

Fairchild-Cathey v. AmeriCU Credit Union
c/o Kroll Settlement Administration
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NOTICE OF PENDING CLASS ACTION AND PROPOSED SETTLEMENT

READ THIS NOTICE FULLY AND CAREFULLY; THE PROPOSED SETTLEMENT MAY AFFECT YOUR RIGHTS!

IF YOU HAVE OR HAD A CHECKING ACCOUNT WITH AMERICU CREDIT UNION AND YOU WERE CHARGED CERTAIN OVERDRAFT, NSF OR ATM FEES BETWEEN OCTOBER 27, 2015, AND JANUARY 31, 2023, THEN YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT

The United States District Court for the Northern District of New York has authorized this Notice; it is not a solicitation from a lawyer.

You may be a member of the settlement Class in *Fairchild-Cathey et al. v. AmeriCU Credit Union*, in which the Plaintiffs allege that Defendant AmeriCU Credit Union. (“Defendant”) unlawfully assessed certain Overdraft, NSF, and ATM fees (the “Relevant Fees”) between October 27, 2015, and January 31, 2023. Defendant denies that its practices give rise to claims for damages by the Named Plaintiffs or any Settlement Class Members.

If you are a member of the Settlement Class and if the settlement is approved, you may be entitled to receive a cash payment from the \$1,500,000.00 Settlement Fund, benefits established by the settlement. If you are a member of one or more of the Settlement Classes, you will receive a payment from the Settlement Fund so long as you do not opt out of or exclude yourself from the settlement. **You do not have to do anything to be entitled to a payment from the Settlement Fund.**

The Court has preliminarily approved this settlement. It will hold a Final Approval Hearing in this case on May 8th, 2024 at 11:30am. At that hearing, the Court will consider whether to grant final approval to the settlement, and whether to approve payment from the Settlement Fund of up to \$5,000.00 in a service award to each Named Plaintiff, up to 33.33% of the Settlement Fund as attorneys’ fees, and reimbursement of costs to the attorneys and the Claims Administrator. If the Court grants final approval of the settlement and you do not request to be excluded from the settlement, you will release your right to bring any claim covered by the settlement. In exchange, Defendant has agreed to issue a credit to your account, a cash payment to you if you are no longer a customer, and/or to forgive certain Relevant Fees.

To obtain a Long Form Notice and other important documents please visit www.FeeSettlementNY.com. Alternatively, you may call (833) 383-4685.

If you do not want to participate in this settlement—you do not want to receive a cash payment and you do not want to be bound by any judgment entered in this case—you may exclude yourself by submitting an opt-out request postmarked no later than March 4th, 2024. If you want to object to this settlement because you think it is not fair, adequate, or reasonable, you may object by submitting an objection postmarked no later than March 4th, 2024. You may learn more about the opt-out and objection procedures by visiting www.FeeSettlementNY.com or by calling (833) 383-4685.