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10 Phone: 510.567.4632

11 *Attorneys for Plaintiff Jeffrey Chen*

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 JEFFREY CHEN,
17 Plaintiff,
18 vs.
19 CHASE BANK, USA, N.A.,
20 Defendant.

Case No. 19-cv-01082-JSC

**DECLARATION OF JEANNE CHERNILA
RE: SETTLEMENT ADMINISTRATION**

1 I, JEANNE CHERNILA, declare and state as follows:

2 1. I am a Project Manager with KCC Class Action Services, LLC (“KCC”), located
3 at 3301 Kerner Boulevard, San Rafael, California 94901. KCC is the appointed Settlement
4 Administrator for this matter, and I have personally provided day-to-day oversight and support
5 for the parties.¹ I have personal knowledge of the matters stated herein and, if called upon, could
6 and would testify thereto.

7 **CAFA NOTIFICATION**

8 2. On or around November 22, 2019, in compliance with the Class Action Fairness
9 Act (“CAFA”), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing the following
10 documents: Class Action Complaint, Plaintiff’s Motion for Preliminary Approval of Class Action
11 Settlement, Declaration of Dominic Valerian in Support of Plaintiff’s Motion for Preliminary
12 Approval of Class Action Settlement (with all exhibits), and Class Action Settlement Agreement
13 and Release (with all exhibits), which accompanied a cover letter and Appendix A, showing the
14 reasonable estimate of Class Members by States of Residence (collectively, the “Original CAFA
15 Notice Packet”). A copy of the cover letter and Appendix A is attached hereto as Exhibit A.

16 3. On November 26, 2019, I caused sixty-one (61) Original CAFA Notice Packets to
17 be mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed
18 on Exhibit B, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and
19 the District of Columbia, the Attorneys General of the 5 recognized U.S. Territories, the Office of
20 the Comptroller of the Currency for the United States, and the Consumer Finance Protection
21 Bureau, as well as parties of interest to this Action.

22 4. On or around January 13, 2020, in further compliance with the Class Action
23 Fairness Act (“CAFA”), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing the
24 following documents: Class Action Complaint, Plaintiff’s Motion for Preliminary Approval of
25 Class Action Settlement, Declaration of Dominic Valerian in Support of Plaintiff’s Motion for
26 Preliminary Approval of Class Action Settlement (with all exhibits), Declaration of Dominic

27 ¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in
28 the Preliminary Approval Order.

1 Valerian regarding Amended Class Action Settlement Agreement and Settlement Administration
2 (with all exhibits), Minute Entry issued December 12, 2019 regarding the Court’s direction to
3 counsel to submit a declaration with revised Settlement Agreement and revised Class Notice by
4 December 23, 2019, Order Granting Request for Extension (of time to submit declaration and
5 revised Settlement Agreement and Class Notice), Order Re: Plaintiff’s Motion for Preliminary
6 Approval of Class Action Settlement, and Amended Settlement Agreement and Release (with all
7 exhibits), which accompanied a cover letter and Appendix A, showing the reasonable estimate of
8 Class Members by States of Residence (collectively, the “Amended CAFA Notice Packet”). A
9 copy of the cover letter and Appendix A is attached hereto as Exhibit C.

10 5. On January 17, 2020, I caused sixty-one (61) Amended CAFA Notice Packets to
11 be mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed
12 on Exhibit B and identified in paragraph 3 above: the U.S. Attorney General, the Attorneys
13 General of each of the 50 States and the District of Columbia, the Attorneys General of the 5
14 recognized U.S. Territories, the Office of the Comptroller of the Currency for the United States,
15 and the Consumer Finance Protection Bureau, as well as parties of interest to this Action.

16 6. As of the date of this declaration, KCC has received no response to the CAFA
17 Notice Packet from any of the recipients identified in paragraph 3 above.

18 CLASS LIST

19 7. On January 24, 2020, KCC received from Defense Counsel a list of 18,183
20 persons identified as the Class List. The Class List included names, addresses, and e-mail
21 addresses. KCC formatted the list for mailing purposes, removed duplicate records, and
22 processed the names and addresses through the National Change of Address Database (“NCOA”)
23 to update any addresses on file with the United States Postal Service (“USPS”). A total of 2,903
24 addresses were found and updated via NCOA. KCC updated its proprietary database with the
25 Class List of 18,173 unique individuals.

26 MAILING OF THE NOTICE PACKET

27 8. KCC identified 17,926 records in the Class List contained e-mail addresses. On
28 February 28, 2020, KCC caused an e-mail notification campaign containing the Long Form

1 Notice to be e-mailed to all Class Members on the Class List whose record included an e-mail
2 address. A true and correct copy of the e-mail notice is attached hereto as Exhibit D.

3 9. On February 28, 2020, KCC caused the Claim Form and Long Form Notice (the
4 “Notice Packet”) to be printed and mailed to the 247 records with only names and mailing
5 addresses in the Class List. A true and correct copy of the Notice Packet is attached hereto as
6 Exhibit E.

7 10. 1,557 e-mail notifications were determined to be undeliverable or “bounced.” On
8 March 6, 2020, KCC caused the Notice Packet to be printed and mailed to the physical addresses
9 for the 1,557 Class Members associated with the undeliverable e-mail addresses.

10 11. 13,557 e-mail notifications were determined to be delivered but not opened by
11 Class Members within 7 days of receipt. On March 10, 2020, KCC caused the Notice Packet to
12 be printed and mailed to the physical addresses for the 13,557 Class Members whom had not
13 opened their e-mail notifications.

14 12. Since mailing the Notice Packets to the Class Members, KCC has received 215
15 Notice Packets returned by the USPS with forwarding addresses. 24 of the forwarding addresses
16 were determined to be incomplete. KCC immediately caused Notice Packets to be re-mailed to
17 the 191 complete forwarding addresses supplied by the USPS.

18 13. Since mailing the Notice Packets to the Class Members, KCC has received 1,832
19 Notice Packets returned by the USPS with undeliverable addresses. Through credit bureau and/or
20 other public source databases, KCC performed address searches for these undeliverable Notice
21 Packets and was able to find updated addresses for 479 Class Members associated with the
22 undeliverable addresses. KCC promptly re-mailed Notice Packets to the 479 found new
23 addresses. 14 Class Members were not searched because they previously contacted KCC and
24 updated their addresses. KCC has not taken any further action on these Notice Packets.

25 **SETTLEMENT WEBSITE**

26 14. On or about February 27, 2020, KCC established a website
27 [www.ECOASettlement.com] dedicated to this matter to provide information to the Class
28 Members and to answer frequently asked questions. The website URL was set forth in the Long

1 Form Notice and Claim Form. Visitors of the website could download copies of the Notice,
2 Claim Form, and other case-related documents. Plaintiff's Motion for an Award of Attorneys'
3 Fees and Costs and Class Representative Incentive Award was posted to the website on March
4 24, 2020, the day it was filed. Visitors could also submit claims online. As of May 6, 2020, the
5 website has received 9,216 visits.

6 **TELEPHONE HOTLINE**

7 15. KCC established and continues to maintain a toll-free telephone number (1-866-
8 596-9824) for potential Class Members to call and obtain information about the Settlement,
9 request a Notice Packet, and/or seek assistance from a live operator during regular business hours.
10 The telephone hotline became operational on February 27, 2020, and is accessible from 8:00 a.m.
11 to 8:00 p.m. Pacific 7 days a week. As of the date of this declaration, KCC has received a total of
12 129 calls to the telephone hotline, 88 calls were handled by a live operator.

13 **DEDICATED EMAIL ADDRESS AND MAILBOX**

14 16. KCC established and continues to maintain a dedicated email address
15 (admin@ecoasettlement.com) and email box for communications with potential Class Members.
16 The email address was available at the time of notification to class members and continues to be
17 active. The email address has been available on the settlement website since its launch and was
18 also included in notice documentation provided to the Class. The case administrator has access to
19 the email box 24 hours per day, 7 days per week. As of the date of this declaration, KCC has
20 received a total of 37 email communications from potential Class Members, all of which have
21 received replies.

22 **CLAIM FORMS**

23 17. The postmark deadline for Class Members to file claims in this matter was April
24 28, 2020. To date, KCC has received a total of 4,655 claim form submissions. Of these
25 submissions, 4,634 were timely filed claim forms and 21 were late filed claim forms.

26 18. Of the 4,634 timely filed claim forms, 333 claim forms were duplicate submissions
27 by Class Members and 1,356 were denied because they were submitted by someone who was not
28 on the Class List. 2,945 of the timely filed claim forms are valid submissions by Class Members.

1 19. Of the 21 late claim submissions, 2 were duplicate submissions of timely filed
2 claim forms and 1 was submitted by someone who was not on the Class List. The remaining 18
3 late filed claims were submitted by Class Members and the parties have agreed to accept them.

4 20. As of the date of this declaration, 2,963 claim form submissions are valid.

5 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

6 21. The Notice informs Class Members that requests for exclusion from the Class
7 must be postmarked no later than April 28, 2020. As of the date of this declaration, KCC has
8 received 10 requests for exclusion. A list of the Class Members requesting to be excluded is
9 attached hereto as Exhibit F.

10 **OBJECTIONS TO THE SETTLEMENT**

11 22. The postmark deadline for Class Members to object to the settlement was April 28,
12 2020. As of the date of this declaration, KCC has received no objections to the settlement.

13 **ADMINISTRATION COSTS**

14 23. KCC's final administration costs for this matter are \$59,242.46. This amount
15 includes costs to date, taxes, and all KCC costs and fees through the completion of this matter.

16 24. Final administration costs exceed the \$52,000 in administration costs that were
17 projected at the time of preliminary approval primarily because the roughly 16% claims rate is
18 substantially higher than projected, individuals who are not Class Members filed 1,357 claims,
19 and Notice Packets were mailed to more than twice as many Class Members as projected.

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

22 Executed on May 21, 2020 at San Rafael, California.

23
24 
25
26
27
28

JEANNE CHERNILA

Exhibit A

COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG
LONDON LOS ANGELES NEW YORK PALO ALTO
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Andrew Soukup

Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5066
asoukup@cov.com

By Priority Mail

November 26, 2019

«First» «Last»
«Company»
«Address_1»
«Address_2»
«City», «State» «Zip»

**Re: Notice of Proposed Settlement Pursuant to the Class Action
Fairness Act (28 U.S.C. § 1715) in *Chen v. Chase Bank USA, N.A.*,
No. 3:19-cv-01082-JSC (N.D. Cal.)**

Dear «First» «Last»:

On November 22, 2019, a proposed class-action settlement was filed in the above-captioned action. Pursuant to the Class Action Fairness Act, 28 U.S.C. § 1715, defendant Chase Bank USA, N.A., now known as JPMorgan Chase Bank, N.A. (“Chase”) hereby provides notice of that settlement. Chase states as follows:

1. Complaint (28 U.S.C. § 1715(b)(1))

A copy of the class-action complaint, originally filed on January 28, 2019 in the Superior Court of California, County of Alameda and later removed by Chase to the United States District Court for the Northern District of California, is included on the enclosed CD.

2. Judicial Hearing (28 U.S.C. § 1715(b)(2))

A judicial hearing regarding the preliminary approval of the proposed settlement will be held on December 12, 2019 at 9:00 a.m., before the Honorable Jacqueline Scott Corley, United States District Court for the Northern District of California. Copies of plaintiff’s preliminary approval motion and an accompanying declaration are included on the enclosed CD. As of November 26, 2019, no other hearings have been set in this matter.

3. Proposed Notice (28 U.S.C. § 1715(b)(3))

A proposed notification to class members of the settlement of the above-captioned class action, including a statement that class members have the right to request exclusion from the settlement, is attached as Exhibit D to the Settlement Agreement, which is included on the enclosed CD.

COVINGTON

CAFA Notice
November 26, 2019
Page 2

4. Proposed Settlement Agreement (28 U.S.C. § 1715(b)(4))

A copy of the Settlement Agreement entered into by the parties in the above-captioned action, with exhibits, is included on the enclosed CD.

5. Other Agreements (28 U.S.C. § 1715(b)(5))

Other than the Settlement Agreement, there are no other agreements between the parties or between settlement class counsel and Chase's counsel as of November 26, 2019.

6. Final Judgment (28 U.S.C. § 1715(b)(6))

As of November 26, 2019, no final judgment or notice of dismissal has been entered in the above-captioned class action.

7. Estimate of Class Members (28 U.S.C. § 1715(b)(7)(B))

Appendix A contains a table providing a reasonable estimate of the number of members of the proposed settlement class residing in each state. The method for determining class member distributions is set forth in Section 4.10 of the Settlement Agreement.

8. Related Judicial Opinions (28 U.S.C. § 1715(b)(8))

As of November 26, 2019, there are no written judicial opinions relating to the materials described in items 3 through 6 above.

If you have any questions about this notice, the Action, or the enclosed materials, please feel free to contact me. If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact me immediately so that Chase can address any concerns or questions you may have.

Sincerely,

/s/ Andrew Soukup

Andrew Soukup

*Counsel for Defendant
JPMorgan Chase Bank, N.A.*

Enclosure (CD)

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CAFA Notice
 November 26, 2019
 Page 3

APPENDIX A
Reasonable estimate of Settlement Class Members
Residing in Each State or U.S. Territory

Chen v. Chase Bank USA, N.A., No. 3:19-cv-01082-JSC (N.D. Cal.)

State	Count
Alabama	57
Alaska	5
Arizona	421
Arkansas	38
California	5,243
Colorado	216
Connecticut	122
Delaware	41
Florida	1,312
Georgia	406
Guam	4
Hawaii	32
Idaho	20
Illinois	792
Indiana	159
Iowa	38
Kansas	52
Kentucky	67
Louisiana	148
Maine	19
Maryland	201

COVINGTON

CAFA Notice
 November 26, 2019
 Page 4

State	Count
Massachusetts	180
Michigan	372
Minnesota	70
Mississippi	26
Missouri	86
Montana	16
Nebraska	29
Nevada	223
New Hampshire	22
New Jersey	860
New Mexico	37
New York	3,437
North Carolina	141
North Dakota	8
Ohio	315
Oklahoma	75
Oregon	134
Pennsylvania	270
Puerto Rico	17
Rhode Island	26
South Carolina	56
South Dakota	5
Tennessee	73
Texas	1,598

COVINGTON

CAFA Notice
November 26, 2019
Page 5

State	Count
Utah	81
Vermont	16
U.S. Virgin Islands	1
Virginia	201
Washington	258
Washington, D.C.	25
West Virginia	25
Wisconsin	92
Wyoming	12
Armed Forces Postal Addresses	3
Total	18,183

Exhibit B

Last	First	Company	Address 1	Address 2	City	State	Zip
Barr	William P.	Attorney General of the United States	United States Department of Justice	950 Pennsylvania Avenue, NW	Washington	DC	20530-0001
Clarkson	Kevin	Office of the Alaska Attorney General	P.O. Box 110300		Jeaneau	AK	99811
Marshall	Steve	Office of the Alabama Attorney General	501 Washington Avenue	PO Box 300152	Montgomery	AL	36130-0152
Rutledge	Leslie	Arkansas Attorney General Office	323 Center Street, Suite 200		Little Rock	AR	72201-2610
Brnovich	Mark	Office of the Arizona Attorney General	2005 N. Central Avenue		Phoenix	AZ	85004
CAFA Coordinator		Office of the Attorney General	Consumer Law Section	455 Golden Gate Ave., Suite 11000	San Francisco	CA	94102
Weiser	Phil	Office of the Colorado Attorney General	Ralph L. Carr Colorado Judicial Center	1300 Broadway, 10th Floor	Denver	CO	80203
Tong	William	State of Connecticut Attorney General's Office	55 Elm Street		Hartford	CT	06106
Racine	Karl A.	District of Columbia Attorney General	441 4th Street, NW, Suite 1100S		Washington	DC	20001
Jennings	Kathy	Delaware Attorney General	Carvel State Office Building	820 N. French Street	Wilmington	DE	19801
Moody	Ashley	Office of the Attorney General of Florida	The Capitol, PL-01		Tallahassee	FL	32399-1050
Carr	Chris	Office of the Georgia Attorney General	40 Capitol Square, SW		Atlanta	GA	30334-1300
Connors	Clare	Office of the Hawaii Attorney General	425 Queen Street		Honolulu	HI	96813
Miller	Tom	Iowa Attorney General	Hoover State Office Building	1305 E. Walnut Street	Des Moines	IA	50319
Wasden	Lawrence	State of Idaho Attorney General's Office	700 W. Jefferson Street, Suite 210	P.O. Box 83720	Boise	ID	83720-0010
Raoul	Kwame	Illinois Attorney General	James R. Thompson Center	100 W. Randolph Street	Chicago	IL	60601
Hill, Jr.	Curtis T.	Indiana Attorney General's Office	Indiana Government Center South	302 West Washington Street, 5th Floor	Indianapolis	IN	46204
Schmidt	Derek	Kansas Attorney General	120 S.W. 10th Ave., 2nd Floor		Topeka	KS	66612-1597
Beshear	Andy	Office of the Kentucky Attorney General	700 Capitol Ave	Capitol Building, Suite 118	Frankfort	KY	40601
Landry	Jeff	Office of the Louisiana Attorney General	P.O. Box 94095		Baton Rouge	LA	70804-4095
Healey	Maura	Office of the Attorney General of Massachusetts	1 Ashburton Place	20th Floor	Boston	MA	02108-1518
Frosh	Brian	Office of the Maryland Attorney General	200 St. Paul Place		Baltimore	MD	21202-2202
Frey	Aaron	Office of the Maine Attorney General	State House Station 6		Augusta	ME	04333
Nessel	Dana	Office of the Michigan Attorney General	P.O. Box 30212	525 W. Ottawa Street	Lansing	MI	48909-0212
Keith Ellison	Attorney General	Attention: CAFA Coordinator	445 Minnesota Street	Suite 1400	St. Paul	MN	55101-2131
Schmitt	Eric	Missouri Attorney General's Office	Supreme Court Building	207 W. High Street	Jefferson City	MO	65101
Hood	Jim	Mississippi Attorney General's Office	Department of Justice	P.O. Box 220	Jackson	MS	39205
Fox	Tim	Office of the Montana Attorney General	Justice Bldg., 3rd Floor	215 N. Sanders Street	Helena	MT	59620-1401
Stein	Josh	Office of the North Carolina Attorney General	Department of Justice	9001 Mail Service Center	Raleigh	NC	27602-0629
Stenehjem	Wayne	North Dakota Office of the Attorney General	State Capitol	600 E. Boulevard Avenue	Bismarck	ND	58505-0040
Peterson	Doug	Office of the Nebraska Attorney General	2115 State Capitol	P.O. Box 98920	Lincoln	NE	68509-8920
MacDonald	Gordon	New Hampshire Attorney General	Hew Hampshire Department of Justice	33 Capitol Street	Concord	NH	03301-6397
Grewal	Gurbir S.	Office of the New Jersey Attorney General	Richard J. Hughes Justice Complex	25 Market Street, P.O. Box 080	Trenton	NJ	08625
Balderas	Hector	Office of the New Mexico Attorney General	P.O. Drawer 1508		Santa Fe	NM	87504-1508
Ford	Aaron	Nevada Attorney General	Old Supreme Ct. Bldg.	100 North Carson Street	Carson City	NV	89701
James	Lettitia	Office of the New York Attorney General	Dept. of Law - The Capitol	2nd Floor	Albany	NY	12224
Yost	Dave	Ohio Attorney General	State Office Tower	30 E. Broad Street	Columbus	OH	43266-0410
Hunter	Mike	Oklahoma Office of the Attorney General	313 NE 21st Street		Oklahoma City	OK	73105
Rosenblum	Ellen F.	Office of the Oregon Attorney General	Justice Building	1162 Court Street, NE	Salem	OR	97301
Shapiro	Josh	Pennsylvania Office of the Attorney General	1600 Strawberry Square		Harrisburg	PA	17120
Noranha	Peter F.	Rhode Island Office of the Attorney General	150 South Main Street		Providence	RI	02903
Wilson	Alan	South Carolina Attorney General	Rembert C. Dennis Office Bldg.	P.O. Box 11549	Columbia	SC	29211-1549
Ravnsborg	Jason	South Dakota Office of the Attorney General	1302 East Highway 14, Suite 1		Pierre	SD	57501-8501
Slatery, III	Herbert H.	Tennessee Attorney General and Reporter	P.O. Box 20207		Nashville	TN	37202-0207
Paxton	Ken	Attorney General of Texas	Capitol Station	P.O. Box 12548	Austin	TX	78711-2548
Reyes	Sean	Utah Office of the Attorney General	P.O. Box 142320		Salt Lake City	UT	84114-2320
Herring	Mark	Office of the Virginia Attorney General	202 North Ninth Street		Richmond	VA	23219
Donovan	TJ	Office of the Attorney General of Vermont	109 State Street		Montpelier	VT	05609-1001
Ferguson	Bob	Washington State Office of the Attorney General	1125 Washington St SE	P.O. Box 40100	Olympia	WA	98504-0100
Kaul	Josh	Office of the Wisconsin Attorney General	Dept of Justice, State Capitol	RM 114 East P.O. Box 7857	Madison	WI	53707-7857
Morrissey	Patrick	West Virginia Attorney General	State Capitol Complex, Bldg 1	Room E-26	Charleston	WV	25305
Hill	Bridget	Office of the Wyoming Attorney General	2320 Capitol Avenue		Cheyenne	WY	82002
Ale	Talauega Eleasalo V.	American Samoa Attorney General	Exec. Ofc. Bldg, 3rd Floor	P.O. Box 7	Utulei	AS	96799
Camacho	Leevin Taitano	Office of the Attorney General, ITC Building	590 S. Marine Corps Drive	Suite 901	Tamuning	Guam	96913
Manibusan	Edward	Northern Mariana Islands Attorney General	Administration Building	PO Box 10007	Saipan	MP	96950-8907
Longo Quinones	Dennise N.	Puerto Rico Attorney General	P.O. Box 902192		San Juan	PR	00902-0192
George	Denise N.	Virgin Islands Attorney General, Department of Justice	34-38 Kronprindsens Gade	GERS Bldg, 2nd Floor	St. Thomas	VI	00802
Taylor	Greg	Office of the Comptroller of Currency		400 7th St. SW	Washington	DC	20219
Richardson	Mark	Office of the Comptroller of Currency	Large Bank Supervision Main Office	400 7th St. SW	Washington	DC	20219
Kraninger	Kathy	Consumer Financial Protection Bureau	1700 G Street NW		Washington	DC	20552
Soukup	Andrew	Covington & Burling LLP	One CityCenter	850 Tenth Street, NW	Washington	DC	20001-4956

Exhibit C

COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG
LONDON LOS ANGELES NEW YORK PALO ALTO
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Andrew Soukup

Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5066
asoukup@cov.com

By Priority Mail

January 17, 2020

«First» «Last»
«Company»
«Address_1»
«Address_2»
«City», «State» «Zip»

Re: Notice of Proposed Amended Settlement Pursuant to the Class Action Fairness Act (28 U.S.C. § 1715) in *Chen v. Chase Bank USA, N.A.*, No. 3:19-cv-01082-JSC (N.D. Cal.)

Dear «First» «Last»:

On January 13, 2020, an amended proposed class-action settlement was filed in the above-captioned action. The Court preliminarily approved that settlement by opinion dated January 16, 2020. Pursuant to the Class Action Fairness Act, 28 U.S.C. § 1715, defendant Chase Bank USA, N.A., now known as JPMorgan Chase Bank, N.A. (“Chase”) hereby provides notice of that amended settlement agreement.

Chase previously provided you with notice of a proposed class-action settlement in this matter in November 2019, when it provided you a copy of a settlement agreement dated November 22, 2019. Following the December 12, 2019 preliminary approval hearing, the parties made minor amendments to the proposed settlement and proposed notice, which are reflected in the January 13, 2020 settlement agreement. The January 13 agreement supersedes and replaces the November 22 agreement.

Chase states as follows:

1. Complaint (28 U.S.C. § 1715(b)(1))

A copy of the class-action complaint, originally filed on January 28, 2019 in the Superior Court of California, County of Alameda and later removed by Chase to the United States District Court for the Northern District of California, is included on the enclosed CD.

2. Judicial Hearing (28 U.S.C. § 1715(b)(2))

Copies of plaintiff’s preliminary approval motion and accompanying declarations (including the declaration that submitted the amended settlement agreement to the Court) are included on the enclosed CD. The Court held a preliminary approval hearing on December 12, 2019 and issued an opinion preliminarily approving the January 13, 2020 Settlement

COVINGTON

CAFA Notice
January 17, 2020
Page 2

Agreement on January 16, 2020. A copy of the Court's January 16, 2020 opinion is also included on the enclosed CD.

A final approval hearing has been set for June 25, 2020 at 9:00 a.m. in Courtroom E, 450 Golden Gate Ave., San Francisco, California. As of January 17, 2020, no other hearings have been set in this matter.

3. Proposed Notice (28 U.S.C. § 1715(b)(3))

A proposed notification to class members of the settlement of the above-captioned class action, including a statement that class members have the right to request exclusion from the settlement, is attached as Exhibit D to the Settlement Agreement, which is included on the enclosed CD.

4. Proposed Settlement Agreement (28 U.S.C. § 1715(b)(4))

A copy of the Settlement Agreement entered into by the parties in the above-captioned action on January 13, 2020 and preliminarily approved by the Court on January 16, 2020, with exhibits, is included on the enclosed CD.

5. Other Agreements (28 U.S.C. § 1715(b)(5))

Other than the January 13, 2020 Settlement Agreement and the earlier (and now superseded) November 22, 2019 Settlement Agreement, there are no other agreements between the parties or between settlement class counsel and Chase's counsel as of January 17, 2020.

6. Final Judgment (28 U.S.C. § 1715(b)(6))

As of January 17, 2020, no final judgment or notice of dismissal has been entered in the above-captioned class action.

7. Estimate of Class Members (28 U.S.C. § 1715(b)(7)(B))

Appendix A contains a table providing a reasonable estimate of the number of members of the proposed settlement class residing in each state. The method for determining class member distributions is set forth in Section 4.10 of the Settlement Agreement.

8. Related Judicial Opinions (28 U.S.C. § 1715(b)(8))

Following the December 12 preliminary approval hearing, the Court entered two orders relating to the proposed settlement. Copies of those orders are included on the enclosed CD.

On January 16, 2020, the Court issued an opinion that, among other things, (1) preliminarily approved the January 13, 2020 Settlement Agreement, (2) directed that notice be provided to putative class members, and (3) set a final approval hearing for June 25, 2020 at 9:00 a.m. in Courtroom E, 450 Golden Gate Ave., San Francisco, California. A copy of the Court's January 16, 2020 opinion is included on the enclosed CD.

COVINGTON

CAFA Notice
January 17, 2020
Page 3

If you have any questions about this notice, the Action, or the enclosed materials, please feel free to contact me. If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact me immediately so that Chase can address any concerns or questions you may have.

Sincerely,

/s/ Andrew Soukup

Andrew Soukup

*Counsel for Defendant
JPMorgan Chase Bank, N.A.*

Enclosure (CD)

COVINGTON

CAFA Notice
 January 17, 2020
 Page 4

APPENDIX A
Reasonable estimate of Settlement Class Members
Residing in Each State or U.S. Territory

Chen v. Chase Bank USA, N.A., No. 3:19-cv-01082-JSC (N.D. Cal.)

State	Count
Alabama	57
Alaska	5
Arizona	421
Arkansas	38
California	5,243
Colorado	216
Connecticut	122
Delaware	41
Florida	1,312
Georgia	406
Guam	4
Hawaii	32
Idaho	20
Illinois	792
Indiana	159
Iowa	38
Kansas	52
Kentucky	67
Louisiana	148
Maine	19
Maryland	201

COVINGTON

CAFA Notice
 January 17, 2020
 Page 5

State	Count
Massachusetts	180
Michigan	372
Minnesota	70
Mississippi	26
Missouri	86
Montana	16
Nebraska	29
Nevada	223
New Hampshire	22
New Jersey	860
New Mexico	37
New York	3,437
North Carolina	141
North Dakota	8
Ohio	315
Oklahoma	75
Oregon	134
Pennsylvania	270
Puerto Rico	17
Rhode Island	26
South Carolina	56
South Dakota	5
Tennessee	73
Texas	1,598

COVINGTON

CAFA Notice
January 17, 2020
Page 6

State	Count
Utah	81
Vermont	16
U.S. Virgin Islands	1
Virginia	201
Washington	258
Washington, D.C.	25
West Virginia	25
Wisconsin	92
Wyoming	12
Armed Forces Postal Addresses	3
Total	18,183

Exhibit D

<First1> <Last1>

Personal Claim Number: <ClaimID>

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

A court authorized this Notice. This is not a solicitation from a lawyer. You are not being sued. However, your legal rights are affected whether you act or do not act.

You are receiving this notice because, between January 28, 2014 and November 22, 2019, you appear to have been sent an adverse action notice from Chase (as defined below) containing either “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” as the only reason for taking an adverse action in connection with your credit card account. You may be entitled to benefits under a proposed settlement. You can submit a claim for benefits online at www.ECOASettlement.com or by mailing a claim form to the Settlement Administrator.

If you submit a valid claim form postmarked or submitted online by April 28, 2020, you will receive a payment estimated at \$148 if the Settlement is approved.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
Submit a Claim Form	Settlement Class Members who submit a valid claim form postmarked or submitted online by April 28, 2020 will receive a <i>pro rata</i> cash payment from the settlement fund. Payments are estimated to be \$148 based on a projected 7% claims rate, but may be significantly less if there are an unexpectedly large number of claims. You can submit a claim online at www.ECOASettlement.com or by mailing a claim form to the Settlement Administrator. The claim form for submission by mail is available at this link: www.ECOASettlement.com or it is enclosed with this notice if you received this notice via U.S. Mail. If you submit a claim form by mail, you must pay postage.	April 28, 2020
Exclude Yourself	You can exclude yourself from the Settlement and you will not be eligible for any benefits. You keep your right to sue on your own regarding any claims that are part of the Settlement.	April 28, 2020
Object	You can write to the Court and explain why you do not like the Settlement, Class Counsel’s requested attorneys’ fee, and/or the request for an incentive award to the Settlement Class Representative. You may also appear and speak at the Final Approval Hearing on your own or through your own lawyer to object to or comment on the Settlement.	April 28, 2020
Do Nothing	If you do nothing, you will not be eligible to receive a payment under the Settlement. However, if the Settlement becomes final, you will release all claims against Chase relating to the Action.	No deadline

BASIC INFORMATION

1. Why did I get this notice? A settlement (“Settlement”) has been proposed in a class action lawsuit pending in the United States District Court for the Northern District of California styled *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC) (the “Action”). The Action alleges that Chase Bank USA, N.A. (now JPMorgan Chase Bank, N.A. and referred to here as “Chase”) violated the Equal Credit Opportunity

Act (“ECOA”), 15 U.S.C. § 1691 *et seq.* requirement to provide the specific reason(s) for taking an adverse action on a credit application by giving “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” as the only reason for taking an adverse action in connection with a credit card account. Chase denies that its actions violated the law, and no court or other entity has made any judgment or other determination that Chase violated the law. You are receiving this notice because Chase’s records show that you may be a Settlement Class Member.

2. Who is a member of the Settlement Class? The Settlement Class – which may include you – is comprised of all natural persons to whom Chase sent a letter giving either “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” as the only reason for taking an adverse action in connection with a credit card account during the period beginning January 28, 2014 and ending on November 22, 2019. The following individuals are excluded from the Settlement Class: officers and directors of Chase and its parents, subsidiaries, affiliates, and any entity in which Chase has a controlling interest; and all judges assigned to hear any aspect of this litigation, as well as their immediate family members.

3. What lawyers represent the Settlement Class and how do I contact them? The Court appointed Ray E. Gallo and the law firm of Gallo LLP and Alexander Darr and the law firm of Darr Law LLC to represent Class Members. They are called “Class Counsel.” Class Counsel may be contacted to answer questions at Darr@Darr.Law.

THE TERMS OF THE SETTLEMENT

4. What relief does the Settlement provide me? Under the Settlement, Chase has agreed to pay \$244,659 for: (1) payments to Settlement Class Members (estimated at \$187,659), (2) notice and administration costs (estimated at \$52,000), and (3) an incentive award to the Settlement Class Representative of up to \$5,000. Chase has also agreed to separately pay court-approved attorneys’ fees and expenses of up to \$185,000 and to stop the challenged practices for five years. In return, Settlement Class Members who do not exclude themselves will release Chase and related parties from certain claims as described below.

5. What are my options? You can either (1) submit a claim form to share in the benefits of the Settlement; (2) affirmatively exclude yourself from the Settlement; (3) object to the Settlement; or (4) do nothing. **Additional details about your rights and options and how to exercise them are below.**

6. How will Class Counsel and the Settlement Class Representative be paid? Class counsel will ask the Court to award attorneys’ fees and costs of \$185,000 and an incentive award of \$5,000 for the Settlement Class Representative. Chase has no present intention to oppose Class Counsel’s requests for these amounts. Class Counsel’s motion for attorneys’ fees and costs and for the incentive award for the Settlement Class Representative will be filed with the Court on or before March 24, 2020 and will be posted on the Settlement Website at www.ECOASettlement.com within one day of its filing.

HOW CAN I GET A PAYMENT

7. How can I get my share? Settlement Class Members who submit a valid claim form postmarked or submitted online by April 28, 2020 will receive a *pro rata* cash payment from the settlement fund. Payments are estimated to be \$148 based on a projected 7% claims rate, but may be significantly less if there are an unexpectedly large number of claims. You can submit a claim online at www.ECOASettlement.com or by mailing a claim form to the Settlement Administrator. The claim form for submission by mail is available at this link: www.ECOASettlement.com or it is enclosed with this notice, if you received this notice via U.S. Mail. If you submit a claim form by mail, you must pay postage.

8. When will I receive my settlement payment? If the Settlement is approved, Settlement Class Members

who submit a valid claim form will be paid within 27 days after final court approval of the Settlement and after all rights to appeal or review are exhausted or any appeal or review has been resolved in favor of the Settlement.

9. What if my address changes? Please call the Settlement Administrator at 1-866-596-9824 or email the Settlement Administrator at admin@ecoasettlement.com to report any address changes so that your payment reaches you.

10. What if I do nothing? If you do not submit a timely and valid claim form or submit a timely and valid request to be excluded from the Settlement, you still give up the right to sue Chase for the claim that this Settlement resolves. These “Released Claims” are described below and in the Agreement. If you have an existing lawsuit involving the Released Claims, speak to your lawyer in that suit immediately. You must exclude yourself from *this* Settlement Class to continue your own lawsuit.

11. What am I giving up to stay in the Settlement Class? If you do not opt out, when the Settlement is granted final approval, you—and any person claiming by, for, or through you—will be deemed to have released, relinquished, and forever discharged each of the Released Parties from any and all Released Claims. You also covenant and agree that you will not take any step whatsoever to commence, institute, continue, pursue, maintain, prosecute, or enforce any Released Claim, directly or indirectly, against any of the Released Parties.

“*Released Parties*” means JPMorgan Chase Bank, N.A., together with its predecessors, successors (including, without limitation, acquirers of all or substantially all of its assets, stock or other ownership interests) and assigns; the past, present, and future, direct and indirect, parents (including, but not limited to holding companies and JPMorgan Chase & Co.), subsidiaries and affiliates of any of the above (including Chase Bank USA, N.A.); and the past, present and future principals, trustees, partners (including, without limitation, affinity, agent bank, and private label and co-brand partners), officers, directors, employees, agents, attorneys, shareholders, advisors, predecessors, successors (including, without limitation, acquirers of all or substantially all of their assets, stock, or other ownership interests), assigns, representatives, heirs, executors, and administrators of any of the above.

“*Released Claims*” means any and all Claims which the Settlement Class Representative or any member of the Settlement Class ever had, now have, or may have in the future arising out of or relating to: (a) Chase’s use of the language “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” in an adverse action notice sent pursuant to the ECOA in connection with a credit card account on or before November 22, 2019; or (b) the acts and omissions alleged in the Complaint occurring on or before November 22, 2019.

“*Claims*” means any and all actual or potential claims, actions, causes of action, suits, counterclaims, cross claims, third party claims, contentions, allegations, and assertions of wrongdoing, and any demands for any and all debts, obligations, liabilities, damages (whether actual, compensatory, treble, punitive, exemplary, statutory, or otherwise), attorneys’ fees, costs, expenses, restitution, disgorgement, injunctive relief, any other type of equitable, legal or statutory relief, any other benefits, or any penalties of any type whatever, whether known or unknown, suspected or unsuspected, contingent or non-contingent, or discovered or undiscovered, whether asserted in federal court, state court, arbitration or otherwise, whether asserted in an individual action, a class action, a *parens patriae* action, or a representative action, and whether triable before a judge or jury or otherwise. For the avoidance of doubt, the term “Claims” is no broader than the term “Released Claims.”

Additionally, as to the Released Claims only, upon entry of the Final Order and accompanying Judgment, Settlement Class Members will each waive all rights and benefits afforded by Section 1542 of the California Civil Code, which provides: “A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY,” and any and all provisions, rights and benefits of any similar, comparable, or equivalent state, federal, or other

law, rule or regulation or the common law or equity.

This Notice provides only a summary of the claims being released. The full details of the claims being released by Settlement Class Members who do not exclude themselves from the Settlement are available for you to read in Sections 1.5, 1.24-1.26, and 3.6 of the Settlement Agreement.

EXCLUDING YOURSELF FROM THE SETTLEMENT CLASS

12. How do I request to be excluded? If you ask to be excluded, you will not get any settlement payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Chase in the future at your own expense. To exclude yourself from the Settlement, you must send a letter by mail postmarked no later than April 28, 2020 saying that you want to be excluded from *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC). To be effective, the request for exclusion must include (a) the Settlement Class Member's full name, telephone number, and mailing address; (b) a clear and unequivocal statement that the Settlement Class Member wishes to be excluded from the Settlement Class; (c) the name of the Lawsuit: "*Chen v. Chase Bank USA, N.A.*, Civil Case No. 3:19-cv-01082 (JSC)"; and (d) the Settlement Class Member's signature or digital signature or affirmation, or the like signature or affirmation of an individual authorized to act on the Settlement Class Member's behalf. Letters requesting exclusion must be sent to:

Chen v. Chase Bank Settlement Administrator
P.O. Box 43434
Providence, RI 02940-3434

OBJECTING TO THE SETTLEMENT

13. How do I object to the Settlement, Class Counsel's request for attorneys' fees and expenses, or the request for an incentive award for the Settlement Class Representative? If you do not request exclusion from the Settlement Class, you can object to the Settlement, Class Counsel's request for attorneys' fees and expenses, and/or the request for an incentive award to the Settlement Class Representative.

Class Counsel's motion for attorneys' fees and costs and for the incentive award for the Settlement Class Representative will be filed with the Court on or before March 24, 2020 and will be posted on the Settlement Website at www.ECOASettlement.com within one day of its filing.

You can't ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object. However, the Court may decline to award attorneys' fees and costs to Class Counsel or an incentive award to the Settlement Class Representative or award less than the amounts sought without invalidating the Settlement.

Any objection to the proposed Settlement, Class Counsel's request for attorneys' fees and expenses, and/or the request for an incentive award to the Settlement Class Representative must be in writing. All written objections and supporting papers must (a) clearly identify the case name and number *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC); (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California; (c) be filed or postmarked on or before April 28, 2020; (d) contain the full name, mailing address, and telephone number of the Settlement Class Member objecting to the Settlement (the "Objector"); (e) include the Objector's signature or the signature of an individual authorized to act on his or her behalf; (f) state with specificity the grounds for the objection; (g) state whether the objection applies only to the

Objector, to a specific subset of the class, or to the entire class; (h) contain the name, address, bar number and telephone number of counsel for the Objector, if represented by an attorney in connection with the objection; and (i) state whether the Objector intends to appear at the Final Approval Hearing, either in person or through counsel.

14. Do I have to come to the hearing? If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. If the Objector or his or her attorney intends to call witnesses or present evidence at the Final Approval Hearing, the objection must contain the following information: (a) a list identifying all witnesses whom the Objector may call at the Final Approval Hearing and providing all known addresses and phone number(s) for each witness, together with a reasonably detailed report of the testimony the witness will offer at the hearing; and (b) a detailed description of all other evidence the Objector will offer at the Final Approval Hearing, including copies of any and all exhibits which the Objector may introduce at the Final Approval Hearing.

THE COURT'S FINAL APPROVAL HEARING

15. When and where will the Court decide whether to approve the Settlement? The Court will hold a hearing on June 25, 2020 at 9:00 a.m. to determine whether the proposed Settlement should be finally approved. This date and time may change without further notice, so you are advised to check www.ECOASettlement.com or the Court's PACER site in advance of the hearing to confirm the date has not been changed. The hearing will take place before the Honorable Jacqueline Scott Corley (or another judge sitting in her stead) in Courtroom E - 15th Floor, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102. You are not required to attend the hearing in order to participate in the Settlement.

GETTING MORE INFORMATION

16. Where can I find more information about the Settlement? This notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement. Additional details about the Settlement, including links to the Settlement Agreement, claim forms, motions for approval and for attorneys' fees, and other important documents in the case are available at www.ECOASettlement.com. You can also obtain additional information about the Settlement by contacting class counsel at Darr@Darr.Law or by contacting the Settlement Administrator at 1-866-596-9824 or admin@ecoasettlement.com. You can also obtain a copy of the Settlement Agreement and other documents filed in this case by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102-3489, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT, THE COURT CLERK'S OFFICE, CHASE, OR CHASE'S COUNSEL TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Exhibit E

Chen v. Chase Bank Settlement Administrator
P.O. Box 43434
Providence, RI 02940-3434



CUC

<<Barcode>>

Postal Service: Please do not mark barcode

Claim#: CUC-<<ClaimID>>-<<MailRec>>

<<First1>> <<Last1>>

<<Addr1>> <<Addr2>>

<<City>>, <<ST>> <<Zip>>

<<Country>>

Chen v. Chase Bank USA, N.A. et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Civil Case No. 3:19-cv-01082 (JSC)

**All claims must be submitted
online or postmarked by
April 28, 2020**

CLAIM FORM

**YOU CAN ALSO SUBMIT YOUR CLAIM FOR BENEFITS ONLINE AT
www.ECOASettlement.com**

PART I: SETTLEMENT CLASS MEMBER INFORMATION

FIRST NAME										M.I.		LAST NAME									
PRIMARY ADDRESS																					
PRIMARY ADDRESS CONTINUED																					
CITY										STATE		ZIP CODE									

PART II: CERTIFICATION

To participate in the class action settlement of the above-captioned case and to complete this Claim Form, please verify that the statement below is true and correct by signing the Claim Form below.

I certify that, to the best of my knowledge, between January 28, 2014 and November 22, 2019, Chase Bank USA, N.A. and/or JPMorgan Chase Bank, N.A., (collectively, "Chase") sent me a notice containing either "previous unsatisfactory relationship with this bank" or "previous unsatisfactory relationship with us or one of our affiliates" as the only reason why Chase took an adverse credit action against me.

Signature: _____

Dated (mm/dd/yyyy): _____

Print Name: _____

For more information, or to submit a claim for benefits online, you may visit the Settlement Website at www.ECOASettlement.com or contact the Settlement Administrator at 1-866-596-9824.



FOR CLAIMS PROCESSING ONLY	OB <input type="checkbox"/>	CB <input type="checkbox"/>	<input type="radio"/> DOC <input type="radio"/> LC <input type="radio"/> REV	<input type="radio"/> RED <input type="radio"/> A <input type="radio"/> B
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<<FirstI>> <<LastI>>

Personal Identification Number: <<ClaimID>>

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SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
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Exclude Yourself	You can exclude yourself from the Settlement and you will not be eligible for any benefits. You keep your right to sue on your own regarding any claims that are part of the Settlement.	April 28, 2020
Object	You can write to the Court and explain why you do not like the Settlement, Class Counsel’s requested attorneys’ fee, and/or the request for an incentive award to the Settlement Class Representative. You may also appear and speak at the Final Approval Hearing on your own or through your own lawyer to object to or comment on the Settlement.	April 28, 2020
Do Nothing	If you do nothing, you will not be eligible to receive a payment under the Settlement. However, if the Settlement becomes final, you will release all claims against Chase relating to the Action.	No deadline

BASIC INFORMATION

1. Why did I get this notice? A settlement (“Settlement”) has been proposed in a class action lawsuit pending in the United States District Court for the Northern District of California styled *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC) (the “Action”). The Action alleges that Chase Bank USA, N.A. (now JPMorgan Chase Bank, N.A. and referred to here as “Chase”) violated the Equal Credit Opportunity Act (“ECOA”), 15 U.S.C. § 1691 *et seq.* requirement to provide the specific reason(s) for taking an adverse action on a credit application by giving “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” as the only reason for taking an adverse action in connection with a credit card account. Chase denies that its actions violated the law, and no court or other entity has made any judgment or other determination that Chase violated the law. You are receiving this notice because Chase’s records show that you may be a Settlement Class Member.

2. Who is a member of the Settlement Class? The Settlement Class – which may include you – is comprised of all natural persons to whom Chase sent a letter giving either “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” as the only reason for taking an adverse action in connection with a credit card account during the period beginning January 28, 2014 and ending on November 22, 2019. The following individuals are excluded from the Settlement Class: officers and directors of Chase and its parents, subsidiaries, affiliates, and any entity in which Chase has a controlling interest; and all judges assigned to hear any aspect of this litigation, as well as their immediate family members.

3. What lawyers represent the Settlement Class and how do I contact them? The Court appointed Ray E. Gallo and the law firm of Gallo LLP and Alexander Darr and the law firm of Darr Law LLC to represent Class Members. They are called “Class Counsel.” Class Counsel may be contacted to answer questions at Darr@Darr.Law.

THE TERMS OF THE SETTLEMENT

4. What relief does the Settlement provide me? Under the Settlement, Chase has agreed to pay \$244,659 for: (1) payments to Settlement Class Members (estimated at \$187,659), (2) notice and administration costs (estimated at \$52,000), and (3) an incentive award to the Settlement Class Representative of up to \$5,000. Chase has also agreed to separately pay court-approved attorneys’ fees and expenses of up to \$185,000 and to stop the challenged practices for five years. In return, Settlement Class Members who do not exclude themselves will release Chase and related parties from certain claims as described below.

5. What are my options? You can either (1) submit a claim form to share in the benefits of the Settlement; (2) affirmatively exclude yourself from the Settlement; (3) object to the Settlement; or (4) do nothing. **Additional details about your rights and options and how to exercise them are below.**

6. How will Class Counsel and the Settlement Class Representative be paid? Class counsel will ask the Court to award attorneys’ fees and costs of \$185,000 and an incentive award of \$5,000 for the Settlement Class Representative. Chase has no present intention to oppose Class Counsel’s requests for these amounts. Class Counsel’s motion for attorneys’ fees and costs and for the incentive award for the Settlement Class Representative will be filed with the Court on or before March 24, 2020 and will be posted on the Settlement Website at www.ECOASettlement.com within one day of its filing.

HOW CAN I GET A PAYMENT

7. How can I get my share? Settlement Class Members who submit a valid claim form postmarked or submitted online by April 28, 2020 will receive a *pro rata* cash payment from the settlement fund. Payments are estimated to be \$148 based on a projected 7% claims rate, but may be significantly less if there are an unexpectedly large number of claims. You can submit a claim online at www.ECOASettlement.com or by mailing a claim form to the Settlement Administrator. The claim form for submission by mail is available at this link: www.ECOASettlement.com or it is enclosed with this notice, if you received this notice via U.S. Mail. If you submit a claim form by mail, you must pay postage.

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“Released Parties” means JPMorgan Chase Bank, N.A., together with its predecessors, successors (including, without limitation, acquirers of all or substantially all of its assets, stock or other ownership interests) and assigns; the past, present, and future, direct and indirect, parents (including, but not limited to holding companies and JPMorgan Chase & Co.), subsidiaries and affiliates of any of the above (including Chase Bank USA, N.A.); and the past, present and future principals, trustees, partners (including, without limitation, affinity, agent bank, and private label and co-brand partners), officers, directors, employees, agents, attorneys, shareholders, advisors, predecessors, successors (including, without limitation, acquirers of all or substantially all of their assets, stock, or other ownership interests), assigns, representatives, heirs, executors, and administrators of any of the above.

“Released Claims” means any and all Claims which the Settlement Class Representative or any member of the Settlement Class ever had, now have, or may have in the future arising out of or relating to: (a) Chase’s use of the language “previous unsatisfactory relationship with this bank” or “previous unsatisfactory relationship with us or one of our affiliates” in an adverse action notice sent pursuant to the ECOA in connection with a credit card account on or before November 22, 2019; or (b) the acts and omissions alleged in the Complaint occurring on or before November 22, 2019.

“Claims” means any and all actual or potential claims, actions, causes of action, suits, counterclaims, cross claims, third party claims, contentions, allegations, and assertions of wrongdoing, and any demands for any and all debts, obligations, liabilities, damages (whether actual, compensatory, treble, punitive, exemplary, statutory, or otherwise), attorneys’ fees, costs, expenses, restitution, disgorgement, injunctive relief, any other type of equitable, legal or statutory relief, any other benefits, or any penalties of any type whatever, whether known or unknown, suspected or unsuspected, contingent or non-contingent, or discovered or undiscovered, whether asserted in federal court, state court, arbitration or otherwise, whether asserted in an individual action, a class action, a *parens patriae* action, or a representative action, and whether triable before a judge or jury or otherwise. For the avoidance of doubt, the term “Claims” is no broader than the term “Released Claims.”

Additionally, as to the Released Claims only, upon entry of the Final Order and accompanying Judgment, Settlement Class Members will each waive all rights and benefits afforded by Section 1542 of the California Civil Code, which provides: “A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY,” and any and all provisions, rights and benefits of any similar, comparable, or equivalent state, federal, or other law, rule or regulation or the common law or equity.

This Notice provides only a summary of the claims being released. The full details of the claims being released by Settlement Class Members who do not exclude themselves from the Settlement are available for you to read in Sections 1.5, 1.24-1.26, and 3.6 of the Settlement Agreement.

EXCLUDING YOURSELF FROM THE SETTLEMENT CLASS

12. How do I request to be excluded? If you ask to be excluded, you will not get any settlement payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Chase in the future at your own expense. To exclude yourself from the Settlement, you must send a letter by mail postmarked no later than April 28, 2020 saying that you want to be excluded from *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC). To be effective, the request for exclusion must include (a) the Settlement Class Member’s full name, telephone number, and mailing address; (b) a clear and unequivocal statement that the Settlement Class Member wishes to be excluded from the Settlement Class; (c) the name of the Lawsuit: “*Chen v. Chase Bank USA, N.A.*, Civil Case No. 3:19-cv-01082 (JSC)”; and (d) the Settlement Class Member’s signature or digital signature or affirmation, or the like signature or affirmation of an individual authorized to act on the Settlement Class Member’s behalf. Letters requesting exclusion must be sent to:

Chen v. Chase Bank Settlement Administrator
P.O. Box 43434
Providence, RI 02940-3434

OBJECTING TO THE SETTLEMENT

13. How do I object to the Settlement, Class Counsel’s request for attorneys’ fees and expenses, or the request for an incentive award for the Settlement Class Representative? If you do not request exclusion from the Settlement Class, you can object to the Settlement, Class Counsel’s request for attorneys’ fees and expenses, and/or the request for an incentive award to the Settlement Class Representative.

Class Counsel's motion for attorneys' fees and costs and for the incentive award for the Settlement Class Representative will be filed with the Court on or before March 24, 2020 and will be posted on the Settlement Website at www.ECOASettlement.com within one day of its filing.

You can't ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object. However, the Court may decline to award attorneys' fees and costs to Class Counsel or an incentive award to the Settlement Class Representative or award less than the amounts sought without invalidating the Settlement.

Any objection to the proposed Settlement, Class Counsel's request for attorneys' fees and expenses, and/or the request for an incentive award to the Settlement Class Representative must be in writing. All written objections and supporting papers must (a) clearly identify the case name and number *Chen v. Chase Bank USA, N.A. et al.*, Civil Case No. 3:19-cv-01082 (JSC); (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California; (c) be filed or postmarked on or before April 28, 2020; (d) contain the full name, mailing address, and telephone number of the Settlement Class Member objecting to the Settlement (the "Objector"); (e) include the Objector's signature or the signature of an individual authorized to act on his or her behalf; (f) state with specificity the grounds for the objection; (g) state whether the objection applies only to the Objector, to a specific subset of the class, or to the entire class; (h) contain the name, address, bar number and telephone number of counsel for the Objector, if represented by an attorney in connection with the objection; and (i) state whether the Objector intends to appear at the Final Approval Hearing, either in person or through counsel.

14. Do I have to come to the hearing? If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. If the Objector or his or her attorney intends to call witnesses or present evidence at the Final Approval Hearing, the objection must contain the following information: (a) a list identifying all witnesses whom the Objector may call at the Final Approval Hearing and providing all known addresses and phone number(s) for each witness, together with a reasonably detailed report of the testimony the witness will offer at the hearing; and (b) a detailed description of all other evidence the Objector will offer at the Final Approval Hearing, including copies of any and all exhibits which the Objector may introduce at the Final Approval Hearing.

THE COURT'S FINAL APPROVAL HEARING

15. When and where will the Court decide whether to approve the Settlement? The Court will hold a hearing on June 25, 2020 at 9:00 a.m. to determine whether the proposed Settlement should be finally approved. This date and time may change without further notice, so you are advised to check www.ECOASettlement.com or the Court's PACER site in advance of the hearing to confirm the date has not been changed. The hearing will take place before the Honorable Jacqueline Scott Corley (or another judge sitting in her stead) in Courtroom E - 15th Floor, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102. You are not required to attend the hearing in order to participate in the Settlement.

GETTING MORE INFORMATION

16. Where can I find more information about the Settlement? This notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement. Additional details about the Settlement, including links to the Settlement Agreement, claim forms, motions for approval and for attorneys' fees, and other important documents in the case are available at www.ECOASettlement.com. You can also obtain additional information about the Settlement by contacting class counsel at Darr@Darr.Law or by contacting the Settlement Administrator at 1-866-596-9824 or admin@ecoasettlement.com. You can also obtain a copy of the Settlement Agreement and other documents filed in this case by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102-3489, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT, THE COURT CLERK'S OFFICE, CHASE, OR CHASE'S COUNSEL TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Exhibit F



Chen v. Chase Bank , USA, N.A.

Exclusion Report

May 6, 2020

Total: 10

ClaimID	Last Name	First Name
10002167001	BURCHFIELD	MARGARET N
10006975701	HUSSAIN	MANZOOR
10007104101	IORIO	VINCENT
10007957001	KERR	THOMAS W
10011959101	OTSUKA	HAYDEN
10011960801	OTSUKA	KAYLIE
10011961001	OTSUKA	LAENA
10011962101	OTSUKA	MARLENA
10011963301	OTSUKA	MERVYN
10015402501	STRAHLER	CRAIG M