

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

EUGENE SALAZAR,
Plaintiff,

v.

No. D-202-CV-2020-06651

ABQ, INC.,
FJS, LLC, and
U DRIVE ACCEPTANCE CORP, INC.,
d/b/a RIGHT WAY SALES AND LEASING,
Defendants.

NOTICE OF CLASS ACTION SETTLEMENT

You have not been sued. This notice tells you about a lawsuit which affects your rights. Please read this notice carefully.

I. WHAT THE LAWSUIT IS ABOUT

Plaintiff Eugene Salazar filed this class action lawsuit against Defendants ABQ, Inc., FJS, LLC, and U Drive Acceptance Corp, Inc. These Defendants do business as “Right Way Sales and Leasing.” The lawsuit concerns vehicles repossessed by Right Way starting December 8, 2016. Plaintiff alleges that Right Way sent notices to consumers following these repossessions that violated the law. Right Way denies these allegations. The lawyer representing Plaintiff and the class is Nicholas Mattison, who works at the consumer protection law firm Feferman, Warren & Mattison, 300 Central Ave SW, Ste. 2000W, Albuquerque, NM 87102, (505) 243-7773, www.nmconsumerwarriors.com.

The Court has ruled that Plaintiff is the representative of the following group, or “class” of people: “All persons who, starting four years prior to the filing of this lawsuit, received the form Notice or similar notice after having their vehicle repossessed subject to a secured loan with Right Way.”

You are one of the people in the class.

Now, the parties have negotiated a settlement in the amount of \$300,000. If approved by the Court, class members will receive checks as described below. Plaintiff will also use the cash portion of the settlement amount to pay his attorneys’ fees, litigation costs, costs of class administration (such as the cost of sending this notice and distributing checks), and applicable taxes. Plaintiff plans to request that the Court approve payment of \$60,000 to cover attorneys’ fees (including gross receipts tax), \$2,408.17 to cover costs other than administration, plus \$16,942 to cover costs of administration. Plaintiff will also request the Court to approve payment of a service award of \$5,000 for Mr. Salazar, reflecting his work in this case. The remaining \$215,649.83 will be divided between class members. Class members will receive checks in the estimated amount of \$329.73. Class members will receive other benefits. Right Way has agreed to forgive the outstanding debts

of all class members, and to request, or cause to be requested, any information reported to any credit agency concerning these accounts.

Plaintiff has litigated this case for four years and did his best to get as much as possible for the class. Plaintiff strongly believes that the proposed settlement is in the best interest of class members, and that there is a substantial possibility that the class would receive less – or even nothing – were the case to continue without settlement.

II. WHY WE ARE SENDING YOU THIS NOTICE

You are a member of the class, who will be entitled to receive the benefits described above, as applicable. This notice explains the nature of the lawsuit and informs you of your legal rights.

IN ORDER TO OBTAIN THE BENEFITS OF THIS LAWSUIT, YOU DO NOT HAVE TO DO ANYTHING. However, if this notice was forwarded by the Postal Service, or if it was sent to you at an address which is not current, you should immediately contact the class administrator named below, stating your past and current addresses. If you move from this address, you should send notice of your new address again.

If the person to whom this letter was sent has died, please contact the class administrator, explaining who is entitled to the payment, and include any supporting documentation.

Contact information for class administrator, to contact regarding change of address or deceased class member: **visit the website at www.salazarvabqsettlement.com**. You may also write to info@salazarvabqsettlement.com or call 800-566-0595.

III. YOUR OPTIONS

You have three choices: (1) accepting the settlement, (2) excluding yourself from the settlement, or (3) objecting to the settlement.

1. **Accepting the Settlement. IF YOU WISH TO TAKE PART IN THE SETTLEMENT, YOU DO NOT HAVE TO DO ANYTHING.** If you take part in the settlement, you will be bound by the settlement. You will receive the benefits described above. However, it also means that you will release any claims you may have against Defendants relating to the transactions in this lawsuit. Plaintiff's attorneys represent you, but you will not need to pay the attorneys any money out of your pocket. These attorneys will request that the Court award attorney fees and costs to be paid from the settlement proceeds. The Court will hold a final approval hearing on June 26, 2025 at 10:00 a.m. at the Second Judicial District Court, 400 Lomas Blvd. NW, Albuquerque, NM 87102, before the Honorable Elaine P. Lujan to determine whether to approve this settlement. **IF YOU TAKE PART IN THE SETTLEMENT AND DO NOT OBJECT TO IT, YOU DO NOT HAVE TO APPEAR AT THE HEARING.**

2. **Excluding yourself from the Settlement.** If you exclude yourself from the settlement, you will not receive any benefits, including any check or loan forgiveness. You will not be bound by the settlement, and you will keep your individual right to sue Defendants on the claims raised

in this litigation. If you exclude yourself, you cannot also object to the settlement. If you want to exclude yourself from the settlement, you must file a request to be excluded in writing. The request must contain: (a) your full name, address, and daytime telephone number; (b) an identification of this case by name and case number (shown at the top of this notice); (c) a statement that you want to be excluded from the class and the settlement; and (d) your signature. You must, no later than June 16, 2025, file your request to be excluded from the class with the Second Judicial District Court, 400 Lomas Blvd. NW, Albuquerque, NM 87102 and also mail a copy of it to Plaintiff's counsel, Nicholas H. Mattison, Feferman, Warren & Mattison, 300 Central Ave SW, Ste. 2000 West, Albuquerque, NM 87102. If your request to be excluded is not postmarked on or before June 16, 2025, it will not be considered by the Court and you will remain a class member.

3. **Objecting to the Settlement.** You have the right to object to the proposed settlement, and also to the proposed relief to class members, the proposed award of attorneys' fees, taxes, and costs, and the proposed service award. If you object to the settlement, you must submit your objection in writing. You must, no later than June 16, 2025, file your objection with the Second Judicial District Court, 400 Lomas Blvd. NW, Albuquerque, NM 87102 and also mail a copy of it to Plaintiff's counsel, Nicholas H. Mattison, Feferman, Warren & Mattison, 300 Central Ave SW, Ste. 2000 West, Albuquerque, NM 87102. Any objection must include (a) your full name, address, and daytime telephone number; (b) an identification of this case by name and case number (shown at the top of this notice); (c) if you plan to appear through counsel, counsel's name, address and phone number; (d) a detailed statement of the specific legal and factual bases for each and every objection, and, if through counsel, a legal memorandum in support of the objection; (e) a list of any witnesses, along with the expected testimony of each such witness, and photocopies of exhibits which the objector intends to introduce at the final approval hearing; and (f) your signature. If your objection is not postmarked on or before June 16, 2025, it will not be considered by the Court. **IF YOU DO OBJECT, YOU ALSO MUST APPEAR AT THE HEARING ON June 26, 2025.**

IV. OTHER MATTERS

This description of the case is general and does not cover all of the issues and proceedings so far. In order to see the complete file, you should contact the office of the Clerk of Court. The Clerk will make the files relating to this lawsuit available to you for inspection and copying at your own expense.

If you have questions you should contact the attorney or class administrator listed above. **DO NOT CONTACT THE CLERK OF THE COURT OR THE JUDGE WITH QUESTIONS.** They are not permitted to answer your questions.