

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KARL L. HALPERIN, individually and on behalf of a class,)	
)	
Plaintiff,)	Case No. 07 C 2161
)	
v.)	Judge Bucklo
)	
INTERPARK, INC., and DOES 1-10,)	Magistrate Judge Soat Brown
)	
Defendants.)	
)	

NOTICE OF CLASS ACTION SETTLEMENT

PLEASE READ THIS NOTICE CAREFULLY.

YOU MAY BENEFIT FROM READING THIS NOTICE.

***IF YOU WISH TO RECEIVE A PORTION OF THE CLASS SETTLEMENT PROCEEDS, YOU MUST
RETURN THE FORM AT THE END OF THIS NOTICE BY _____, 2008***

To: All persons to whom Interpark provided an electronically printed receipt at the point of sale or transaction, in a transaction occurring in Illinois after December 4, 2006, which receipt displays either (a) more than the last five digits of the person's credit card or debit card number, and/or (b) the expiration date of the person's credit or debit card.

WHAT IS THIS NOTICE?

This Notice informs you that a class settlement has been reached in the lawsuit entitled *Halperin v. Interpark, Inc.*, Case No. 07-C-2161, in the United States District Court for the Northern District of Illinois

You are receiving this notice because **you may be entitled to a recovery if you submit a claim form by _____, 2008**

WHAT IS THIS LAWSUIT IS ABOUT?

This lawsuit contends that InterPark violated the Fair Credit Reporting Act, 15 U.S.C. §1681 *et seq.* ("the FCRA"). Specifically, Mr. Halperin has alleged that defendant provided him a receipt that displayed the expiration date of his credit card, in violation of the FCRA. Mr. Halperin claims that defendants' violation of the FCRA was willful. InterPark denies this allegation, and claims that it is not liable to the plaintiff or class members.

On November 29, 2007, the United States District Court for the Northern District of Illinois determined that this lawsuit may be maintained as a class action. In this case, the class consists of approximately _____ people. If you have received an electronically printed receipt from Interpark that displays either more than the last five digits

of your card or the card's expiration date, you and every other member of the class have the same legal and factual claims as Ms. Halperin.

The defendant has denied that it has violated the FCRA, and further denies that its conduct was willful. The Court has not yet ruled on the merits of Mr. Halperin's claims, or the defendant's defenses.

WHO IS A MEMBER OF THE CLASS?

If you used the parking garage located at 55 E. Monroe, Chicago Illinois, between December 4, 2006, and April 21, 2007, you may have received a receipt that displayed the expiration date of your credit card. If you received such a receipt from InterPark, you are a member of this class and are entitled to a portion of the settlement proceeds.

WHAT ARE THE BASIC TERMS OF THE SETTLEMENT?

Benefit to the Class: Although the defendant has denied any liability, InterPark has agreed to settle this case on a class basis in the amount of \$250,000.00 due to the expense, delay and uncertainty of litigation.

Out of the \$250,000.00 Settlement Fund, Plaintiff Karl Halperin will receive \$1,000 for his role as class

representative and the class counsel shall receive . Each class member who does not exclude himself or herself and timely submits a claim form will receive a pro rata share of the Class Fund.

The cost of notice, administration, and distribution of the settlement will be deducted from the Class Fund prior to distribution.

Unless you exclude yourself from the Settlement, you will be a part of the class and be required to submit a claim form to receive your portion of the settlement funds. By staying in the class, all of the Court's orders will apply to you, and you are barred by the judgment from suing the defendant about the receipts at issue in this lawsuit. You will only get a payment from the settlement if you submit a claim form by _____, 2008.

This Notice is intended only to provide a summary of the terms of the Settlement; you may review the full Settlement Agreement by sending a request to the Clerk of the Court at the address listed at the bottom of this Notice. You will not receive any further notice in the event that the Settlement is approved.

WHAT ARE YOUR OPTIONS?

You have the choice of (1) remaining in the class and submitting a claim form, (2) excluding yourself from the class, or (3) submitting a written objection or comment. Each choice has certain risks and consequences. You have the right to discuss your decision with Edelman, Combs, Latturner & Goodwin, LLC or with your own attorney.

(1) What must you do if you want to obtain benefits of from the class settlement?

If you do not opt out, you will be required to fill out and return a claim form. All claim forms must be postmarked by _____, 2008.

(2) What must you do if you do not want to be a part of this class settlement?

If you exclude yourself from the class, you will not be bound by any judgment or disposition of this case, you will retain any claims you may have against the defendant, and you will not receive any compensation from the Class Fund.

If you wish to exclude yourself from the class, you must send letters to Edelman, Combs, Latturner & Goodwin, LLC (see address below) and The United States District Court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen Building, 20th Floor, 219 South Dearborn Street, Chicago, Illinois 60604 containing the name and the number of this case (*Halperin v. Interpark, Inc.*, Case No. 07-C-2161) stating that you wish to be excluded. **INCLUDE YOUR NAME AND CONTACT INFORMATION ON THE LETTER, NOT JUST THE ENVELOPE. EXCLUSIONS MUST**

BE RECEIVED NO LATER THAN _____, 2008.

If you mail a request for exclusion, you bear the risk of any problem with the mail.

If you elect to exclude yourself from the class, you may file an individual action or intervene in this action. If you intend to choose this option, consult with an attorney prior to the expiration of the opt out period. **The two year statute of limitations, which stopped running on April 18, 2007, when the case was filed, will begin running again upon your filing of the exclusion. You will have the same number of days to file suit as had on April 18, 2007.** If you want your own attorney to represent you in an individual case, the terms of the representation are a matter for you and your attorney to negotiate.

(3) What must you do if you want to object to the settlement?

You may submit written objections or comments regarding the settlement. Any written objections or comments should be submitted by mailing your objection or comments to Class Counsel, Edelman, Combs, Latturner & Goodwin, LLC, 120 South LaSalle Street, Suite 1800, Chicago, IL 60603. Written objections or comments must be postmarked no later than _____, 2008.

CLASS COUNSEL'S OPINION OF THE SETTLEMENT

In an individual lawsuit or class action under the FCRA, you can recover from \$100 to &1,000 in statutory damages, any actual damages, and attorney's fees.

Class counsel believes that given the probability of success on the merits, the ability of defendants to pay a judgment and the size of the class benefit in this settlement, the terms of the settlement are fair and reasonable, and the class members should accept this settlement.

WHO REPRESENTS THE CLASS?

Mr. Halperin has been appointed as the representative of the class. His counsel, listed below, have been appointed as class counsel:

Daniel A. Edelman (19609)
EDELMAN COMBS LATTURNER & GOODWIN LLC
120 South LaSalle Street, Suite 1800
Chicago, IL 60603
(312) 739-4200
(312) 419-0379 (FAX)
info@edcombs.com

Class counsel will represent your interests in this lawsuit. You may contact them with any questions that you have about the lawsuit. You will not be charged for their

services. You may, however, hire your own attorney at your own expense to advise you in this matter.

**FINAL HEARING ON THE FAIRNESS
OF THE SETTLEMENT**

The hearing to determine the fairness of the settlement will be at _:_ on _____, 2008 in the United States District court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604 in Courtroom 1778 before Judge Dow. **YOU ARE NOT REQUIRED TO ATTEND**, but you may do so if you wish. The date of this hearing is subject to change without notice; if you plan to attend, you should contact class counsel or the Clerk of the Court to confirm the date and time of the hearing prior to attending.

**WHO CAN HELP WITH ADDITIONAL
INFORMATION?**

Any further questions that you or your attorney may have concerning this Notice should be directed to Edelman, Combs, Lattuner & Goodwin, LLC. **Please include the case name and the firm's file number (#19609), your name and your return address on any letters you send, not just the envelopes.** However, before you call, PLEASE READ THIS NOTICE CAREFULLY.

The description of the lawsuit and settlement that is contained in this notice is only general. All papers filed in this case, including the full Settlement Agreement, are available for you to inspect an copy (at your cost) at the office of the Clerk of the Court, United States District Court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen Building, 20th Floor, 219 South Dearborn Street, Chicago, Illinois 60604, during regular business hours. The judge cannot discuss the case with you and the Clerk can only make documents available. You must bring the name of the case and the case number with you, since the clerk will need to know this information in order to obtain the court file for you to inspect.

**PLEASE DO NOT CONTACT THE JUDGE
ABOUT THE SETTLEMENT OF THIS CASE**