

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

JEROLD S. RAWSON and)	
CREATIVE FUN, INC.,)	
)	
Plaintiffs,)	
)	03 CH 10844
v.)	
)	
ROBIN LEVIN, doing business as THE)	
RIDGEWOOD ORGANIZATION,)	
)	
Defendant.)	

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

TO: all persons who on or after June 27, 1998 were sent advertising faxes by The Ridgewood Organization.

**PLEASE READ THIS NOTICE CAREFULLY.
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU. IT IS A NOTICE OF A SETTLEMENT
BEING SENT TO YOU BY COURT ORDER.
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 MARCH 3, 2006.**

WHAT THIS LAWSUIT IS ABOUT: Plaintiffs filed this action in the Circuit Court of Cook County, Illinois. On behalf of a putative class, plaintiffs alleged that the defendants violated the Telephone Consumer Protection Act, 47 U.S.C. §227 (“TCPA”), and state law by sending unsolicited facsimile advertisements. Defendants deny plaintiffs’ allegations, and have raised defenses to plaintiffs’ claims. Defendants also claim that the TCPA is unconstitutional. Judge McGann disagreed, as have other trial and appellate courts in various places, but there is no case from the Illinois Appellate or Supreme Courts or the U. S. Supreme Court addressing that issue.

Judge McGann granted preliminary approval of the settlement, subject to a fairness hearing which will take place on April 24, 2006 at 11:00 a.m., in Room 1703 of the Circuit Court of Cook County, Illinois, Daley Center, 50 W. Washington, Chicago, Illinois, 60602.

The Court ordered that you be sent this notice because you appear to be a member of the class as defined above. This notice explains the nature of the lawsuit and the terms of the settlement and informs you of your legal rights and obligations.

IN ORDER TO OBTAIN MONETARY BENEFITS OF THIS SETTLEMENT, YOU MUST FILL OUT AND RETURN THE PROOF OF CLAIM FORM AT THE END OF THIS NOTICE.

NO ADMISSION OF LIABILITY: By settling this lawsuit, Defendants are not admitting that they have done anything wrong. Defendants expressly deny that they have done anything wrong.

THE PROPOSED SETTLEMENT: Plaintiffs and defendants have agreed to the settlement described below. **IF YOU WISH TO RECEIVE A PORTION OF THE SETTLEMENT PROCEEDS, YOU MUST RETURN THE PROOF OF CLAIM FORM AT THE END OF THIS NOTICE BY MARCH 3, 2006.** If you do not wish to be bound by the settlement, you must opt-out. If you return your form and the settlement is finally approved, you will be sent

a check for your portion of the settlement.

Recovery to Class Members. Defendants agree to pay into a Settlement Fund the total sum of \$300,000 (the "Settlement Fund"). Prior to distribution of the Settlement Fund to the class, an incentive award of \$2,500.00 to the named plaintiffs and to \$1,500.00 C.E. Design Corporation, the costs of notice and class administration and attorney's fees to Class Counsel in the amount discussed below will also be paid from the Settlement Fund. After deduction of the items described above, Defendants shall pay from the Settlement Fund to each class member who: (i) does not opt-out; and (ii) **RETURNS THE PROOF OF CLAIM FORM AT THE END OF THIS NOTICE INDICATING THAT THEY WANT TO PARTICIPATE IN THE MONETARY BENEFITS OF THE SETTLEMENT BEFORE MARCH 3, 2006**; a pro-rata share of the Settlement Fund based upon the number of valid claims submitted by class members. No class member will receive more than one payment, **up to but not exceeding \$500.00**, regardless of the number of faxes received. In the event funds remain in the Settlement Fund after payment of all valid claims, the remainder shall be donated to a charitable organization.

Attorney's Fees. Plaintiffs' counsel will request approval of the Court for attorneys' fees and costs of \$75,000 (25%). Defendants will not oppose or cause to be opposed an application by plaintiffs' counsel for attorneys' fees and costs of \$75,000. Plaintiffs' counsel will not request additional fees and costs from defendants or the class.

Release. Unless you exclude yourself from the settlement, you will be part of the class. By staying in the class, all of the Court's orders will apply to you and you give the The Ridgewood Organization a "release." A release means you cannot sue or ever be part of any other lawsuit against The Ridgewood Organization related to the sending of advertising faxes

CLASS COUNSEL'S OPINION OF THE VALUE OF THE SETTLEMENT: In an individual action, a prevailing plaintiff may be able to recover \$500 in statutory damages under the TCPA (\$1500 if a willful violation is shown). Of course if an individual does not prevail, he will receive no payment. There have also been questions raised as to the constitutionality of the TCPA and concerning whether certain states recognize private causes of action under the TCPA.

Under certain state laws prevailing Plaintiffs may recover lesser amounts, as some states have adopted their own statutes. Those statutes may also contain defenses which do not exist under the TCPA and which defenses may prohibit any recovery whatsoever. Despite diligent efforts, Class Counsel has not been able to establish how many or which persons or businesses received unsolicited advertisements by fax from Defendants. As a result, there is doubt as to whether this case would be maintainable as a class action absent this Settlement. In the absence of this Settlement, each individual who received an unsolicited faxed advertisement would have to prosecute a lawsuit individually, and therefore lose the benefits of class representation.

For these reasons, Class Counsel believes that the settlement is fair and reasonable and that the class members should accept this settlement.

CORRECT NAME: If any of the persons to whom this notice is sent have died or are divorced or changed their name, you should send a letter to Class Counsel explaining who you are and why the claim belongs to you and include any supporting documentation.

FAIRNESS HEARING: A hearing will be held on the fairness of the proposed settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement, including the amount of the award to plaintiffs' counsel of costs and attorney's fees. The hearing will take place on April 24, 2006 at 11:00 a.m., before Judge McGann in Room 1703 of the Richard J. Daley Center, 50 W. Washington, Chicago, Illinois, 60602. **YOU ARE NOT OBLIGATED TO ATTEND THIS HEARING.**

YOUR OPTIONS

1. **If you wish to receive a portion of the settlement proceeds, you must complete and return the proof of claim form at the end of this notice indicating that you wish to participate in the settlement.** The proof of claim form must be post-marked or received at Edelman, Combs, Lattuner & Goodwin, LLC., 120 S. LaSalle St. 18th Floor, Chicago, IL 60603 **on or before March 3, 2006**. You will be represented by the attorneys for plaintiffs without additional charge. Or, if you prefer, you may enter your own appearance or ask the Court to allow you to participate in the settlement through your own attorney. If you wish to participate on your own or through your own attorney, an appearance must be filed with the Court by March 3, 2006. If you participate through your own attorney, it will be at your expense. Any party who returns a claim form or otherwise does not exclude his or herself from the settlement, as

described below, will be bound by the settlement agreement and release of claims against the defendants, as approved by the Court.

2. You have the right to exclude yourself from both the class action and the settlement by filing a written request for exclusion with the Clerk of the Circuit Court of Cook County, Illinois, Daley Center, 50 W. Washington, Chicago, Illinois, 60602. The request for exclusion must be received by the Clerk of the Court on or before March 3, 2006, and must list your name, address, and the name and number of the case. You must also serve copies of the request for exclusion on each of the attorneys for the plaintiffs and for the defendants, at the following addresses by the same date.

Daniel A. Edelman
Julie Clark
EDELMAN, COMBS, LATTURNER & GOODWIN, LLC
120 S. LaSalle Street, 18th Floor
Chicago, Illinois 60603
(312) 739-4200
(800) 644-4673
Email: edcombs@aol.com
www.edcombs.com
(Attorneys for the plaintiffs and the class)

Richard Strawbridge
Maria Vathis
Clausen Miller, P.C.
10 S. LaSalle St. Suite 1600
Chicago, IL 60603
(Attorney for defendants)

3. If you object to the settlement, and wish to submit an objection rather than simply exclude yourself from the class action, you must submit your objection in writing to the Clerk of the Circuit Court of Cook County, Illinois, Daley Center, 50 W. Washington, Chicago, Illinois, 60602. The objection must be received by the Clerk of the Court on or before March 3, 2006, and must refer to the name and number of the case. You must also serve copies of your objection on each of the attorneys for the plaintiffs and for the defendants listed above by the same date. Any objection must include your name and address, the name and number of the case, and a statement of the reasons why you believe that the Court should find that the proposed settlement is not in the best interests of the class. If you do file an objection and wish it to be considered, you may also appear at the hearing before Judge McGann on April 24, 2006 at 11:00 a.m. **YOU ARE NOT REQUIRED TO ATTEND THIS HEARING.** Please note that it is not sufficient to simply state that you object. You must state reasons why the settlement should not be approved.

IMPORTANT: THE COURT REQUIRES THAT ANY REQUESTS FOR EXCLUSION OR OBJECTIONS BE RECEIVED BY THE CLERK BY MARCH 3, 2006. IF YOU MAIL A REQUEST FOR EXCLUSION OR OBJECTION, YOU BEAR THE RISK OF THE REQUEST FOR EXCLUSION OR OBJECTION NOT BEING RECEIVED BY THE CLERK BY THE DEADLINE.

If you choose to exclude yourself from the class action and settlement you will not receive payment under this agreement. If you remain in the class action but do not return a proof of claim form by March 3, 2006, you will be bound by the settlement agreement and release but will not receive payment under this agreement. Only those class members who complete and return a valid proof of claim form post-marked on or before March 3, 2006 will receive payment under this agreement.

If the settlement is not approved, the case will proceed as if no settlement had been attempted. There can be no assurance that if the settlement is not approved, the class will recover more than is provided in the settlement, or indeed, anything.

This description of the case is general and does not cover all of the issues and proceedings thus far. In order to see the complete file, including a copy of the settlement agreement, you should visit the office of the Clerk of the Circuit Court of Cook County, Illinois, Daley Center, 50 W. Washington, Chicago, Illinois, 60602. The Clerk will make the files relating to this lawsuit available to you for inspection and copying at your own expense.

INQUIRIES: Any questions you or your attorney has concerning this notice should be directed to Edelman, Combs, Latturner & Goodwin, LLC at the address listed above. Please include the case name and number, your name and your current return address on any letters, not just the envelopes. Please do not contact the Court Clerk or the defendants' attorneys; they are not in a position to give you any advice about this settlement.

PROOF OF CLAIM

**JEROLD S. RAWSON, et al., VS. THE RIDGEWOOD ORGANIZATION, et. al., CASE NO: 03
CH 10844** (Circuit Court of Cook County, Illinois)

**IMPORTANT: THIS CLAIM FORM MUST BE POSTMARKED OR RECEIVED ON OR BEFORE
MARCH 3, 2006, AND MAILED TO THE FOLLOWING ADDRESS:**

EDELMAN, COMBS, LATTURNER & GOODWIN, LLC
120 S. LaSalle Street, 18th Floor
Chicago, Illinois 60603

Please print the following information:

NAME: _____

ADDRESS: _____

CITY/STATE: _____

ZIP CODE: _____

FAX NUMBER: _____

EMAIL: _____

I certify that I received a facsimile advertisement from The Ridgewood Organization
on or after June 27, 1998.

(YOUR SIGNATURE)