

# **Notice to a Class Member**

## **NOTICE OF CLASS ACTION, PROPOSED SETTLEMENT AGREEMENT, AND FINAL APPROVAL HEARING.**

**If you are African American and/or Black and you were employed as a Financial Advisor, Financial Advisor Associate, Senior Financial Advisor, or Private Client Advisor by JPMorgan Chase Bank, N.A. or JPMorgan Securities, LLC (collectively, “Chase”) within Chase Wealth Management between April 13, 2013, and September 12, 2018, a class action settlement will affect your rights.**

*A federal court has authorized this Notice. This is not a solicitation from a lawyer.*

- On September 12, 2018, the Honorable Judge Manish S. Shah of the United States District Court for the Northern District of Illinois granted preliminary approval of a proposed class action settlement in the matter *Jerome Senegal, et al. v. JPMorgan Chase Bank, N.A.*, Case No. 18-cv-6006. The Court has authorized the dissemination of this Notice to inform you of your options under the Settlement.
- The proposed Settlement will provide a Settlement Fund of \$19.5 million and a Diversity and Reserve Fund of \$4.5 million for a class of African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors, and Private Client Advisors (collectively, “Advisors”) to resolve alleged claims of race discrimination and retaliation against Chase. The proposed Settlement would also provide programmatic relief to increase opportunities for current Advisors who are African American and/or Black.
- To qualify to receive a monetary award, you must be African American and/or Black and you must have been employed by Chase as an Advisor within Chase Wealth Management at any time from April 13, 2013, through September 12, 2018.
- You are receiving this Notice because Chase’s records indicate that you self-identify as “Black/African-American” and you were employed by Chase as an Advisor within Chase Wealth Management at any time from April 13, 2013, through September 12, 2018 (the “Class Period”). Accordingly, that means you are a Class Member, and you may participate in the Settlement.
- As a Class Member, your legal rights are affected whether you act or not. Read this Notice carefully. For additional information, contact Class Counsel or the Claims Administrator listed below, or go to [www.FAsettlement.com](http://www.FAsettlement.com).

## Your Legal Rights and Options in this Settlement:

<b>Submit a Claim Form</b>	If you wish to be eligible to receive money from the Settlement, you must complete and mail back or submit online a Claim Form as discussed below.
<b>Do Nothing</b>	If the Court grants final approval of the Settlement and you do nothing, you will not be eligible to receive money from the Settlement, and you will give up your rights to sue Chase separately for the legal claims covered by this Settlement.
<b>Exclude Yourself (Opt Out)</b>	<p>If you do not wish to participate in the Settlement, you must request to opt out, or be excluded from, the Settlement. By opting out, you will not be eligible to receive money from the Settlement. You will keep any rights you might have to sue Chase separately for the legal claims covered by this Settlement.</p> <p><b>Your last day to opt out of the Settlement will be November 26, 2018.</b></p>
<b>Comment or Object</b>	<p>If you do not opt out, you may write to the Court about your view on the Settlement or why you do not think the Settlement is fair to the Class.</p> <p><b>Your last day to object to the Settlement will be November 26, 2018.</b></p>

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this lawsuit still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

## What This Notice Contains

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#### **1. Purpose of This Notice**

The purpose of this Notice is to inform you about (i) this lawsuit, (ii) the Settlement and Settlement Class definition that the Court has preliminarily approved, and (iii) your legal rights and options in connection with the Settlement and a hearing to be held before the Court on December 18, 2018, to consider the fairness, reasonableness, and adequacy of the Settlement and related matters. This Notice also describes the steps to be taken by those who wish to be excluded from the Class or to object to the Settlement, and for those who remain in the Class, the steps necessary to seek a share of the Settlement Fund or Diversity and Reserve Fund (collectively, the “Settlement Funds”) if the Court approves the Settlement.

#### **2. Background: About the Lawsuit**

In 2016, Plaintiff Jerome Senegal, an African American Advisor employed by Chase, retained Class Counsel to represent him with respect to his individual and potential class-wide claims of race discrimination and retaliation in employment. In 2017, Plaintiffs Jerome Senegal, Erika Williams, and Brent Griffin filed charges of racial discrimination against Chase with the Equal Employment Opportunity Commission. On August 31, 2018, these Plaintiffs, along with Plaintiffs Amanda Jason, Kellie Farrish, and Irvin Nash, filed a lawsuit alleging that Chase discriminated on the basis of race against African American Financial Advisors with respect to branch assignments and various other practices such as account transfers and job titles and designations. These Plaintiffs brought class claims under federal anti-discrimination laws. Together these individuals are called “Named Plaintiffs” because they brought the lawsuit seeking to represent a group (or “class”) of similarly situated African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors and Private Client Advisors employed by Chase within Chase Wealth Management. The Complaint describes all of Plaintiffs’ claims and can be found at [www.FAsettlement.com](http://www.FAsettlement.com). The lawsuit is known as *Senegal, et al. v. JPMorgan Chase Bank, N.A.*, Case No. 18-cv-6006 (N.D. Ill.).

Chase denied and continues to deny all of the allegations and claims asserted in this lawsuit, including alleged liability under federal, state, or local anti-discrimination laws, and denies that the Named Plaintiffs or Class Members are entitled to any relief. The Court has not made and will not make any determination on the merits of this matter or decide who is right and who is wrong. By entering into the proposed Settlement, Chase does not admit any wrongdoing. The Settlement resolves claims of race discrimination and retaliation in compensation and other terms and conditions of employment, including claims brought or that could have been brought in the lawsuit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, and 42 U.S.C. § 1981, as well as state and local anti-discrimination laws.

The Court has reviewed the Settlement and has preliminarily approved it as being fair, adequate, and reasonable. Before deciding whether to give the Settlement final approval, the Court wishes to inform the Class of the general terms of the Settlement and of the right of Class Members to comment on, or to opt out of (be excluded from participating in), the Settlement.

### 3. Class Definition

You are a member of the Class affected by the Settlement if you fit within this definition:

**All African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors, or Private Client Advisors employed by JPMorgan Chase Bank, N.A. or JPMorgan Securities, LLC within Chase Wealth Management at any time between April 13, 2013, and September 12, 2018.**

If you received this Notice in a mailing addressed to you, then Chase's records show that you are a Class Member, i.e., that you fit the definition above. If so, you have legal rights and options that you can exercise before the Court finally approves the Settlement.

### 4. Summary of Settlement Terms

Chase has agreed to create a Settlement Fund in the total amount of \$19.5 million and a Diversity and Reserve Fund in the total amount of \$4.5 million. Together, the Settlement Funds will cover payments to Settlement Class Members, Service Awards to the Named Plaintiffs, Class Counsel's attorneys' fees and costs, taxes (including the employee's share of taxes or contributions such as federal and state unemployment taxes, FICA, FUTA, SUTA, and Medicare), and the costs of administering the Settlement Funds, including the costs of notifying the Class. The Diversity and Reserve Fund will also cover the costs of certain diversity programs and initiatives, described below.

In addition to establishing the Settlement Funds, Chase has agreed to implement various revisions to its policies and practices and to take action designed to enhance opportunities for employment, earnings, and advancement of African American and Black Advisors.

Below is a summary of the actions Chase has agreed to take during the three-year period of this Settlement:

#### A. Branch Assignment Review

Chase will conduct a review of the branch assignment process for Advisors. The review will analyze the potential correlation between an Advisor's branch(es) and performance.

#### B. Meetings

Chase will convene one in-person meeting and two meetings by telephone or video-conference each year to explore ideas and initiatives designed with the objective of increasing the number of African American and Black Advisors and increasing African American and Black Advisor productivity and retention.

#### C. Advisor Coaching

Chase will make coaching and training available to African American and Black Advisors through the Advancing Black Leaders program. As part of this coaching and training, each African American and Black Advisor will have the opportunity to attend instructor-led sessions focusing on core competencies, including career management, relationship management, and navigating the firm.

#### D. Recruiting

Chase will engage a dedicated resource to develop initiatives designed to increase the recruitment of African American and Black Advisors.

Chase will provide applicants for open Advisor positions who receive conditional offers with certain data regarding the branch(es) from which they have received offers.

## **E. Management Training and Assessment**

Chase will hold diversity training for all Market Directors, which will include training on the concepts of implicit bias and racial stereotyping. Newly hired or assigned Market Directors will receive diversity training within 90 days of their hire or assignment.

Chase will continue to include managers' diversity efforts as a component in Chase's assessment of manager performance.

## **F. Management Selection**

On an annual basis, Chase will hold regional information meetings for all Advisors to explain the managerial selection process and qualifications, including that all candidates must have the required regulatory licenses.

On an annual basis, Chase will send an email to all Advisors who self-identify in the EEO category "Black or African American" identifying the management coaching and training opportunities available to African American and Black Advisors.

Chase will post all open positions on its internal job posting site.

Coaching regarding the management selection process will be made available to all African American and Black candidates.

## **G. Exit Surveys**

Chase will offer to conduct voluntary exit surveys with all departing African American and/or Black Advisors and share the results with the Head of Chase Wealth Management.

## **H. Diversity and Reserve Fund**

Chase will establish a Diversity and Reserve Fund of \$4.5 million to fund diversity programs and initiatives and to make certain payments, including the costs of administering the Settlement and monetary awards to certain Class Members.

\$1.5 million of the Diversity and Reserve Fund will be set aside for diversity programs and initiatives. These programs and initiatives will have the goal of enhancing opportunities for employment, earnings, and advancement of African Americans and Blacks at Chase.

## **I. Commitment to Diversity**

Chase will reaffirm its commitment to the prohibition against race discrimination and retaliation.

## **J. Monitoring and Reporting**

On an annual basis, Chase will meet with and report to Class Counsel regarding Chase's compliance with these provisions.

# **5. How to Proceed: Your Options**

## **Option A: Submit a Claim Form**

If you do not request to be excluded, you will remain a part of the Settlement Class. The Court will hold the Final Approval Hearing and you, as a Settlement Class Member, will be represented by Class Counsel at no cost to you. If the Court gives final approval to the Settlement, you will then have the opportunity to submit a Claim Form requesting a share of the Settlement Funds. In order to be eligible to receive a share of the Settlement Funds, you must fill out, sign, and submit a Claim Form, a Form W-4, and a Form W-9 to the Claims Administrator by the Claims Submission Deadline to be set by the Court after final approval of the Settlement. *See* Section 7 below for additional detail about submitting a Claim Form.

Each Settlement Class Member will release his or her race discrimination and retaliation claims against Chase under federal, state, and local laws, arising up to and including September 12, 2018, as set forth in the Settlement.

Unless you opt out, whether or not you submit a Claim Form, all claims covered by this Settlement through September 12, 2018, will be barred by this Settlement. If you did not opt out, you remain eligible to object to the Settlement pursuant to Option D below, whether or not you submit a Claim Form.

### **Option B: Do Nothing**

If you do nothing in response to this Notice, and the Court grants final approval of the Settlement, all claims covered by this Settlement through September 12, 2018, will be barred by this Settlement. That is, you will give up your rights to sue Chase separately for the legal claims covered by this Settlement. You also will not be eligible receive a monetary award.

### **Option C: Opt Out and Exclude Yourself from the Settlement**

If you do not wish to participate in the Settlement, but wish to retain your rights to sue Chase separately for the legal claims covered by this Settlement, you must request to opt out of, or be excluded from, this Settlement. If you opt out, you will not be eligible for any monetary award as part of this Settlement. However, you will keep any rights you might have to sue Chase separately for the legal claims covered by this Settlement.

Any Class Member who wishes to opt out must mail a written, signed statement that he/she is opting out of the Settlement to the Claims Administrator, at the address listed below. To be effective, this opt out statement must be received on or before **November 26, 2018**, and must include the following language:

I hereby opt out of the class action settlement in the lawsuit *Senegal, et al. v. JPMorgan Chase Bank, N.A.*, No. 18-cv-6006 (N.D. Ill.). I understand that, by requesting to be excluded from the monetary settlement in this case, I will receive no money from either the Settlement Fund or Diversity and Reserve Fund created under the Settlement Agreement. I understand that I may bring a separate legal action seeking damages, but I might receive nothing or less than what I would have received if I had filed a claim under the class monetary award procedure in this case.

The address of the Claims Administrator is:

Senegal v. JPMorgan Chase  
Claims Administrator  
P.O. Box 2312  
Portland, OR 97208-2312

Class Members who file opt outs may rescind their opt outs (i.e., you may change your mind and stay in the Class). To be effective, such rescissions must be in writing and received by the Claims Administrator at least one day before the Final Approval Hearing on **December 18, 2018**.

Class Members who submit timely and valid requests for exclusion will have no right to object to the Settlement in Court and will no longer be represented by Class Counsel.

You may not opt out of the programmatic relief to be provided as part of this Settlement.

### **Option D: Comment on or Object to the Settlement**

The Court must assess the overall fairness and reasonableness of the Settlement to the Class. Class Members *who have not opted out* of the Settlement may comment on or object to the Settlement, regardless of whether they submit a Claim Form.

In order to have your comment or objection to the Settlement considered by the Court or to speak at the Final Approval Hearing, your written comment or objection to the Settlement must be signed and submitted to the Claims Administrator (with copies served on Class Counsel and Counsel for Chase, at the addresses listed below), must include a detailed description of the basis of the comment or objection, must indicate whether you intend to appear at the Final Approval Hearing, and must be received by the Claims Administrator no later than **November 26, 2018**. You do not need to be represented by separate counsel to comment on or object to the Settlement.

The address of Class Counsel is:

Linda D. Friedman  
Suzanne E. Bish  
George S. Robot  
**Stowell & Friedman, Ltd.**  
303 W. Madison Street, Suite 2600  
Chicago, IL 60606-3395  
Telephone: (312) 431-0888  
lfriedman@sftd.com  
sbish@sftd.com  
grobot@sftd.com

The addresses of Counsel for Chase are:

Brad S. Karp  
Daniel J. Toal  
**Paul, Weiss, Rifkind, Wharton & Garrison LLP**  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Telephone: (212) 373-3000  
bkarp@paulweiss.com  
dtoal@paulweiss.com

Kenneth J. Turnbull  
Brendan T. Killeen  
**Morgan, Lewis & Bockius LLP**  
101 Park Avenue  
New York, NY 10178-0060  
Telephone: (212) 309-6000  
kenneth.turnbull@morganlewis.com  
brendan.killeen@morganlewis.com

## 6. Release

If the Court grants final approval of the Settlement, then all Class Members who do not opt out will release Chase from all claims of race discrimination and retaliation in employment from April 13, 2013, until September 12, 2018. To “release” a claim means that you cannot sue Chase for any of the claims covered by the release. Unless you opt out of the Settlement, you will be covered by the release, even if you do not submit a Claim Form for a monetary award.

## 7. How Will My Settlement Award Be Calculated?

Each Class Member may be eligible for a monetary award from either the Settlement Fund or Diversity and Reserve Fund.

In order to receive a monetary award, Class Members must fill out and submit a Claim Form, along with IRS Forms W-4 and W-9. Class Members can choose to submit either (1) a Simple Claim Form, in order to get an Expedited Monetary Award, or (2) a Detailed Claim Form, if they want the option of an individualized assessment of their race discrimination claims.

The Simple Claim Form is short and requires limited information. If the Settlement is approved and you submit the Simple Claim Form by the Claims Submission Deadline that will be set by the Court, you will be issued an Expedited Monetary Award check within 45 days after the Claims Submission Deadline. The Expedited Monetary Award will be based on the following objective factors: (i) Chase Length of Service (“LOS”) and (ii) period of employment as a Settlement Class Member within the Class Period. You will not receive an individualized assessment of your claim.

The Detailed Claim Form is longer and requires more information about your claims and employment at Chase. The Detailed Claim Form shall be completed in its entirety, including responding to questions seeking evidence of alleged (a) race discrimination, (b) financial losses, and (c) any emotional distress. In order to seek financial recovery for any period after your employment with Chase, you must submit documentary evidence of post-Chase income and work history. In addition, in order to seek financial recovery for alleged emotional distress, you must complete the section of the Claim Form regarding emotional distress and may submit any additional documentation you deem appropriate.

If you submit a Detailed Claim Form, you will receive an Election Form along with a notice of the amount of the Expedited Monetary Award you would receive based on the objective factors described above. You must then elect whether to accept the Expedited Monetary Award or proceed to an individualized assessment of your legal claims by one or more qualified Neutrals. If you return the Election Form and elect to accept the Expedited Monetary Award, you will be sent a check within 21 days of returning the Election Form. If you reject the Expedited Monetary Award and elect an individual assessment, you will have an opportunity to meet with the Neutral(s) for up to 75 minutes, via internet video-conference or in person at the Chicago offices of Class Counsel, in order to present aspects of your claims and answer questions from the Neutral(s). If you wish to attend the interview in person but cannot afford to travel to the interview, you may submit a request for a travel advance against any monetary award. Following the meeting with the Neutral(s), the Neutral(s) will then assess your claim and recommend a monetary award based on all available information and the individual facts and circumstances of your claim. There is no guarantee as to the amount of this monetary award. You may receive more or less than the Expedited Monetary Award, or you may receive no award, depending on your claim and losses.

Class Counsel will be available to assist Settlement Class Members in the claims resolution process and will ensure an attorney is present at all Neutral Interviews. You may also retain your own attorney to assist you in this process, at your own expense. If you file the Detailed Claim Form and elect an individualized assessment, the Neutral(s) may consider any attorneys' fees you incurred in deciding what monetary award, if any, is appropriate.

All monetary awards will be reviewed and approved by a Neutral Administrator appointed by the Court to make sure they are fair and consistent. You will not have a right to challenge the allocation and distribution of the Settlement Funds determined by the claims resolution process and approved by the Neutral Administrator. All monetary awards are final, binding, confidential, and non-appealable.

## **8. Are There Tax Consequences for Any Money I Might Get?**

Yes, any award you receive from the Settlement Funds will have tax consequences for you. The Neutral Administrator will be responsible for allocating any monetary payments appropriately between different types of damages (e.g., wage/non-wage income). The Claims Administrator will be responsible for withholding, remitting, and reporting each Claimant's share of payroll tax withholding from the Settlement Fund. Chase will be responsible for paying Chase's share of taxes and costs, including FICA, FUTA, SUTA, and Medicare, which will not be paid from either the Settlement Fund or Diversity and Reserve Fund. Other than Chase's responsibility for the employer's share of payroll taxes, Chase has no withholding, reporting, or any other tax reporting or payment responsibilities, and the Claims Administrator shall indemnify Chase for any tax liability, damages, or penalties arising out of the Claim Administrator's performance of any duties required by the Settlement Agreement.

Class Counsel are not tax advisors and cannot give you advice on any tax matters. Class Counsel urge you to consult your tax advisor for answers to any questions you may have about the tax implications of any potential award. Chase makes and has made no representations as to the taxability of any portion of any award you receive from the Settlement Funds.

## **9. The Lawyers Representing You and the Class**

As a Class Member, you are represented in this litigation by Class Counsel:

Linda D. Friedman  
Suzanne E. Bish  
George S. Robot  
**Stowell & Friedman, Ltd.**  
303 W. Madison Street, Suite 2600  
Chicago, IL 60606-3395  
Telephone: (312) 431-0888  
lfriedman@sfltd.com  
sbish@sfltd.com  
grobot@sfltd.com

Unless you elect to opt out of the Settlement, you will continue to be represented by Class Counsel in connection with implementation of the Settlement at no cost to you. Although it is not necessary, you may, if you wish, retain your own attorney at your own expense.

## How Will Class Counsel Be Paid?

Class Counsel have pursued these claims on behalf of the Named Plaintiffs and the Class without receiving any compensation for their services or reimbursement of the expenses they incurred. If you are a Class Member and receive an award from the Settlement Funds, you will not owe any fees or expenses to the lawyers who have represented you as part of the Settlement Class. Class Counsel will ask the Court to award them attorneys' fees of not more than 24.44% of the Qualified Settlement Fund, or \$5,500,000.00, plus reimbursement of their reasonable expenses. The Court will decide how much to award Class Counsel for fees and expenses, which will be paid from the Settlement Funds.

## 10. Terms and Payments Specific to the Named Plaintiffs

As a Class Member, you have also been represented in this litigation by Named Plaintiffs Jerome Senegal, Erika Williams, Brent Griffin, Irvin Nash, Amanda Jason, and Kellie Farrish. The Named Plaintiffs may participate in the Settlement claims process just like any other Settlement Class Member. In addition, Class Counsel will ask the Court to grant Service Awards of \$150,000.00 for each of the Named Plaintiffs. This recognizes the benefits the Named Plaintiffs achieved for the Class, the risks they faced in bringing the case, and the time they spent pursuing it.

## 11. The Final Approval Hearing

The Final Approval Hearing on the Settlement will be held **at 10:30 a.m. on December 18, 2018**, in the courtroom of the Honorable Judge Manish S. Shah, United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, IL 60604. At this hearing, the Court will determine whether the proposed Settlement is fair, reasonable, and adequate and whether it should be approved. The Court will also consider the amount of fees and expenses to award to Class Counsel, the amount of the Service Awards to grant to the Named Plaintiffs, and whether, in accordance with the Settlement, an order and judgment should be entered bringing the lawsuit to an end.

### Do I Have to Come to the Final Approval Hearing?

No. You are not required to come to the hearing, but you are welcome to come at your own expense. Class Counsel will appear at the Final Approval Hearing on behalf of all Settlement Class Members, at no cost to you. If you file an objection, you may but do not have to come to court to talk about it. As long as you did not opt out and you filed your written objection on time, the Court will consider it. You may also hire a lawyer to attend for you, but it is not necessary. If the Court gives final approval to this Settlement, the Court's judgment will be final and binding on all Class Members who have not timely opted out.

## 12. Getting More Information

If you have further questions or still are not sure whether you are included in the Class, you can get free help at [www.FAsettlement.com](http://www.FAsettlement.com), by calling the Claims Administrator at 1-877-393-1068, or by calling or writing to Class Counsel in this case at the contact number/address listed in Section 9 above.

This Notice contains only a summary of the terms of the Settlement. For further information, the complete terms of the Settlement Agreement, the Claim Forms, and numerous other documents connected with the Settlement are available for review and/or downloading at [www.FAsettlement.com](http://www.FAsettlement.com).

Again, the important deadlines are as follows:

<b>Last Day to Opt Out of the Settlement Class:</b>	<b>November 26, 2018</b>
<b>Last Day to Object to the Settlement:</b>	<b>November 26, 2018</b>
<b>Final Approval Hearing:</b>	<b>December 18, 2018</b>

**PLEASE DO NOT CALL OR CONTACT THE COURT, THE OFFICE OF THE CLERK OF COURT, OR CHASE WITH QUESTIONS REGARDING THIS NOTICE.**

# **Notice to a Potential Class Member**

## **NOTICE OF CLASS ACTION, PROPOSED SETTLEMENT AGREEMENT, AND FINAL APPROVAL HEARING.**

**If you are African American and/or Black and you were employed as a Financial Advisor, Financial Advisor Associate, Senior Financial Advisor, or Private Client Advisor by JPMorgan Chase Bank, N.A. or JPMorgan Securities, LLC (collectively, “Chase”) within Chase Wealth Management between April 13, 2013, and September 12, 2018, a class action settlement will affect your rights.**

*A federal court has authorized this Notice. This is not a solicitation from a lawyer.*

- On September 12, 2018, the Honorable Judge Manish S. Shah of the United States District Court for the Northern District of Illinois granted preliminary approval of a proposed class action settlement in the matter *Jerome Senegal, et al. v. JPMorgan Chase Bank, N.A.*, Case No. 18-cv-6006. The Court has authorized the dissemination of this Notice to inform you of your options under the Settlement.
- The proposed Settlement will provide a Settlement Fund of \$19.5 million and a Diversity and Reserve Fund of \$4.5 million for a class of African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors, and Private Client Advisors (collectively, “Advisors”) to resolve alleged claims of race discrimination and retaliation against Chase. The proposed Settlement would also provide programmatic relief to increase opportunities for current Advisors who are African American and/or Black.
- To qualify to receive a monetary award, you must be African American and/or Black and you must have been employed by Chase as an Advisor within Chase Wealth Management at any time from April 13, 2013, through September 12, 2018.
- You are receiving this Notice because your personnel records reflect that you self-identified as being of “Two or More Races (Not Hispanic or Latino).” If one of your races is African American and/or Black and you were employed by Chase as an Advisor within Chase Wealth Management at any time from April 13, 2013, through September 12, 2018 (the “Class Period”), you are a Class Member, and you may participate in the Settlement.
- If you are a Class Member, your legal rights are affected whether you act or not. Read this Notice carefully. For additional information, contact Class Counsel or the Claims Administrator listed below, or go to [www.FAsettlement.com](http://www.FAsettlement.com).

## Your Legal Rights and Options in this Settlement:

<b>Submit a Verification Form and Claim Form</b>	<p>If you meet the Class definition and wish to participate in the Settlement and be eligible to receive money from the Settlement, you must complete and mail back the attached “Verification Form” as discussed below. If you choose to participate, you will give up your rights to sue Chase separately for the legal claims covered by this Settlement.</p>
<b>Do Nothing</b>	<p>If the Court grants final approval of the Settlement and you meet the Class definition, and you do nothing, you will not be eligible to receive money from the Settlement, and you will give up your rights to sue Chase separately for the legal claims covered by this Settlement.</p> <p>If you do <i>not</i> meet the Class definition, you may not participate in the Settlement and do not need to do anything in response to this Notice. As someone who is not a Class Member, any rights you might have to sue Chase separately will not be impacted by this Settlement.</p>
<b>Exclude Yourself (Opt Out)</b>	<p>If you meet the Class definition and do not wish to participate in the Settlement, you must request to opt out, or be excluded from, the Settlement. By opting out, you will not be eligible to receive money from the Settlement. You will keep any rights you might have to sue Chase separately for the legal claims covered by this Settlement.</p> <p><b>Your last day to opt out of the Settlement will be November 26, 2018.</b></p>
<b>Comment or Object</b>	<p>If you meet the Class definition and submit the Verification Form, and do not opt out of the Settlement, you may write to the Court about your view on the Settlement or why you do not think the Settlement is fair to the Class.</p> <p><b>Your last day to object to the Settlement will be November 26, 2018.</b></p>

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this lawsuit still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

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#### **1. Purpose of This Notice**

The purpose of this Notice is to inform you about (i) this lawsuit, (ii) the Settlement and Settlement Class definition that the Court has preliminarily approved, and (iii) your legal rights and options in connection with the Settlement and a hearing to be held before the Court on December 18, 2018, to consider the fairness, reasonableness, and adequacy of the Settlement and related matters. This Notice also describes what you must do in order to participate in the Settlement, the steps to be taken by those who meet the Class definition and wish to be excluded from the Class or to object to the Settlement, and for those who remain in the Class, the steps necessary to seek a share of the Settlement Fund or Diversity and Reserve Fund (collectively, the “Settlement Funds”) if the Court approves the Settlement.

#### **2. Background: About the Lawsuit**

In 2016, Plaintiff Jerome Senegal, an African American Advisor employed by Chase, retained Class Counsel to represent him with respect to his individual and potential class-wide claims of race discrimination and retaliation in employment. In 2017, Plaintiffs Jerome Senegal, Erika Williams, and Brent Griffin filed charges of racial discrimination against Chase with the Equal Employment Opportunity Commission. On August 31, 2018, these Plaintiffs, along with Plaintiffs Amanda Jason, Kellie Farrish, and Irvin Nash, filed a lawsuit alleging that Chase discriminated on the basis of race against African American Financial Advisors with respect to branch assignments and various other practices such as account transfers and job titles and designations. These Plaintiffs brought class claims under federal anti-discrimination laws. Together these individuals are called “Named Plaintiffs” because they brought the lawsuit seeking to represent a group (or “class”) of similarly situated African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors and Private Client Advisors employed by Chase within Chase Wealth Management. The Complaint describes all of Plaintiffs’ claims and can be found at [www.FAsettlement.com](http://www.FAsettlement.com). The lawsuit is known as *Senegal, et al. v. JPMorgan Chase Bank, N.A.*, Case No. 18-cv-6006 (N.D. Ill.).

Chase denied and continues to deny all of the allegations and claims asserted in this lawsuit, including alleged liability under federal, state, or local anti-discrimination laws, and denies that the Named Plaintiffs or Class Members are entitled to any relief. The Court has not made and will not make any determination on the merits of this matter or decide who is right and who is wrong. By entering into the proposed Settlement, Chase does not admit any wrongdoing. The Settlement resolves claims of race discrimination and retaliation in compensation and other terms and conditions of employment, including claims brought or that could have been brought in the lawsuit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, and 42 U.S.C. § 1981, as well as state and local anti-discrimination laws.

The Court has reviewed the Settlement and has preliminarily approved it as being fair, adequate, and reasonable. Before deciding whether to give the Settlement final approval, the Court wishes to inform the Class of the general terms of the Settlement and of the right of Class Members to comment on, or to opt out of (be excluded from participating in), the Settlement.

### **3. Class Definition**

As an individual who self-identified as being “Two or More Races (Not Hispanic or Latino),” you are a member of the Class affected by the Settlement if you fit within this definition:

**All African American and/or Black Financial Advisors, Financial Advisor Associates, Senior Financial Advisors, or Private Client Advisors employed by JPMorgan Chase Bank, N.A. or JPMorgan Securities, LLC within Chase Wealth Management at any time between April 13, 2013, and September 12, 2018.**

If you received this Notice in a mailing addressed to you, then Chase’s records show that you may be a Class Member, i.e., that you may fit the definition above. If you fit the definition above, you are a Class Member, and you have legal rights and options that you can exercise before the Court finally approves the Settlement.

### **4. Summary of Settlement Terms**

Chase has agreed to create a Settlement Fund in the total amount of \$19.5 million and a Diversity and Reserve Fund in the total amount of \$4.5 million. Together, the Settlement Funds will cover payments to Settlement Class Members, Service Awards to the Named Plaintiffs, Class Counsel’s attorneys’ fees and costs, taxes (including the employee’s share of taxes or contributions such as federal and state unemployment taxes, FICA, FUTA, SUTA, and Medicare), and the costs of administering the Settlement Funds, including the costs of notifying the Class. The Diversity and Reserve Fund will also cover the costs of certain diversity programs and initiatives, described below.

In addition to establishing the Settlement Funds, Chase has agreed to implement various revisions to its policies and practices and to take action designed to enhance opportunities for employment, earnings, and advancement of African American and Black Advisors.

Below is a summary of the actions Chase has agreed to take during the three-year period of this Settlement:

#### **A. Branch Assignment Review**

Chase will conduct a review of the branch assignment process for Advisors. The review will analyze the potential correlation between an Advisor’s branch(es) and performance.

#### **B. Meetings**

Chase will convene one in-person meeting and two meetings by telephone or video-conference each year to explore ideas and initiatives designed with the objective of increasing the number of African American and Black Advisors and increasing African American and Black Advisor productivity and retention.

#### **C. Advisor Coaching**

Chase will make coaching and training available to African American and Black Advisors through the Advancing Black Leaders program. As part of this coaching and training, each African American and Black Advisor will have the opportunity to attend instructor-led sessions focusing on core competencies, including career management, relationship management, and navigating the firm.

#### **D. Recruiting**

Chase will engage a dedicated resource to develop initiatives designed to increase the recruitment of African American and Black Advisors.

Chase will provide applicants for open Advisor positions who receive conditional offers with certain data regarding the branch(es) from which they have received offers.

## **E. Management Training and Assessment**

Chase will hold diversity training for all Market Directors, which will include training on the concepts of implicit bias and racial stereotyping. Newly hired or assigned Market Directors will receive diversity training within 90 days of their hire or assignment.

Chase will continue to include managers' diversity efforts as a component in Chase's assessment of manager performance.

## **F. Management Selection**

On an annual basis, Chase will hold regional information meetings for all Advisors to explain the managerial selection process and qualifications, including that all candidates must have the required regulatory licenses.

On an annual basis, Chase will send an email to all Advisors who self-identify in the EEO category "Black or African American" identifying the management coaching and training opportunities available to African American and Black Advisors.

Chase will post all open positions on its internal job posting site.

Coaching regarding the management selection process will be made available to all African American and Black candidates.

## **G. Exit Surveys**

Chase will offer to conduct voluntary exit surveys with all departing African American and/or Black Advisors and share the results with the Head of Chase Wealth Management.

## **H. Diversity and Reserve Fund**

Chase will establish a Diversity and Reserve Fund of \$4.5 million to fund diversity programs and initiatives and to make certain payments, including the costs of administering the Settlement and monetary awards to certain Class Members.

\$1.5 million of the Diversity and Reserve Fund will be set aside for diversity programs and initiatives. These programs and initiatives will have the goal of enhancing opportunities for employment, earnings, and advancement of African Americans and Blacks at Chase.

## **I. Commitment to Diversity**

Chase will reaffirm its commitment to the prohibition against race discrimination and retaliation.

## **J. Monitoring and Reporting**

On an annual basis, Chase will meet with and report to Class Counsel regarding Chase's compliance with these provisions.

# **5. How to Proceed: Your Options**

## **Option A: Submit a Verification and Claim Form to Participate in the Settlement**

If you fit the Class definition and want to participate in the Settlement, you must fill out and mail the attached Verification Form, swearing under oath and under penalty of perjury that you meet the Class definition and therefore are a Class Member. If you do not fill out and mail the attached Verification Form, you will not be eligible to receive a monetary award. The address of the Claims Administrator is:

Senegal v. JPMorgan Chase  
Claims Administrator  
P.O. Box 2312  
Portland, OR 97208-2312

If you fill out, sign, and submit the attached Verification Form, you will become a Settlement Class Member and be eligible to participate in the Settlement. The Court will hold the Final Approval Hearing and you, as a Settlement Class Member, will be represented by Class Counsel at no cost to you. If the Court gives final approval to the Settlement, you will then have the opportunity to submit a Claim Form requesting a share of the Settlement Funds.

In order to be eligible to receive a share of the Settlement Funds, you must fill out, sign, and submit a Claim Form, a Form W-4, and a Form W-9 to the Claims Administrator by the Claims Submission Deadline to be set by the Court after final approval of the Settlement. *See* Section 7 below for additional detail about submitting a Claim Form.

Each Settlement Class Member will release his or her race discrimination and retaliation claims against Chase under federal, state, and local laws, arising up to and including September 12, 2018, as set forth in the Settlement.

Unless you opt out, whether or not you submit a Verification Form and a Claim Form, all claims covered by this Settlement through September 12, 2018, will be barred by this Settlement if you meet the Class definition. If you submit a Verification Form and do not opt out, but do not submit a Claim Form, you remain eligible to object to the Settlement pursuant to Option D below.

### **Option B: Do Nothing**

If you meet the Class definition, do nothing in response to this Notice, and the Court grants final approval of the Settlement, all claims covered by this Settlement through September 12, 2018, will be barred by this Settlement. That is, you will give up your rights to sue Chase separately for the legal claims covered by this Settlement. You also will not be eligible to participate in the Settlement and will not be eligible to receive a monetary award.

If you do not meet the Class definition, you may not participate in the Settlement and do not need to do anything in response to this Notice. As someone who is not a Class Member, any rights you might have to sue Chase separately will not be impacted by this Settlement.

### **Option C: Opt Out and Exclude Yourself from the Settlement**

If you meet the Class definition and do not wish to participate in the Settlement, but wish to retain your rights to sue Chase separately for the legal claims covered by this Settlement, you must request to opt out of, or be excluded from, this Settlement. If you opt out, you will not be eligible for any monetary award as part of this Settlement. However, you will keep any rights you might have to sue Chase separately for the legal claims covered by this Settlement.

Any Class Member who wishes to opt out must mail a written, signed statement that he/she is opting out of the Settlement to the Claims Administrator, at the address listed below. To be effective, this opt out statement must be received on or before **November 26, 2018**, and must include the following language:

I hereby opt out of the class action settlement in the lawsuit *Senegal, et al. v. JPMorgan Chase Bank, N.A.*, Case No. 18-cv-6006 (N.D. Ill.). I understand that, by requesting to be excluded from the monetary settlement in this case, I will receive no money from either the Settlement Fund or Diversity and Reserve Fund created under the Settlement Agreement. I understand that I may bring a separate legal action seeking damages, but I might receive nothing or less than what I would have received if I had filed a claim under the class monetary award procedure in this case.

The address of the Claims Administrator is:

Senegal v. JPMorgan Chase  
Claims Administrator  
P.O Box 2312  
Portland, OR 97208-2312

Class Members who file opt outs may rescind their opt outs (i.e., you may change your mind and stay in the Class). To be effective, such rescissions must be in writing and received by the Claims Administrator at least one day before the Final Approval Hearing on **December 18, 2018**.

Class Members who submit timely and valid requests for exclusion will have no right to object to the Settlement in Court and will no longer be represented by Class Counsel.

You may not opt out of the programmatic relief to be provided as part of this Settlement.

### **Option D: Comment on or Object to the Settlement**

The Court must assess the overall fairness and reasonableness of the Settlement to the Class. If you fill out, sign, and submit the attached Verification Form, *and do not opt out* of the Settlement, you may comment on or object to the Settlement, regardless of whether you submit a Claim Form.

In order to have your comment or objection to the Settlement considered by the Court or to speak at the Final Approval Hearing, you must (i) fill out and submit the attached Verification Form stating that you meet the class definition, *and* (ii) submit to the Claims Administrator your written comment or objection to the Settlement. Comments and

objections must be in writing, signed, and submitted to the Claims Administrator (with copies served on Class Counsel and Counsel for Chase, at the addresses listed below), must include a detailed description of the basis of the comment or objection, must indicate whether you intend to appear at the Final Approval Hearing, and must be received by the Claims Administrator no later than **November 26, 2018**. You do not need to be represented by separate counsel to comment on or object to the Settlement.

The address of Class Counsel is:

Linda D. Friedman  
Suzanne E. Bish  
George S. Robot  
**Stowell & Friedman, Ltd.**  
303 W. Madison Street, Suite 2600  
Chicago, IL 60606-3395  
Telephone: (312) 431-0888  
lfriedman@sftfd.com  
sbish@sftfd.com  
grobot@sftfd.com

The addresses of Counsel for Chase are:

Brad S. Karp  
Daniel J. Toal  
**Paul, Weiss, Rifkind, Wharton & Garrison LLP**  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Telephone: (212) 373-3000  
bkarp@paulweiss.com  
dtoal@paulweiss.com

Kenneth J. Turnbull  
Brendan T. Killeen  
**Morgan, Lewis & Bockius LLP**  
101 Park Avenue  
New York, NY 10178-0060  
Telephone: (212) 309-6000  
kenneth.turnbull@morganlewis.com  
brendan.killeen@morganlewis.com

## 6. Release

If the Court grants final approval of the Settlement, then all Class Members who do not opt out will release Chase from all claims of race discrimination and retaliation in employment from April 13, 2013, until September 12, 2018. To “release” a claim means that you cannot sue Chase for any of the claims covered by the release. If you meet the Class definition, unless you opt out of the Settlement, you will be covered by the release, even if you do not submit a Verification Form or a Claim Form for a monetary award.

## 7. How Will My Settlement Award Be Calculated?

If you fit the Class definition and submit a Verification Form, you may be eligible for a monetary award from either the Settlement Fund or Diversity and Reserve Fund.

In order to receive a monetary award, you must fill out and submit a Claim Form, and IRS Forms W-4 and W-9. Class Members can choose to submit either (1) a Simple Claim Form, in order to get an Expedited Monetary Award, or (2) a Detailed Claim Form, if they want the option of an individualized assessment of their race discrimination claims.

The Simple Claim Form is short and requires limited information. If the Settlement is approved and you submit the Simple Claim Form by the Claims Submission Deadline that will be set by the Court, you will be issued an Expedited Monetary Award check within 45 days after the Claims Submission Deadline. The Expedited Monetary Award will be based on the following objective factors: (i) Chase Length of Service (“LOS”) and (ii) period of employment as a Settlement Class Member within the Class Period. You will not receive an individualized assessment of your claim.

The Detailed Claim Form is longer and requires more information about your claims and employment at Chase. The Detailed Claim Form shall be completed in its entirety, including responding to questions seeking evidence of alleged (a) race discrimination, (b) financial losses, and (c) any emotional distress. In order to seek financial recovery for any period after your employment with Chase, you must submit documentary evidence of post-Chase income and work history. In addition, in order to seek financial recovery for alleged emotional distress, you must complete the section of the Claim Form regarding emotional distress and may submit any additional documentation you deem appropriate.

If you submit a Detailed Claim Form, you will receive an Election Form along with a notice of the amount of the Expedited Monetary Award you would receive based on the objective factors described above. You must then elect whether to accept the Expedited Monetary Award or proceed to an individualized assessment of your legal claims by one or more qualified Neutrals. If you return the Election Form and elect to accept the Expedited Monetary Award, you will be sent a check within 21 days of returning the Election Form. If you reject the Expedited Monetary Award and elect an individual assessment, you will have an opportunity to meet with the Neutral(s) for up to 75 minutes, via internet video-conference or in person at the Chicago offices of Class Counsel, in order to present aspects of your claims and answer questions from the Neutral(s). If you wish to attend the interview in person but cannot afford to travel to the interview, you may submit a request for a travel advance against any monetary award. Following the meeting with the Neutral(s), the Neutral(s) will then assess your claim and recommend a monetary award based on all available information and the individual facts and circumstances of your claim. There is no guarantee as to the amount of this monetary award. You may receive more or less than the Expedited Monetary Award, or you may receive no award, depending on your claim and losses.

Class Counsel will be available to assist Settlement Class Members in the claims resolution process and will ensure an attorney is present at all Neutral Interviews. You may also retain your own attorney to assist you in this process, at your own expense. If you file the Detailed Claim Form and elect an individualized assessment, the Neutral(s) may consider any attorneys' fees you incurred in deciding what monetary award, if any, is appropriate.

All monetary awards will be reviewed and approved by a Neutral Administrator appointed by the Court to make sure they are fair and consistent. You will not have a right to challenge the allocation and distribution of the Settlement Funds determined by the claims resolution process and approved by the Neutral Administrator. All monetary awards are final, binding, confidential, and non-appealable.

## 8. Are There Tax Consequences for Any Money I Might Get?

Yes, any award you receive from the Settlement Funds will have tax consequences for you. The Neutral Administrator will be responsible for allocating any monetary payments appropriately between different types of damages (e.g., wage/non-wage income). The Claims Administrator will be responsible for withholding, remitting, and reporting each Claimant's share of payroll tax withholding from the Settlement Fund. Chase will be responsible for paying Chase's share of taxes and costs, including FICA, FUTA, SUTA, and Medicare, which will not be paid from either the Settlement Fund or Diversity and Reserve Fund. Other than Chase's responsibility for the employer's share of payroll taxes, Chase has no withholding, reporting, or any other tax reporting or payment responsibilities, and the Claims Administrator shall indemnify Chase for any tax liability, damages, or penalties arising out of the Claim Administrator's performance of any duties required by the Settlement Agreement.

Class Counsel are not tax advisors and cannot give you advice on any tax matters. Class Counsel urge you to consult your tax advisor for answers to any questions you may have about the tax implications of any potential award. Chase makes and has made no representations as to the taxability of any portion of any award you receive from the Settlement Funds.

## 9. The Lawyers Representing the Class

Settlement Class Members are represented in this litigation by Class Counsel:

Linda D. Friedman  
Suzanne E. Bish  
George S. Robot  
**Stowell & Friedman, Ltd.**  
303 W. Madison Street, Suite 2600  
Chicago, IL 60606-3395  
Telephone: (312) 431-0888  
lfriedman@sfltd.com  
sbish@sfltd.com  
grobot@sfltd.com

Class Counsel will continue to represent Settlement Class Members who have not opted out of the Settlement in connection with implementation of the Settlement at no cost to Settlement Class Members. Although it is not necessary, you may, if you wish, retain your own attorney at your own expense.

### **How Will Class Counsel Be Paid?**

Class Counsel have pursued these claims on behalf of the Named Plaintiffs and the Class without receiving any compensation for their services or reimbursement of the expenses they incurred. If you are a Class Member and receive an award from the Settlement Funds, you will not owe any fees or expenses to the lawyers who have represented you as part of the Settlement Class. Class Counsel will ask the Court to award them attorneys' fees of not more than 24.44% of the Qualified Settlement Fund, or \$5,500,000.00, plus reimbursement of their reasonable expenses. The Court will decide how much to award Class Counsel for fees and expenses, which will be paid from the Settlement Funds.

## **10. Terms and Payments Specific to the Named Plaintiffs**

Class Members have also been represented in this litigation by Named Plaintiffs Jerome Senegal, Erika Williams, Brent Griffin, Irvin Nash, Amanda Jason, and Kellie Farrish. The Named Plaintiffs may participate in the Settlement claims process just like any other Settlement Class Member. In addition, Class Counsel will ask the Court to grant Service Awards of \$150,000.00 for each of the Named Plaintiffs. This recognizes the benefits the Named Plaintiffs achieved for the Class, the risks they faced in bringing the case, and the time they spent pursuing it.

## **11. The Final Approval Hearing**

The Final Approval Hearing on the Settlement will be held at **10:30 a.m on December 18, 2018**, in the courtroom of the Honorable Judge Manish S. Shah, United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, IL 60604. At this hearing, the Court will determine whether the proposed Settlement is fair, reasonable, and adequate and whether it should be approved. The Court will also consider the amount of fees and expenses to award to Class Counsel, the amount of the Service Awards to grant to the Named Plaintiffs, and whether, in accordance with the Settlement, an order and judgment should be entered bringing the lawsuit to an end.

### **Do I Have to Come to the Final Approval Hearing?**

No. You are not required to come to the hearing, but you are welcome to come at your own expense. Class Counsel will appear at the Final Approval Hearing on behalf of all Settlement Class Members, at no cost to you. If you file an objection, you may but do not have to come to court to talk about it. As long as you submitted a Verification Form, you did not opt out and you filed your written objection on time, the Court will consider it. You may also hire your own lawyer to attend for you, but it is not necessary. If the Court gives final approval to this Settlement, the Court's judgment will be final and binding on all Class Members who have not timely opted out.

## **12. Getting More Information**

If you have further questions or still are not sure whether you are included in the Class, you can get free help at [www.FAsettlement.com](http://www.FAsettlement.com), by calling the Claims Administrator at 1-877-393-1068, or by calling or writing to Class Counsel in this case at the contact number/address listed in Section 9 above.

This Notice contains only a summary of the terms of the Settlement. For further information, the complete terms of the Settlement Agreement, the Claim Forms, and numerous other documents connected with the Settlement are available for review and/or downloading at [www.FAsettlement.com](http://www.FAsettlement.com).

Again, the important deadlines are as follows:

<b>Last Day to Opt Out of the Settlement Class:</b>	<b>November 26, 2018</b>
<b>Last Day to Object to the Settlement:</b>	<b>November 26, 2018</b>
<b>Final Approval Hearing:</b>	<b>December 18, 2018</b>

**PLEASE DO NOT CALL OR CONTACT THE COURT, THE OFFICE OF THE CLERK OF COURT, OR CHASE WITH QUESTIONS REGARDING THIS NOTICE.**

