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Attorneys for Plaintiffs and the Class

ROBERT A. SCHULTZ, JR., and
DONNA L. SCHULTZ, *on behalf of
themselves and those similarly situated,*

Plaintiff,

vs.

MIDLAND CREDIT MANAGEMENT,
INC.,

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

Civil Action

Docket No. ESX-L-142-22

ORDER

Plaintiffs, by and through Class Counsel, having moved for approval of the form and method of class notice, and the Court having reviewed the Parties' submissions; and good cause appearing;

IT IS on this 8 day of DECEMBER, 2025, hereby **ORDERED**:

1. Plaintiffs' Motion is **GRANTED**.
2. The proposed postcard Notice to Class Members in the form of "Exhibit A" to Plaintiffs' Motion and to this ORDER is **APPROVED** and shall be mailed to the Class as set forth herein.
3. Class Counsel is hereby authorized to retain the services of American Legal Claim Services, LLC ("Administrator") for purposes of printing and mailing the postcard Notice to Class Members and receiving Class Members' written requests for exclusion. The Administrator will use commercially available means to update the addresses using National Change of Address and batch skip trace as appropriate. The Administrator shall report to Class Counsel the number of Notices mailed, the number returned as undelivered, the number re-mailed after obtaining updated address information, the number of re-mailed notices which were returned as undelivered, and the number of written requests for exclusion received. The long-form Notice in the form of "Exhibit B" to Plaintiffs' Motion and to this ORDER is **APPROVED** for publication on a case website established by the Administrator.
4. Within 14 days after entry of this Order, the Administrator shall mail the Class Notice to each Class Member via first-class U.S. Mail.

5. For purposes of the Notice’s deadline for a Class Member’s request to be excluded from the Class, the Administrator shall use the first Wednesday that falls at least 30 days after the date on which the Notices are mailed.

6. If any Notice is returned to the Administrator as undeliverable, the Administrator shall attempt to obtain an updated address from recognized sources (such as the Post Office’s National Change of Address database and skip tracing databases) and promptly re-mail the Notice using the updated address.

7. Within 14 days after the deadline for Class Members to request exclusion, the Administrator shall provide Class Counsel with an affidavit setting forth the number of Notices mailed, the number of Notices returned, the number of Notices for which updated addresses were obtained and successfully re-mailed, and the number of exclusions received. Class Counsel shall promptly file that affidavit with the Court.

8. Class Counsel shall serve this Order in accordance with R. 1:5-1(a).



ARTHUR J. BATISTA, J.S.C.

Opposed: Yes No (in part)

Per R. 1:6-2(f) and R. 4:42-1(a)(7), the Court’s:

written findings and conclusions are attached to this Order.

oral findings and conclusions were rendered on the record on _____

Statement of Reasons

Plaintiffs Robert A. Schultz, Jr. and Donna L. Schultz move for approval of the form and method for class notice pursuant to Rule 4:32-2(b)(2) of the New Jersey Court Rules in this certified class action against Midland Credit Management, Inc. (“MCM”).

The standards governing approval of class notice are well-established. Under Rule 4:32-2(b)(2), the Court must direct “the best notice practicable under the circumstances, consistent with due process of law.” The notice must fairly communicate the nature of the case, the class definition, principal claims and defenses, procedure for class members to opt out, and the binding effect of judgment.

The record alleges that MCM violated the Fair Debt Collection Practices Act (“FDCPA”) by sending collection letters to New Jersey consumers containing misleading statements about IRS debt forgiveness reporting. The case was previously filed and certified as a class in federal court. Notice was provided to the same class members in 2020, using the website www.midlandclassaction.com and email info@midlandclassaction.com. The federal action was later dismissed for lack of jurisdiction and refiled in state court; the same plaintiffs, counsel, defendant, and class definition apply.

Plaintiffs propose to retain American Legal Claim Services, LLC (“ALCS”) as class administrator, mail notice to class members at their last known addresses,

with address updates using National Change of Address and skip tracing, and continue using the www.midlandclassaction.com domain for all case information. Defendant objects only to the continued use of the prior website, arguing that a new domain would avoid confusion between the federal and state actions and better reflect the substance of the litigation. Defendant does not contest the other elements of the notice plan.

Under Rule 4:32, the Court must assess whether Plaintiffs' notice proposal constitutes the "best practicable notice", including whether the use of the prior website domain furthers clarity and effective communication for the class. Plaintiffs persuasively argue that continuity of the domain is critical, given its long-standing use, class member familiarity, and the absence of legal or factual authority justifying Defendant's requested change. The record demonstrates that class members have relied on the website for case updates, and no contrary evidence supports the notion that its continued use would cause confusion. A change in domain could, in fact, risk unnecessary confusion among class members. The remainder of the notice plan is uncontested and complies with Rule 4:32-2(b)(2), including first-class mailing, administrator reporting, and access to information.

Therefore, the Plaintiffs' motion is granted.