

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN**  
**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT:**

MICHIGAN URGENT & PRIMARY CARE PHYSICIANS, P.C., v. MEDICAL SECURITY CARD COMPANY, LLC  
Case No. 2:20-cv-10353

**THIS IS A NOTICE OF A SETTLEMENT OF A CLASS ACTION LAWSUIT.**  
**THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.**

**YOUR RIGHTS WILL BE AFFECTED BY THE SETTLEMENT OF THIS LAWSUIT. PLEASE READ THIS NOTICE CAREFULLY FOR INFORMATION ABOUT THE LAWSUIT, THE SETTLEMENT, AND YOUR LEGAL RIGHTS.**

- I. **THE LAWSUIT:** Michigan Urgent & Primary Care Services, P.C. ("Plaintiff") sued Medical Security Card Company, LLC ("MSCC") alleging that Plaintiff received an unsolicited fax advertisement promoting Defendant's goods or services that did not contain a proper opt out notice. Plaintiff alleged that these faxes violated the Telephone Consumer Protection Act ("TCPA"). MSCC denies these allegations and has raised certain defenses, but agreed to settle to avoid the expense, burden, and uncertainty of further litigation.
- II. **WHO IS INCLUDED:** MSCC's records show that you were sent one or more of its faxes and may be included in the Settlement. Specifically, the Court certified a "Settlement Class" of: All persons and entities in the United States who were subscribers to fax numbers that received faxes sent by or on behalf of Defendant Medical Security Card Company, LLC on or about October 3, 2019, promoting the commercial availability or quality of its goods or services for which it did not obtain prior consent and which did not contain an opt out notice as described in 47 U.S.C. § 227.
- III. **THE PROPOSED SETTLEMENT:** Defendant has agreed to fund a \$2,350,000 Settlement Fund. Before making payments to Settlement Class members, the Settlement Fund will be used to pay notice and administrative expenses not to exceed \$42,000, an incentive award to the named Plaintiff (in an amount not to exceed \$17,500) and attorneys' fees and costs (an amount not to exceed \$775,000, which is 33% of the Net Settlement Fund). Settlement Class Counsel will file a Petition for Attorney's Fees by **February 28, 2022**. Your share of the Settlement Fund depends on how many members of the Settlement Class submit valid claims. This notice is being sent to approximately 23,964 Settlement Class members. Participating Settlement Class members who submit a valid claim form will receive a *pro rata* distribution of the Net Settlement Fund per unique fax number. If all 23,964 members submit claims, each will get \$63.79. If 10% claim, each will get \$638.08. If 20% claim, each will get \$318.97. A typical response rate is 10-20%.
- IV. **WHO REPRESENTS YOU:** The Court appointed Daniel A. Edelman and Julie Clark from Edelman, Combs, Lattuner, & Goodwin, LLC and Adam G. Taub of Adam G. Taub & Associates Consumer Law Group, PLC to represent the Settlement Class as Class Counsel.
- V. **YOUR LEGAL RIGHTS AND OPTIONS: (1) Submit a Claim Form.** You must complete and submit the attached Claim Form by **March 28, 2022** to receive a payment. The value of each individual settlement payment cannot be determined until the Claims Deadline has passed and all claims have been verified. If your payment exceeds \$599.99 you may be required to complete and submit a W-9. **(2) Exclude Yourself.** If you do not wish to participate in the Settlement you may exclude yourself from it by **March 28, 2022** by sending (via US Mail) a letter to Class Counsel at Edelman, Combs, Lattuner & Goodwin, LLC, 20 S. Clark Street, Suite 1500, Chicago, IL 60603, fax: (312) 419-0379, or the Class Administrator, Class-Settlement.com, *Michigan Urgent & Primary Care Services, P.C. v. Medical Security Card Company, LLC*, P.O. Box 9009, Hicksville, NY 11802-9009. The Notice of Exclusion must state your name or your company's name, address, the fax number to which you were sent the fax, the case name and number, and a signed statement providing that: "I hereby request that I be excluded from the proposed Settlement Class in the Litigation." If you exclude yourself from the Settlement, you will not receive a payment and you will not release any claims against MSCC. Your request for exclusion must be postmarked by **March 28, 2022** to be valid. **(3) Object.** If you do not exclude yourself, you can file an objection, either on your own or through an attorney, explaining why you think the Court should not approve the settlement. The objection must contain the case name and number; your name and address; the fax number to which you were sent the fax; a statement of your objection; an explanation of the legal and factual basis for the objection; and documentation, if any, to support your objection. The objection must be filed by **March 28, 2022** with (1) the Clerk of the United States District Court, Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226; and sent to (2) Edelman, Combs, Lattuner, & Goodwin, LLC (36792), 20 S. Clark St., Suite 1500, Chicago, IL 60603; and (3) Quarles & Brady LLP, 135 North Pennsylvania Street, Suite 2400, Indianapolis, IN 46204. **(4) Do Nothing.** If you do nothing you will not receive a monetary recovery, but you will be bound by all the terms of the Settlement Agreement.
- VI. **WHAT AM I GIVING UP UNDER THE SETTLEMENT?** If the settlement becomes final, you will be releasing MSCC and all the Released Parties as defined in the Settlement Agreement from any claims you may have relating in any way to any unsolicited advertising faxes sent to you during the class period. The Released Claims are fully explained in the Settlement Agreement, available at [www.edcombs.com](http://www.edcombs.com) and [www.class-settlement.com](http://www.class-settlement.com).
- VII. **FINAL APPROVAL HEARING:** The Court has scheduled a Final Approval Hearing before Judge Terence G. Bergon **April 25, 2022** via videoconference. You or your attorney may attend this hearing if you desire and request to address the Court regarding any matters relating to this Settlement.
- VIII. **MORE INFORMATION:** More information is available at [www.edcombs.com](http://www.edcombs.com) and [www.class-settlement.com](http://www.class-settlement.com). You may also inspect the pleadings and other papers that have been filed in this case at the office of the Clerk of the Court, U.S. District Court for the Eastern District of Michigan, 231 W. Lafayette Blvd., Detroit, MI 48226 or through PACER. If you have questions about this notice or the proposed settlement, you may contact Settlement Class Counsel.

**THE COURT AND THE DEFENDANT CANNOT PROVIDE INFORMATION.**