



United States District Court for the District of Minnesota

Bingollu v. One Source Technology, LLC d/b/a Asurint.

Case No. 0:22-cv-00077-DTS

Class Action Settlement Notice

Authorized by the U.S. District Court

You are not being sued.

This Notice explains the Settlement, the Settlement Class, and your legal rights and options.

Please read the entire Notice carefully.

You should:

1. Read this Notice.
2. To be paid from the Settlement, submit a Claim Form by July 28, 2024.
3. If you would like to exclude yourself from, or object to, the Settlement, you must do so by July 13, 2024.

Important things to know:

- To get paid from the Settlement, you must submit a Claim Form by July 28, 2024. You may do so at the Settlement Website: www.ssntraceclassaction.com.
- If you take no action, you will still be bound by the Settlement and its releases.
- You can learn more at: www.ssntraceclassaction.com.

TABLE OF CONTENTS

About This Notice 3
 Why did I Get This Notice? 3
 What Do I Do Next? 3
Your Legal Rights & Options 4
 What are the Most Important Dates? 4
Learning About the Lawsuit & Settlement 4
 What is This Lawsuit About? 4
 What Can I Get Out of the Settlement? 5
 Who are the Attorneys Representing the Class And How Will They be Paid? 5
Deciding What You Want to Do 6
 What are My Options? 6
 Doing Nothing 6
 What are the Consequences of Doing Nothing? 6
 Opting Out 7
 What Happens if I Opt-Out of the Settlement Class? 7
 How Do I Opt-Out? 7
 Objecting to the Settlement 7
 What Happens If I Object to the Settlement? 7
 How Do I Object to the Settlement? 8
Additional Information 8
 When and Where Will the Court Decide Whether to Approve the Settlement? 8
 Where Can I Get Additional Information? 8

About This Notice

Why did I get this Notice?

There has been a settlement in a class action case and you are either viewing this Notice on the Settlement Website or you requested to be mailed a copy of this Notice. The Settlement Class is defined as “All individuals who were the subject of consumer reports prepared by Defendant from December 27, 2019, to May 1, 2023 about whom Defendant reported: (1) through the SSN Trace Level 2 product, ‘unable to validate’ and/or ‘not verified’; or (2) individuals who disputed information in the SSN Trace section of their background reports, which was then revised.”

This Notice describes your rights if you are a member of the Settlement Class. Please review it carefully. If you are a member of the Settlement Class, you should also have received a Notice in the mail or by email.

What is a class action lawsuit?

A class action is a lawsuit in which one or more people sue on behalf of a larger group, called the Class.

What Do I Do Next?

Your Legal Rights & Options:

MAKE A CLAIM, STAY IN THE CLASS, AND RECEIVE A CASH PAYMENT	<p>Most Class Members must submit a Claim Form, by July 28, 2024, in order to receive a payment. You can do so at the Settlement Website: www.ssntraceclassaction.com. If you submit a valid Claim Form, once the Settlement is approved, you will be sent a payment by (1) check or (2) electronically, if you so choose when making a Claim.</p> <p>Class Members do not need to submit a Claim Form to receive payment if: (1) they previously disputed information on the SSN Trace section of the background report issued by Defendant, and (2) that section was thereafter revised. If you fall into this category, you will receive a payment automatically by check. You may update the address to which such payment should be sent, or opt to receive your payment electronically, at the Settlement Website: www.ssntraceclassaction.com.</p> <p>If you do nothing, or if you submit a Claim Form, you will be bound by the Court’s decisions regarding the Settlement. You will not be able to pursue any potential claims against Defendant that have been released as part of the Settlement. Review the full release at www.ssntraceclassaction.com.</p> <p>If you have questions about whether you must submit a Claim Form to receive payment, please contact the Settlement Administrator.</p>
EXCLUDE YOURSELF FROM THE SETTLEMENT	<p>You can opt-out of the Settlement if you want to maintain any potential legal rights you may have against Defendant. But, if you opt-out, and if the Court grants final approval of the Settlement, you will not receive a payment from the Settlement.</p> <p>To opt-out from the Settlement, you must send a written request addressed to the Settlement Administrator and state that you wish to be excluded from the Settlement and include the information discussed in more detail in this Notice. The opt-out deadline is July 13, 2024.</p>

**OBJECT TO
THE
SETTLEMENT**

You have the right to write to the Court to object to the Settlement if you believe that it is unfair. In this case, you would remain a part of the Class and be bound by the Court's decisions regarding the Settlement. The objection deadline is July 13, 2024.

Read on to understand the specifics of the Settlement and what each choice would mean for you. The Court still has to decide whether to grant final approval of the Settlement. Payments will be made only if the Court approves the Settlement and after any appeals are resolved.

What are the Most Important Dates?

The deadline to submit a Claim Form is July 28, 2024. The Court has scheduled a Final Fairness Hearing for September 4, 2024, at 10:00 AM CT. If there are no appeals, checks will be sent approximately 60 days after the Court finally approves the settlement. Your deadline to opt-out of, or object to the settlement, is July 13, 2024.

Learning About the Lawsuit & Settlement**What is This Lawsuit About?**

Plaintiff Burak C. Bingollu ("Plaintiff") has brought a class action lawsuit in federal court against One Source Technology, LLC d/b/a Asurint ("Defendant"), alleging that Defendant violated the Fair Credit Reporting Act ("FCRA") by including notations on individuals' consumer reports stating that Defendant was "unable to validate" and/or could "not verif[y]" such individuals' Social Security Numbers. The FCRA requires that a consumer reporting agency, like Defendant, follow reasonable procedures to assure maximum possible accuracy. Plaintiff alleged that Defendant's statements were not accurate, and that Defendant therefore violated the FCRA.

Defendant denies that it did anything wrong or that it violated any laws. Defendant maintains that it follows reasonable procedures to assure maximum possible accuracy in the information it reports on all consumer reports, including all reports at issue in this litigation. The Court has not made a determination that Defendant violated the FCRA. Nor has the Court made any determination that this lawsuit should proceed as a class action, as opposed to an individual claim brought by Plaintiff. This Notice should not be interpreted as an expression of the Court's opinion on the merits of the lawsuit. If the Parties had not reached a settlement, Defendant would have vigorously defended the lawsuit and moved for judgment in its favor.

Within the Settlement, the "Settlement Class" is defined as: All individuals who were the subject of consumer reports prepared by Defendant from December 27, 2019 to May 1, 2023 about whom Defendant reported: (1) through the SSN Trace Level 2 product, "unable to validate" and/or "not verified"; or (2) individuals who disputed information in the SSN Trace section of their background reports, which was then revised.

What Can I Get Out of the Settlement?

A \$2,400,000 settlement fund will be used to make cash payments to the Settlement Class Members and to pay, if approved by the Court, (1) a service award to Plaintiff, (2) Class Counsel's attorneys' fees in, the amount of one-third of the settlement fund, and the attorneys' out of pocket costs, and (3) expenses to the Settlement Administrator to reimburse it for its expenses in administering the Settlement.

If the Settlement is approved in full, those Settlement Class Members who already disputed information in the SSN Trace section of their reports, and where the report was revised, will receive a settlement payment automatically. Defendant's records indicate that there are less than 100 Settlement Class Members who qualify for an automatic payment. All other Settlement Class Members must submit a Claim Form by July 28, 2024 to receive a payment. To submit a Claim, the Settlement Class Member must attest that they were harmed or emotionally distressed by Defendant's notation on the Class Member's report that Defendant was unable to validate or otherwise verify their Social Security Number. Claims are subject to separate review by the Parties and their Counsel.

Depending on the final number of valid Claim Forms submitted, and after deduction of the requested amounts to be approved by the Court to be paid from the settlement fund for fees, costs, a service award, and settlement administration costs, it is estimated that each Settlement Class Member who is entitled to receive a payment will receive approximately \$90-300. This range is only an estimate.

Who Are the Attorneys Representing the Class and How Will They be Paid?

The Court has approved lawyers from the law firm Berger Montague PC to represent the Settlement Class ("Class Counsel"). If you prefer to hire your own attorney to represent you in this case, you may do so at your own expense. The attorneys who have been appointed by the Court to represent the Settlement Class are:

E. Michelle Drake
John G. Albanese
Ariana B. Kiener
Berger Montague PC
1229 Tyler Street NE, Suite 205
Minneapolis, MN 55413
612-594-5999

Subject to Court approval, Class Counsel will seek attorneys' fees in the amount of one-third of the settlement fund (\$800,000) and reimbursement of their out-of-pocket expenses. Class Counsel may also seek a service award in an amount not to exceed \$5,000 to be paid to Plaintiff for his services in representing the Settlement Class. The attorneys' fees, costs, service award, and settlement administration expenses will be paid from the settlement fund, if approved by the Court.

Deciding What You Want to Do

What are My Options?

If you are a member of the Settlement Class, you have four options. You can: (1) submit a Claim Form (if one is required of you) by July 28, 2024, and remain in the Settlement Class; (2) do nothing; (3) exclude yourself (i.e., opt-out) from the Settlement; and/or (4) object to the Settlement.

This chart shows the effects of selecting each option:

	Make a Valid Claim and Remain in the Settlement Class	Do Nothing	Opt-Out of the Settlement Class	Object to the Settlement
Will I receive a payment if I...	Yes	No, unless you already disputed the SSN Trace section of your background check, and Defendant thereafter revised such section	No	Yes, as long as you <i>also</i> (1) make a valid Claim, OR (2) already disputed information in the SSN Trace section of your background check, and Defendant thereafter revised such section
Am I bound by the terms of the Settlement Class if I...	Yes	Yes	No	Yes

Your options and rights are explained in the following sections, along with the steps you must take if you wish to opt-out or object.

Making a Claim

What are the Consequences of Making a Claim?

If you make a timely and valid Claim by July 28, 2024, and if the Court grants final approval of the Settlement, you will receive a payment from the Settlement.

You will not be able to pursue claims against Defendant that are covered by the Settlement's release. All the Court's decisions regarding the Settlement will apply to you and you will be bound by any judgment entered.

Doing Nothing

What are the Consequences of Doing Nothing?

If you do nothing and remain in the Settlement Class, you will most likely not receive any payment from the settlement fund. Again, unless you are one of the approximately 100 individuals entitled to an automatic payment, you must submit a Claim Form to receive payment.

If you do nothing, you will not be able to pursue claims against Defendant that are covered by the Settlement's release. All the Court's decisions regarding the settlement will apply to you and you will be bound by any judgment entered.

Opting Out

What Happens if I Opt-Out of the Settlement Class?

If you exclude yourself from the Settlement Class, you will not receive any money from the Settlement. You will not be bound by any of the Court's orders regarding the Settlement Class, or any judgment or release entered regarding the Settlement Class. You will retain any legal rights you may have against Defendant. You may hire your own lawyer, in which case you will be responsible for the fees and costs of any services they provide.

How do I Opt-Out?

If you wish to be excluded, you must mail a written request for exclusion addressed to the Settlement Administrator at *Bingollu v. One Source Technology d/b/a Asurint*, PO Box 23680, Jacksonville, FL 32241. Your request for exclusion must be in writing, signed by you, and postmarked on or before July 13, 2024. The request must state: "I do not want to be part of the Class in *Bingollu v. One Source Technology*." The request must also be dated and include your name, address, telephone number, and the last four of your Social Security Number. The address you use on your exclusion request should be the same address to which Notice was sent. If you have a new address, please inform the Settlement Administrator of the new address so they can update the appropriate records. If you exclude yourself, you are not eligible to receive a payment.

Objecting to the Settlement

What Happens if I Object to the Settlement?

If you object according to the steps below, the Court will consider your objection. If the Court overrules your objection, you will be bound by the Court's decision, and you will remain a part of the Settlement Class. If the Court grants final approval of the Settlement, you will receive a payment only if (1) you made a valid Claim, or (2) you already disputed information in the SSN Trace section of your background check, and Defendant thereafter revised such section (in which case, you are entitled to payment automatically).

How Do I Object to the Settlement?

You may object to all or part of the Settlement if you think it is not fair, reasonable, and/or adequate. To object, you must (1) submit your objection to the Settlement Administrator at *Bingollu v. One Source Technology d/b/a Asurint*, PO Box 23680, Jacksonville, FL 32241, and (2) file your objection with the Court at Clerk of Court, 300 South Fourth Street, Suite 202, Minneapolis, MN 55415. Your objection must include a written explanation of the reasons you think that the Court should not approve the Settlement. You must also sign the objection and include: your name, address, last four of your Social Security Number; the basis of your objection, including any documentation; and a notation that your objection is for “*Bingollu v. One Source Technology*.” The deadline to postmark an objection to the Settlement Administrator is July 13, 2024. If you are represented by counsel in your objection, you must also include that attorney’s information in your objection. You may appear at the Final Fairness Hearing only if you indicate your intent to do so when submitting your objection.

Additional Information

When and Where Will the Court Decide Whether to Approve the Settlement?

The Court will hold a Final Fairness Hearing on September 4, 2024, at 10:00 AM CT at Courtroom 9E, 300 South Fourth Street, Minneapolis, MN 55415. At the Final Fairness Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also hear objections to the Settlement, if any. We do not know how long the Court will take to make its decision after the Final Fairness Hearing. In addition, the Hearing may be continued at any time by the Court without further notice to you.

You do not have to appear in order to receive a benefit.

If the Court approves the Settlement, the Court’s judgment as to the Settlement Class will be binding on all Settlement Class Members who have not validly excluded themselves.

Where Can I Get Additional Information?

Review the additional documents available on the Settlement Website, including the Complaint, the full Settlement Agreement, and other documents at: www.ssntraceclassaction.com.