

If You Were Subjected to Collection Activity by First Resolution Investment Corp. At Any Time From April 8, 2011 Through January 10, 2018

You Could Benefit from a Class Action Settlement.

A court authorized this notice. This is not a solicitation from a lawyer.

DO NOT CONTACT THE COURT REGARDING THIS SETTLEMENT. ANY QUESTIONS SHOULD BE SUBMITTED THROUGH THE SETTLEMENT WEBSITE.

- A Settlement has been reached with First Resolution Investment Corporation (“FRIC”) in a class action lawsuit about its debt collection activities in Massachusetts.
- The class action alleges that FRIC collected and attempted to collect defaulted consumer debts in Massachusetts without being licensed as a debt collector by the Massachusetts Division of Banks, and that FRIC maintained lawsuits and other court proceedings against consumers without being registered as a foreign corporation with the Secretary of State. FRIC disputes the claims and maintains it did nothing wrong, and the Settlement does not establish otherwise. The parties agreed to the Settlement to avoid the costs and risks of trial.
- The Settlement includes any Massachusetts resident who was subjected to any collection activity by FRIC on a defaulted consumer debt at any time from April 8, 2011 through January 10, 2018. Such collection activity includes, but is not necessarily limited to, filing or prosecuting a lawsuit, summary process action, or wage garnishment action; recording or levying an execution; sending a dunning letter, bill, invoice, notice, demand, statement or similar document; placing a collection telephone call; filing a proof of claim in a bankruptcy case; reporting a debt to a consumer reporting agency; and accepting money toward payment of a debt.
- The Settlement provides for a Settlement Fund to be established in the amount of \$1.5 million, from which Class Members will be paid benefits after payments made for attorney’s fees, costs, and a service award to the Class Representative. The Settlement also provides for certain Class Members to receive the forgiveness and waiver of interest on their accounts, and for Class Members to obtain reductions on existing balances.

Your legal rights are affected even if you do nothing. Please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	Whether or not you paid any money to FRIC, you will receive a payment. In addition to the above, if you have an open account with FRIC, all accrued interest on the account will be forgiven and no further interest will accrue. See Section 7, below.
SUBMIT A CLAIM	If you submit a claim, in addition to the above benefits your existing account balance to FRIC will be reduced by 10%. See Section 11, below.
OBJECT	Write to the Court if you don’t like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.

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

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BASIC INFORMATION

1. Why is there a notice?

A Court authorized this notice because you have a right to know about a proposed Settlement of this class action and all of your options before the Court decides whether to give final approval to the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Kenneth Salinger of the Suffolk County Superior Court of the Commonwealth of Massachusetts is overseeing this case. This litigation is known as *Debra Clark v. First Resolution Investment Corp., et al.*, Suffolk Superior Court, C.A. No. 15-1013-BLS2.

2. What is this class action about?

The class action lawsuit asserts that FRIC collected and attempted to collect defaulted consumer debts in Massachusetts without being licensed as a debt collector by the Massachusetts Division of Banks. It also asserts that FRIC filed collection lawsuits and other proceedings without being registered as a foreign corporation with the Massachusetts Secretary of State. A “consumer debt” is a debt incurred primarily for personal, household, or family purposes. FRIC disputes the claims and maintains it did nothing wrong, and the Settlement does not establish otherwise.

3. Why is this a class action?

In a class action, one or more people called “class representatives” sue on behalf of themselves and all other people with similar claims. All of these people together are the “Class” or “Class Members.” In this case, the Class Representative is Debra Clark. One court resolves the issues for all Class Members.

4. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost and risk of a trial, and the people affected will get a chance to receive compensation and other relief. The Class Representative and her attorneys believe the Settlement is in the best interests of Class Members.

WHO IS COVERED BY THE SETTLEMENT?

If you received this notice addressed to you, then it has been determined that you are a Class Member.

5. Who is included in the Settlement?

You are included in the Settlement if, at any time from April 8, 2011, through January 10, 2018, you were subjected to any collection activity by FRIC on a consumer debt while you were a resident of Massachusetts. Collection activities by FRIC include, but are not necessarily limited to, sending a dunning letter, bill, invoice, notice, demand, statement, or similar document; contacting a debtor by mail or email; placing telephone calls to a debtor or to relatives, household members, neighbors, personal references or employers of a debtor; reporting a debt to a consumer reporting agency; filing or prosecuting a lawsuit; recording or levying an execution; filing or prosecuting a supplementary process action; filing or prosecuting a wage garnishment action; filing a proof of claim in a bankruptcy case; and accepting money from a debtor or on a debtor’s behalf. You are also included if FRIC filed any legal proceeding against you in any Massachusetts court during that time period.

It does not matter if third parties (such as collection agencies or lawyers) performed collection activities on FRIC’s behalf. It also does not matter if you did not pay any money to FRIC.

6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are included in the Settlement, you may visit www.FirstResolutionSettlement.com for more information.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Payments. If the Settlement is approved, a Settlement Fund in the amount of \$1,500,000 (one million five hundred thousand dollars) will be established. From the amount remaining in the Settlement Fund after payment of attorney’s fees and costs, and a service award to the Class Representative, payments will be made to Class Members as follows: (i) class members with “closed accounts” (see below) will receive approximately 20% of the amount they paid to FRIC, or approximately 20% of \$25.00 (that is, \$5), whichever is greater; (ii) Class Members with “open accounts” (see below), will receive approximately 10% of the amount they paid to FRIC, or approximately 10% of \$25.00 (that is, \$2.50), whichever is greater. The final amounts to be paid to Class Members will be determined once all costs and fees related to the Settlement have been determined.

Interest forgiveness/waiver. (i) Judgment accounts. On accounts where FRIC already has a court judgment against the Class Member, all unpaid, post-judgment interest will be forgiven by FRIC. In addition, any such accounts which are “open accounts” will no longer accrue interest. (ii) Non-judgment accounts. On accounts where FRIC does not have a court judgment, all unpaid post charge-off interest will be forgiven by FRIC. In addition, any such accounts which are “open accounts” will no longer accrue interest.

Balance reductions. (i) Judgment accounts. Each Class Member with a judgment account who submits a timely and proper claim (See Section 11, below) will receive a credit of ten percent (10%) of the remaining judgment; (ii) Non-judgment accounts. Each Class Member with a non-judgment account who submits a timely and proper claim (see Section 11, below) will receive a credit of ten percent (10%) credit on the account balance. The foregoing credits shall be applied after interest forgiveness as described in the preceding paragraph has occurred.

.An “open account” means an account for which, as of September 26, 2017, collection was being or could lawfully have been pursued despite the claims asserted in this lawsuit.

A “closed account” means an account that is not an “open account.”

The relief to which you may be entitled, as well as information pertaining to whether your account is an “open account,” a “closed account,” a “judgment account,” or a “non-judgment account” is available at www.FirstResolutionSettlement.com.

Other than the relief provided above, the Settlement does not extinguish, void, discharge, release, or otherwise affect any debts or judgments alleged to be owed by a Class Member to FRIC.

Tax Consequences. The relief provided by this Settlement may have tax consequences for certain class members. Class members are advised to consult a tax professional (not Class Counsel) with respect to potential tax issues. Defendants will issue the appropriate version of Internal Revenue Service Form 1099 to Class Members, Representative Plaintiff, and Class Counsel to the extent required by law, as determined in FRIC’s sole discretion. Any tax liability for the Settlement Benefits is the sole responsibility of the recipients. Representative Plaintiff, individually and for the Class Members, acknowledges that neither she nor Class Counsel relied on any advice, statements, or representations by FRIC or Defendant’s Counsel as to the tax effects of this Settlement Agreement or any sums received.

For more specific information about your account and the benefits to which you may be entitled, enter the “Notice Code” from the front page of this document in the appropriate place on the settlement website.

8. What can I get from the Settlement?

All Class Members will receive a payment due to this Settlement. In addition, all Class Members with “open accounts” will have accrued interest forgiven and future interest waived. Finally, any Class Member who submits a timely and proper claim will receive a 10% reduction in any amount which still may be allegedly owed to FRIC as of September 26, 2017. For more specific information about your account and the benefits to which you may be entitled, enter the “Notice Code” from the front page of this document in the appropriate place on the settlement website.

9. If I am entitled to payment, when will I receive it?

Payments to Class Members will be mailed no later than 30 days after the Court grants final approval to the Settlement and after any appeals of that approval are resolved (see “The Final Approval Hearing” below). If there are appeals, resolving them can take time. Please be patient.

10. What am I giving up under the Settlement?

If the Settlement becomes final, you will give up your right to make a claim against FRIC, and to defend a claim made against you by FRIC, on the basis that FRIC engaged in collection activity in Massachusetts without a debt collection license from the Division of Banks or maintained a legal proceeding in Massachusetts without being registered with the Secretary of State. The nature and scope of the claims being given up are defined as “Released Claims” as set forth in Section 7.1 of the Settlement Agreement. The Settlement Agreement is available at www.FirstResolutionSettlement.com.

The Settlement Agreement describes the released claims in detail, so read it carefully. If you have any questions, you can email the law firms listed in Question 12 for free or you can, of course, talk to your own lawyer at your own expense.

DO I NEED TO DO ANYTHING TO RECEIVE A SETTLEMENT PAYMENT?

11. How do I get benefits?

You do not need to do anything to receive a payment, or – if you have an “open account” - to have interest on your account forgiven or to have future interest on your account waived.

If you want to receive a 10% credit on your existing account balance allegedly owed to FRIC, you must submit a claim to the Settlement Administrator by **April 10, 2018**. This is done by submitting the form on the website, www.FirstResolutionSettlement.com, or by completing the form at the end of this Notice (or a reasonable facsimile) and mailing the form to:

First Class, Inc./ J13713- Clark
5410 W. Roosevelt Rd., Suite 222
Chicago, IL 60644-1490

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

Yes. The Court appointed the following law firms as “Class Counsel”:

Kenneth D. Quat Quat Law Offices 929 Worcester Road Framingham, MA 01701 866-907-1220	Josef C. Culik Culik Law, P.C. South Tower 10 Post Office Square, Suite 800 Boston, MA 02109 617-830-1795
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You will not be charged by these lawyers for their services on behalf of the Class. If you want to be represented by your own lawyer, you may hire one at your own expense.

13. How will the lawyers be paid?

Class Counsel will ask the Court to award attorneys’ fees up to \$450,000 and expenses up to \$5,000. The Court will decide the amounts of fees and expenses to award. Class Counsel will also request that a special service payment of \$10,000 be paid to the Class Representative for her service on behalf of the whole Class.

OBJECTING TO THE SETTLEMENT

14. How do I tell the Court if I do not like the Settlement?

You can object to the Settlement if you don’t like any part of it. Objecting will not affect any benefits you may be eligible to receive or your rights under the Settlement if it is approved by the Court and becomes final. The Court will consider your views. To object, you must submit a letter to Class Counsel which includes the following:

- Your full name, current mailing address, and either a telephone number or email address;
- A statement saying that you object to the Settlement in *Debra Clark v. First Resolution Investment Corp.*, Suffolk Superior Court, C.A. No. 15-1013-BLS2;
- The reasons you object to the Settlement, along with any supporting materials;
- Whether you intend to appear at the Final Approval Hearing (*see* “The Final Approval Hearing” below) and want to address the Court;
- The name, address, telephone number, and email address of your lawyer (if you are represented by one); and
- Your signature.

You must mail or fax your objection to one of the following attorneys by **April 10, 2018**. If mailed, the objection must be postmarked by **April 10, 2018**.

Kenneth D. Quat Quat Law Offices 929 Worcester Road Framingham, MA 01701 866-907-1220 Fax 508-861-0162	Josef C. Culik Culik Law, P.C. South Tower 10 Post Office Square, Suite 800 Boston, MA 02110 617-830-1795 Fax 617-830-1576
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15. Can I ask to be excluded from this Settlement?

No. Under state law, you cannot exclude yourself from this Settlement.

THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement and to consider any requests for fees, expenses, and a service award. You may attend and you may ask to speak, but you do not have to.

16. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at **2:00 p.m. on May 23, 2018** at the Suffolk County Courthouse, Courtroom 1017, 3 Pemberton Square, Boston, MA 02108. The hearing may be moved to a different courtroom or different date or time without additional notice, so it is a good idea to check **www.FirstResolutionSettlement.com**. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them and may listen to people who have asked to speak. At or after the hearing, the Court will decide whether to approve the Settlement, Class Counsel's request for fees and expenses, and the Class Representative's request for a service award. We cannot predict how long these decisions may take.

17. Do I have to attend the hearing?

No. Class Counsel will answer questions the Court may have. But, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it - as long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but his or her attendance is not necessary.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include this request with your objection as described in Question 14.

GETTING MORE INFORMATION

19. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement, the Claim form, and other relevant documents at **www.FirstResolutionSettlement.com**.

For more specific information about your account and the benefits to which you may be entitled, enter the "Notice Code" from the front page of this document in the appropriate place on the settlement website.

If you have any additional questions, you also may contact Class Counsel or write to the Settlement Administrator at First Class, Inc./ J13713- Clark, 5410 W. Roosevelt Rd., Suite 222, Chicago, IL 60644-1490.

DO NOT CONTACT THE COURT REGARDING THIS SETTLEMENT. ANY QUESTIONS SHOULD BE SUBMITTED THROUGH THE SETTLEMENT WEBSITE

WWW.FIRSTRESOLUTIONSETTLEMENT.COM