

**If you received a telephone solicitation for Tribune between December 11, 2017, and April 15, 2021, you may be entitled to benefits under a class action settlement.**

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

- A Plaintiff (“Class Representative”) brought a lawsuit alleging that telephone solicitations made for Tribune Publishing Company (“Tribune”) to phone numbers on the National Do Not Call Registry violated the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227.
- A settlement has been reached in this case, which, if approved, will provide a \$1,700,000 fund (“Settlement Fund”) from which eligible persons will receive cash awards. The cash awards are estimated to be about \$30.00 each.
- You are very likely in the “Settlement Class” if you received a notice by US Mail and/or email. A more detailed description of the Settlement Class is below. notice. A more detailed description of the Settlement Class is below.
- You do not need to do anything to receive payment. Unless you exclude yourself, if the settlement is approved, you will receive a check for approximately \$30.
- In addition to paying settlement awards to Settlement Class Members, the Settlement Fund will be used to pay attorneys’ fees and costs to attorneys representing the Class Representative and the Class (“Class Counsel”), any award to the Class Representative, the reasonable costs of notice and administration of the Settlement, and a possible charitable contribution if there are uncashed settlement award checks.
- **Your legal rights are affected whether you act or don’t act. Read this notice carefully.**
- **En el sitio web, [www.tribunetcpasettlement.com](http://www.tribunetcpasettlement.com), hay una notificación completa del acuerdo en Español. Para obtener información por teléfono, llame al 1-800-543-4459.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
<b>Obtain Payment</b>	Class Members who received a notice of the Settlement in the mail, and who do not exclude themselves from the Class, do not need to do anything further to obtain payment.
<b>Exclude Yourself or "Opt Out" of the Settlement</b>	Get no payment. If you exclude yourself, you will not waive any rights you may have against Tribune, its vendor CES, or any other Released Party with respect to the legal claims in this case.
<b>Object</b>	Write to the Court about why you believe the Settlement is unfair.
<b>Go to a Hearing</b>	Ask to speak in Court about the fairness of the Settlement if you file a valid and timely objection.

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 will be made 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 lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves the Settlement and after any objections or appeals are resolved, an administrator appointed by the Court will make the payments that the Settlement allows. Because your rights will be affected by this Settlement, it is important that you read this Notice carefully.

If you received a Notice in the mail, it is because records produced in the Litigation indicate that you may have been called on one of 28,412 specific phone numbers to which Tribune's vendor CES made multiple telephone solicitations for Tribune between December 11, 2017 and April 15, 2021, despite such numbers' registration with the National Do Not Call Registry. If this is the case, you may be entitled to benefits under the Settlement, as a "Settlement Class Member."

The Court in charge of the case is the United District Court for the Northern District of Illinois, and the case is known as *Moore v. Tribune Publishing Company*, No. 1:20-cv-07666 (N.D. Ill.) (the "Litigation"). The proposed Settlement would resolve all claims at issue in the Litigation. The party that sued is called the "Plaintiff" or "Class Representative," and the company sued, Tribune Publishing Company ("Tribune"), is referred to herein as "Defendant."

The Court preliminary approved the Settlement on November 23, 2021, and pursuant to the Court's order, notice is now being disseminated to potential Class Members, in order to notify them of the proposed Settlement and their rights thereto.

### 2. What is this class action lawsuit about?

A class action is a lawsuit in which the claims and rights of many people are decided in a single court proceeding. Representative plaintiffs, also known as "class representatives," assert claims on behalf of the entire class.

The Class Representative pursued this Litigation, alleging that telephone solicitations for Tribune made to phone numbers registered with the National Do Not Call Registry violated the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227.

Defendant denies that it did anything wrong, or that this case is appropriate for treatment as a class action.

### 3. Why is there a settlement?

The Court did not decide in favor of the Class Representative or Defendant. Both sides agreed to a settlement instead of going to trial. That way, they avoid the cost of a trial, and the people affected will get compensation. The Class Representative and his attorneys think the Settlement is best for all Class Members.

## WHO IS IN THE SETTLEMENT?

### 4. How do I know if I am part of the Settlement?

The Court has certified a class action for settlement purposes only. Generally, you are in the Settlement

Class if you received unsolicited Tribune telephone solicitations between December 11, 2017, and April 15, 2021, on a phone number registered with the National Do Not Call registry. More specifically, the Settlement Class is defined as:

**All persons who received more than one telephone solicitation from CES regarding Tribune's goods, products, or services in a rolling 12-month period, more than eighteen months after they terminated their relationship with Tribune and whose telephone number was on the National Do Not Call Registry, limited to persons whose phone numbers are on the Class List.**

**The "Class List" is limited to the 28,412 individuals on the Class List.**

If you have questions about whether you are a Class Member, or are still not sure whether you are included, you can call 1-800-543-4459 or visit [www.tribunetcpasettlement.com](http://www.tribunetcpasettlement.com) for more information.

## **THE SETTLEMENT BENEFITS - WHAT YOU GET**

### **5. What does the Settlement provide?**

Defendant has agreed to pay a total settlement amount of \$1,700,000, which will be used to create a Settlement Fund to pay cash awards to Settlement Class Members, pay Class Counsel's attorneys' fees and costs, pay a service award to the Class Representative, and pay costs and expenses of notice and settlement administration.

As part of the settlement, Tribune will also modify its practices to prevent calls to phone numbers registered with the National Do Not Call Registry by agreeing to cease using free newspaper subscriptions as a basis to extend its Existing Business Relationship calculation under the TCPA.

Any remaining monies from uncashed Settlement Relief may be redistributed in further distributions to Settlement Class Members who previously cashed settlement checks. However, if a further distribution would be administratively infeasible, the remaining monies will instead be donated to a *cy pres* recipient. The Parties have proposed that such money be disbursed to the National Consumer Law Center.

## **HOW YOU GET A PAYMENT**

### **6. How and when can I get a payment?**

If you received a notice of the Settlement in the mail, you are not required to take any action to obtain payment; a Cash Award check will be automatically mailed to you at that address if the Court approves the Settlement and after both the Final Approval Order and the Judgment are Final.

The final cash payment amount depends on the total number of Settlement Class Members and will be distributed on a *pro rata* basis from the Settlement Fund, less notice and administration costs, Class Counsel's attorneys' fees and costs, and any Class Representative award. Class Counsel estimate that the amount of the cash award will be approximately \$30.00.

The Court will hold a hearing on March 24, 2022 at 9:00 AM, to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. Whether the appeals, if any, can be resolved is uncertain, and resolving them can take time, perhaps more than a year. Please be patient.

## 7. What am I giving up to get a payment or stay in the Class?

If you are a Class Member, unless you exclude yourself, you will be bound by the release of claims in the Settlement. This means that, if the Settlement is approved, you can't sue, continue to sue, or be part of any other lawsuit against Tribune, its vendor CES, or any other Released Party for TCPA claims arising from outbound calls CES made to solicit business for Tribune, during the class period of December 11, 2017 through April 15, 2021, and all of the decisions and judgments by the Court will bind you.

The TCPA provides for damages of up to \$500 per violation of the TCPA's prohibition against telephone solicitations to phone numbers registered with the National Do Not Call Registry, or up to \$1,500 for knowing or willful violations, plus an injunction limiting future conduct. However, Defendant denies that it made or caused to be made any illegal calls to anyone, and in any future lawsuit, it will have a full range of potential defenses, including that it had an established business relationship or prior express invitation or permission to make the calls. In addition, the TCPA does not provide for attorneys' fees to prevailing individual plaintiffs. This Settlement permits class members the opportunity to obtain a smaller amount of money, risk-free.

If you do nothing, you will be unable to file your own lawsuit regarding the claims described in this Notice, and you will release Tribune and other Released Persons from any liability for the Released Claims defined below and in the Settlement.

Remaining in the Settlement Class means that you, as well as anyone claiming through you such as heirs, successors, and assigns, relinquish and discharge each and all of the Released Persons from each of the Released Claims (as defined below).

If the Settlement is approved, upon the Final Settlement Date, the Releasing Persons shall, by operation of the Judgment, be deemed to have fully, conclusively, irrevocably, forever, and finally released, relinquished, and discharged the Released Persons from any and all Released Claims—i.e., all claims, demands, causes of actions, suits, damages, and fees of any kind, arising under the TCPA concerning outbound calls CES made to solicit business for Tribune, between December 11, 2017 and April 15, 2021. "Released Persons" means Tribune and its respective past, present, and future parents, subsidiaries, holding companies, affiliated companies, subsidiaries and corporations, and each of its and their respective past, present and future directors, officers, managers, employees, general partners, limited partners, service providers, contractors, independent contractors, platforms, principals, employees, insurers, reinsurers, attorneys, advisors, representatives, predecessors, successors, assigns, vendors, and legal representatives. "Releasing Persons" means Plaintiff and each member of the Class identified on the Class List who do not opt out, and their respective assigns, heirs, successors, predecessors, parents, subsidiaries, officers, directors, shareholders, members, managers, partners, principals, representatives, employees (each solely in their respective capacity as such).

The Settlement Agreement (available at the website, [www.tribunetcpasettlement.com](http://www.tribunetcpasettlement.com)) provides more detail regarding the release and describes the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed in Question 9 for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Persons or the Released Claims or what they mean.

The release does not apply to Settlement Class Members who timely opt-out of the Settlement.

### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you don't want a payment from this Settlement, and you want to keep the right to sue or continue to sue

Defendant on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement.

#### 8. How do I exclude myself from the Settlement?

To exclude yourself from the Settlement, you must send a letter by mail saying that you want to be excluded from *Moore v. Tribune Publishing Company*, No. 1:20-cv-07666 (N.D. Ill.). Be sure to include your name and address. You must also include a statement that you wish to be excluded from the Settlement and sign the statement. **You must mail your exclusion request postmarked no later than February 7, 2022**, to:

Tribune TCPA Settlement  
c/o Settlement Administrator  
P.O. Box 23369  
Jacksonville, FL 32241-3369

If you ask to be excluded, you will not get any Settlement Relief, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this Litigation. You may be able to sue (or continue to sue) Defendant in the future. Although no other person may exclude you from the Settlement Class, nothing prohibits you from obtaining the assistance of another, such as a lawyer or family member, in preparing or submitting any individual exclusion.

### THE LAWYERS REPRESENTING YOU

#### 9. Do I have a lawyer in this case?

The Court appointed the following attorneys to represent you and other Class Members: Alexander H. Burke and Daniel J. Marovitch of Burke Law Offices, LLC.

These lawyers are called Class Counsel. You will not be charged separately for these lawyers' services. If you want to be represented by your own lawyer, you may hire one at your own expense.

You may enter an appearance through your own attorney if you so desire, but you do not need to do so.

#### 10. How will the lawyers and Class Representative be paid?

Class Counsel will ask the Court to approve payment of up to \$566,666 to compensate them for attorneys' fees for investigating the facts, litigating the case, and negotiating the Settlement, plus costs (estimated at less than \$15,000). Class Counsel will also request an award of up to \$10,000 to the Class Representative, as compensation for his time and effort. The Court may award less than these amounts. These payments, along with the costs of administering the Settlement, will be made out of the Settlement Fund.

### OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

#### 11. How do I tell the Court that I do not think the Settlement is fair?

If you are a Settlement Class Member and do not exclude yourself, you can object to the Settlement, or any part of the Settlement, for example if you do not think the Settlement is fair. You can state reasons why you think the Court should not approve it. The Court will consider your views. To object, you must file a written statement with the Court saying that you object to the proposed Settlement in *Moore v. Tribune*

*Publishing Company*, No. 1:20-cv-07666 (N.D. Ill.). Be sure to include: (a) your name, address, telephone number and, if different, the telephone number at which you were called on behalf of Tribune during the Settlement Class Period; (b) if represented by counsel, the name, address, and telephone number of your counsel; (c) the specific grounds for the objection, and whether it applies only to you, to a specific subset of the Class, or to the entire Class; and (d) a statement of whether you intend to appear at the Final Approval Hearing, either with or without counsel. Any documents that you wish for the Court to consider must also be attached to the objection, and your objection should also be sent to Class Counsel and counsel for Defendants. **Your objection to the Settlement must be filed and postmarked to the Parties' respective attorneys no later than February 7, 2022.**

The objection must be provided as follows to the following:

For Filing:

*Moore v. Tribune Publishing Company*,  
Case No. 1:20-cv-07666  
U.S. District Court, Northern District of Illinois  
219 South Dearborn Street  
Chicago, IL 60604

By Mail:

Alexander H. Burke  
Burke Law Offices, LLC  
909 Davis St., Suite 500  
Evanston, IL 60201

*Counsel for Plaintiff and the Settlement Class*

Nathan Garroway  
Dentons US LLP  
303 Peachtree St. NE, Suite 5300  
Atlanta, GA 30308

*Counsel for Tribune Publishing Company*

## THE FAIRNESS HEARING

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

The Court will hold a hearing to decide whether to approve the Settlement. This Fairness Hearing will be held at 9:00 AM on March 24, 2022, at the United States District Court for the Northern District of Illinois, 219 S. Dearborn St., Chicago, Illinois 60604, in Courtroom 2103. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the Settlement Website for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and whether to award attorneys' fees, expenses, and an incentive award to the Class Representative as described above, and in what amounts. If there are objections, the Court will consider them. At or after the hearing, the Court will decide whether to approve the Settlement. We do not know how long it will take the Court to issue its decision. You do not have to come to this hearing, but you may attend at your own expense. However, any Settlement Class Member who fails to object to the Settlement in the manner described in Section 11 shall be deemed to have waived any such objection, shall not be permitted to object to any terms or approval of the Settlement at the Final Approval Hearing, and shall be foreclosed from seeking any review of the Settlement or the terms of the Agreement by appeal or other means.

### 13. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must file a notice with the Court saying that you intend to appear at the Fairness Hearing in *Moore v. Tribune Publishing Company*, No. 1:20-cv-07666 (N.D. Ill.). Be sure to include your name, address, phone number and, to the extent not otherwise submitted in relation to a filed objection, copies of any papers, exhibits or other evidence that you intend to present to the Court. Your notice of intention to appear must be filed no later than February 7, 2022. Copies of your notice of intent to appear must also be sent to the attorneys for the Plaintiff and Settlement Class and to the attorneys for Defendant at the addresses provided above. You cannot speak at the hearing if you exclude yourself from the Settlement or do not file a timely notice of intent to appear.

## IF YOU DO NOTHING

### 14. What happens if I do nothing at all?

If you do nothing, and you have received a notice in the mail regarding the Settlement, then you will be automatically mailed a Cash Award if the Court approves the Settlement and after both the Final Approval Order and the Judgment are Final. Unless you exclude yourself, you cannot start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant and other Released Persons about the legal issues in this case, ever again.

## GETTING MORE INFORMATION

### 15. 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 by calling the Settlement Administrator toll-free at 1-800-543-4459, writing to: Tribune TCPA Settlement, c/o Settlement Administrator, P.O. Box 23369, Jacksonville, FL 32241-3369; or visiting the website at [www.tribunetcpasettlement.com](http://www.tribunetcpasettlement.com), where you will also find answers to common questions about the Settlement, plus other information to help you determine whether you are a Class Member and whether you are eligible for a payment.

**En el sitio web, [www.tribunetcpasettlement.com](http://www.tribunetcpasettlement.com), hay una notificación completa del acuerdo en Español.**