

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

OPHELIA PARKER, and JOSEPH NASO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

Case No. 6:16-CV-01193-CEM-DAB

UNIVERSAL PICTURES, a division of
UNIVERSAL CITY STUDIOS, LLC;
LEGEND PICTURES, LLC; LEGENDARY
PICTURES FUNDING, LLC; LEGENDARY
ANALYTICS, LLC; and HANDSTACK,
P.B.C.,

**DECLARATION OF JENNIFER M.
KEOUGH REGARDING
SETTLEMENT ADMINISTRATION**

Defendants.

I, JENNIFER M. KEOUGH, declare as follows:

1. I am the Chief Executive Officer of JND Legal Administration LLC (“JND”). JND is a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases.

2. JND is serving as the Settlement Administrator in the above-captioned litigation (“Action”), as ordered by the Court in its Joint Stipulation of Settlement and Release (the “Agreement”). This Declaration is based on my personal knowledge, as well as upon information provided to me by experienced JND employees, and if called upon to do so, I could and would testify competently thereto.

CAFA NOTICE

3. In accordance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, JND compiled a CD-ROM containing the following documents: Complaint, First Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, Second Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, Third Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, Joint Stipulation of Settlement and Release (with Exhibit), and Estimate Percentage of Class Members by State, which accompanied a cover letter (collectively, the “CAFA Notice Packet”).

4. The CD-ROM was mailed via Federal Express overnight mail on December 7, 2018 to the appropriate Federal and State Officials identified in the attachment to the accompanying cover letter, a copy of which is attached hereto as **Exhibit A**.

DATA TRANSFER

5. On November 19, 2018, Defendants provided JND with the Cell Phone Number List, which contained 466,847 unique cell phone numbers that were sent a text message as part of the *Warcraft* Text Messaging Campaign. On November 29, 2018, Defendants provided JND with the Contact Information Records, which included names, email addresses, and physical addresses associated with the cell phone numbers that were sent a text message as part of this Campaign.

6. To the extent possible, JND matched these cell phone numbers from the Campaign to a corresponding name, physical address, and email address in the Contact Information Records. The Class Member data was promptly loaded into a database established for this Action.

7. JND performed research on the data list provided to identify any invalid or duplicate email addresses and mailing address, among other things, based on names, emails, and addresses. Across the list, JND found that 90,702 only had a mailing address.

EMAIL NOTICE

8. On April 11, 2019, pursuant to the Settlement Agreement, JND commenced an email notice program to the 431,766 unique email addresses in the initial data file, including Settlement Class Members with multiple email addresses. 165,142 email addresses were marked as undeliverable. A copy of the Email Notice is attached as **Exhibit B**.

POSTCARD NOTICE

9. Pursuant to the terms of the Settlement Agreement, JND mailed the Postcard Notice via first-class regular U.S. mail to the 218,491 Settlement Class Members whose emails were returned as undeliverable or for which no email address was provided.

10. Prior to mailing, JND updated 49,827 Settlement Class Member addresses using the United States Postal Service National Change of Address database¹.

11. As of June 14, 2019, JND tracked 1,814 Postcard Notices from the original mailing that were returned as undeliverable with a forwarding address. JND promptly re-mailed Notice to those with USPS forwarding addresses. As of June 14, 2019, 9,250 Postcard Notices were returned to JND as undeliverable without a forwarding address. A copy of the Postcard Notice is attached as **Exhibit C**.

SETTLEMENT WEBSITE

12. On April 10, 2019, JND established an informational, interactive website (www.wctcpasettlement.com) dedicated to the case to enable potential Settlement Class Members to find information about the litigation, file an online claim, and access downloadable copies of the Long-Form Notice, Claim Form, and other important court documents. A copy of the Notice and Claim Form are attached as **Exhibit D** and **Exhibit E**, respectively.

¹ The NCOA database is the official United States Postal Service (“USPS”) technology product which makes change of address information available to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective tool to update address changes when a person has completed a change of address form with the USPS. The address is maintained in the database for 48 months.

13. As of June 14, 2019, the Settlement Website tracked 24,547 unique users who registered 78,188 pageviews. JND will continue to maintain the Settlement Website in accordance with the Settlement Agreement.

TOLL-FREE INFORMATION LINE

14. On April 11, 2019, JND established a case-specific toll-free number, 1-833-402-1723, for individuals to call to obtain information about the Settlement. The line is available 24 hours a day, seven days a week.

15. As of June 14, 2019, the toll-free number has received 379 calls.

REQUESTS FOR EXCLUSION

16. The Notice informed Class Members that any Class Member who wanted to exclude themselves from the Settlement (“opt-out”) must mail a letter to JND stating that they would like to be excluded from the Settlement Class and follow the instructions provided on the Notice, postmarked on or before May 16, 2019.

17. As of June 14, 2019, JND has received nine (9) opt-out requests.

OBJECTIONS

18. The Notice informed recipients that any Class Member who wanted to object to the approval of the Settlement could do so by submitting an objection letter containing all the required information (specified in the Long-Form Notice) by filing the objection with the Court and mailing the objection to the physical addresses of the Court, Class Counsel, and Defendants’ Counsel (as provided on the Long-Form Notice), postmarked on or before May 16, 2019.

19. As of June 14, 2019, JND has not received, and is not aware of, any objections to the proposed Settlement.

CLAIM FORMS

20. The Notice informed recipients that any Settlement Class Member wishing to receive a cash payment or Settlement Award must submit a completed Claim Form to JND, postmarked or submitted by July 10, 2019.

21. As of June 14, 2019, JND has received 4,977 Claim Forms submitted electronically and 229 Claim Forms received by mail. JND has received a total of 5,206 claims to date.

22. As JND is continuing to receive timely postmarked claim submissions, the final claim totals are subject to change.

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

Executed June 17, 2019, at Seattle, Washington.

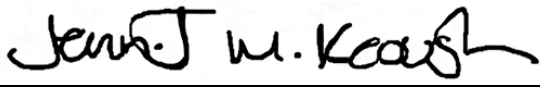
By: 
Jennifer M. Keough

EXHIBIT A



December 7, 2018

United States Attorney General
and the Appropriate Officials
Identified in Attachment A

RE: CAFA Notice of Proposed Class Action Settlement

Dear Sir or Madam:

This notice is being provided to you in accordance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, in connection with, and on behalf of Defendants Legend Pictures, LLC, Legendary Pictures Funding, LLC, Legendary Analytics, LLC (now known as Applied Analytics Solutions, LLC), Universal Pictures, a division of Universal City Studios LLC, and Handstack, P.B.C. ("Defendants"), in the below-referenced class action ("the Action").

Case Name: *Parker, et al. v. Universal Pictures, et al.*
Case Number: *6:16-CV-01193-CEM-DCI*
Jurisdiction: *United States District Court, Middle District of Florida*
Date Settlement filed with Court: *November 29, 2018*

Pursuant to 28 U.S.C. § 1715 (b), the enclosed CD-ROM contains the following documents filed in the Action:

01 - Complaint.pdf

Complaint for Damages and Injunctive Relief, filed June 30, 2016

02 - First Amended Complaint.pdf

First Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, filed September 2, 2016

03 - Second Amended Complaint.pdf

Second Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, filed May 9, 2017

04 - Third Amended Complaint.pdf

Third Amended Complaint for Damages and Injunctive Relief Under the Telephone Consumer Protection Act (TCPA) and Demand for Jury Trial, filed April 26, 2018

05 – Joint Stipulation of Settlement and Release.pdf

Joint Stipulation of Settlement and Release, filed November 30, 2018, and attaching

06 – Exhibit B.pdf

Including Long Form Notice, Short Notice, and Claim Form.

07 – Estimate Percentage of Class Members by State.pdf

Due to the large size and nature of the class, it is not feasible at this time to identify and provide the names of members of the settlement class who reside in each state. See 28 U.S.C. § 1715(b)(7)(A). Enclosed is the approximate percentage of class members in each state. See 28 U.S.C. § 1715(b)(7)(B). Eligibility for the settlement consideration and the amount of the settlement payment will be determined by the Settlement Administrator in accordance with the terms of the Settlement Agreement

If you have any questions regarding the details of the case and settlement, please call or e-mail defense counsel's representative as identified in the Joint Stipulation of Settlement.

For questions regarding this notice, please contact us at:

JND Legal Administration
1100 2nd Ave, Suite 300
Seattle, WA 98101
1-800-207-7160

Regards,

/s/

JND Legal Administration

Encl.

EXHIBIT B

You Are Receiving this Notice Because You May Have Incorrectly Been Sent a Text Message.

You May Be Entitled to a Payment from a Class Action Settlement

Visit www.wctcpasettlement.com for more information

PLEASE DO NOT CONTACT THE CLERK OF THE COURT, THE JUDGE, OR THE DEFENDANTS WITH QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION.

A settlement has been reached in a class action lawsuit *Parker, et al. v. Universal Pictures, et al.*, M.D. Fla. Case No. 6:16-CV-01193-CEM-DCI, claiming that Defendants Legendary Pictures, Universal Pictures, and Handstack impermissibly sent text messages relating to the release of the film *Warcraft* to wireless telephone numbers without consent of the recipients in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227. Defendants deny the allegations in the lawsuit, and the Court has not decided who is right.

Who's Included? You received this email because records indicate that you may be a Settlement Class Member. The Settlement includes all persons in the United States who received one or more text messages sent by or on behalf of Defendants relating to the release of the film *Warcraft* from May 1, 2016 through April 8, 2019.

What Are the Settlement Terms? Defendants have agreed to make \$19,225,515 available to pay individuals who submit valid claim forms, settlement administration costs, attorneys' fees, a service award to the Class Representatives, and costs and expenses of the litigation. Subject to the qualification set forth at the end of this paragraph, each Settlement Class Member who submits a valid claim form will be entitled to receive \$35. Some Settlement Class Members may be entitled to receive more than one payment if one or more of the following is true: (1) the Settlement Class Member received more than one *Warcraft*-related text message to a residential (i.e., non business) cell phone number and had registered his or her name on the National Do Not Call List thirty (30) days prior to receiving any *Warcraft*-related text messages from Defendants; (2) the Settlement Class Member received a second *Warcraft*-related text message from Defendants to a residential cell phone number after he or she submitted a request to Defendants not to receive any additional texts; and/or (3) the Settlement Class Member received more than one *Warcraft*-related text message from Defendants to a residential cell phone number, at least one of which was before 8 A.M. or after 9 P.M. local time at the texted person's location. Settlement Class Members who satisfy these requirements will be entitled to an additional \$50 for each of the three sub-categories listed above that apply to them. There is a limit of one claim per Settlement Class. Upon receipt of a valid Claim Form, the Administrator will determine whether you are entitled to one or more payments. The settlement also provides that Defendants will take steps to ensure that those who received *Warcraft*-related text messages are not contacted again without their consent and that future safeguards concerning text message marketing are observed. Depending on how many valid claim forms are submitted, it is possible that each Settlement Class Member's payment will be reduced on a pro-rata basis to cover settlement administration costs, attorneys' fees, a service award to the named Plaintiffs, and the costs and expenses of the litigation.

How Can I Get a Payment? To get a payment, you must submit a complete Claim Form online at wctcpasettlement.com or print the Claim Form and mail it to the Settlement Administrator at the address provided on the Claim Form. A Claim Form must be submitted online by **11:59 p.m. EST on July 8, 2019** or postmarked by **July 8, 2019**.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself by **May 16, 2019**. To exclude yourself from the Settlement, you must send a timely letter by mail to: Parker v. Universal Settlement, c/o JND Legal Administration, P.O. Box 91234, Seattle, WA

98111. Your request to be excluded from the Settlement must be personally signed by you under penalty of perjury and contain a statement that indicates your desire to be “excluded from the Settlement Class” and that, absent of excluding yourself or “opting out,” you are “otherwise a member of the Settlement Classes in the proposed settlement of *Parker, et al., v. Universal Pictures, et al.*, no. 6:16-CV-01193-CEM-DCI (M.D. FL.)” The request should also include your full name, address, and telephone number(s). If you timely request exclusion from the Settlement, you will be excluded and will not be bound by the judgment entered, and you will not be precluded from prosecuting any timely, individual claim against the Defendants. Unless you opt out of the Settlement, you cannot sue or be part of any other lawsuit against Defendants about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

You may object to the Settlement by **May 16, 2019**. The Long Form Notice available on the Settlement Website listed below explains how to exclude yourself or object. The Court will hold a Final Approval Hearing on **July 17, 2019 at 2:00 P.M. EST**, to consider whether to approve the Settlement, a request for attorneys’ fees of up to 23.41% of \$19,225,515, costs of up to \$200,000, and a service award of \$5,000 each to both of the named Plaintiffs. The Motion for these fees and expenses will be posted on the Settlement Website when they are filed with the Court. The Court will decide the amount of fees and expenses to award.

You may appear at the hearing, subject to the requirements set by the Court, either yourself or through an attorney you hire, but you don’t have to. For more information, including to view the Settlement Agreement and related Court documents, visit the Settlement Website or call the Settlement Administrator at the website or number designated below. You may also contact Ed Normand of Normand PLLC, Class Counsel, through www.ednormand.com, or calling (888) 274-6434.

www.wctcpasettlement.com

1-833-402-1723

EXHIBIT C

You Are Receiving this Notice

Because You May Have Incorrectly
Been Sent a Text Message.

**You May Be Entitled to a Payment from
a Class Action Settlement**

Visit www.wctcpasettlement.com
for more information

**PLEASE DO NOT CONTACT THE
CLERK OF THE COURT, THE JUDGE,
OR THE DEFENDANTS WITH
QUESTIONS ABOUT THE
SETTLEMENT OR THE LITIGATION.**

A settlement has been reached in a class action lawsuit *Parker, et al. v. Universal Pictures, et al.*, M.D. Fla. Case No. 6:16-CV-01193-CEM-DCI, claiming that Defendants Legendary Pictures, Universal Pictures, and Handstack impermissibly sent text messages relating to the release of the film *Warcraft* to wireless telephone numbers without consent of the recipients in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227. Defendants deny the allegations in the lawsuit, and the Court has not decided who is right.

~~Parker v. Universal Settlement~~
c/o JND Legal Administration
P.O. Box 91234
Seattle, WA 98111

Bar Code to Be Placed Here
Postal Service: Please do not mark Barcode

ELECTRONIC SERVICE REQUESTED

<<PRINTED ID>>
Class Member ID: <<NameNumber>>

<<Name>>
<<Address>>
<<City>>, <<State>> <<Zip>>

What Are the Settlement Terms? Defendants have agreed to make \$19,225,515 available to pay individuals who submit valid claim forms, settlement administration costs, attorneys' fees, a service award to the Class Representatives, and costs and expenses of the litigation. Subject to the qualification set forth at the end of this paragraph, each Settlement Class Member who submits a valid claim form will be entitled to receive \$35. Some Settlement Class Members may be entitled to receive more than one payment if one or more of the following is true: (1) the Settlement Class Member received more than one *Warcraft*-related text message to a residential (i.e., non-business) cell phone number and had registered his or her name on the National Do Not Call List thirty (30) days prior to receiving any *Warcraft*-related text messages from Defendants; (2) the Settlement Class Member received a second *Warcraft*-related text message from Defendants to a residential cell phone number after he or she submitted a request to Defendants not to receive any additional texts; and/or (3) the Settlement Class Member received more than one *Warcraft*-related text message from Defendants to a residential cell phone number, at least one of which was before 8 A.M. or after 9 P.M. local time at the texted person's location. Settlement Class Members who satisfy these requirements will be entitled to an additional \$50 for each of the three sub-categories listed above that apply to them. There is a limit of one claim per Settlement Class. Upon receipt of a valid Claim Form, the Administrator will determine whether you are entitled to one or more payments. The settlement also provides that Defendants will take steps to ensure that those who received *Warcraft*-related text messages are not contacted again without their consent and that future safeguards concerning text message marketing are observed. Depending on how many valid claim forms are submitted, it is possible that each Settlement Class Member's payment will be reduced on a pro-rata basis to cover settlement administration costs, attorneys' fees, a service award to the named Plaintiffs, and the costs and expenses of the litigation.

How Can I Get a Payment? To get a payment, you must submit a complete Claim Form online at wctcpasettlement.com or print the Claim Form and mail it to the Settlement Administrator at the address provided on the Claim Form. A Claim Form must be submitted online by 11:59 p.m. EST on July 10, 2019 or postmarked by July 10, 2019.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself by May 16, 2019. To exclude yourself from the Settlement, you must send a timely letter by mail to: Parker v. Universal Settlement, c/o JND Legal Administration, PO Box 91234, Seattle, WA 98111-9334. Your request to be excluded from the Settlement must be personally signed by you under penalty of perjury and contain a statement that indicates your desire to be "excluded from the Settlement Class" and that, absent of excluding yourself or "opting out," you are "otherwise a member of the Settlement Classes in the proposed settlement of *Parker, et al., v. Universal Pictures, et al.*, no. 6:16-CV-01193-CEM-DCI (M.D. Fl.)." The request should also include your full name, address, and telephone number(s). If you timely request exclusion from the Settlement, you will be excluded and will not be bound by the judgment entered, and you will not be precluded from prosecuting any timely, individual claim against the Defendants. Unless you opt out of the Settlement, you cannot sue or be part of any other lawsuit against Defendants about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

You may object to the Settlement by May 16, 2019. The Long Form Notice available on the Settlement Website listed below explains how to exclude yourself or object. The Court will hold a Final Approval Hearing on July 17, 2019, at 2:00 p.m. EST, to consider whether to approve the Settlement, a request for attorneys' fees of up to 23.41% of \$19,225,515, costs of up to \$200,000, and a service award of \$5,000 each to both of the named Plaintiffs. The Motion for these fees and expenses will be posted on the Settlement Website when they are filed with the Court. The Court will decide the amount of fees and expenses to award.

You may appear at the hearing, subject to the requirements set by the Court, either yourself or through an attorney you hire, but you don't have to. For more information, including to view the Settlement Agreement and related Court documents, visit the Settlement Website or call the Settlement Administrator at www.wctcpasettlement.com or 1-833-402-1723. You may also contact Ed Normand of Normand PLLC, Class Counsel, through www.ednormand.com, or calling (888) 274-6434.

EXHIBIT D

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA

You Are Receiving this Notice Because You May Have Been Incorrectly Sent a Text Message. You May Be Entitled to a Payment from a Class Action Settlement.

A federal court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

PLEASE DO NOT CONTACT THE CLERK OF THE COURT, THE JUDGE, OR THE DEFENDANTS WITH QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION.

- This notice concerns the proposed Settlement to resolve claims in the lawsuit *Parker, et al. v. Universal Pictures, et al.*, M.D. Fla. Case No. 6:16-CV-01193-CEM-DCI.¹
- Plaintiffs Ophelia Parker and Joseph Naso (“Plaintiffs”) allege that Defendants Legend Pictures, LLC, Legendary Pictures Funding, LLC, Legendary Analytics, LLC (now known as Applied Analytics Solutions, LLC (“AAS”)), Handstack, P.B.C. (“Handstack”) and Universal Pictures, a division of Universal City Studios LLC (collectively “Defendants”), violated the Telephone Consumer Protection Act 47 U.S.C. § 227, et seq. (the “TCPA”) by 1) sending text messages using an automatic telephone dialing system to the cellular telephones of persons who had not consented to receive such text messages; 2) sending text messages to numbers placed on the National Do-Not-Call registry; 3) sending text messages outside of permissible time-periods; and 4) sending text messages to recipients who requested not to be sent text messages.
- Defendants deny Plaintiffs’ allegations, deny any wrongdoing whatsoever, and have not conceded the truth or validity of any of the claims against them. By entering into the Settlement, the parties seek to avoid the risks and costs associated with further litigation. The Court has not decided who is right.
- The Settlement offers payments to Settlement Class Members who file valid Claims.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	If you are a member of the Settlement Class, you must submit a completed Claim Form to receive a payment. If the Court approves the Settlement and it becomes final and effective, you remain in the Settlement Class, and you have submitted a valid Claim Form, then you will receive your payment by check.

¹ Capitalized terms herein have the same meanings as those defined in the Settlement Agreement, a copy of which may be found online at the Settlement Website below.

EXCLUDE YOURSELF	You may request to be excluded from the Settlement and if you do, you will receive no benefits from the Settlement.
OBJECT	Write to the Court if you do not like the Settlement.
GO TO A HEARING	Ask to speak in court about the fairness of the Settlement.
DO NOTHING	You will not receive a payment if you fail to timely submit a completed Claim Form, and you will give up your right to bring your own lawsuit against Defendants about the Claims in this case.

- 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. If it does, and after any appeals are resolved, benefits will be distributed to those who submit qualifying Claim Forms. Please be patient.

BASIC INFORMATION

1. What is this notice about?

A court authorized this Notice because you have a right to know about a proposed Settlement of a class action lawsuit known as *Parker, et al. v. Universal Pictures, et al.*, M.D. Fla. Case No. 6:16-CV-01193-CEM-DCI and about 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 Carlos Mendoza of the United States District Court, Middle District of Florida, is overseeing this case.

2. What is this lawsuit about?

The lawsuit alleges that Defendants sent text messages to Plaintiffs’ wireless telephone numbers without prior express written consent in violation of the Telephone Consumer Protection Act, 47 USC § 227 (“TCPA”), and seeks actual and statutory damages under the TCPA on behalf of the named Plaintiff and a class of all individuals in the United States. Specifically, the Complaint alleges that Defendants sent text messages to promote the release of the film *Warcraft* in the summer of 2016.

Defendants deny each and every allegation of wrongdoing, liability, and damages that were or could have been asserted in the litigation and that the claims in the litigation would be appropriate for class treatment if the litigation were to proceed through trial.

The Plaintiffs and Defendants (“Parties”) have determined that it is in their best interests to settle this case to avoid the expenses, uncertainties, and inconveniences associated with litigation. In addition, the Court has given preliminary approval of the Settlement and will make a final determination regarding the settlement after Class members are given this Notice and the

opportunity to object.

The Plaintiffs' Complaint, Settlement Agreement, and other case-related documents are posted on the Settlement Website, www.wctcpasettlement.com. The Settlement resolves the lawsuit. The Court has not decided who is right.

3. What is the Telephone Consumer Protection Act?

The Telephone Consumer Protection Act (commonly referred to as the "TCPA") is a federal law that restricts telephone solicitations and the use of automated telephone equipment. The Plaintiffs here alleged that Defendants sent marketing text messages to individuals without the requisite prior written consent in violation of the TCPA.

4. Why is this a class action?

In a class action, individuals called the "Class Representatives" (in this case, Plaintiffs Ophelia Parker and Joseph Naso) sue on behalf of themselves and other people with similar claims. All of the people who have claims similar to the Plaintiffs are members of the Settlement Class, except for those who exclude themselves from the class.

5. Why is there a settlement?

The Court has not found in favor of either Plaintiffs or Defendants. Instead, both sides have agreed to a settlement. By agreeing to the Settlement, the parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class Claimants will receive the benefits described in this Notice. Defendants deny all legal claims in this case. Plaintiffs and their lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT

6. Who is included in the Settlement?

The Settlement consists of four different classes (these are called the "Settlement Classes"):

1. The "ATDS Class" consists of all persons or entities within the United States who received one or more text messages as part of the *Warcraft* Text Messaging Campaign.
2. The "Internal-Do-Not-Call Class" consists of all persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign, one of which was received after the class member submitted a request to not receive additional texts.
3. The "National Do-Not-Call Class" class consists of all persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign (a) in a 12-month period; and (b) more than 30 days after the placement of their number on the National Do-Not-Call Registry.

4. The “Out of Time Class” class will consist of all persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign, at least one of which was before 8 A.M. or after 9 P.M. local time at the texted person’s location.

People included in one or more of the Settlement Classes are called “Settlement Class Members.”

Excluded from the Settlement Classes are (1) the trial judge presiding over this case; (2) Defendants, as well as any parent, subsidiary, affiliate or control person of Defendants, and the officers, directors, agents, servants or employees of Defendants; (3) any of the Released Parties; (4) the immediate family of any such person(s); (5) any Settlement Class Member who has timely opted out of this proceeding; and (6) Plaintiff’s Counsel, their employees, and their immediate family.

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

If you are not sure whether you are in the Settlement Class or have any other questions about the Settlement, visit the Settlement Website at wctcpasettlement.com or call the toll-free number, 1-833-402-1723. You also may send questions to the Settlement Administrator at *Parker v. Universal Settlement*, c/o JND Legal Administration, P.O. Box 91234, Seattle, WA 98111.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

Defendants have agreed to make \$19,225,515 available to pay individuals who submit valid claim forms, settlement administration costs, attorneys’ fees, a service award to the Class Representatives, and costs and expenses of the litigation. Each Settlement Class Member who timely submits a valid Claim Form will be entitled to receive a cash payment or “Settlement Award” for each Settlement Class of which he or she is a member. The Settlement Award for members of the ATDS Class will be \$35. The Settlement Award for members of the Internal-Do- Not-Call, National Do-Not-Call, and Out of Time classes will be \$50. There is a limit of one claim per Settlement Class. Depending on how many valid claim forms are submitted, it is possible that each Settlement Class Member’s payment will be reduced on a pro-rata basis to cover settlement administration costs, attorneys’ fees, a service award to the Class Representative, and the costs and expenses of the litigation.

As part of the Settlement, Legendary, AAS, and Universal have agreed not to send or direct any other person or entity to send any text messages to market, promote, publicize, or advertise the *Warcraft* film. Legendary has also agreed not to use the services of Handstack to send text messages to market, promote, publicize, or advertise any of Defendants’ products or services.

Handstack has agreed that it will not use, either for itself or for any client, the Cell Phone Number List or any part of it to send or direct any text message and will not provide the Cell Phone Number List to any other person or entity. Should Handstack, on behalf of itself or for any client, carry out any telemarketing using its web-based platform for sending and to groups and receiving return text messages (the “Handstack Platform”) as used for the *Warcraft* Text Message Campaign, to a cellular telephone service, Handstack shall be subject to the following terms: (1) Handstack shall maintain and create a database of individuals who have provided prior consent as required by the TCPA or the rules and regulations promulgated thereunder, to receive such calls/texts, including the date and manner in which such consent was obtained; (2) Handstack shall implement reasonable procedures to ensure that no phone number on the National Do Not Call Registry is called/texted

absent prior express consent from the person assigned the number; and (3) Handstack shall develop and implement a written TCPA compliance policy, which includes maintaining an internal opt-out list for any future telemarketing campaigns. However, these terms do not apply if such call/text is made to collect a debt owed to or guaranteed by the United States, made for emergency purposes, made with prior express consent of the called party, or otherwise made in compliance with the TCPA, the rules and regulations promulgated thereunder, and/or applicable case law, or made as an individual acting in the course of a business in which Handstack has no control over or authority to determine TCPA compliance or Handstack does not initiate the sending of text messages.

9. How do I file a claim?

If you qualify for a cash payment, you must complete and submit a Claim Form online at www.wctcpasettlement.com or print the Claim Form and mail it to the Settlement Administrator at the address provided on the Claim Form. A Claim Form must be submitted online by **11:59 p.m. EST on July 10, 2019** or postmarked by **July 10, 2019**. You will need to provide your unique numerical identifier included on the Notice to access the Claim Form.

10. When will I receive payment?

Payments to Settlement Class Members will be made only after the Court grants Final Approval to the Settlement and after any appeals are resolved (see “Final Approval Hearing” below). If there are appeals, resolving them can take time. Please be patient.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep the right to sue or continue to sue Defendants on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself-or it is sometimes referred to as “opting out” of the Settlement Class.

11. How do I get out of the settlement?

To exclude yourself from the Settlement, you must send a timely letter by mail to:

Parker v. Universal Settlement
c/o JND Legal Administration
P.O. Box 91234
Seattle, WA 98111

Your request to be excluded from the Settlement must be personally signed by you under penalty of perjury and contain a statement that indicates your desire to be “excluded from the Settlement Class” and that, absent of excluding yourself or “opting out,” you are “otherwise a member of the Settlement Classes in the proposed settlement of *Parker, et al., v. Universal Pictures, et al.*, no. 6:16-CV-01193-CEM-DCI (M.D. Fl.)” The request should also include your full name, address, and telephone number(s). If you timely request exclusion from the Settlement, you will be excluded and will not be bound by the judgment entered, and you will not be precluded from prosecuting any timely, individual claim against the Defendants.

Your exclusion request must be postmarked no later than **May 16, 2019**. You cannot ask to be excluded on the phone, by email, or at the Settlement Website.

You may opt out of the Settlement Class only for yourself.

12. If I do not exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up the right to sue Defendants for the claims that the Settlement resolves. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

13. What am I giving up to stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue or be part of any other lawsuit against Defendants about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

The Settlement Agreement is available at www.wctcpasettlement.com. The Settlement Agreement provides more detail regarding the Releases 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 Settlement Class listed in Question 15 for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Claims or what they mean.

14. Will I receive a payment if I exclude myself from the Settlement?

No. You will not get a payment if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

The Court has appointed the following lawyers as “Class Counsel” to represent all members of the Settlement Class.

Edmund A. Normand NORMAND PLLC
3165 McCrory Place, Suite 175
Orlando, FL 32803
Tel: 888.274.6434

William C. Gray GRAY LLC
17 N. State Street Suite 1600
Chicago, IL 60602
Tel: 312.278.7900

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

16. How will the lawyers be paid?

Class Counsel intends to request up to 23.41% of the Total Settlement Value for attorneys' fees plus reimbursement of reasonable, actual out-of-pocket expenses incurred in the litigation of up to \$200,000. The fees and expenses awarded by the Court will be deducted from the Total Settlement Value. The Motion for these fees and expenses will be posted on the Settlement Website when they are filed with the Court. The Court will decide the amount of fees and expenses to award.

Class Counsel will also request that a Service Award of \$5,000 for each of the Plaintiffs to be deducted from the Total Settlement Value for their services as representative on behalf of all Settlement Class Members.

OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement. To object, you must timely submit a letter that includes the following:

- 1) A heading that includes the case name and case number: *Parker, et al. v. Universal Pictures, et al.*, Case No. 6:16-CV-01193-CEM-DCI.
- 2) Your name, address, telephone number, the cell phone number at which you received text messages related to the film *Warcraft* from May 1, 2016 through April 8, 2019, and if represented by counsel, the name, bar number, address, and telephone number of your counsel;
- 3) A signed statement stating, under penalty of perjury, that you received one or more text messages sent by or on behalf of Defendants related to the *Warcraft* film from May 1, 2016 through April 8, 2019 and are a member of the Settlement Class;
- 4) A statement of all your objections to the Settlement including your legal and factual basis for each objection;
- 5) A statement of whether you intend to appear at the Final Approval Hearing, either with or without counsel, and if with counsel, the name of your counsel who will attend;
- 6) The number of times in which you, your counsel and/or your counsel's law firm have objected to a class action settlement within the five years preceding the date that you file the objection, the caption of each case in which you, your counsel, or your counsel's law firm has made such objection, and a copy of any orders related to or ruling upon you, your, counsel's, or your counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case;
- 7) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection; and

8) Any and all agreements that relate to the objection or the process of objecting-whether written or verbal-between you or your counsel and any other person or entity.

IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FINAL APPROVAL HEARING.

If you file and serve a written objection and statement of intent to appear, you may appear at the Final Approval Hearing, either in person or through your personal counsel hired at your expense, to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement.

If you wish to object, you must file your objection with the Court (using the Court’s electronic filing system or in any manner in which the Court accepts filings) and mail your objection to each of the following three (3) addresses, and your objection must be postmarked by **May 16, 2019**.

Clerk of the Court	Class Counsel	Defendants’ Counsel
United States District Court for the Middle District of Florida 401 West Central Boulevard Orlando, Florida 32801	Edmund A. Normand NORMAND PLLC 3165 McCrory Place, Suite 175 Orlando, FL 32803 William C. Gray GRAY LLC 17 N. State Street, Suite 1600 Chicago, IL 60602	Steven A. Marenberg Michael D. Harbour Stephen M. Payne IRELL & MANELLA, LLP 1800 Avenue of the Stars, Suite 900 Los Angeles, CA 90067 Gregory W. Herbert GREENBERG TRAUIG LLP 450 S Orange Avenue, Suite 650 Orlando, FL 32801

18. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses (“Final Approval Hearing”).

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

The Court has scheduled a Final Approval Hearing on **July 17, 2019 at 2:00 P.M. EST** at the Orlando U.S. Courthouse, 401 West Central Boulevard Orlando, Florida 32801. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.wctcpasettlement.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys’ fees and expenses and for a Service Award to the Class Representative. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

20. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to attend the hearing 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 to the proper addresses and it complies with all the other requirements set forth above, the Court will consider it. You may also pay your own lawyer to attend the hearing, but it is not necessary.

21. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, your timely filed objection must include a statement of whether you intend to appear at the Final Approval Hearing (see Question 17 above).

You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

22. What happens if I do nothing?

If you are a Settlement Class member and do nothing, meaning you do not file a timely Claim, you will not get benefits from the Settlement. Further, unless you exclude yourself, you will be bound by the judgment entered by the Court.

MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed Settlement. You are urged to review more details in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at wctcpasettlement.com. You also may write with questions to the Settlement Administrator at: Parker v. Universal Settlement, c/o JND Legal Administration, P.O. Box 91234, Seattle, WA 98111, or call the toll-free number, 1-833-402-1723.

The above description of the case is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file for the case, you should visit the website of the Administrative Office of the U.S. Courts, Pacer Service Center, located at <http://pacer.psc.uscourts.gov/>. You may also visit or call the Clerk's office at 401 West Central Boulevard, Orlando, Florida 32801. The Clerk will tell you how to obtain the file for inspection and copying at your own expense. You may also contact Ed Normand of Normand PLLC, Class Counsel, through www.ednormand.com, or calling (888) 274-6434.

EXHIBIT E

Parker, et al. v. Universal Pictures, et al.
M.D. Fla. Case No. 6:16-CV-01193-CEM-DCI

CLAIM FORM

TO RECEIVE A PAYMENT, YOU MUST COMPLETE AND SIGN THIS CLAIM FORM AND SUBMIT IT TO THE SETTLEMENT ADMINISTRATOR (SEE SUBMISSION INFORMATION BELOW) BY JULY 10, 2019.

Please read this form carefully and follow the instructions below. Step 1: provide the requested information. Step 2: sign the certification. Step 3: submit the Claim Form using one of the identified methods. You may submit this Claim Form online by 11:59 P.M. EST on July 10, 2019 or you may print out and mail this form to: Parker v. Universal Settlement, c/o JND Legal Administration, P.O. Box 91234, Seattle, WA 98111 postmarked on or before July 10, 2019.

YOU ARE ONLY ENTITLED TO SUBMIT A CLAIM FORM IF YOU ARE A MEMBER OF ONE OR MORE OF THE SETTLEMENT CLASSES. See the Long Form Notice online at wctcpasettlement.com or call 1-833-402-1723 if you have questions as to whether you are a member of the Settlement Classes.

Each Settlement Class Member is entitled to submit only one claim. Your claim may be rejected if you do not provide the information requested below. Your claim will also be rejected if you do not sign the Claim Form.

STEP 1: CLAIMANT INFORMATION

Name: _____
First Middle Last

Current Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Current Telephone Number: _____

Class Member ID*: _____

*This number is the 10-digit alphanumeric number located in the Notice you received. If you do not provide this number, your claim form may be rejected.

Please provide the 10-digit cellular telephone number at which you were sent a text message relating to the film *Warcraft*, and identify whether the number was a residential or business line:

Telephone Number: _____

This cellular telephone number is a ____ residential ____ business line.

STEP 2: CERTIFICATION

I hereby certify under penalty of perjury that I have received notice of the class action Settlement in this case and I am a member of one or more of the classes of persons as described in the Notice. I certify under penalty of perjury that the above information is true to the best of my knowledge. I understand that the Settlement Administrator, Class Counsel, and Defense Counsel have the right to verify my responses or otherwise dispute any claims that are based on inaccurate responses.

Signature

Date: _____
MM DD YY

STEP 3: METHODS OF SUBMISSION

Please complete the Claim Form above and return it by one of the following methods:

- [1] By completing this online Claim Form and clicking “submit” below by 11:59 P.M. EST on July 10, 2019.
- [2] By mailing, at your own expense, a completed and signed Claim Form to the Settlement Administrator, postmarked no later than July 10, 2019, to: Parker v. Universal Settlement, c/o JND Legal Administration, P.O. Box 91234, Seattle, WA 98111.

Exhibit F