

NOTICE OF PENDENCY OF CLASS ACTION

If you had a motor vehicle repossessed, a class action lawsuit might affect your rights.

A court authorized this notice. This is not a solicitation from a lawyer.

This notice explains important rights you may have. Please read it Carefully.

- A borrower was sued by Afni, Inc., assignee of State Farm Bank (“Afni”), for unpaid amounts due on a vehicle contract. The borrower counter-sued Afni and EMVLP, LLC, Twenty-One Eighty-Five, LLC, State Farm Bank, F.S.B. (collectively, “SFB Defendants”), alleging Afni and SFB Defendants violated the law regarding notices and explanations sent after the borrower’s car was repossessed. The borrower seeks to assert such claims for other similar borrowers against Afni and SFB Defendants (collectively, “Counterclaim Defendants”).
- The Court has allowed the lawsuit to be a class action for people who Counterclaim Defendants mailed a presale notice or post-sale explanation. You are **not** part of the class if SFB Defendants obtained a deficiency judgment against you for the repossession at issue or you filed for bankruptcy after the date on a presale notice sent after your vehicle was repossessed.
- There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you will remain a member of the certified Class and will be permitted to share in any recovery that may result from this class action. But, you give up any rights to sue Counterclaim Defendants separately about the same legal claims in this lawsuit.
EXCLUDE YOURSELF	Get out of this lawsuit. Get no benefits from it. Keep rights. If you do not wish to participate in the class action, you <u>must</u> send an email or letter requesting to be excluded by no later than July 22, 2025. If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But you keep any rights to sue Counterclaim Defendants separately about the same legal claims in this lawsuit (you should consult with a lawyer to determine whether those claims are timely).

- Your options are explained in this notice. To ask to be excluded, you must act before **July 22, 2025**.
- Lawyers must prove the claims against Counterclaim Defendants. If money or benefits are obtained from Counterclaim Defendants, you will be notified.
- Questions? Continue reading.

QUESTIONS? CALL 1-800-351-1696 TOLL FREE, OR VISIT WWW.SFBNOTICECLASS.COM

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BASIC INFORMATION

1. Why did I get a notice?

Counterclaim Defendants' records show you were mailed a presale notice or post-sale explanation concerning a loan contract directly with or that was assigned to Counterclaim Defendants where Counterclaim Defendants repossessed the motor vehicle securing the loan. This notice explains that the Court has allowed, or "certified," a class action lawsuit that might affect you. You have legal rights and options in the lawsuit. The lawsuit is known as *Afni, Inc. v. Martinez*, No. 23SL-AC00070-01.

2. What is this lawsuit about?

The claims against Counterclaim Defendants allege notices and explanations sent to borrowers by Counterclaim Defendants before and after their property was repossessed failed to comply with the form and content requirements of the Uniform Commercial Code. Counterclaim Defendants deny they did anything wrong.

3. What is a class action and who is involved?

In a class action, one person called a Class Representative (in this case Thuy Martinez) sues for other people who have similar claims. The people together are a "Class" or "Class Members."

4. Why is this lawsuit a class action?

The Court decided this lawsuit can be a class action and move towards a disposition because it meets the requirements of Missouri Rule of Civil Procedure 52.08, which governs class actions in Missouri courts.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Order certifying the Class, which is available at www.sfbnoticeclass.com.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, the Class Representative alleges Counterclaim Defendants mailed defective presale notices and post-sale explanations. Because of this, the Class Representative asserts that Counterclaim Defendants owe them money. You can read the allegations of the Class Action Counterclaim at www.sfbnoticeclass.com.

6. How do Counterclaim Defendants answer?

Counterclaim Defendants deny they did anything wrong and say their presale notices and post-sale explanations comply with the Uniform Commercial Code. Counterclaim Defendants also assert affirmative defenses which could serve to avoid any legal responsibility even if the notices or explanations are defective.

7. Has the Court decided who is right?

The Court hasn't decided whether Counterclaim Defendants or the Class Representative are correct. By certifying the Class and issuing this Notice, the Court is not suggesting that the Class Representative will win or lose this case.

8. What is the Class Representative asking for?

Class Representative is asking for changes in Counterclaim Defendants' notices to ensure they comply with the Uniform Commercial Code. Class Representative also wants money for each Class Member that is no less than the "Finance Charge" plus 10% of the "Amount Financed" listed on each borrower's contract.

9. Is there money available now?

No money or benefits are available now and there is no guarantee that money or benefits ever will be obtained. If they are, you will be notified.

CLASS MEMBERSHIP

10. Am I part of this Class

The Court decided that Class Members include all individuals to whom Counterclaim Defendants mailed a presale notice or post-sale explanation after July 25, 2017, **except those** against whom the SFB Defendants obtained a deficiency judgment or who filed for bankruptcy after the date of the presale notice.

11. Are any borrowers who had their vehicles repossessed by Counterclaim Defendants not included in the Class?

If you had your vehicle repossessed by Counterclaim Defendants, but SFB Defendants obtained a deficiency judgment against you regarding that repossession, you are **not** part of the class.

If you had your vehicle repossessed by Counterclaim Defendants, but you filed for bankruptcy after the date on a notice Counterclaim Defendants sent after they repossessed your motor vehicle and your bankruptcy ended in a discharge, you are **not** part of the class.

12. I'm still not sure if I am included.

If you are still not sure whether you are included, you can get free help at www.sfbnoticeclass.com, or by calling or writing to the lawyers in this case, at the phone number or address listed below.

YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Class or ask to be excluded by **July 22, 2025**.

13. What happens if I do nothing at all?

If you wish to remain a member of the certified Class, you are not required to do anything at this time. By remaining a class member, you are agreeing that the claims against the Counterclaim Defendants will be determined on a class-wide basis. As a member of the Class you will be bound by the outcome of this lawsuit. If the lawsuit results in a judgment favorable to the Class, you would be entitled to share in the benefits of that judgment. If the outcome is favorable to the Counterclaim Defendants, your rights will be determined by the decision rendered in this lawsuit, and you may receive nothing. You will also be legally bound by all the orders the Court issues in this class action.

14. Why would I ask to be excluded?

If you already have your own lawsuit against Counterclaim Defendants and want to continue with it, you need to ask to be excluded from the Class. If you exclude yourself from the Class—which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class—you won’t get any money or benefits from this lawsuit even if the Class Representative obtains them as a result of a dispositive motion or trial, or from any settlement (that may or may not be reached) between Counterclaim Defendants and the Class Representative. However, you may then be able to sue or continue to sue Counterclaim Defendants for any harm you allege regarding collection, enforcement, repossession and disposition of motor vehicles, and collection of alleged deficiencies after selling the motor vehicles. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action. If you start your own lawsuit against Counterclaim Defendants after you exclude yourself, you’ll have to hire and pay your own lawyer for that lawsuit, and you’ll have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Counterclaim Defendants, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

15. How do I ask the Court to exclude me from the Class?

If you do not wish to participate in this Class Action, you can request exclusion from the Class. If you choose to be excluded, you will (1) not share in the benefits, if any, that members of the Class may be entitled to as a result of trial of this lawsuit, and (2) not be bound by any decision in this lawsuit favorable to the Counterclaim Defendants. To ask to be excluded, you **must** send an email or written notification specifying that you want to be excluded from this Class Action. If by email, send to info@sfbnoticeclass.com by **July 22, 2025**. If by letter, send to: Afni v Martinez c/o Class Administrator, P O Box 23309, Jacksonville, FL, 32241 **postmarked by July 22, 2025**.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court appointed Jesse B. Rochman, Martin L. Daesch, Craig R. Richards and their law firm, OnderLaw, LLC, to represent you and other Class Members. These lawyers are called Class Counsel. More information about these lawyers and their firm is available at www.underlaw.com. If you have any questions for Class Counsel, you may contact them at Tracy L Malloy, 110 E Lockwood Ave, Saint Louis, MO 63119, or email tmalloy@underlaw.com.

17. Should I get my own lawyer?

You do not need to hire your own lawyer. However, you are free to hire your own lawyer, at your own expense, and enter an appearance in this action through your lawyer if you so desire.

18. How will the lawyers be paid?

If Class Counsel gets money or benefits for the Class, they may ask the Court for fees and expenses. If the Court grants Class Counsel's request, Class Counsel's fees and expenses would either be deducted from any money obtained for the Class or paid separately by the Counterclaim Defendants.

GETTING MORE INFORMATION

19. How do I get more information?

This notice contains only a summary of the Class Action and the proceedings to date. Complete copies of public pleadings, Court rulings and other filings are available at the office of the St. Louis County Circuit Court Clerk, 105 S. Central Ave., Clayton MO 63105. You also can email info@sfbnoticeclass.com, call 1-800-351-1696 toll free; write to Afni v Martinez c/o Class Administrator, P O Box 23309, Jacksonville, FL, 32241; visit the website www.sfbnoticeclass.com, or by contacting Class Counsel at the address provided above [MU1] to obtain additional information about this lawsuit.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, COUNTERCLAIM DEFENDANTS, YOUR STATE FARM AGENT, OR COUNTERCLAIM DEFENDANTS' COUNSEL TO ASK QUESTIONS ABOUT THIS CLASS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE CLASS ACTION.

DATE: May 23, 2025