions are due on February 13, 2023 . (See Questions 13-15)
Object to the Settlement	Write to the Court about why you do not like the proposed Settlement (See Question 18). Objections are due on January 30, 2023 .
Go to a Hearing	Ask to speak in Court about the fairness of the proposed Settlement (See Questions 20-22).
Do Nothing	You will not receive a payment from the Settlement. If the Settlement is approved, you will give up any rights to sue Experian about the same legal claims in this Settlement (see Question 23).

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BASIC INFORMATION

1. Why was this notice issued?

A Court authorized this notice to inform you about the proposed Settlement and your rights. Before any final judgment is entered, the Court will have a hearing to decide whether to approve the Settlement. This notice is only a summary of the Settlement. More details about the proposed Settlement are in the Settlement Agreement available at www.FraudShieldSettlement.com.

The lawsuit is known as *Hill-Green v. Experian Information Solutions, Inc.*, No. 3:19-cv-708-MHL (E.D. Va.). Judge M. Hannah Lauck of the United States District Court for the Eastern District of Virginia is overseeing the case. The person who sued is called “Plaintiff” or “Named Plaintiff”; the company that she sued, Experian Information Solutions, Inc., is called “Experian” or the “Defendant.”

2. What is this lawsuit about?

The lawsuit claims that Experian violated the Fair Credit Reporting Act when it: (1) incorrectly reported some consumers’ residential addresses as high-risk or non-residential, (2) did not have procedures to make sure that it reported Fraud Shield Indicators accurately (or correctly), and (3) did not take off adverse information (that hurts your creditworthiness) on reports after seven years. Experian denies these claims and that it did anything wrong.

The Court did not decide whether either side was right or wrong. Instead, both sides agreed to the Settlement to resolve the case and provide benefits to consumers.

3. Why is this a class action?

A class action lawsuit tries to bring similar claims into one case in one court. In a class action, one or more people called “Class Representatives” (in this case, Lisa Hill-Green) bring the case to court. They have their name listed in the title of the case. They sue on behalf of themselves and other people who have similar claims — called the Class or Class Members — which in this case may include you. One court resolves the issues for everyone in the Class. The Class Representative filed this case as a proposed class action.

4. Why is there a proposed Settlement?

The Court has not decided which side is right or wrong in this case. Instead, both sides agreed to a settlement to avoid the costs and risks of a lengthy trial and appeals process. Class Members will receive the benefits described in this notice. The parties think the proposed Settlement is best for all Class Members.

5. What are the different Settlements in this case?

There is only one settlement in this case, *Hill-Green v. Experian*, but it has changed over time. The Settlement provides both injunctive relief and money damages to certain consumers. An injunction occurs when a court orders a person or company to do or not to do something. In this case, the Court ordered Experian to change its business practices for its Fraud Shield product.

On April 27, 2022, the Court approved a Settlement that provided benefits to all Class Members in the form of Court-ordered changes to Experian's business practices. It did not provide money to Class Members and did not resolve claims against Experian in the litigation.

Recently, the parties agreed to modify the Settlement to provide additional Court-ordered changes to Experian's business practices (see Question 9) (the "Expanded Settlement"), as well as the possibility that certain consumers who were potentially harmed by Experian's reporting of high-risk and non-residential Fraud Shield Indicators (the "Money Settlement Class") receive a payment. The Court will hold a final hearing to decide whether to approve the updated Settlement on **March 1, 2023 at 11:00 a.m., Eastern** (see Question 20).

If the Court approves the Expanded Settlement and you are part of the Money Settlement Class, you will receive a notice by mail/email that will inform you how to file a claim for benefits.

Additional information can be found at www.FraudShieldSettlement.com.

WHO IS IN THE MONEY SETTLEMENT CLASS?

6. How do I know if I am part of the Money Settlement Class?

The Court has decided that the following consumers are in the Money Settlement Class: (1) anyone who was likely affected by Experian's reporting of certain Fraud Shield Indicators from July 1, 2018 through July 31, 2021; or (2) anyone who, from September 1, 2017 to July 31, 2021, contacted Experian to inquire about and/or dispute a non-residential or high-risk address indicator.

The complete criteria for who is included can be found in the Settlement Agreement, available at www.FraudShieldSettlement.com.

As a Money Settlement Class Member, you can visit www.FraudShieldSettlement.com and see which addresses Experian reported about you and labeled as non-residential or high risk.

If you are a member of the Money Settlement Class, you are also a member of the Policy Change Settlement Class, which includes:

All consumers in the United States for whom Experian, within two years prior to the filing of the Complaint in this action and during its pendency, furnished a consumer report to a third party containing an inaccurate Fraud Shield Indicator No. 10, 11, 16, or 17 indicating that the consumer's address was either a high-risk or non-residential address.

7. What is Fraud Shield?

When you apply for credit, potential creditors may contact Experian to obtain your credit report. In addition to a standard credit report, potential creditors may also ask Experian to provide additional information that help the creditor detect potential fraud. This additional information is provided by Experian's Fraud Shield product. If the information you provide when you apply for credit, or certain information already on your credit file meets certain criteria, the Fraud Shield product will return an "Indicator," flagging the presence of the criteria.

Specifically, when you apply for credit, a potential creditor may request that Experian check the address you provided in your application, along with current and prior addresses in your Experian credit file, against address information that it obtains from other sources. This information tells Experian whether an address has been used for a business and whether the business is of a type that Experian believes may be associated with fraud. If an address has been associated with that type of business, Experian will report it as non-residential and will report what type of business it appears to be. If Experian's records indicate that the address is a certain type of high-risk business address (for example, a prison), Experian will also flag the address as potentially associated with fraud and advise the potential creditor to contact you directly to get more information.

8. What if I am not sure whether I am included?

If you are still not sure whether you are included in the Classes, call toll-free 1-877-917-0074 or visit www.FraudShieldSettlement.com for more information. You may contact the attorneys representing you for further information or assistance at: ExperianAddressSettlementCounsel@bm.net or write to: *Experian Settlement Class Counsel*, 763 J Clyde Morris Blvd., Suite 1A, Newport News, VA 23601.

THE MONEY SETTLEMENT CLASS BENEFITS

9. What benefits does the Settlement provide?

Experian has agreed to pay \$22,450,000 (the "Settlement Class Fund") for the benefit of the Money Settlement Class. Payments will be made by check to each Money Settlement Class Member who submits a valid claim form (*see* Question 10). The Parties estimate Money Settlement Class Members will each receive between \$300 and \$900. This is just an estimate, and the precise amount of the payment will depend on the number of individuals that submit valid claim forms and what the Court decides to award for the Class Representative service payment, attorneys' fees and expenses, and administration and notice costs.

Money Settlement Class Members will also benefit from the additional changes Experian will make to its business practices if the Settlement is approved. The Expanded Settlement requires Experian, at its expense, to design, implement, and maintain specific and substantial procedures that address the lawsuit's concerns about how Experian handles non-residential data and reports Fraud Shield Indicators. More details about the policy change benefits are available at www.FraudShieldSettlement.com.

10. How can I get a payment?

Money Settlement Class Members will only qualify to get a payment if they remain in the Class and submit a valid claim form.

You can get a Claim Form at www.FraudShieldSettlement.com. Please read the instructions carefully and fill out the form completely and accurately. Claim Forms can be submitted two ways:

- Electronically online at www.FraudShieldSettlement.com; or
- Mailed to:

Fraud Shield Settlement
c/o JND Legal Administration
P.O. Box 91215
Seattle, WA 98111

Your Claim Form must be submitted online or by mail postmarked or received no later than **January 30, 2023**.

The check will be mailed to the address on your Claim Form. If your address has changed or is changing, you should contact the Settlement Administrator at info@FraudShieldSettlement.com or toll-free 1-877-917-0074.

11. If I am a member of the Money Settlement Class, when will I get my payment?

Payments will be made to Money Settlement Class Members who submit a valid Claim Form and after the Court grants “final approval” to the Settlement and all appeals are resolved. It is always uncertain whether appeals can be resolved and resolving them can take time. Please be patient. You can visit www.FraudShieldSettlement.com after **March 1, 2023** to check on the progress of the Court-approval process.

12. How does the Settlement affect my rights?

If the Court approves the Settlement, you will give up the right to sue Experian in a representative or class action for any claims in this lawsuit, including claims relating to Experian’s reporting of high-risk or non-residential address Fraud Shield Indicators. This is called “releasing” your claims.

The Court’s decisions in this case will apply to you even if you object to this Settlement or have any other claim, lawsuit, or proceeding pending against Experian relating to the same claims. If you have any questions about the release, you should visit the Settlement website for more information or consult with a lawyer (*see* Question 16).

If you do not exclude yourself from the Money Settlement Class (*see* Question 13) you will *not* be able to sue Experian for inaccurately reporting your address as non-residential or high-risk, if that reporting occurred before the Effective Date of the Settlement. You will agree to a “Release of Claims,” stated below, which describes exactly the legal claims that you will give up.

“Released Claims” are claims of each member of the Rule 23(b)(3) [Money] Settlement Class and his or her respective spouses, heirs, executors, administrators, representatives, agents, attorneys, partners, successors, predecessors, assigns, and all those acting or purporting to act on their behalf that were actually asserted or that could have been asserted based on the allegations in the operative complaint and/or [Experian’s reporting of Fraud Shield Indicators stating that the consumer’s address was either a high-risk or non-residential address (Fraud Shield Indicators 10, 11 16, and 17)] in this Litigation. Rule 23(b)(3) [Money] Settlement Class Released Claims do not include claims separate and unrelated to [Experian’s reporting of Fraud Shield Indicators 10, 11, 16 or 17] or claims brought under 15 U.S.C. § 1681i or for allegations of inaccuracy other than with regard to [Experian’s reporting of Fraud Shield Indicators 10, 11, 16 or 17]. The Rule 23(b)(3) [Money] Settlement Class Released Claims include claims for actual damages, statutory damages, punitive damages, attorneys’ fees, and any and all relief of any kind whatsoever, including claims asserted on a class, mass, or collective action basis and claims asserted on an individual, non-representative basis.

13. Can I choose not to be in the Money Settlement Class?

Yes, you may exclude yourself from the Money Settlement Class. If you do not want to remain a member of the Money Settlement Class and want to keep your right to sue or continue to sue Experian for actual damages on your own, you must take steps to exclude yourself. This is sometimes referred to as “opting out” of the Settlement Class. Opting out gives you the right to bring your own lawsuit but does not guarantee that your own lawsuit will be successful.

To exclude yourself from the Money Settlement Class, you must send a written request for exclusion to the Settlement Administrator, at the address below:

Fraud Shield Settlement
c/o JND Legal Administration
P.O. Box 91203
Seattle, WA 98111

To be valid, the proposed exclusion request must contain:

- Your name, original signature, current postal address, and current telephone number, and
- A statement that you want to be excluded from the (b)(3) Settlement Class in *Hill-Green v. Experian Information Solutions Inc.*

Your exclusion request must be postmarked no later than **February 13, 2023**.

You cannot exclude yourself by telephone or by e-mail. You also cannot exclude yourself by mailing a request to any location other than the address specified above or by mailing a request after the deadline. You also cannot exclude yourself as part of a group, aggregate, or class involving more than one consumer.

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

No. Unless you exclude yourself from the Money Settlement Class, you will not be able to sue Experian for inaccurately reporting your address as non-residential or high-risk, provided that reporting occurred before the Effective Date of the Settlement. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. You may need to exclude yourself from this Settlement to continue your own lawsuit. Remember, your exclusion request must be postmarked by **February 13, 2023**.

15. If I exclude myself from the Money Settlement Class, can I get a payment?

No. If you exclude yourself from the Money Settlement Class, you will not receive a cash payment.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes. The Court approved the following lawyers as “Class Counsel” to represent you and other Money Settlement Class Members:

- Leonard Bennett, of Consumer Litigation Associates, P.C., in Newport News, Virginia;
- Kristi Kelly, of Kelly Guzzo PLC, in Fairfax, Virginia; and
- E. Michelle Drake, of Berger Montague PC, in Minneapolis, Minnesota.

You will not be charged for these lawyers. You may hire your own attorney, if you so choose, but you will be responsible for paying your attorney’s fees and expenses.

You may contact the attorneys representing you for further information or assistance at: ExperianAddressSettlementCounsel@bm.net or write to: *Experian Settlement Class Counsel*, 763 J Clyde Morris Blvd, Suite 1A, Newport News, VA 23601.

17. How will the lawyers be paid? What will the Class Representative receive?

Class Counsel will ask the Court to approve attorneys’ fees and expenses in an amount up to 33% of the Settlement Class Fund and a \$10,000 service payment to the Class Representative. If the Court approves these amounts, they will be paid out of the Settlement Class Fund.

OBJECTING TO THE SETTLEMENT

18. How do I tell the Court if I do not agree with the proposed Settlement?

If you are a Class Member, you can object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views before deciding whether to approve the Settlement.

To object, you must file your objection with the Court by mailing it to the “Clerk of the United States District Court, Eastern District of Virginia, 701 East Broad Street, Richmond, Virginia 23219.” Your objection letter must be received by the Clerk no later than **January 30, 2023**.

Your objection letter must include:

- The name of the case and the case number: *Hill-Green v. Experian Information Solutions, Inc.*, No. 3:19-cv-708-MHL (E.D. Va.);
- Your name, address, e-mail address, and telephone number; and
- A written statement detailing the specific basis for each objection.

If you are submitting an objection through an attorney, in addition to the above information, your objection must include:

- Identity, mailing address, email address, and phone number for your attorney;
- A statement of whether you or your attorney intend to appear at the Final Fairness Hearing; and
- A written statement detailing the specific basis for each objection, including any legal and factual support that you wish to bring to the Court’s attention and any evidence you wish to introduce in support of the objection.

You may also appear at the final approval hearing, either in person or through your own lawyer. If you intend to have a lawyer present, your lawyer must enter a written Notice of Appearance of Counsel with the Court no later than **January 30, 2023**. If you appear through your own lawyer, you are responsible for paying that lawyer.

For more information about the final approval hearing, *see* Questions 20-22 below.

If you do not follow the process outlined above, you will not be allowed to object, appear at the final approval hearing, or appeal the final approval of the proposed Settlement or the dismissal of the case.

19. What is the difference between objecting and opting-out?

Objecting is simply telling the Court that you do not like something about the Settlement. Opting out, or excluding yourself, means that you will not be included in the Settlement.

You can object **or** opt out of the Money Settlement Class but you cannot do both. If you exclude yourself, you have no basis to object to the Settlement because it will no longer affect you. However, even if you exclude yourself from the Money Settlement Class, you can still object to the Expanded Settlement as a Policy Change Class Member.

Go to www.FraudShieldSettlement.com to learn more about your rights in the Expanded Settlement.

THE COURT'S FINAL APPROVAL HEARING

20. When and where will the Court decide whether to finally approve the proposed Settlement?

The Court will hold a final approval hearing to decide whether to approve the proposed Settlement. You may attend and you may ask to speak at the hearing, but you do not have to.

The hearing will be on **March 1, 2023, at 11:00 a.m., Eastern**, before Judge Lauck, at the United States District Court for the Eastern District of Virginia, Richmond Division, 701 East Broad Street, Richmond, Virginia 23219.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will consider all timely and proper objections. The Court will listen to people who have asked for permission to speak at the hearing (*see* Question 20).

After the hearing, the Court will decide whether to approve the proposed Settlement. There may be appeals. We do not know how long these decisions will take.

The Court may change the date of the final approval hearing without further notice to the Class or may decide to conduct the hearing remotely. Please check the website, www.FraudShieldSettlement.com, for updates on the hearing date, the court-approval process, and the Effective Date.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to come to the hearing at your own expense. You may also pay your own lawyer to attend, but it is not necessary.

If you send an objection, you do not have to come to Court to talk about it. As long as you filed your written objection on time and it includes the required information, the Court will consider it.

22. May I speak at the hearing?

You or your lawyer may ask the Court for permission to speak at the final approval hearing. To do so, you must tell the Court in your objection letter that you or your lawyer would like to speak at the hearing. You must also follow the process outlined in Question 18. You cannot speak at the hearing if you do not follow this procedure.

IF YOU DO NOTHING

23. What happens if I do nothing at all?

If you do nothing, you will not receive a cash payment. If the Court approves the proposed Settlement, you will be bound by the Court's final judgment and the released claims explained in the Settlement Agreement. If the Court does not approve the Settlement, the Settlement as it was approved on April 27, 2022, will remain in place.

GETTING MORE INFORMATION

24. How do I get more information?

This Notice is only a summary of the Settlement. More details about this Settlement, the dates when appeals are no longer allowed and when the Settlement is final, deadlines, and your options are available in a longer document called the Settlement Agreement.

You can get a copy of the entire Settlement Agreement by visiting www.FraudShieldSettlement.com. The website also provides answers to commonly asked questions, plus other information, to help you determine whether you are a Class Member. In addition, some of the key documents in the case will be posted on the website.

You also may write with questions to the Settlement Administrator at Fraud Shield Settlement, c/o JND Legal Administration, P.O. Box 91215, Seattle, WA 98111, email info@FraudShieldSettlement.com, or call the toll-free number, 1-877-917-0074.

Do not write or call the judge or any court personnel concerning this lawsuit or notice.