

NOTICE OF CLASS ACTION SETTLEMENT

Fuentes, et al. v. UniRush, LLC, et al., Case No. 1:15-cv-08372 (S.D.N.Y.)

**IF YOU WERE A RUSHCARD PREPAID DEBIT CARD HOLDER
ON OCTOBER 12, 2015
A CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS.**

For complete information, visit www.RushSettlement.com or call 1-855-400-3445

A Federal Court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

A Settlement has been reached in a class action lawsuit against UniRush, LLC d/b/a UniRush Financial Services, Rush Communications, LLC, and Rush Communications of NYC, Inc., (the “Rush Defendants”), Meta Financial Group, Inc. and MetaBank (the “Meta Defendants”), and MasterCard Incorporated (collectively “Defendants”). UniRush, LLC offers the RushCard program to consumers pursuant to an agreement with the card issuer, MetaBank. A subsidiary of MasterCard Incorporated is the processing company for RushCard services. The subsidiary became the new processing company for RushCard services on October 12, 2015. Prior to October 12, 2015, RushCard cardholders were informed there would be a short disruption in service on October 12, 2015 to allow for the conversion to take place. The lawsuit alleges that holders of RushCard prepaid debit cards experienced a longer than anticipated disruption in service for portions of the period of time between October 12, 2015 and October 31, 2015 (the “Service Disruption”). Defendants deny that they are or can be held liable for the claims made in the lawsuit. The Settlement does not establish who is correct, but rather is a compromise to end the lawsuit. The lawsuit is called *Fuentes, et al. v. UniRush, LLC, et al.*, Case No. 1:15-cv-08372 (S.D.N.Y.), and is pending in the U.S. District Court for the Southern District of New York.*

*This settlement encompasses four lawsuits filed against Defendants for claims related to the Service Disruption: *Fuentes, et al. v. UniRush, LLC, et al.*, Case No. 1:15-cv-08372 (S.D.N.Y.); *Huff v. UniRush, LLC, et al.*, Case No. 2:15-cv-02253 (E.D. Cal.); *Peterkin v. UniRush, LLC, et al.*, Case No. 1:15-cv-08573 (S.D.N.Y.); and *Jones v. UniRush, LLC, et al.*, Case No. 5:15-cv-05996 (E.D. Pa.). While settling the claims of all four class action lawsuits, the Settlement is being processed through the first-filed case, *Fuentes, et al. v. UniRush, LLC, et al.*, Case No. 1:15-cv-08372 (S.D.N.Y.).

- **Who is in the Settlement Class?** Members of the Settlement Class are all cardholders with an open RushCard account as of October 12, 2015 and who had authorized use of that account at least once during the period of July 14, 2015 through and including October 12, 2015, excluding (a) anyone who terminated or closed their RushCard account prior to October 12, 2015; (b) any Judge or Magistrate presiding over this action and members of their immediate families; (c) the Defendants, the Defendants’ subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendants have a controlling interest, and any of their current or former officers, directors, employees, representatives, managers, members, and any other Person acting for or on behalf of Defendants; (d) Persons who properly execute and file a timely request for exclusion from the Settlement Class; and (e) the legal representatives, successors or assigns of any such excluded Persons. You may be entitled to fee reimbursement and/or payment under the Settlement if you file a Claim and it is verified that you are a member of the Class.

Visit www.RushSettlement.com for complete information.

What Can I Get Out of the Settlement? If you're an eligible Class Member and the Court approves the Settlement, you could receive reimbursement of fees and/or a cash payment to compensate you for any losses incurred by you during the Service Disruption.

- Settlement Class Members will be reimbursed for all fees assessed on their RushCard accounts by the Rush Defendants during the period of October 12, 2015 through October 31, 2015, to the extent those fees were not previously reimbursed or credited to the Settlement Class Member's account. Monthly fees assessed for the period of October 1, 2015 through October 31, 2015 will be prorated such that Settlement Class Members will be reimbursed only for the portion of the monthly fees allocable to the period from October 12, 2015 through October 31, 2015.
 - Settlement Class Members who attempted to use their RushCard or to access their account between October 12, 2015 and October 31, 2015 and who suffered a financial or other loss as a result of the Service Disruption but do not have or do not wish to provide reasonable documentation of losses will be eligible for a payment of \$100.00. Payments will be offset by amounts already received from Defendants. In the event that the total amount of timely Approved Claims exceeds \$5,000,000.00 then each Approved Claim shall be reduced on a *pro rata* basis. The Settlement Administrator will post additional information about the payment amount on www.RushSettlement.com if necessary.
 - Settlement Class Members who attempted to use their RushCard or to access their account between October 12, 2015 and October 31, 2015 and who suffered a financial or other loss as a result of the Service Disruption and provide reasonable documentation of losses will be eligible for a payment of up to \$500.00. Payments will be offset by amounts already received from Defendants. In the event that the total amount of timely Approved Claims exceeds \$1,500,000.00 then each Approved Claim shall be reduced on a *pro rata* basis. The Settlement Administrator will post additional information about the payment amount on www.RushSettlement.com if necessary.
 - This Settlement includes additional benefits which Defendants have already provided to Class Members. These benefits include a Fee Holiday for current cardholders and for certain Class Members a \$25.00 statement credit or payment. For more information on the previously provided benefits, please visit www.RushSettlement.com.
- **How Do I Get My Payment?** Settlement Class Members will be reimbursed for all fees assessed on their RushCard accounts by the Rush Defendants during the period of October 12, 2015 through October 31, 2015, to the extent those fees were not previously reimbursed or credited to the Settlement Class Member's account, without submitting a Claim Form. Monthly fees assessed for the period of October 1, 2015 through October 31, 2015 will be prorated such that Settlement Class Members will be reimbursed only for the portion of the monthly fees allocable to the period from October 12, 2015 through October 31, 2015. If you want to receive a separate payment for losses as a result of the Service Disruption, you must fill out and submit a timely valid Claim Form. Just complete and submit the Claim Form online at www.RushSettlement.com. You can also download the Claim Form from the settlement website, or call, email or write to the Settlement Administrator to request a paper copy of the Claim Form. ***All Claim Forms must be received by August 30, 2016.***

Call Toll-Free: 1-855-400-3445

Email: RushSettlement@AngeionGroup.com

Mail: RushCard Settlement, 1801 Market Street, Suite 660, Philadelphia, PA 19103

- **What are My Options?** You can do nothing, submit a Claim Form, comment on or object to any of the Settlement terms, or exclude yourself from the Settlement. If you do nothing, submit a Claim Form, or object, you won't be able to take action against any of the Defendants with respect to the claims addressed in the Settlement. If you exclude yourself, you won't get a payment, but you'll keep your right to take action against Defendants with respect to the issues the Settlement concerns. You must submit your written exclusion request to the Settlement Administrator at: RushCard Settlement, Attn: Exclusion Requests, 1801 Market Street, Suite 660, Philadelphia, PA 19103. You can also object to the Settlement if you disagree with any of its terms. Objections must be mailed to the Court, with copies of the

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objection sent to Class Counsel and Defense Counsel (please see question 18 of the Long Form Notice). ***All Requests for Exclusion and Objections must be received by August 30, 2016.***

- **What Claims Do I Give Up by Participating in This Settlement?** In exchange for the benefits described in the Settlement Agreement, Settlement Class Members fully and irrevocably release and forever discharge Defendants and Released Parties as defined in the Settlement Agreement of and from any and all claims of any kind that have been or could have been asserted, or in the future might be asserted, in the class actions or in any proceeding by or on behalf of any and all Settlement Class Members, against any or all of the Defendants, which the Settlement Class Member ever had, now has, or hereinafter may have, in connection with the allegations, facts, events, transactions, acts, occurrences, statements, representations, omissions, or any other matter, thing or cause whatsoever, related to the alleged claims or events in the class actions or the Service Disruption.

- **Do I Have a Lawyer?** Yes. The Court has appointed John A. Yanchunis Sr. of Morgan & Morgan and Jean Sutton Martin of the Law Office of Jean Sutton Martin PLLC as “Co-Lead Counsel” and Charles J. LaDuca of Cuneo, Gilbert & LaDuca, LLP, Michael McShane of Audet & Partners, LLP, Hunter J. Shkolnik of Napoli Shkolnik PLLC, Lewis Eidson of Colson Hicks Eidson, and Joseph G. Sauder of McCuneWright LLP as “Class Counsel.” The lawyers will file a motion seeking Court approval for the payment of their attorneys’ fees and expenses, to be paid separately from the monetary relief being made available for Approved Claims, in an amount no greater than \$1,500,000.00. The Court has also chosen Plaintiffs Stephanie Fuentes, Jetaime Howard, Mianika Smith, Shari Goodman, Jermain Hayes, Ivy Huff, John Golden, Latayqa Little, Jackie Brown, Mnemosyne Collier, Stephanie Walton, Akil Patterson, William Townsend, Marah Peterkin, and Nicole Jones to serve as the Class Representatives—Class Members like you—to represent the Class. The Class Representatives will also request service award payments in the amount of \$500.00 each. You can hire your own lawyer, but you’ll need to pay your own legal fees.

- **When Will the Court Approve the Settlement?** The Court will hold a final approval hearing on September 12, 2016 at 11:00 a.m. at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, Courtroom 706. The Court will hear objections, determine if the Settlement is fair, and consider Class Counsel’s request for fees and expenses and a service award to each of the Class Representatives. These requests will be posted on the settlement website on August 9, 2016.

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