

You may be eligible for a payment from a class action settlement if you purchased a home in the Fairways at Lake Ridge adult community in Lakewood, New Jersey and continued to own that home as of February 14, 2017 or executed a sales contract to purchase a home in the Fairways at Lake Ridge adult community in Lakewood, New Jersey prior to February 14, 2017 but closed thereafter.

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

There is a proposed settlement with The Kokes Family; The Kokes Family Organization; Jan Kokes; Jaroslav (Jerry) Kokes; Michael J. Kokes; Danielle Algeo; Jereme Kokes; Jeff Mead; Cross Street Associates, LLC; The Masters at Fairways, LLC; The Kokes Family Foundation; The Kokes Organization, Inc.; August Boulevard Associates, LLC; Irish Branch Associates, LLC; Iola Steinhof; Joan M. San Andres; Marissa Jacob; Bruce F. Stiers; Gregory Kokes; and Sima Parisi in a class action lawsuit pending in Superior Court of New Jersey, Law Division.

Defendants have agreed to a proposed settlement to create a \$750,000 fund from which amounts will be paid to Class Members and their attorneys.

Your legal rights are affected whether or not you act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	If you do nothing, you will remain a member of the Settlement Class and will be mailed a settlement payment.
EXCLUDE YOURSELF FROM THE SETTLEMENT CLASS(ES)	If you exclude yourself from the Settlement Class by opting out, you will receive no settlement payment and will not be bound by the proceedings and final disposition of this case. Opting out allows you to file your own lawsuit against Defendants. If you exclude yourself from the Settlement Class you may not object to the proposed settlement.
OBJECT TO THE SETTLEMENT	To object to the settlement, you must submit your objections in writing by filing them with the Court. If you submit a timely written objection to the Court as described more fully below, then you may attend a hearing before the Court to argue your objection. However, you do not have to appear. Your written objection will be considered by the Court

These rights and options—and the deadlines to exercise them—are explained in this notice. The Court in charge of this case will decide whether to approve the settlement after any objections are considered. Payments will be made if the Court approves the settlement and after any appeals are resolved.

BASIC INFORMATION PAGE 3

1. Why did I get this notice package?
2. What is this lawsuit about?
3. Why is this a class action?
4. Why is there a settlement?

WHO IS IN THE SETTLEMENT PAGE 4

5. How do I know if I am part of the proposed settlement?
6. Who would be entitled to a payment under the proposed settlement?
7. Are there exceptions to being included?

THE PROPOSED SETTLEMENT BENEFITS—WHAT YOU GET PAGE 5

8. Are you a Settlement Class Member and how much is your settlement payment?
9. What does the proposed settlement provide?

HOW YOU GET A PAYMENT PAGE 5

10. How much will my payment be?
11. How can I get a payment?
12. When would I get my payment?

EXCLUDING YOURSELF FROM THE SETTLEMENT PAGE 5

13. What am I giving up to get a payment or stay in the Class?
14. How can I get out of the proposed settlement?
15. If I do not exclude myself, can I sue for the same thing later?
16. If I exclude myself, can I receive a payment?

THE LAWYERS REPRESENTING YOU PAGE 6

17. Do I have a lawyer in this case?
18. How will the lawyers be compensated?

OBJECTING TO THE PROPOSED SETTLEMENT PAGE 7

19. How can I tell the Court if I don't like the proposed settlement?
20. What's the difference between objecting and opting out?

THE COURT'S FAIRNESS HEARING PAGE 8

21. When and where will the Court decide whether to approve the proposed settlement?
22. Do I have to come to the hearing?
23. May I speak at the hearing?

IF YOU DO NOTHING PAGE 8

24. What happens if I do nothing at all?

GETTING MORE INFORMATION PAGE 9

25. Are there more details about the proposed settlement?
26. How do I get more information?

BASIC INFORMATION

1. **Why did I get this notice package?**

You have received this Notice because records indicate that you purchased a home in the Fairways Community and continued to own that home as of February 14, 2017 or executed a sales contract to purchase a home in the Fairways Community prior to February 14, 2017 but closed thereafter. Or, you may have requested a copy of this Notice because you read in a newspaper a Notice about this case and you believe that you may be entitled to compensation from the proposed settlement.

This package explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the Superior Court of New Jersey, Law Division, and the case is called *Frederick Robison, Carol Jameson, and Victor D'Angelo v. The Kokes Family, The Kokes Family Organization, Jan Kokes, Jaroslav (Jerry) Kokes, Michael J. Kokes, Danielle Algeo, Jereme Kokes, Jeff Mead, Cross Street Associates, LLC, The Masters at Fairways, LLC, The Kokes Family Foundation, The Kokes Organization, Inc., Homestake Capital, LLC, August Boulevard Associates, LLC, Irish Branch Associates, LLC, Iola Steinhof, Joan M. San Andres, Marissa Jacob, Bruce F. Stiers, GDMS Holding, LLC, Augusta Holdings, LLC, Gregory Kokes, Sima Parisi, John and Jane Doe, Individually and Entities*, Docket No. OCN-L-1268-18, pending in the Superior Court of New Jersey, Law Division, Ocean County.

The individuals who sue are called Plaintiffs, and the individuals and companies they sued, The Kokes Family; The Kokes Family Organization; Jan Kokes; Jaroslav (Jerry) Kokes; Michael J. Kokes; Danielle Algeo; Jereme Kokes; Jeff Mead; Cross Street Associates, LLC; The Masters at Fairways, LLC; The Kokes Family Foundation; The Kokes Organization, Inc.; August Boulevard Associates, LLC; Irish Branch Associates, LLC; Iola Steinhof; Joan M. San Andres; Marissa Jacob; Bruce F. Stiers; Gregory Kokes; and Sima Parisi are called the Defendants.

2. **What is this lawsuit about?**

This lawsuit involves claims that the Defendants marketed the Fairways at Lake Ridge community as a golf community with an adjacent 18-hole golf course which would remain in perpetuity, but then sold the golf course to a third-party developer with the intent to develop the course as a new residential community. Plaintiffs assert that the sale of the golf course to the third-party developer and its proposed development has decreased the value of their homes for which they seek monetary damages. Plaintiffs allege that as a result, Defendants have violated the Jersey Consumer Fraud Act, N.J.S.A. 56:8-1. *et. seq.*, and New Jersey Planned Real Estate Development Full Disclosure Act, N.J.S.A. 45:22A-45.1 *et seq.* Plaintiffs also allege that Defendants are liable for damages based on the common law doctrines of fraud and promissory estoppel.

Defendants have vigorously denied these allegations and further deny that the case is maintainable as a class action, but, without admitting any liability, have decided to settle the action.

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. All these people are referred to as the "Class" or "Class Members." One court

resolves the issues for all Class Members, except for those who exclude themselves from the Class. Superior Court Judge Mark A. Troncone is in charge of this class action.

4. **Why is there a settlement?**

The Court did not decide in favor of Plaintiffs or Defendants. Instead, both sides agreed to a settlement. That way, they avoid the risks and costs of a trial, and the people affected will get compensation. The Settlement Class Representative and the attorneys appointed by the Court for the Settlement Class think the settlement is best for everyone who is a Settlement Class Member.

WHO IS IN THE SETTLEMENT

To see if you will get money from this settlement, you first have to decide if you are a class member.

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

If you received this notice, then you are a Class Member. For purposes of the Proposed Settlement, the Class consists of all persons who purchased a home in the Fairways Community and continued to own that home as of February 14, 2017 or executed a sales contract to purchase a home in the Fairways Community prior to February 14, 2017 but closed thereafter.

Persons and entities meeting this definition are called “Settlement Class Members.”

6. **Who would be entitled to a payment under the proposed settlement?**

You do not need to submit a claim form or any documentation to qualify for a settlement payment if you are a Class Member. Plaintiffs have already identified all potential Class Members. All Settlement Class Members will be eligible to receive a settlement payment, though settlement payments will be limited to one equal share payment made per household, regardless of the number of qualified Class Members per household.

7. **Are there exceptions to being included?**

You are not a Settlement Class Member if you are a judge of the Superior Court of New Jersey, Law Division, a Defendant, or a current director, officer or employee of any Defendant.

8. **Are you a Settlement Class Member and how much is your settlement payment?**

You received this notice because our records indicate that you are a Settlement Class Member. If you want to know how much your settlement payment would be, you can call 1-877-312-9192 to obtain this information. Settlement payments will be limited to one equal share payment per household, regardless of the number of qualified Class Members per household.

THE PROPOSED SETTLEMENT PAYMENTS—WHAT YOU GET

9. What does the proposed settlement provide?

Defendants have agreed to create a \$750,000 Total Settlement Fund, from which claims of Settlement Class Members, Class Counsel's Fees and Expenses, and Costs of Reimbursement of Individual Plaintiffs will be paid.

10. How much will my payment be?

The amount of your payment will vary depending upon the number of Settlement Class Members participating in the settlement and the amount remaining in the Total Settlement Fund after payment of all costs and expenses. Settlement payments will be limited to one equal share payment per household, regardless of the number of qualified Class Members per household.

HOW YOU GET A PAYMENT

11. How can I get a payment?

You do not need to do anything to qualify for a settlement payment if you meet the definition of a Settlement Class Member as has been determined by the Court.

12. When would I get my payment?

The Court will hold a hearing on August 12, 2022, to decide whether to approve the settlement. If Judge Troncone approves the settlement, there may be appeals that follow. That process could take months.

13. What am I giving up to get a payment or stay in the Class?

Unless you exclude yourself by opting out, you are staying in the Settlement Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against The Kokes Family; The Kokes Family Organization; Jan Kokes; Jaroslav (Jerry) Kokes; Michael J. Kokes; Danielle Algeo; Jereme Kokes; Jeff Mead; Cross Street Associates, LLC; The Masters at Fairways, LLC; The Kokes Family Foundation; The Kokes Organization, Inc.; August Boulevard Associates, LLC; Irish Branch Associates, LLC; Iola Steinhof; Joan M. San Andres; Marissa Jacob; Bruce F. Stiers; Gregory Kokes; or Sima Parisi regarding the claims in *this* case. It also means that all of the Court's orders will apply to you and legally bind you. The Settlement Agreement describes exactly the legal claims that you give up by remaining in the Settlement Class. The Settlement Agreement can be reviewed at www.fairwaysclassaction.com or you can call 1-877-312-9192 to request a copy.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of this settlement, but you want to keep the right to sue The Kokes Family; The Kokes Family Organization; Jan Kokes; Jaroslav (Jerry) Kokes; Michael J. Kokes; Danielle Algeo; Jereme Kokes; Jeff Mead; Cross Street Associates, LLC; The Masters at Fairways, LLC; The Kokes Family Foundation; The Kokes Organization, Inc.; August Boulevard Associates, LLC; Irish Branch Associates, LLC; Iola Steinhof; Joan M. San Andres; Marissa Jacob; Bruce F. Stiers; Gregory

Kokes; or Sima Parisi on your own about the issues in this case, then you must take steps to exclude yourself—or, as it is sometimes referred to, “opt out” of the Settlement Class.

14. How do I opt out of the proposed settlement?

To exclude yourself (or opt out) from the settlement, you must send a letter by mail saying that you want to be excluded from *Frederick Robison, Carol Jameson, and Victor D’Angelo v. The Kokes Family, The Kokes Family Organization, Jan Kokes, Jaroslav (Jerry) Kokes, Michael J. Kokes, Danielle Algeo, Jereme Kokes, Jeff Mead, Cross Street Associates, LLC, The Masters at Fairways, LLC, The Kokes Family Foundation, The Kokes Organization, Inc., Homestake Capital, LLC, August Boulevard Associates, LLC, Irish Branch Associates, LLC, Iola Steinhof, Joan M. San Andres, Marissa Jacob, Bruce F. Stiers, GDMS Holding, LLC, Augusta Holdings, LLC, Gregory Kokes, Sima Parisi, John and Jane Doe, Individually and Entities*, Docket No. OCN-L-1268-18, pending in the Superior Court of New Jersey, Law Division, Ocean County. Be sure to include your name, address, and signature. If you elect to be excluded, you will not get any settlement payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit if you elect to opt-out and be excluded. You may be able to sue (or continue to sue) Defendants in the future.

Your exclusion request must be postmarked no later than **July 22, 2022**, to:

Robison v The Kokes Family Settlement
PO Box 23459, Jacksonville, FL 32241

You cannot exclude yourself from the Settlement Class by telephone or by e-mail.

15. If I do not exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up the right to sue The Kokes Family, The Kokes Family; The Kokes Family Organization; Jan Kokes; Jaroslav (Jerry) Kokes; Michael J. Kokes; Danielle Algeo; Jereme Kokes; Jeff Mead; Cross Street Associates, LLC; The Masters at Fairways, LLC; The Kokes Family Foundation; The Kokes Organization, Inc.; August Boulevard Associates, LLC; Irish Branch Associates, LLC; Iola Steinhof; Joan M. San Andres; Marissa Jacob; Bruce F. Stiers; Gregory Kokes; or Sima Parisi for the claims that this settlement resolves. If you have a pending lawsuit against Defendants regarding the issues in this case, speak to your lawyer in that lawsuit immediately. You must exclude yourself from *this* Class to continue your own lawsuit. Remember, the exclusion deadline is **July 22, 2022**.

16. If I exclude myself, can I receive a payment?

No.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court has appointed the following law firm to represent you and other Class Members:

LUEDDEKE LAW FIRM
215 Morris Avenue
Spring Lake, NJ 07762

These attorneys and their firm are called Settlement Class Counsel. You will not be charged personally for these lawyers, but they will ask the Court to award them a fee to be paid out of the

Settlement Fund. If you want to be represented by your own lawyer, you may hire one at your own expense. You can hire a lawyer to represent you and to consult about this notice and the proposed settlement.

18. How will the lawyers be compensated?

Settlement Class Counsel has asked the Court to award them attorneys’ fees of \$250,000 and expenses of \$50,000 from the Total Settlement Fund. A credit of \$87,750 will be applied against the fee amount awarded, representing the initial retainer paid by 351 community households prior to seeking class action certification. The fees requested would compensate Settlement Class Counsel for their efforts in achieving the settlement for the benefit of the Settlement Class, and for the risk in undertaking this lawsuit. The Class Representatives would ordinarily be entitled to seek an incentive award of \$5,000.00 each. For the benefit of the Class, each Class Representative has waived this fee. The Class Representatives appointed by the Court are Frederick Robison, Victor D’Angelo, and Carol Jameson.

OBJECTING TO THE PROPOSED SETTLEMENT

You can tell the Court that you believe the proposed settlement is unfair, unreasonable or inadequate.

19. How do I tell the Court that I don’t like the Proposed Settlement?

If you are a Class Member, you can object to the settlement and provide reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to the proposed settlement of *Frederick Robison, Carol Jameson, and Victor D’Angelo v. The Kokes Family, The Kokes Family Organization, Jan Kokes, Jaroslav (Jerry) Kokes, Michael J. Kokes, Danielle Algeo, Jereme Kokes, Jeff Mead, Cross Street Associates, LLC, The Masters at Fairways, LLC, The Kokes Family Foundation, The Kokes Organization, Inc., Homestake Capital, LLC, August Boulevard Associates, LLC, Irish Branch Associates, LLC, Iola Steinhof, Joan M. San Andres, Marissa Jacob, Bruce F. Stiers, GDMS Holding, LLC, Augusta Holdings, LLC, Gregory Kokes, Sima Parisi, John and Jane Doe, Individually and Entities*, Docket No. OCN-L-1268-18, pending in the Superior Court of New Jersey, Law Division, Ocean County. In addition to describing the basis for your objection, please include a list of any witnesses who may be called to testify at the Final Settlement Hearing and copies of any documents upon which you may rely at the hearing. Mail your objection to these three different places postmarked no later than **July 22, 2022**:

<u>Court:</u>	<u>Class Counsel:</u>	<u>Defense Counsel:</u>
Hon. Mark A. Troncone, J.S.C. Superior Court of New Jersey Ocean County Courthouse 100 Hooper Ave. Courtroom No. 3, First Floor Toms River, New Jersey 08754	Ronald Lueddeke, Esq. LUEDDEKE LAW FIRM 215 Morris Avenue Spring Lake, NJ 07762	Robert Novack, Esq. Michael D. Margulies, Esq. CARLTON FIELDS, P.A. 180 Park Ave., Suite 106 Florham Park, NJ 07932

20. What's the difference between objecting and opting-out?

Objecting is telling the Court that the settlement is unfair, unreasonable or inadequate. You can object only if you stay in the Settlement Class. Opting-out is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you cannot 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 do not have to.

21. When and where will the Court decide whether to approve the proposed settlement?

The Court will hold a Fairness Hearing at 9:30 a.m. on August 12, 2022, at the Superior Court of New Jersey, Law Division (see question # 19 for the address of the Courthouse). At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are timely objections that comply with the requirements set forth herein, then the Court will consider them. Judge Troncone will listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Proposed Settlement, including finally approving payment of Settlement Class Counsel's Fees and Expenses.

22. Do I have to come to the hearing?

No. Settlement Class Counsel will answer questions Judge Troncone may have. You are welcome to come at your own expense. If you send an objection, you do not have to come to the hearing. As long as you mailed your written objection on time and in compliance with this notice, the Court will consider it. You may also pay your own lawyer to attend.

23. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must object to the Proposed Settlement as provided for in question # 19 and further indicate that you wish to appear at the Fairness Hearing. You cannot speak at the hearing if you excluded yourself.

IF YOU DO NOTHING

24. What happens if I do nothing at all?

You do not need to submit a claim form or any documentation to qualify for a settlement payment if you are a Settlement Class Member. All Class Members for whom an address can be found will receive a settlement payment. If you do nothing you will remain a member of the Settlement Class and be subject to and participate in any finally approved settlement.

GETTING MORE INFORMATION

25. Are there more details about the Proposed Settlement?

This notice summarizes the proposed settlement. More details are in a Settlement Agreement that has been preliminarily approved by the Court, subject to objections. You can get a copy of the Settlement Agreement by writing to the Settlement Administrator

26. How do I get more information?

You can call 1-877-312-9192 toll free, write to the Settlement Administrator at info@fairwaysclassaction.com or Robison v The Kokes Family Settlement, PO Box 23459, Jacksonville, FL 32241, or visit www.fairwaysclassaction.com, where you will find answers to common questions about the settlement.