

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

WAKEFIELD & ASSOCIATES, INC.,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	
v.)	Case No. 21SL-CC02046
)	
REBBECA PARROTT, individually, and on)	Division 19
behalf of all others similarly situated,)	
)	
Defendant/Counterclaim Plaintiff.)	

NOTICE OF CLASS ACTION SETTLEMENT

A Missouri Court has authorized this Notice. This is **NOT** a solicitation from a lawyer. Please read this Notice carefully as it may affect your legal rights. **Do not be alarmed. You have not been sued; nor have you “filed” a lawsuit.**

This Notice is being sent to you because you may be among a group or “class” of persons against whom Wakefield & Associates, Inc. (“Wakefield”) filed a lawsuit concerning medical bills owed to various health care providers in Missouri.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CASE

These rights and options and the deadlines to exercise them are explained below.

IF YOU WANT TO PARTICIPATE FULLY IN THIS CASE	If you want to be included in this case, <u>then you do not need to do anything.</u> If you are a Class member, you are automatically included in the Settlement Class. The relief afforded to you is described in Section 7 below and in the settlement agreement available on the settlement website www.MissouriMedicalDebtSettlement.com .
IF YOU <u>DO NOT</u> WANT TO PARTICIPATE IN THIS CASE AT ALL	If you do not want to participate or be included in this case, then you must send written notice by mail that you wish to exclude yourself from the Settlement, postmarked no later than August 21, 2023 . Instructions for doing so are in paragraph 8 below. If you choose not to participate in this case, you give up the possibility of getting money or benefits that may come from the settlement of this case. You keep any rights to sue Wakefield about the legal claims arising from the default judgment entered against you, but the statute of limitations (the deadline for you to file your potential claims) continues to run.

Your options are explained in this Notice.

1. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff Rebecca Parrott filed a civil lawsuit against Wakefield (“the lawsuit”). Plaintiff filed the lawsuit on behalf of herself and as a class action on behalf of the group or “class” of persons who were sued by Wakefield in Missouri courts concerning debt allegedly owed to various medical care providers. Plaintiff alleges Wakefield violated the Fair Debt Collection Practices Act (“FDCPA”) by attempting to collect improper amounts of interest, attempting to collect court costs before judgments were entered in Missouri courts, used false, deceptive, fraudulent and/or misleading statements within the Affidavit that Wakefield prepared and attached to the lawsuit, and by misrepresenting the creditors’ identities on whose behalf Wakefield was attempting to collect. Wakefield denies these allegations.

2. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action case, one or more persons sue on behalf of other people who have similar claims. The person who sues is called the named Plaintiff. The named Plaintiff represents all similarly situated people in the court. The named Plaintiff in this lawsuit is Rebecca Parrott.

3. WHY DID I RECEIVE THIS NOTICE?

This Notice is being made available to you because court records and Wakefield’s records reflect that a collection lawsuit was filed against you and Wakefield concerning a debt owed to a medical services provider. If this is the case, you may be a member of a “class” of persons whose rights may be affected by the outcome of this Lawsuit (the “Class”).

Do not be alarmed. **You have not been sued; nor have you “filed” a lawsuit.** This Notice simply informs you of the named Plaintiff’s lawsuit and lets you know that you have been identified as a potential member of the Class and to advise you of your rights and options as a Class member.

4. HAS THE JUDGE DECIDED WHO IS RIGHT?

No. By certifying the Class and issuing this Notice, the judge is not suggesting that the named Plaintiff or the Class would have won or lost the case.

5. HOW DO I KNOW IF I AM A MEMBER OF THE CLASS?

By Order dated June 22, 2023, the Court certified the following class of persons in the Lawsuit, for settlement purposes:

The 870 persons identified by Wakefield’s records (on the settlement spreadsheet attached to the settlement agreement) who from December 31, 2019 until April 28, 2022 were sued by Wakefield & Associates, Inc. in a Missouri court concerning a debt who have not otherwise filed for bankruptcy or had counsel enter on their behalf in the underlying lawsuit.

The parties have identified 870 persons who are part of the Settlement Class.

If you are not sure whether you are a member of the Class, you should contact the lawyers representing the class, who are listed in paragraph 6 below.

6. WHO IS CLASS COUNSEL?

The Court appointed the named Plaintiff’s attorneys in the Lawsuit as Counsel for the Class (“Class Counsel”). Class Counsel are Christopher E. Roberts and David T. Butsch of Butsch Roberts & Associates LLC and Bryan Brody and Alexander Cornwell of Brody & Cornwell. You

are not required to hire your own lawyer because Class Counsel will be working on your behalf as a member of the Class. If you want to hire your own lawyer you are permitted to do so at your own expense.

7. WHAT WILL I RECEIVE AS PART OF THE SETTLEMENT?

Wakefield will pay \$233 to each Settlement Class member who does not opt out of the settlement as statutory damages under the Fair Debt Collection Practices Act, 15 U.S.C. §1692k(a)(2)(b).

In addition, for all persons who have not reached a settlement agreement with Wakefield regarding their respective accounts as of April 28, 2022, Wakefield will eliminate all alleged pre-judgment and post-judgment interest amounts and court cost for each Settlement Class member.

Wakefield also agrees that it will no longer assess pre-judgment interest and post-judgment interest on the Settlement Class member's accounts that are the subject of this Settlement at any time now or in the future.

The amount of all uncashed checks or checks that are unable to be delivered 120 days after mailing to the Settlement Class members will be provided by the Settlement Administrator to a *cy pres* recipient to be determined by the Court.

Wakefield also agrees to pay the cost of settlement administration.

8. WHAT DO I NEED TO DO TO RECEIVE THE BENEFIT OF THE SETTLEMENT?

If you wish to receive the settlement benefit, you do not need to do anything. However, you have a choice. You also have the right to exclude yourself from the Lawsuit and the Class or object to the Settlement. You can also enter an appearance in the Lawsuit individually or through your own attorney, or you can seek to intervene as a party. Each of these choices has consequences that you should understand before making your decision.

A. If you want to participate as a member of the Class.

You do not need to do anything if you want to stay in the case and participate as a member of the Class in this Lawsuit. Your rights and claims against Wakefield, if any, concerning the collection lawsuit filed against you by Wakefield, will be determined in the Lawsuit.

If you choose to stay in the case and participate as a Class member:

1. The named Plaintiff and Class Counsel will represent you in the Lawsuit. By joining this case, you designate the named Plaintiff, to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, the entering of an agreement with Class Counsel regarding payment of attorney's fees and litigation costs, the approval of settlements and all other matters pertaining to this case. These decisions and agreements made and entered into will be binding on you if you do not opt out of the case. You may be required to provide information and documents, appear for a deposition and/or testify in court. You will also be permitted to attend any hearings in this matter. You will also release certain claims against Wakefield arising from the collection lawsuit it filed against you as detailed more thoroughly in the Settlement Agreement available on the settlement website www.MissouriMedicalDebtSettlement.com.
2. If you believe your interests are not being fairly and adequately represented by the named Plaintiff or Class Counsel, you will have an opportunity to advise the Court and

let the judge know your concerns. You will also receive any future notices concerning any decision affecting the Class. You will also have an opportunity to be heard in regard to any proposed settlement of the Class claims.

3. As a member of the Class, you will be entitled to share in any monetary recovery that the named Plaintiff obtains for the Class. You will also receive the benefit of any other relief that the Court may award the Class.
4. Your ability to recover from Wakefield will depend on the results of the Lawsuit. It is important to understand that as a member of the Class in this case you will be bound by any judgment entered by the Court, whether favorable or unfavorable.

B. If you want to exclude yourself from the Class or object to the Settlement.

If you do not want to be a member of the Class and participate in this Lawsuit, you can ask the Court to exclude you from the Lawsuit and allow you to “opt out” by sending such correspondence in writing to:

Missouri Medical Debt Settlement
c/o Atticus Administration
PO Box 64053
St. Paul, MN 55164

To be effective, the request to exclude yourself from the Settlement must be completed, signed and postmarked by August 21, 2023.

If you choose to be excluded from the Class:

1. Your claims against Wakefield, if any, will not be decided in the Lawsuit and you will not share in any recovery that the named Plaintiff obtains for the Class.
2. You will not be bound by any determinations or any judgment that the Court makes or enters in the Lawsuit, whether favorable or unfavorable.
3. You will not be entitled to any further notice with regard to the Lawsuit.
4. You may pursue any claims you have against Wakefield at your own expense and risk by filing your own separate lawsuit, should you choose to do so.
5. Be aware that any claims that you have or may have against Wakefield are limited by the applicable statute of limitations and declining to participate in this case by opting out, or by proceeding separately, may result in some or all of your claims expiring as a matter of law.

Any Class Member who wishes to object to the Settlement or wishes to appear at the Final Approval Hearing and show cause, if any, why the same should not be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class, or why a final judgment should not be entered thereon, must serve and file written objections. The objection must contain the objector’s full name, telephone number, and current address; must declare that the objector is a member of the Class; and must provide a detailed statement of the objector’s specific objections to any matter before the Court and the grounds therefore. Said objections must be mailed to:

Missouri Medical Debt Settlement
c/o Atticus Administration
PO Box 64053
St. Paul, MN 55164

Circuit Court of St. Louis County, Missouri
Attn: Clerk of the Court – Case No. 21SL-CC02046
105 S. Central Avenue
Clayton, Missouri 63105

To be effective, the request to object to the Settlement must be completed, signed and

postmarked by August 21, 2023.

C. If you want to appear in the Lawsuit.

If you do not exclude yourself from the Class, you also have the right to enter an appearance in the Lawsuit, individually or through your own attorney, at your own expense, if you wish to do so. A class member who appears in person or through counsel does not become a named party and will still be represented by Class Counsel. A Class member who wants to communicate directly with the Court through his or her own attorney instead of through Class Counsel may wish to enter an appearance in the Lawsuit.

If you wish to enter an appearance, your or your attorney must prepare and file a Notice/Entry of Appearance electronically or by mail with the Clerk of the Court of the Circuit Court of St. Louis County, Missouri, 105 S. Central Avenue, Clayton, Missouri 63105, by August 21, 2023.

D. If you wish to intervene in the Lawsuit.

If you do not exclude yourself from the Class, you can also seek to “intervene” and become a named party in the Lawsuit. Any such request or motion to intervene must comply with the Missouri Rules of Civil Procedure and applicable law and be filed by you or your attorney retained at your own expense **by August 21, 2023** with the Clerk of the Court of the Circuit Court of St. Louis County, Missouri, 105 S. Central Avenue, Clayton, Missouri 63105. A Class member who thinks his or her interests are not being adequately protected may seek to intervene.

9. HOW WILL CLASS COUNSEL BE PAID?

Class Counsel will seek an award of attorney’s fees and expenses of up to \$340,275.00. The Court will determine the amount of fees and expenses that should be awarded to Class Counsel. The amount awarded as attorney’s fees and expenses by the Court will not reduce what you will receive as part of the Settlement. Plaintiff Rebecca Parrott will seek an award of \$7,000.00 for her service as Class representative. The amount awarded by the Court for her service as Class representative will not reduce what you will receive as part of the Settlement.

10. WHAT IF I HAVE QUESTIONS?

You should not contact the Clerk of The Court, Judge, Wakefield or Wakefield’s Counsel with questions about this case. Instead, if you have any questions about your claim or rights or would like more information, you should call Class Counsel Christopher E. Roberts or David T. Butsch of Butsch Roberts & Associates LLC at 314-863-5700. You can also speak with your own attorney.

You can review and obtain copies of the Lawsuit, The Court’s Order granting Preliminary Approval of the Settlement and any other pleadings and filings in the Lawsuit directly from Class Counsel, by contacting Class Counsel at the number above. You can also review and obtain copies of these papers at your own expense at the Clerk of the Court of the Circuit Court of St. Louis County, Missouri, 105 S. Central Avenue, Clayton, Missouri 63105.

11. IMPORTANT DEADLINE AND DATE TO REMEMBER

August 21, 2023 is the deadline to exclude yourself from the Settlement, object to the Settlement, for filing a Notice/Entry of Appearance in the Lawsuit, and for filing a motion to intervene in the Lawsuit.

The Final Approval Hearing will take place on August 29, 2023 at 9:00 a.m. in

**Division 19 of the Circuit Court of St. Louis County, Missouri, 105 S. Central Avenue,
Clayton, Missouri 63105.**

Dated: July 6, 2023

**This Notice is being made available pursuant to Missouri Supreme Court Rule 52.08
and by Order of the Court.**