

If you received a discharge in bankruptcy and believe you had errors on your credit report, you could get benefits from a class action settlement.

**USE THE CLAIM FORM  
ATTACHED TO THIS NOTICE.**

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

- There is a proposed settlement with TransUnion LLC, Experian Information Solutions, Inc., and Equifax Information Services LLC (“Defendants”) in a class action lawsuit about whether they violated the Fair Credit Reporting Act (“FCRA”) and state laws when reporting debts that had been discharged in bankruptcy as not discharged, whether Defendants conducted proper investigations of consumer disputes regarding such debts, and whether consumers were damaged as a result.
- In an earlier settlement in this same case, these Defendants agreed to immediately change the way they report discharged debts and to update the credit files of class members to reflect bankruptcy discharges in conformity with new criteria. The Court approved this settlement on August 19, 2008, and issued an injunction prohibiting Defendants from continuing the practices challenged in this lawsuit (the “Injunctive Relief Settlement”).
- For those who make a claim, the settlement will provide payments of damage awards from a \$45 million settlement fund (“Settlement Fund”) that will pay claims to consumers who believe they had errors in their credit reports. It will also pay class counsel’s attorneys’ fees, their expenses and the costs of administering the settlement.

YOU MUST CHOOSE ONE OF THE FOLLOWING FOUR OPTIONS:	
ASK FOR BENEFITS	Register to receive cash benefits from the settlement.
OBJECT	Write to the Court about why you don’t like the settlement.
DO NOTHING	Get no benefits from this settlement of the monetary claims. You will be giving up rights to be part of any other lawsuit against these Defendants seeking damages for the legal claims alleged in this case, but you will not lose any benefit from the injunctive relief settlement agreement described above.
OPT OUT	Ask to be excluded from the settlement. Keep the right to file your own lawsuit against the Defendants. However, even if you opt-out of this Settlement, the procedure changes required by the Injunctive Relief Settlement still apply to you.

- These rights and options—and the deadlines to exercise them—are explained in this notice.
- You also have the right to go to a hearing that will be held on January 11, 2010, and to ask to speak to the Court about the settlement.
- The Court in charge of this case still has to decide whether to approve the settlement. If it does, benefits will be distributed to those who have qualified for them, but only after any appeals are resolved. Please be patient.

QUESTIONS? CALL TOLL FREE 1 (866) 237-3432, OR VISIT [WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM](http://WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM)  
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## BASIC INFORMATION

### 1. Why is this Notice being provided?

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 give “final approval” to the settlement. If the settlement is ultimately approved, benefits will be made available to everyone who submits a claim form and who qualifies. This notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who may be eligible for those benefits, and how to get them.

Judge David O. Carter of the United States District Court for the Central District of California is overseeing this class action. The case is known as *White, et al. v. Experian Information Solutions, Inc. et al.*, No. 05-CV-1070 DOC (MLGx). The people who sued are called the “Plaintiffs,” and the companies they sued, TransUnion LLC (“TransUnion”), Experian Information Solutions, Inc. (“Experian”), and Equifax Information Services LLC (“Equifax”), are called the “Defendants.”

### 2. What is this lawsuit about?

The lawsuit alleges that the Defendants violated the Fair Credit Reporting Act (“FCRA”) and related state laws by failing to follow reasonable procedures to assure maximum possible accuracy in the reporting of debts discharged in bankruptcy and failing to properly reinvestigate disputes made by consumers regarding such debts. For example, a consumer may have had a \$500 credit card debt that was put in collection, and the debt was then discharged in Chapter 7 no-asset bankruptcy proceedings. The lawsuit charges that the Defendants were erroneously reporting those kinds of debts as in collection or due and owing on their credit reports, when they should have been reported as included in bankruptcy, and that when consumers disputed such reporting, Defendants failed to properly reinvestigate such disputes. In the filed complaints against the Defendants, Plaintiffs requested injunctive relief and actual, statutory, and punitive damages.

The Defendants deny all of the Plaintiffs’ claims and say that they did nothing wrong. Specifically, Defendants disagree with the allegations and say that they have many defenses, that they are not liable to Plaintiffs, and that Plaintiffs are not entitled to any benefits from this litigation.

### 3. Who are TransUnion, Experian, and Equifax?

TransUnion, Experian, and Equifax are consumer credit reporting agencies that collect consumer credit information and provide credit reports or other credit-related information to credit grantors and others, such as prospective employers and insurance companies.

### 4. What is a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of people who have similar claims. All of these people are a “Class” or “Class members.” One court resolves the issues for all Class members.

### 5. Why is there a settlement?

The Court did not decide in favor of the Plaintiffs or the Defendants. Instead, the plaintiffs who support the settlement (that is, the Class Representatives who are Jose Hernandez, Kathryn Pike, Robert Randall, and Bertram Robison) and Defendants agreed to settle all the claims alleged in the case to avoid the cost and risk of a trial. The settlement does not mean that any law was violated or that the Defendants did anything wrong. The Defendants deny all legal claims in this case. The Class Representatives and their lawyers think the settlement is best for all Class members. There are other plaintiffs who are not the Class Representatives, but who also alleged claims against the Defendants just like those alleged by the Class Representatives, who along with their counsel have filed papers with the Court indicating that they do not support the settlement. These non-settling plaintiffs may file an objection to the final approval of the settlement.

## WHO IS IN THE CLASS SETTLEMENT?

To see if you will be affected by this settlement or if you can get benefits from it, you first have to determine if you are a Class member.

### 6. How do I know if I am part of the Class settlement?

The Court decided that the Class includes all consumers who have received an order of discharge of Chapter 7 Bankruptcy and who, between March 15, 2002 and May 11, 2009 (or, for California residents in the case of TransUnion, between May 12, 2001 and May 11, 2009), have had a credit report issued by a Defendant that contained debts, accounts, judgments or other obligations discharged in bankruptcy that were not reported as discharged in bankruptcy.

### 7. Are there exceptions to being included?

The settlement does not include (a) anyone who opts out from the Class before the deadline; (b) consumers who previously released all of their claims against the Defendant; (c) Defendants and their officers, directors, and employees; (d) counsel for any of the settling parties in this case; or (e) all judges assigned to this case, along with their staff, spouses and any children living in their households.

### 8. What if I am not sure whether I am included in the Class settlement?

If you are not sure whether you are included in the Class, or you have questions about the settlement, you may call the toll free number, 1-866-237-3432, where frequently asked questions are answered. You may also email questions to [BankruptcyDischargeSettlement@gardencitygroup.com](mailto:BankruptcyDischargeSettlement@gardencitygroup.com), visit [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com), or write with questions to Settlement Administrator, White, et al. v. Experian Information Solutions, Inc., c/o The Garden City Group, Inc., P.O. Box 9517, Dublin, OH 43017-4817.

## THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

If the settlement is ultimately approved and becomes final, it will provide benefits to Class members.

### 9. What does the settlement provide?

The settlement will establish a \$45 million Settlement Fund that will:

- pay for damage award claims by consumers who certify either:
  - that they believe that they may have had errors in their credit reports regarding debts discharged in bankruptcy (*see* Question 10), or
  - that they have been harmed by an error they believe appeared in their credit reports regarding debts discharged in bankruptcy (*see* Question 10);
- pay class counsel's attorneys' fees and their expenses (*see* Question 16);
- pay an incentive award of \$5,000 each to the Class Representative plaintiffs who support the settlement; and
- pay the costs of notice and administering the settlement.

More details on all of the settlement benefits are available in the [Settlement Agreement](#) which is available at [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com).

## 10. How can I get a damage award from the settlement?

There are two Options you may elect to get a damage award from the settlement. Alternatively, you can opt out and pursue your own claim against the Defendants.

Option 1 on the claim form is for a convenience award. This is for those Class members who certify that they believe that there have been one or more errors in their credit reports regarding debt discharged in bankruptcy but who are unable to meet the requirements for Option 2. The amount of this type of award will depend in part on the number of class members who provide this certification. The parties estimate that an award under Option 1 will be about \$20, but it could be more or it could be less.

Option 2 on the claim form is for those Class members who are able not only to certify that they believe there may have been errors in their credit reports regarding debts discharged in bankruptcy, but who are also able to certify that they believe they have been damaged by such errors. Class members who make this certification must specify whether they believe they suffered this harm with respect to a denial of employment, a mortgage loan or housing rental, and/or a credit card, auto loan, other credit that they applied for, or payment of a discharged debt to obtain credit. They also must state which month and year they believed this happened. The Settlement Administrator will verify these claims. Accepted claims will be paid according to this schedule of estimated award amounts:

A denial of employment you applied for	\$750.00
A mortgage loan or a housing rental you sought	\$500.00
A credit card, auto loan, or other credit applied for, or payment of a discharged debt to obtain credit	\$150.00

Payment will be made only for the highest dollar category for which you qualify even if you qualify for two or three of them. Also, the exact amounts may be somewhat higher or lower than the projected amounts, depending on the number of class members who qualify for awards under this Settlement.

Plaintiffs allege in the lawsuit that a credit report contained an “error” if an account or judgment which was discharged in a Chapter 7 bankruptcy was reported with information indicating that such debt was due and owing.

To apply for an award under Option 1 or Option 2, you can use the attached claim form or fill out the form at [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com).

## 11. Will my credit report be updated?

Information in your credit report relating to debt discharged in bankruptcy should already have been updated. Earlier in this case, the Plaintiffs and Defendants reached a separate settlement agreement that was approved by the Court on August 19, 2008. As part of the Injunctive Relief Settlement, Equifax, TransUnion, and Experian agreed to immediately update the credit files of Class members to reflect bankruptcy discharges, and adopted new procedures for automatic updating in the future. No money was paid, and no claims for money were given up by the Class members. In addition, Class Counsel and possibly additional counsel will, prior to the approval of this Settlement, be seeking approval of an award of fees and expenses for their efforts in connection with obtaining the injunctive relief settlement referenced above; in a separate, previously negotiated agreement, Defendants have agreed to pay up to six million dollars for the injunctive relief fees and expenses, subject to Court approval. The amount of injunctive relief fees and expenses approved will in no way reduce the size of the Settlement Fund.

## 12. What am I giving up as part of the settlement?

Unless you opt out of the Settlement, you will be giving up all rights under both federal and state law to claims against Defendants that relate to the reporting of debt discharged in bankruptcy, including claims relating to Defendants’ reinvestigation of any disputes you may have made about the reporting of such debts. This means, for example, that if you applied for credit or a mortgage loan and you were denied because of errors you believe appeared on your credit reports regarding debt discharged in bankruptcy, you will lose your right to pursue any related claims against Defendants. You can find more information regarding the rights you will be giving up in a document called the [Settlement Agreement](#), which is available at [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com). You can talk to the Settlement Administrator representing the 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.

QUESTIONS? CALL TOLL FREE 1 (866) 237-3432, OR VISIT [WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM](http://WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM)  
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## HOW TO GET BENEFITS

### 13. How can I get benefits?

You may submit a claim to receive a Convenience Damage Award or Actual Damage Award by going to [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com) or using the form attached to this notice and sending it in by **November 30, 2009**.

### 14. When will I get my benefits?

If you submit a claim for one or more of the benefits provided by this settlement, you will be notified about how and when you can obtain these benefits after the Court grants final approval of the settlement and all appeals are resolved. The final approval hearing is scheduled for **January 11, 2010**. If the settlement is approved and not delayed by appeal, benefits should begin being distributed within 90 days. Updates will be available on the website.

## THE LAWYERS REPRESENTING YOU

### 15. Do I have a lawyer in the case?

The Court appointed the Law Offices of: Michael Caddell, Esq., Caddell & Chapman; Michael W. Sobol, Esq., Lieff Cabraser Heimann & Bernstein; Leonard A. Bennett, Esq., Consumer Litigation Associates, P.C.; Mitchell A. Toups, Esq., Weller, Green, Toups & Terrell, L.L.P.; Charles Delbaum and Stuart T. Rossman, National Consumer Law Center; and Lee A. Sherman, Esq., Callahan, Thompson, Sherman & Caudill, as “Class Counsel” to represent you and other Class members. You may contact the Settlement Administrator by calling the toll-free number: 1-866-237-3432. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

### 16. How will the lawyers and Class Representatives be paid?

At the Final Fairness Hearing, Class Counsel will ask the Court for approval of attorneys’ fees of no more than 25% of the Settlement Fund and for reimbursement of their costs and expenses in connection with this settlement providing for a settlement fund of \$45 million. They will also ask for incentive awards of up to \$5,000 for each of the Class Representative plaintiffs supporting the settlement who helped the lawyers on behalf of the whole Class. The Court has not yet made any decision regarding the amount of attorneys’ fees, costs, expenses, and Class Representative payments, and may award less than these amounts. The fees, expenses, and awards that the Court orders, plus the costs to administer the settlement, will come out of the Settlement Fund.

## OBJECTING TO THE SETTLEMENT

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

You can comment on the settlement if you do not like it or any part of it. The Court will consider your views. To do so, you must send in a written objection in the case, *White, et al. v. Experian Information Solutions, Inc. et al.*, No. 05-CV-1070 DOC (MLGx). Be sure to include your full name, address, telephone number, your signature, your specific objections and the basis for them, confirmation that you are a member of the Class, and any legal support you wish to bring to the Court’s attention and any evidence you wish to introduce in support of your objection. Your written notice should indicate whether you or your lawyer intend to appear at the Final Fairness Hearing to object to the settlement. You must file your objection with the Court and send it to all of the addresses below by **November 30, 2009**:

COURT	PLAINTIFFS’ COUNSEL	TRANSUNION COUNSEL
Clerk of the Court 411 West Fourth Street, Room 1053 Santa Ana, CA 92701-4516  United States District Court	Michael W. Sobol, Esq. LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP 275 Battery Street, 30th Fl. San Francisco, CA 94111	Julia B. Strickland, Esq. Stephen J. Newman, Esq. STROOCK & STROOCK & LAVAN LLP 2029 Century Park East, Suite 1600 Los Angeles, CA 90067
EXPERIAN COUNSEL	EQUIFAX COUNSEL	
Daniel J. McLoon, Esq. Michael G. Morgan, Esq. JONES DAY 555 South Flower Street Fiftieth Floor Los Angeles, CA 90071-2300	Craig E. Bertschi, Esq. Cindy Hanson, Esq. KILPATRICK STOCKTON LLP 1100 Peachtree Street, Suite 2800 Atlanta, GA 30309-4530	

Filing a written objection with the Court is the only permissible way to contact the Court.  
**DO NOT CALL THE COURT. DO NOT CALL OR SEND CORRESPONDENCE TO**  
**JUDGE CARTER OR HIS STAFF.**

## OPTING OUT OF THE SETTLEMENT

### 18. How do I opt out from participating in the settlement?

You can request to be excluded from the settlement by “opting out.” Opting out means that you will not partake in the settlement and you retain your rights to bring or continue to pursue your own lawsuit against the Defendants. To opt out, you must send a written request to: “Exclusion Requests – White Settlement Administrator, Settlement Administrator, White, et al. v. Experian Information Solutions, Inc., c/o The Garden City Group, Inc., P.O. Box 9517, Dublin, OH 43017-4817.” Be sure to include your full name, address, telephone number, your signature, and a specific statement that you want to be excluded from the settlement. Your opt out statement must be personally signed by you and must be postmarked by **November 30, 2009**.

QUESTIONS? CALL TOLL FREE 1 (866) 237-3432, OR VISIT [WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM](http://WWW.BANKRUPTCYDISCHARGESSETTLEMENT.COM)  
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## THE COURT'S FAIRNESS HEARING

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

The Court is scheduled to hold a Fairness Hearing at 8:30 a.m. on **January 11, 2010**, at the United States District Court for the Central District of California, Santa Ana Courthouse, Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street, Courtroom 9D, Santa Ana, California, 92701. At the Fairness Hearing, the Court will consider whether the settlement is fair, reasonable, and adequate and should be granted final approval. If there are objections, the Court will consider them. Class Counsel will also ask the Court for approval of their request for attorneys' fees, costs, expenses, and incentive awards to Class Representatives.

The Fairness Hearing may be moved to a different date, extended, or moved to a different Courtroom without additional notice, so it is recommended that you periodically check [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com) for updated information.

### 20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend the hearing at your own expense. If you send in a written objection, you do not have to come to the Fairness Hearing to talk about it. As long as you filed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend the Fairness Hearing, but it is not necessary.

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

To speak at the Fairness Hearing, you must send a letter or other written document saying that the letter or document is your "Notice of Intent to Appear" in *White, et al. v. Experian Information Solutions, Inc. et al.*, No. 05-CV-1070 DOC (MLGx). Be sure to include your name, address, telephone number, and your signature. You also must include information about what you intend to say at the hearing and, if you will be represented by a lawyer other than Class Counsel, you must include the name, address, and telephone number of your lawyer. You must send copies of your "Notice of Intent to Appear" to all of the addresses listed in Question 17 above. It must be postmarked no later than **November 30, 2009**. The Court will decide if you will be allowed to speak at the Fairness Hearing.

## IF YOU DO NOTHING

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

If you do nothing before the deadlines described in this notice, you will not receive any payment in this settlement, and you will lose the right to sue or continue to sue any of the Defendants or other released parties based on how debt discharged in bankruptcy is reported, the handling of any reinvestigation of any dispute you submitted to Defendants regarding the reporting of such debts, or based on any matter alleged in the complaints on file with the Court. You still should have already had your credit file updated as a result of an earlier settlement requiring Defendants to fix consumers' credit files.

## GETTING MORE INFORMATION

### 23. How do I get more information about the settlement?

This notice summarizes the settlement. More details are in the [Settlement Agreement](#). You can get a copy of the Settlement Agreement at [www.BankruptcyDischargeSettlement.com](http://www.BankruptcyDischargeSettlement.com). You also may call 1- 866-237-3432 or write to Settlement Administrator, White, et al. v. Experian Information Solutions, Inc., c/o The Garden City Group, Inc., P.O. Box 9517, Dublin, OH 43017-4817.

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