

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DR. WILLIAM M. POLLACK V. CUNNINGHAM FINANCIAL, LLC,
08 C 1405 Judge Hibbler

SUMMARY NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

TO: All persons and entities with facsimile telephone numbers, who received a facsimile or facsimiles from Cunningham Financial Group, LLC, promoting the commercial availability of its goods or services who did not consent to the sending of such facsimile(s) and did not have an existing business relationship with Cunningham Financial Group, LLC. Copies of the facsimiles at issue can be found on www.edcombs.com.

This Summary Notice is to inform you of the proposed Settlement of a class action lawsuit having to do with unsolicited fax advertising. This fax number has been identified as one which may have been sent the unsolicited advertisements at issue in this lawsuit. The defendant denies liability, but the parties have agreed to a proposed Settlement. This notice is only a summary. **To obtain a complete Notice of Pendency of Class Action and Proposed Settlement, please call (312) 739-4200. A copy of this Notice can also be found on www.edcombs.com.**

If you are a member of the Settlement Class, you may be entitled to receive a cash Settlement, if this Settlement is approved by the Court and you properly submit a claim form by May 29, 2009. The amount of the payment depends on the number of faxes received by each claimant and the number of claim forms returned. Each Class Member likely received more than one fax from Defendant. Based on information currently known and experience, plaintiff's counsel estimates that the claim value of each fax may be \$80. However, that amount may vary and is dependent upon the number of faxes you received and the number of class members who timely return a valid claim form. The number of faxes that were sent to each claimant by Defendant will be determined after Claim Forms are returned by a review of Defendant's records. The proposed Settlement also includes a release of claim. If you want to be excluded from the Settlement or if you wish to object to the Settlement, you must comply with the instructions and requirements set forth in the complete Notice of Pendency of Class Action and Proposed Settlement. **If you choose to make a claim, you must fill out the claim form below completely and submit it by fax to (773) 378-1018 or by mail to First Class, Inc., 5410 W. Roosevelt Rd., Unit 222, Chicago, IL 60644-1478 postmarked by MAY 29, 2009.**

PLEASE DO NOT CONTACT THE COURT OR DEFENDANT'S COUNSEL FOR INFORMATION.

Dated: February 19, 2009

BY ORDER OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

CLAIM FORM

SUBMIT BY MAY 29, 2009
VIA FACSIMILE OR MAIL TO:
FIRST CLASS, INC.
5410 W. Roosevelt Road, Unit 222
Chicago, IL 60644-1478
(773) 378-1018 (FAX)

Fax number

Name of Company that Subscribed to Fax Line

Current Mailing Address of Subscriber of Fax Line:

Street/P.O. Box

City

State

Zip Code

I submit this Claim Form under penalty of perjury and swear that I received the above-described facsimile advertisements and that I did not have an established business relationship with Cunningham Financial Group, LLC. I also did not consent to the sending of facsimile advertisements to me by Cunningham Financial Group, LLC.

Signature