

**SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES**

**If you received a call from or on behalf of Los Angeles Times Communications LLC, you could be entitled to benefits under a class action settlement.**

*The Superior Court of the State of California for the County of Los Angeles authorized this Notice.  
This is not a solicitation from a lawyer.*

- A proposed settlement of a class action lawsuit relates to allegations that Los Angeles Times placed calls to cellular telephones in violation of federal law. The case is known as *Dancer v. Los Angeles Times Communications LLC*, No. BC472154.
- Los Angeles Times, on behalf of itself and its vendors, denies all allegations of wrongdoing in the lawsuit. As part of the proposed settlement, Los Angeles Times does not admit to any wrongdoing and continues to deny the allegations against it.
- The proposed Settlement provides for payments, and Subscription Coupons (as applicable), to each Class Member submitting a valid Claim Form by **April 8, 2014**, (an “Eligible Claimant”). The criteria for a valid Claim Form are described below.
- To the extent necessary to reach the minimum total amount payable under the settlement, Los Angeles Times may forgive indebtedness owed by certain Class Members.
- Los Angeles Times also will make certain changes to its calling practices and pay the costs to administer the settlement.
- Your legal rights are affected whether you act or don’t act. Please read this Notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:</b>	
<b>SUBMIT A CLAIM FORM</b>	The only way to get a payment, and Subscription Coupon (as applicable), under the settlement.
<b>EXCLUDE YOURSELF</b>	Get no payment, or Subscription Coupon (as applicable), under the settlement. This is the only option that allows you to be part of any other lawsuit against Los Angeles Times about the legal claims in the case.
<b>OBJECT</b>	Write to the Court about why you don’t like the settlement. You can do this only if you don’t exclude yourself.
<b>GO TO THE HEARING</b>	Ask to speak in Court about the fairness of the settlement. You can do this only if you don’t exclude yourself.
<b>DO NOTHING</b>	You will receive no payment or Subscription Coupon under the settlement and are giving up your rights to assert any claims about the legal claims in the case against Los Angeles Times or those who called on its behalf. If you qualify, your debt with Los Angeles Times, if any, may be forgiven even if you do nothing.

**QUESTIONS? VISIT [WWW.DANCERLITIGATION.COM](http://WWW.DANCERLITIGATION.COM)**

- This Notice explains these rights and options—**and the deadlines to exercise them.**
- The Court must decide whether to approve the settlement as part of the process described in this Notice. Payments, and Subscription Coupons (as applicable), will be made and certain indebtedness may be forgiven if the Court approves the settlement.

**WHAT THIS NOTICE CONTAINS**

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## Basic Information

### 1. Why did I get a Notice?

You received a postcard notice by direct mail if Los Angeles Times' records show that you are a potential Class Member, and if its records included the mailing address to which the notice was sent or if it otherwise was able to locate your mailing address. The postcard notice referred you to an informational web site which included this more detailed Notice.

The Court ordered that a Notice be sent to you because you have a right to know about a proposed settlement of the class action against Los Angeles Times and about your options, before the Court decides whether to approve the settlement. If the Court approves it, an administrator appointed by the court will provide the payments and Subscription Coupons that the settlement allows.

This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. Please read this Notice carefully.

The Superior Court of the State of California for the County of Los Angeles has jurisdiction over this proposed settlement. The person who sued is called the Plaintiff, and the company she sued, Los Angeles Times Communications LLC, is called the Defendant.

### 2. What is the lawsuit about?

Los Angeles Times is a news publishing company

Representative Plaintiff filed a proposed class action lawsuit against Los Angeles Times under the caption *Dancer v. Los Angeles Times Communications LLC*, No. BC472154 (the "Action").

In the Action, Representative Plaintiff claimed, among other things, that Los Angeles Times placed calls to cellular telephones in violation of federal law. Los Angeles Times denies all allegations of wrongdoing and has asserted many defenses. The settlement is not an admission of wrongdoing.

### 3. Why is this a class action?

In a class action, one or more people, called Class Representatives, sue on behalf of people who have similar claims. In this case, the Class Representative is Adrienne Dancer. One court resolves the issues for all Class Members, except those who exclude themselves from the Class. California Superior Court for Los Angeles County Judge Kenneth R. Freeman has jurisdiction over the case in which the parties have submitted this settlement for approval.

### 4. Why is there a settlement?

The Court did not decide in favor of Plaintiff or Los Angeles Times. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and settlement benefits go to the Class Members. The Class Representative and her attorneys think the settlement is best for the Class Members.

## Who Is in the Settlement?

To see if you may qualify for payment, a Subscription Coupon, or possible forgiveness of indebtedness from this settlement, you first have to determine whether you are a Class Member.

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

Judge Freeman has preliminarily decided that everyone who fits this description is a Class Member: All persons and entities who, from December 8, 2008, to and including April 22, 2013, received one or more telephone calls on their cellular telephones that were placed by or on behalf of Los Angeles Times using an automatic telephone dialing system and/or an artificial or prerecorded voice, including calls that were placed for purposes of debt collection as to which Los Angeles Times is unable to determine that the call was made to a landline telephone.

### 6. Who is not included in the Class?

The Class does *not* include Los Angeles Times, any entity that has a controlling interest in Los Angeles Times, and Los Angeles Times' current or former directors, officers, counsel, and their immediate families. The Class also does not include any persons who validly request exclusion from the Class.

### 7. I'm still not sure if I am included.

If you are still not sure whether you are included, you can visit the settlement website, [www.DancerLitigation.com](http://www.DancerLitigation.com), for more information, or you can fill out and return the Claim Form described on page 6, in question [10].

## The Settlement Benefits—What You Get

### 8. What does the settlement provide?

Los Angeles Times will make payments, and Subscription Coupons (as applicable), to each class member who submits a valid claim form by **April 8, 2014**, (an "Eligible Claimant"), which claim form meets the requirements for payment, and Subscription Coupon (as applicable), under any of the three categories described in Question [9] below.

Los Angeles Times also may forgive indebtedness owed by certain Class Members incurred between and including December 8, 2008, and April 22, 2013, that remains unpaid, if necessary to reach the minimum total amount payable under the settlement.

Class Members will have the option to elect in writing, by submitting a valid claim form by **April 8, 2014**, to not receive any calls from or on behalf of Los Angeles Times at the telephone number(s) they provide on their claim forms.

In addition, Los Angeles Times will not call for telemarketing purposes certain cellular telephone numbers that it dialed between December 8, 2008, and October 31, 2012, except to the extent the owners of those numbers subsequently provide consent.

## 9. What can I get from the settlement?

Los Angeles Times will provide payments/Subscription Coupons (as applicable) to each class member who submits a valid claim form by **April 8, 2014**, (an “Eligible Claimant”), which claim form meets the requirements for payment under any of the categories below.

- No Evidence of Calls. Eligible Claimants who submit no evidence of the number of calls allegedly received but who attest to (a) having received one or more calls on a cell phone from or on behalf of LA Times, and (b) not having consented to receiving autodialed calls from or on behalf of LA Times on that cell phone, will have a right to payment in the amount of \$30.00.
- Five to Ten Calls. Eligible Claimants who attest to (a) having received five to ten calls on a cell phone from or on behalf of LA Times, and (b) not having consented to receiving autodialed calls from or on behalf of LA Times on that cell phone, will have a right to payment in the amount of \$30.00 plus a \$20.00 Subscription Coupon. Eligible Claimants must submit telephone bill records if requested to verify the number of calls they received.
- More than Ten Calls. Eligible Claimants who attest to (a) having received more than ten calls on a cell phone from or on behalf of LA Times, and (b) not having consented to receiving autodialed calls from or on behalf of LA Times on that cell phone, will have a right to payment in the amount of \$30.00 plus a \$40 Subscription Coupon. Eligible Claimants must submit telephone bill records if requested to verify the number of calls they received.

### **How You Get Payment, and Subscription Coupon (as Applicable)— Submitting a Claim Form**

## 10. How can I get payment, and a Subscription Coupon (as applicable)?

To qualify for payment, and Subscription Coupon (as applicable), you must send in a Claim Form. A Claim Form is available on the settlement website. Read the instructions carefully, fill out the Claim Form (answering all questions truthfully), and submit it over the Internet no later than **April 8, 2014**, or print out a hard copy of the Claim Form, fill it out (answering all questions truthfully), sign it, and mail it to the Settlement Administrator with a postmark no later than **April 8, 2014**.

## 11. When would I get my payment, and Subscription Coupon (as applicable)?

The Court will hold a hearing on **April 30, 2014**, to decide whether to approve the settlement. If Judge Freeman approves the settlement after that, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. It also takes time for the Claim Forms to be processed. Please be patient.

The proposed Settlement contemplates distributing payments and Subscription Coupons to Eligible Claimants ninety (90) days from the date the Settlement becomes final and not subject to appeal.

## **12. What am I giving up if I remain in the Class?**

Unless you exclude yourself, you stay in the Class, and that means that you can't sue, continue to sue, or be part of any other lawsuit against Los Angeles Times or any of its vendors about the legal issues in this case. If the settlement is approved and becomes final and not subject to appeal, then you and all Class Members release all "Released Claims" against all "Released Parties."

"Released Claims" means any and all claims, rights (including rights to restitution or reimbursement), demands, actions, causes of action, suits, liens, damages, attorneys' fees, obligations, contracts, liabilities, agreements, costs, expenses or losses of any nature, whether known or unknown, direct or indirect, matured or unmatured, contingent or absolute, existing or potential, suspected or unsuspected, equitable or legal, and whether under federal statutory law, federal common law or federal regulation, or the statutes, constitutions, regulations, ordinances, common law, or any other law of any and all states or their subdivisions, parishes or municipalities that arise out of or relate in any way to the placement of calls (including but not limited to calls using a "automatic telephone dialing system," "automatic dialing or announcing device," or an "artificial or prerecorded voice") to any telephone number (including but not limited to any cellular telephone service or landline, whether residential or business) for any purpose (including but not limited to solicitation, in connection with an existing debt, or informational purposes), that have been, or could have been, brought in the Action, as well as any claims arising out of the same nucleus of operative facts as any of the claims asserted in the Action. In addition, with respect to Representative Plaintiff only, "Released Claims" includes all claims arising, or that could arise in the future, out of any conduct or omissions occurring to the date of the Preliminary Approval that might be attributable to Los Angeles Times.

"Released Parties" means Los Angeles Times and/or any vendor who, on behalf of Los Angeles Times, placed calls, or who assisted in calling activity on behalf of Los Angeles Times, and its or their respective affiliates, parents, direct and indirect subsidiaries, agents, insurers, and any company or companies under common control with any of them, and each of its or their respective predecessors, successors, past and present officers, directors, employees, agents, servants, accountants, attorneys, advisors, shareholders, insurers, representatives, partners, vendors, issuers, and assigns, or anyone acting on their behalf.

### **Excluding Yourself from the Settlement**

If you don't want payment or a Subscription Coupon from this settlement, and you want to keep any right you may have to sue or continue to sue Los Angeles Times or other Released Parties on your own about the Released Claims, then you must take steps to remove yourself from the Class. This is called excluding yourself and is sometimes referred to as "opting out" of the Class. Los Angeles Times may terminate the settlement if a certain number of people exclude themselves from the Class.

## **13. How do I get out of the settlement?**

To exclude yourself from the settlement, you must send a signed letter by mail stating that you "want to opt out of the Los Angeles Times Litigation." Please be sure to include your name, address, telephone number, and your signature. You must mail your exclusion request postmarked no later than **April 8, 2014**, to:

**QUESTIONS? VISIT [WWW.DANCERLITIGATION.COM](http://WWW.DANCERLITIGATION.COM)**

*Dancer Litigation*  
Settlement Administrator  
P.O. Box 11486,  
Birmingham, AL 35202-1486

You can't exclude yourself on the phone or by fax or email.

**14. What is the effect if I exclude myself from this settlement?**

If you ask to be excluded, you will not get any payment or Subscription Coupon from this settlement, nor will any debt you owe Los Angeles Times be forgiven. Also you cannot object to the settlement. You will not be legally bound by anything that happens in the Action. You may be able to sue (or continue to sue) Los Angeles Times in the future about the legal issues in this case.

**15. If I don't exclude myself, can I sue Defendant for the same thing later?**

No. Unless you exclude yourself, you give up your right to sue Los Angeles Times and the other Released Parties for the claims that this settlement resolves. You must exclude yourself from *this* Class to pursue your own lawsuit. Remember, your exclusion request must be postmarked on or before **April 8, 2014**.

**16. If I exclude myself, can I get a payment or Subscription Coupon from this settlement?**

No. If you exclude yourself, do not send in a Claim Form to ask for any payment or Subscription Coupon from this settlement. You may exercise any right you may have to sue, continue to sue, or be part of a different lawsuit against Los Angeles Times and the other Released Parties.

### **The Lawyers Representing the Parties**

**17. Do I have a lawyer in the case?**

The Court appointed the Law Office of Todd M. Friedman, P.C., and Weisberg & Meyers, LLC, to represent the Class. These lawyers are called Class Counsel. You will not be charged for these lawyers. The Court will determine the amount of Class Counsel's fees and expenses, which Los Angeles Times will pay as part of the settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

**18. Who represents Los Angeles Times in the case?**

Kenneth E. Payson, Sean M. Sullivan, and Ashley L. Watkins of Davis Wright Tremaine LLP represent Los Angeles Times.

**19. How will the lawyers be paid?**

Class Counsel will request from the Court an award of attorneys' fees and expenses and for a service award for the Representative Plaintiff. The total amount sought for attorneys' fees, costs,

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and expenses will not exceed \$1,000,000. The amount sought as a service award for the Representative Plaintiff will not exceed \$10,000. Los Angeles Times will pay Class Counsel's fees and expenses and the service award. Los Angeles Times has agreed not to oppose these fees and expenses and awards. *You have the right to object to the requested fees and expenses and awards.* Los Angeles Times will also pay the costs to administer the settlement.

Class Counsel will file their papers in support of final approval of the Settlement and their application for attorneys' fees and reimbursement of expenses and for the service award to the Representative Plaintiff, by no later than **March 26, 2014**. These papers will also be posted on the settlement website ([www.DancerLitigation.com](http://www.DancerLitigation.com)).

## **Objecting to the Settlement**

You can tell the Court that you don't agree with the settlement or some part of it.

### **20. How do I tell the Court if I don't like the settlement?**

If you are a Class Member, you can object to the settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a signed letter saying you object to the proposed settlement in *Dancer v. Los Angeles Times Communications LLC*, No. BC472154. Be sure to include your name, address, telephone number, that you are a Class Member, your signature, and the reasons why you object to the settlement. Your objection and any supporting papers must be mailed to and actually received by the following address no later than **April 8, 2014**:

*Dancer Litigation*  
Settlement Administrator  
P.O. Box 11486  
Birmingham, AL 35202-1486

### **21. What's the difference between objecting and excluding?**

Objecting is simply telling the Court that you don't like something about the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

## **The Court's Fairness Hearing**

The Court will hold a hearing to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

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

The Court will hold a Fairness Hearing at **3:00 p.m. on Wednesday, April 30, 2014**, at the Central Civil West Courthouse, 600 South Commonwealth Ave., Dept. 310, Los Angeles, CA 90005. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Freeman will listen to

people who have asked to speak at the hearing. The Court may also consider how much to pay Class Counsel. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

**23. Do I have to come to the hearing?**

No. Class Counsel will answer questions Judge Freeman may have. You are welcome to come at your own expense. If you send an objection, you don't have to come to Court and talk about it. As long as your written objection is received on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary. Finally, you may seek to intervene in the Action, but you don't need to do so.

**24. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear" in "*Dancer v. Los Angeles Times Communications LLC*, No. BC472154." Be sure to include your name, address, telephone number, that you are a Class Member, and your signature. Your Notice of Intention to Appear must be received at the address in Question [20], no later than **April 8, 2014**. You cannot speak at the hearing if you exclude yourself.

### **If You Do Nothing**

**25. What happens if I do nothing at all?**

If you do nothing, you will not receive a payment or Subscription Coupon, though you may nevertheless receive debt forgiveness. If you do not exclude yourself from the Class, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Los Angeles Times or the Released Parties about the legal issues in this case, ever again.

### **Getting More Information**

**26. Are there more details about the settlement?**

This Notice summarizes the proposed settlement. More details appear in the Settlement Agreement and Release of Claims (the "Agreement"). Copies of the Agreement and the pleadings and other documents relating to the case are on file at the Superior Court of the State of California for the County of Los Angeles and may be examined and copied at any time during regular office hours at the Central Civil West Courthouse, 600 South Commonwealth Ave., Dept. 310, Los Angeles, CA 90005. The Settlement Agreement is also available at the settlement website, [www.DancerLitigation.com](http://www.DancerLitigation.com).

**27. How do I get more information?**

You can visit the settlement website at [www.DancerLitigation.com](http://www.DancerLitigation.com), where you will find answers to common questions about the settlement, the Claim Form, plus other information, including a copy of the Settlement Agreement. You may also write to: *Dancer Litigation*, Settlement

Administrator, P.O. Box 11486, Birmingham, AL 35202-1486. **You should not direct questions to the Court.**

Dated: February 7, 2013

By Order of the Court  
CLERK OF THE COURT