

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

DYLAN MARTIN, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

LINDENWOOD UNIVERSITY,

Defendant.

Case No. 4:20-cv-01128-RLW

**DECLARATION OF RYAN BAHRY REGARDING SETTLEMENT  
ADMINISTRATION**

I, RYAN BAHRY, declare and state as follows:

1. I am an Assistant Director at JND Legal Administration (“JND”). JND is a legal administration service provider with its headquarters in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class actions.

2. JND is serving as the Settlement Administrator<sup>1</sup> in the above-captioned litigation (“Action”), for the purposes of administering the Class Action Settlement Agreement (“Settlement Agreement”) preliminarily approved by the Court in its Order Granting Preliminary Approval of Class Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan, dated January 6, 2022 (“Order”).

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<sup>1</sup> Capitalized terms used and not otherwise defined herein shall have the meanings given such terms in the Class Action Settlement Agreement (“Settlement Agreement”).

3. This Declaration is based on my personal knowledge and information provided to me by experienced JND employees and, if called on to do so, I could and would testify competently thereto.

**CAFA NOTICE**

4. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, JND compiled a CD-ROM with the following documents:

- a. Class Action Complaint and Demand for Jury Trial, filed August 24, 2020;
- b. Plaintiffs’ Assented to Motion for Preliminary Approval of Class Action Settlement, filed January 5, 2022;
- c. Class Action Settlement Agreement, filed January 5, 2022;
- d. [Proposed] Email Notice of Proposed Class Action Settlement, filed January 5, 2022;
- e. [Proposed] Postcard Notice of Proposed Class Action Settlement, filed January 5, 2022;
- f. [Proposed] Website Notice of Proposed Class Action Settlement, filed January 5, 2022; and
- g. [Proposed] Order Granting Preliminary Approval of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan, filed January 5, 2022.

5. The CD-ROM was mailed on January 14, 2022, to the appropriate Federal and State officials identified in the attachment with an accompanying cover letter, a copy of which is attached hereto as **Exhibit A**.

#### **CLASS MEMBER DATA**

6. On January 21, 2022, JND received a spreadsheet from Defendant containing the names, mailing addresses, email addresses, and student IDs for 5,823 potential Settlement Class Members.

7. Prior to mailing notices, JND analyzed the raw data to remove duplicate records. JND did not identify any duplicate records, resulting in 5,823 unique Settlement Class Member records. JND updated the Settlement Class Member contact information using data from the National Change of Address (“NCOA”) database.<sup>2</sup> The Settlement Class Member data was promptly loaded into a secure database established for this Action.

#### **E-MAIL NOTICE**

8. Pursuant to the terms of the Settlement Agreement, on February 3, 2022, JND sent the customized, Court-approved e-mail notice (“E-mail Notice”) via e-mail from an established case inbox (info@LidenwoodUniversitySettlement.com) to 5,822 unique Settlement Class Members with a valid e-mail address (one (1) Settlement Class Member was excluded from the e-mail campaign as they did not have a valid e-mail address). A representative sample of the E-mail Notice is attached hereto as **Exhibit B**.

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<sup>2</sup> The NCOA database is the official United States Postal Service (“USPS”) technology product which makes changes of address information available to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective tool to update address changes when a person has completed a change of address from with the USPS. The address information is maintained on the database for 48 months.

9. As of the date of this Declaration, JND tracked 49 E-mail Notices that were returned to JND as undeliverable.

#### **POSTCARD NOTICE**

10. Pursuant to the terms of the Settlement Agreement, on February 3, 2022, JND mailed the Court-approved postcard notice (“Postcard Notice”) via USPS first-class mail to the 50 Settlement Class Members who did not receive an E-mail Notice. A representative sample of the Postcard Notice is attached hereto as **Exhibit C**.

11. As of the date of this Declaration, JND tracked three (3) Postcard Notices that were returned to JND as undeliverable.

12. As of the date of this Declaration, 5,820 Class Members were e-mailed or mailed a notice that was not returned as undeliverable, representing 99.9% of total Settlement Class Members.

#### **SETTLEMENT WEBSITE**

13. On January 20, 2022, JND established a Settlement Website ([www.LindenwoodUniversitySettlement.com](http://www.LindenwoodUniversitySettlement.com)), which hosts copies of important case documents, including the Settlement Agreement, Class Notice, answers to frequently asked questions, and contact information for the Administrator. Additionally, the Settlement Website allowed Class Members to submit an Election Form or Exclusion Request electronically.

14. As of the date of this Declaration, the Settlement Website has tracked 2,185 unique users with over 7,087 page views. JND will continue to update and maintain the Settlement Website throughout the administration process.

**TOLL-FREE INFORMATION LINE**

15. On January 20, 2022, JND established a case-specific toll-free number, 1-877-389-2182, for Settlement Class Members to call to obtain information regarding the Settlement. Callers have the option to listen to the Interactive Voice Response (“IVR”) system, or to speak with a live agent. The toll-free number is accessible 24 hours a day, seven days a week.

16. As of the date of this Declaration, the toll-free number has received 35 incoming calls. JND will continue to maintain the toll-free number throughout the settlement administration process.

**REQUESTS FOR EXCLUSION**

17. The E-mail and Postcard Notice informed recipients that any Class Member who wished to exclude themselves from the proposed Settlement (“opt-out”) that they must do so by submitting an exclusion request electronically on the Settlement website or by mailing an exclusion letter to the Settlement Administrator, postmarked or submitted on or before March 21, 2022.

18. As of the date of this Declaration, JND has received one (1) timely exclusion request from Ariel Jackson (St. Charles, MO).

**OBJECTIONS**

19. The E-mail and Postcard Notice informed recipients that any Class Member who wished to object to the proposed Settlement could do so by filing a written objection with the Court, postmarked on or before March 21, 2022.

20. As of the date of this Declaration, JND has not received, and is not aware of, any objections.

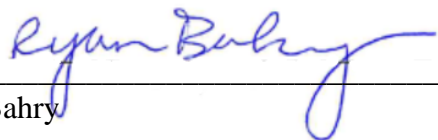
**ELECTION FORMS RECEIVED**

21. The E-mail and Postcard Notice informed recipients that while Class Members do not need to do anything to receive an award, those wishing to elect the method in which they receive the payment must file an Election Form and submit it to JND electronically on or before March 21, 2022.

22. As of the date of this Declaration, JND has received 281 Election Form submissions. JND is in the process of receiving, reviewing, and validating Election Form submissions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed April 22, 2022 in Seattle, Washington.

  
\_\_\_\_\_  
Ryan Bahry

# **EXHIBIT A**



January 14, 2022

United States Attorney General  
and the Appropriate Officials  
Identified in Attachment A

**RE: CAFA Notice of Proposed Class Action Settlement**

Dear Sir or Madam:

This Notice is being provided to you in accordance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715 on behalf of Lindenwood University, the defendant in the below-referenced class action (“the Action”). Plaintiffs’ Assented to Motion for Preliminary Approval of Class Action Settlement was filed with the Court on January 5, 2022. The Court has scheduled an approval hearing to take place on May 11, 2022 at 1:30 p.m.

**Case Name:** *Dylan Martin v. Lindenwood University*  
**Case Number:** *4:20-cv-01128-RLW*  
**Jurisdiction:** *United States District Court for the Eastern District of Missouri*  
**Date Settlement filed with Court:** *January 5, 2022*

Copies of all materials filed in the above-named actions are electronically available on the Court’s Pacer website found at <https://pcl.uscourts.gov>. Additionally, in compliance with 28 U.S.C. § 1715(b), the enclosed CD-ROM contains the following documents filed in the Action:

- 01 - Complaint.pdf**  
Class Action Complaint and Demand for Jury Trial, filed August 24, 2020
- 02 - Motion for Preliminary Approval.pdf**  
Plaintiffs’ Assented to Motion for Preliminary Approval of Class Action Settlement, filed January 5, 2022
- 03 - Settlement Agreement**  
Class Action Settlement Agreement, filed January 5, 2022
- 04 - Email Notice**  
[Proposed] Email Notice of Proposed Class Action Settlement, filed January 5, 2022
- 05 - Postcard Notice**  
[Proposed] Postcard Notice of Proposed Class Action Settlement, filed January 5, 2022
- 06 - Website Notice**  
[Proposed] Website Notice of Proposed Class Action Settlement, filed January 5, 2022
- 07 - Preliminary Approval Order**



[Proposed] Order Granting Preliminary Approval of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan, filed January 5, 2022

It is not possible to provide a breakdown of the Settlement Class in accordance with 28 U.S.C. § 1715 (b)(7) at this time. However, we anticipate that the Settlement Class is sufficiently numerous as to include Class Members potentially residing in all 50 U.S. states, as well as the District of Columbia, and may include Class Members residing in U.S. territories and associated states.

There are no other settlements or agreements made between Counsel for the parties related to the class defined in the proposed settlement, and as of the date of this Notice, no Final Judgment or notice of dismissal has been entered in this case.

If you have any questions regarding the details of the case and settlement, please contact Defense Counsel's representative at:

Kyle Seelbach  
Husch Blackwell LLP  
190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105

For questions regarding this Notice, please contact JND at:

JND Class Action Administration  
1100 2nd Ave, Suite 300  
Seattle, WA 98101  
Phone: 800-207-7160

Regards,

JND Legal Administration

Encl.

CAFA Notice - Attachment A - Service List

Treg R. Taylor  
Office of the Attorney General  
1031 W 4th Ave  
Ste 200  
Anchorage, AK 99501

Steve Marshall  
Attorney General's Office  
501 Washington Ave  
Montgomery, AL 36104

Leslie Rutledge  
Office of the Attorney General  
323 Center St  
Ste 200  
Little Rock, AR 72201

Mark Brnovich  
Office of the Attorney General  
2005 N Central Ave  
Phoenix, AZ 85004

CAFA Coordinator  
Office of the Attorney General  
Consumer Protection Section  
455 Golden Gate Ave., Ste 11000  
San Francisco, CA 94102

Phil Weiser  
Office of the Attorney General  
Ralph L. Carr Judicial Building  
1300 Broadway, 10th Fl  
Denver, CO 80203

William Tong  
Office of the Attorney General  
165 Capitol Ave  
Hartford, CT 06106

Kathy Jennings  
Delaware Department of Justice  
Carvel State Office Building  
820 N French Street  
Wilmington, DE 19801

Ashley Moody  
Office of the Attorney General  
State of Florida  
PL-01 The Capitol  
Tallahassee, FL 32399

Chris Carr  
Office of the Attorney General  
40 Capitol Sq SW  
Atlanta, GA 30334

Holly T. Shikada  
Department of the Attorney General  
425 Queen Street  
Honolulu, HI 96813

Thomas J. Miller  
Office of the Attorney General  
Hoover State Office Building  
1305 E. Walnut Street Rm 109  
Des Moines, IA 50319

Lawrence G. Wasden  
Office of the Attorney General  
700 W. Jefferson St, Suite 210  
Boise, ID 83720

Kwame Raoul  
Office of the Attorney General  
James R. Thompson Center  
100 W. Randolph St  
Chicago, IL 60601

CAFA Notice - Attachment A - Service List

Todd Rokita  
Office of the Attorney General  
Indiana Government Center South  
302 W Washington St 5th Fl  
Indianapolis, IN 46204

Derek Schmidt  
Office of the Attorney General  
120 SW 10th Ave  
2nd Fl  
Topeka, KS 66612

Daniel Cameron  
Office of the Attorney General  
Capitol Building  
700 Capitol Ave Ste 118  
Frankfort, KY 40601

Jeff Landry  
Office of the Attorney General  
1885 N. Third St  
Baton Rouge, LA 70802

CAFA Coordinator  
General Counsel's Office  
Office of Attorney General  
One Ashburton Pl, 20th Floor  
Boston, MA 02108

Brian E. Frosh  
Office of the Attorney General  
200 St. Paul Pl  
Baltimore, MD 21202

Aaron Frey  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333

Dana Nessel  
Department of Attorney General  
G. Mennen Williams Building, 7th Fl  
525 W Ottawa St  
Lansing, MI 48933

Keith Ellison  
Office of the Attorney General  
445 Minnesota St  
Suite 1400  
St. Paul, MN 55101

Eric Schmitt  
Attorney General's Office  
Supreme Court Building  
207 W High St  
Jefferson City, MO 65101

Lynn Fitch  
Office of the Attorney General  
Walter Sillers Building  
550 High St Ste 1200  
Jackson, MS 39201

Austin Knudsen  
Office of the Attorney General  
Justice Building, Third Fl  
215 N. Sanders  
Helena, MT 59601

Josh Stein  
Attorney General's Office  
114 W Edenton St  
Raleigh, NC 27603

Wayne Stenehjem  
Office of the Attorney General  
State Capitol, 600 E Boulevard Ave  
Dept. 125  
Bismarck, ND 58505

CAFA Notice - Attachment A - Service List

Doug Peterson  
Attorney General's Office  
2115 State Capitol  
Lincoln, NE 68509

John Formella  
Office of the Attorney General  
NH Department of Justice  
33 Capitol St.  
Concord, NH 03301

Andrew J. Bruck  
Office of the Attorney General  
Richard J. Hughes Justice Complex  
25 Market St 8th Fl, West Wing  
Trenton, NJ 08611

Hector Balderas  
Office of the Attorney General  
Villagra Building  
408 Galisteo Street  
Santa Fe, NM 87501

Aaron Ford  
Office of the Attorney General  
Old Supreme Court Building  
100 N Carson St  
Carson City, NV 89701

CAFA Coordinator  
Office of the Attorney General  
28 Liberty St  
15th Fl  
New York, NY 10005

Dave Yost  
Attorney General's Office  
State Office Tower  
30 E Broad St 14th Fl  
Columbus, OH 43215

John O'Connor  
Office of the Attorney General  
313 NE 21st St  
Oklahoma City, OK 73105

Ellen F. Rosenblum  
Oregon Department of Justice  
Justice Building  
1162 Court St NE  
Salem, OR 97301

Josh Shapiro  
PA Office of the Attorney General  
Strawberry Square 16th Fl  
Harrisburg, PA 17120

Peter F. Neronha  
Office of the Attorney General  
150 S Main St  
Providence, RI 02903

Alan Wilson  
Office of the Attorney General  
Rembert C. Dennis Bldg  
1000 Assembly St Rm 519  
Columbia, SC 29201

Jason Ravnsborg  
Office of the Attorney General  
1302 E Highway 14  
Ste 1  
Pierre, SD 57501

Herbert H. Slatery, III  
Office of the Attorney General  
500 Dr Martin L King Jr Blvd  
Nashville, TN 37243

CAFA Notice - Attachment A - Service List

Ken Paxton  
Office of the Attorney General  
300 W. 15th St  
Austin, TX 78701

Sean D. Reyes  
Office of the Attorney General  
Utah State Capitol Complex  
350 North State St Ste 230  
Salt Lake City, UT 84114

Mark R. Herring  
Office of the Attorney General  
202 N. Ninth St.  
Richmond, VA 23219

T.J. Donovan  
Attorney General's Office  
109 State St.  
Montpelier, VT 05609

Bob Ferguson  
Office of the Attorney General  
1125 Washington St SE  
Olympia, WA 98501

Josh Kaul  
Attorney General's Office  
P.O. Box 7857  
Madison, WI 53707

Patrick Morrissey  
Office of The Attorney General  
State Capitol, 1900 Kanawha Blvd E  
Building 1 Rm E-26  
Charleston, WV 25305

Bridget Hill  
Office of the Attorney General  
State Capitol Building  
200 W 24th St  
Cheyenne, WY 82002

Karl A. Racine  
Office of the Attorney General  
400 6th St NW  
Washington, DC 20001

Merrick Garland  
Office of the U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

Fainu'ulelei Falefatu Ala'ilima-Utu  
Department of Legal Affairs  
Exec Ofc Bldg, 3rd Fl  
P.O. Box 7  
Utulei, AS 96799

Leevin Taitano Camacho  
Office of the Attorney General  
Administration Division  
590 S Marine Corps Dr, Suite 901  
Tamuning, GU 96913

Edward Manibusan  
Office of the Attorney General  
Administration Building  
P.O. Box 10007  
Saipan, MP 96950

Domingo Emanuelli Hernández  
Dpto. de Justicia de Puerto Rico  
Calle Teniente César González 677  
Esq. Ave. Jesús T. Piñero  
San Juan, PR 00918

CAFA Notice - Attachment A - Service List

Denise N. George  
Office of the Attorney General  
3438 Kronprindsens Gade  
GERS Building 2nd Fl  
St. Thomas, VI 00802

Joses R. Gallen  
Department of Justice  
P.O. Box PS-105  
Palikir  
Pohnpei State, FM 96941

Richard Hickson, Attorney General  
C/O Marshall Islands Embassy  
2433 Massachusetts Ave NW  
Washington, DC 20008

Ernestine K. Rengiil  
Office of the Attorney General  
P.O. Box 1365  
Koror, PW 96940

# **EXHIBIT B**

From: SettlementAdministrator@lindenwooduniversitysettlement.com  
To: JonQClassMember@domain.com  
Re: Legal Notice of Class Action Settlement

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**  
*Martin v. Lindenwood University*, Case No. 4:20-cv-01128-RLW  
**(United States District Court for the Eastern District of Missouri)**

**Unique ID: XXXXX**

This notice is to inform you of the settlement of a class action lawsuit with Lindenwood University (“LU”) the Defendant in this case. Plaintiff Dylan Martin alleges that Defendant breached its contract with its students to provide in-person educational services for the Spring 2020 Semester by transitioning to remote learning in March 2020 without issuing partial tuition and fee refunds.

**Am I a Class Member?** Our records indicate you may be a Class Member. Class Members are all people who paid Defendant tuition or fees in the Spring 2020 Semester (including in connection with any school terms or courses offered in the Spring 2020) for educational services that, absent the COVID-19 pandemic, would have been provided in-person, and whose tuition and fees have not been refunded.

**What Can I Get?** A Settlement Fund of \$1,650,000.00 has been established to pay all claims to the Settlement Class, together with notice and administration expenses, approved attorneys’ fees and costs, and an incentive award. If you are entitled to relief, you will receive a *pro rata* share of the Settlement Fund, which *pro rata* share will be based on the total out-of-pocket amount of tuition and fees you paid for the Spring 2020 Semester.

**How Do I Get a Payment?** If you are a Class Member, you will automatically receive a *pro rata* share of the Settlement Fund, so long as you do not request to be excluded from the Settlement Class. Payments to current students will be made via a credit to the student’s institutional account with Defendant. If there is a positive balance when a student later leaves LU (for example, by graduating or withdrawing), then that positive balance will be paid to the student in the normal course of Defendant’s operations. Payments to inactive students will occur in the following order and method: first, by reducing the student’s debt to Defendant, if any, by the *pro rata* payment amount the student is entitled to; second, to the extent any remaining *pro rata* payment is due to the student after the debt reduction is made, then via check. Any checks will be issued to the Settlement Class Member’s last known address. You may opt to receive your payment by Venmo or PayPal by visiting the Settlement Website at [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com). You may also visit the Settlement Website to update your mailing address.

**What Information Do I Need to Provide?** None. LU has provided to Class Counsel a list of the Class Members and their contact information. Also, the Court has issued an order permitting LU, under the Family Educational Rights and Privacy Act (“FERPA”), to disclose to the settlement administrator and Class Counsel, the Spring 2020 Semester out-of-pocket amount for each Class Member. LU will release that information no later than five (5) days after **March 21, 2022**. On



or before **March 21, 2022**, you as a Class Member have the option to request that the Court quash its order requiring such disclosure as to your information.

**What are My Other Options?** You may exclude yourself from the Class by sending a letter to the settlement administrator no later than **March 21, 2022**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendant over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed no later than **March 21, 2022**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com). If you do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the Defendant's alleged failure to issue refunds for the Spring 2020 Semester will be released.

**Who Represents Me?** The Court has appointed Bursor & Fisher, P.A to represent the class. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

**When Will the Court Consider the Proposed Settlement?** The Court will hold the Final Approval Hearing at **1:30 p.m. on May 11, 2022**, at United States District Court for the Eastern District of Missouri, 111 South 10th Street, St. Louis, Missouri 63102. This hearing may be adjourned to a different date or may ultimately be conducted remotely. Please check the Settlement Website for updates. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees, costs, and expenses; and decide whether to award the Class Representative \$5,000 from the Settlement Fund for his services in helping to bring and settle this case. Defendant has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than one-third of the Settlement Fund, but the Court may award less than this amount.

**How Do I Get More Information?** For more information, including a more detailed Notice, a copy of the Settlement Agreement and other documents, go to [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com), contact the settlement administrator at 1-877-389-2182 or Lindenwood University Settlement, c/o JND Legal Administration, P.O. Box 91349, Seattle, WA 98111, or call Class Counsel at 1-646-837-7150.

# EXHIBIT C

COURT AUTHORIZED NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

# LINDENWOOD UNIVERSITY SETTLEMENT

OUR RECORDS INDICATE YOU PAID TUITION AND FEES TO LU FOR THE SPRING 2020 SEMESTER AND MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.

**Lindenwood University Settlement**  
c/o JND Legal Administration  
P.O. Box 91348  
Seattle, WA 98111

«Barcode» «Unique ID»

Postal Service: Please do not mark barcode

«Name»

«Addr1»

«Addr2»

«City», «ST» «Zip»

«Country»

A settlement has been reached in a class action lawsuit claiming that Defendant, Lindenwood University (“LU”), breached its contract with its students to provide in-person educational services for the Spring 2020 Semester by transitioning to remote learning in March 2020 without issuing partial tuition and fee refunds.

### Am I a Class Member?

Our records indicate you may be a Class Member. Class Members are all people who paid LU tuition and fees in the Spring 2020 Semester (including in connection with any school terms or courses offered in the Spring 2020) for educational services that, absent the COVID-19 pandemic, would have been provided in-person, and whose tuition and fees have not been refunded.

### What Can I Get?

If approved by the Court, a Settlement Fund of \$1,650,000.00 has been established to pay all claims to the Settlement Class, together with notice and administration expenses, approved attorneys’ fees and costs, and an incentive award. If you are entitled to relief, you will receive a pro rata share of the Settlement Fund, which pro rata share will be based on the total out-of-pocket amount of tuition and fees you paid for the Spring 2020 Semester.

### How Do I Get a Payment?

If you are a Class Member, you will automatically receive a pro rata share of the Settlement Fund, so long as you do not request to be excluded from the Settlement Class. Your payment will either be directly applied to your institutional account with LU, or will be applied to reduce your student debt, or will come by check to the residential address on file with LU. You may opt to receive your payment by Venmo or PayPal by visiting the Settlement Website at [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com). You may also visit the Settlement Website to update your mailing address. You do not need to provide any information to participate. LU has provided to Class Counsel a list of the Class Members and their contact information. Also, the Court has issued an order permitting LU, under the Family Educational Rights and Privacy Act (“FERPA”), to disclose to the settlement administrator and Class Counsel, the Spring 2020 Semester out-of-pocket amount for each Class Member. LU will release that information no later than five (5) days after **March 21, 2022**. On or before **March 21, 2022**, you as a Class Member have the option to request that the Court quash its order requiring such disclosure as to your information.

**What are My Other Options?**

You may exclude yourself from the Class by sending a letter to the settlement administrator no later than **March 21, 2022**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendant over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed no later than **March 21, 2022**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com). If you do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged breach of contract in this case by the Defendant will be released.

**Who Represents Me?**

The Court has appointed Bursor & Fisher, P.A to represent the class. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

**When Will the Court Consider the Proposed Settlement?**

The Court will hold the Final Approval Hearing at **1:30 p.m. on May 11, 2022**, at United States District Court for the Eastern District of Missouri, 111 South 10th Street, St. Louis, Missouri 63102. This hearing may be adjourned to a different date or may ultimately be conducted remotely. Please check the Settlement Website for updates. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees, costs, and expenses; and decide whether to award the Class Representative \$5,000 from the Settlement Fund for his services in helping to bring and settle this case. Defendant has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than one-third of the Settlement Fund, but the Court may award less than this amount.

**How Do I Get More Information?**

For more information, including a more detailed Notice, Claim Form, a copy of the Settlement Agreement and other documents, go to [www.lindenwooduniversitysettlement.com](http://www.lindenwooduniversitysettlement.com), contact the settlement administrator at 1-877-389-2182 or Lindenwood University Settlement, c/o JND Legal Administration, P.O. Box 91349, Seattle, WA 98111, or call Class Counsel at 1-646-837-7150.

Carefully separate this Address Change Form at the perforation

Name: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Place Stamp Here

**Address Change Form**

To make sure your information remains up-to-date in our records, please confirm your address by filling in the above information and depositing this postcard in the U.S. Mail.

Unique ID: **XXXX**

**Lindenwood University Settlement**  
c/o JND Legal Administration  
P.O. Box 91348  
Seattle, WA 98111