

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION  
Civil Action No. 3:23-cv-01134-C

**If You Received a TEXT MESSAGE from Jefferson Dental  
You May Be Entitled to a Payment from a Class Action  
Settlement**

*A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.*

- A Settlement<sup>1</sup> has been reached in a class action lawsuit alleging that JDC Healthcare Management, LLC (“Jefferson Dental” or “Defendant”) continued to send text messages to telephone numbers after being asked to stop in violation of the Telephone Consumer Protection Act (“TCPA”). Jefferson Dental denies that it engaged in any wrongdoing. The Court has not decided who is right.
- Settlement Class Members who submit valid Claim Forms are eligible to receive a cash recovery.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	If you are a member of the Settlement Class, you must timely submit a completed Claim Form to receive a payment. If the Court approves the Settlement and it becomes final and effective and you remain in the Settlement Class, you will receive your cash recovery by check.
<b>EXCLUDE YOURSELF</b>	You have the right to exclude yourself from the Settlement. If you do, you will not be a member of the Settlement Class, you will not receive any cash recovery from the Settlement, and you will retain the right to file your own lawsuit.
<b>OBJECT</b>	If you do not exclude yourself, you may object to the Settlement. You may submit written objections to the Court if you do not like the Settlement.
<b>DO NOTHING</b>	You will remain a member of the Settlement Class, but you will not receive a payment if you fail to timely submit a completed Claim Form, and you will give up your right to bring your own lawsuit against Defendant about the Claims in this lawsuit.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.

<sup>1</sup> Capitalized terms herein have the same meanings as those defined in the Settlement Agreement, a copy of which may be found online at the Settlement Website.

**QUESTIONS? CALL 1-800-543-4459 OR VISIT [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com)**

- The Court in charge of this case still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, benefits will be distributed to those who submit qualifying Claim Forms. Please be patient.

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## BASIC INFORMATION

### 1. Why is there a Notice?

A court authorized this Notice because you have a right to know about a proposed Settlement of a class action lawsuit known as *Lee v. JDC Healthcare Management, LLC*, pending in the United States District Court for the Northern District of Texas, and about all your options before the Court decides whether to give Final Approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Hon. Ada Brown, a Judge in the Northern District of Texas, is overseeing this case. The person who sued, Tabatha Lee, is called the “Plaintiff.” JDC Healthcare Management, LLC, doing business as Jefferson Dental, is called the “Defendant.”

### 2. What is this litigation about?

The lawsuit alleges that Defendant, in violation of the Telephone Consumer Protection Act, continued to send text messages to Settlement Class Members at their wireless telephone numbers which they used as their residential (home) telephone numbers after having asked Defendant to stop doing so and after having placed their wireless telephone numbers on the National Do-Not-Call Registry. The lawsuit seeks an award of actual and statutory damages under the TCPA on behalf of the Plaintiff and the Settlement Class.

Defendant denies each and every allegation of wrongdoing, liability, and damages that were or could have been asserted in the lawsuit and further denies that the claims in the lawsuit would be appropriate for class treatment if the lawsuit was to proceed through trial.

The Plaintiff’s Complaint, Settlement Agreement, and other case-related documents are posted on the Settlement Website, [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com). The Settlement resolves the lawsuit. The Court has not decided who is right.

### 3. What is the TCPA?

The Telephone Consumer Protection Act (commonly referred to as the “TCPA”) is a federal law that, among other things, restricts the use of marketing-related text messages after the texter is directed to stop sending text messages to the wireless number.

### 4. Why is this a class action?

In a class action, one person called the “Class Representative” (in this case, Plaintiff) sues on behalf of themselves and other people with similar claims.

All residents of the United States who have claims similar to Plaintiff’s are Settlement Class Members, except for those who exclude themselves from the Settlement Class and a few others such as employees of Defendant.

### 5. Why is there a settlement?

The Court has not found in favor of either Plaintiff or Defendant. Instead, both sides have agreed to a compromise settlement. By agreeing to the Settlement, the parties avoid the costs and uncertainty of

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a trial and, if the Settlement is approved by the Court, Settlement Class Members (who do not opt-out) will be eligible to receive the benefits described in this Notice. Plaintiff and her lawyers think the proposed Settlement is best for everyone who is affected.

## WHO IS PART OF THE SETTLEMENT?

### 6. Who is included in the Settlement?

The Settlement includes all persons who received a text message on their telephone from Defendant after having first asked Defendant to stop doing so. Specifically, the Settlement Class is defined as:

**All U.S. resident individuals who use their cell phone as their residential telephone line and who were sent text messages by Defendant after making a “STOP” request and after having placed their cell phone number on the National Do-Not-Call Registry between May 17, 2019 and May 17, 2023.**

Persons meeting this definition are referred to collectively as the “Settlement Class” and, individually, as “Settlement Class Members.” There are estimated to be 10,334 Settlement Class Members.

The Settlement Class excludes the following: (1) the trial judge presiding over this case; (2) Defendant, as well as any parent, subsidiary, affiliate, or control person of Defendant, and the officers, directors, agents, servants, or employees of Defendant; (3) any of the Released Parties; (4) the immediate family of any such person(s); (5) any person who would qualify as a Settlement Class Member who has timely opted out of this lawsuit; and (6) Plaintiff’s Counsel, their employees, and their immediate family.

### 7. What if I am not sure whether I am included in the Settlement?

Based on Defendant’s records, it appears you are a Settlement Class Member. However, if you are not sure whether you are in the Settlement Class or have any other questions about the Settlement, visit the Settlement Website at [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com) or call the toll-free number, 1-800-543-4459.

## THE SETTLEMENT BENEFITS

### 8. What does the Settlement provide?

To fully settle and release claims of the Settlement Class Members, Defendant has agreed to make \$1,000,060 (the “Settlement Fund”) available for claims by Settlement Class Members. Defendant will pay out of the Settlement Fund the notice and administration costs of the Settlement (up to \$50,000), attorneys’ fees and expenses incurred by counsel for the Settlement Class (up to 33.33% or \$333,320 for fees and up to \$15,000 for costs), and a service award for Plaintiff (up to \$5,000). Each Settlement Class Member who submits a timely, correct and certified Claim Form by the Claim Deadline in the manner required by the Settlement Agreement shall be sent a Claim Settlement Check by the Settlement Administrator. The portion of the Net Settlement Fund each Claimant will be eligible to claim will be calculated by dividing the Net Settlement Fund by the number of Settlement Class Members. If the estimate of the Notice and Administration Costs is correct and the Court awards the maximum possible Attorneys’ Fees and Cost Award and maximum Service Award, each Settlement Class Member who submits a timely and valid Claim will be mailed a check for approximately \$57. Class Claimants will be sent their Claim Settlement Payments to the address they submitted on their Claim Form within 60 days following the Effective Date.

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## 9. How do I file a Claim?

If you qualify for a payment, you must complete and submit a valid Claim Form.

You may submit a Claim Form by U.S. mail, which must be postmarked by December 9, 2024. You may also submit a claim online through the Settlement Website [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com), which must be submitted by 11:59 PM on December 9, 2024.

There are two ways to submit a claim by U.S. Mail. You should have received a Pre-Filled Paper Claim Form attached to a Postcard Notice of the Settlement which you can complete and place in the mail. Or you may print a Claim Form at the Settlement Website, [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com), or request a Claim Form by calling the Settlement Administrator at the toll-free number below. You would then need to fill out the claim form and mail it with the appropriate postage.

To submit a claim online, visit the Settlement Website [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com). You will find a place where you can generate a Pre-Filled Electronic Claim Form by entering the Claim ID Number found on your Postcard Notice. Add any additional required information and hit the submit button.

To be valid, a Claim Form must be completed fully and accurately and timely submitted. Please read the Claim Form carefully and provide all the information required. Only one claim is allowed per Settlement Class Member.

## 10. When will I receive my check?

Payments in the form of a check to Settlement Class Members will be made only after the Court grants Final Approval to the Settlement and after any appeals are resolved (*see* “The Decision Whether to Approve the Settlement” below). If there are appeals, resolving them can take time. Please be patient.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to claim benefits from the Settlement, and you want to keep the right to sue or continue to sue Defendant on your own about the legal issues in this lawsuit, then you must take steps to get out of the Settlement. This is called excluding yourself—or is sometimes referred to as “opting-out” of the Settlement Class.

## 11. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a timely letter by mail to:

Lee v JDC Healthcare  
c/o Settlement Administrator  
P.O. Box 23309  
Jacksonville, FL 32241

Your request to be excluded from the Settlement must be personally signed by you and contain a statement that indicates your desire to be “excluded from the Settlement Class.” If you do not exclude

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yourself or “opt-out,” you are a member of the Settlement Class and you will have your claims against Defendant released regardless of whether you make a claim and receive a payment.

Your exclusion request must be postmarked no later than **December 9, 2024**. You cannot ask to be excluded on the phone, by email, or at the Settlement Website.

You may opt-out of the Settlement Class only for yourself.

**12. If I do not exclude myself, can I sue Defendant for the same thing later?**

No. Unless you exclude yourself, you give up the right to sue Defendant for the claims that the Settlement resolves. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

**13. What am I giving up to stay in the Settlement Class?**

Unless you opt-out of the Settlement, you cannot sue or be part of any other lawsuit against Defendant about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments issued by the Court will bind you.

The Settlement Agreement is available at [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com). The Settlement Agreement provides more detail regarding the Releases and describes the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Settlement Class listed in Question 15 at no charge to you, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Claims or what they mean.

**14. If I exclude myself, can I still get a payment?**

No. You will not get a payment from the Settlement Fund if you exclude yourself from the Settlement.

**THE LAWYERS REPRESENTING YOU**

**15. Do I have a lawyer in the case?**

The Court has appointed the following lawyers as “Class Counsel” to represent all members of the Settlement Class:

Roger L. Mandel  
Jeeves Mandel Law Group, PC  
2833 Crockett Street  
Suite 135  
Fort Worth, TX 76107

Michael Eisenband, Esq.  
Eisenband Law, P.A.  
515 E. Las Olas Blvd. Suite 120  
Fort Lauderdale, Florida 33301

Manuel S. Hiraldo, Esq.

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Hirald P.A.  
401 E. Las Olas Boulevard, Suite 1400  
Ft. Lauderdale, Florida 33301

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to represent you at your own expense.

#### 16. How will the lawyers be paid?

Class Counsel intends to request up to 33.33% of the Settlement Fund (\$333,020) for attorneys' fees plus reasonable, actual out-of-pocket expenses incurred in the litigation up to \$15,000. The fees and expenses awarded by the Court will be paid by Defendant out of the Settlement Fund. The Court will decide the amount of fees and expenses to award.

Class Counsel will also request the Court to order a Service Award of up to \$5,000.00 for Plaintiff for her service as Class Representative on behalf of the Settlement Class. Any Service Award will be paid by Defendant out of the Settlement Fund.

## OBJECTING TO THE SETTLEMENT

#### 17. How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class Member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement, including the requested Attorneys' Fees and Cost Award and the Service Award. To object, you must timely submit a letter that includes the following:

- 1) A heading that includes the case name and case number—*Lee v. JDC Healthcare Management, LLC* – Case Number: 3:23-cv-01134-C;
- 2) Your full name, address, and current telephone number, the cell phone number at which you received text messages from Defendant, and if represented by counsel, the name, bar number, address, and telephone number of your counsel;
- 3) An explanation of the basis on which you claim to be a Settlement Class Member;
- 4) A statement of all your objections to the Settlement including your legal and factual basis for each objection;
- 5) A statement of whether you request the Court to set a Final Approval Hearing at which you can present your objection, either with or without counsel, and if with counsel, the name, bar number, address, and telephone number of your counsel who will attend;
- 6) The number of times in which you or your counsel and/or your counsel's law firm have objected to a class action settlement within the five years preceding the date that you file the objection, the caption of each case in which you or your counsel or the firm has made such objection, and a copy of any orders related to or ruling upon your or counsel's or the firm's prior objections that were issued by the trial and appellate courts in each listed case;
- 7) A list of all persons who you would call to testify at a Final Approval Hearing (if set by the Court) in support of the objection;

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- 8) Any and all agreements that relate to the objection or the process of objecting—whether written or verbal—between you and/or your counsel and/or any other person or entity; and
- 9) Your signature (an attorney’s signature by itself is not sufficient).

If you wish to object, you must file your objection with the Court (using the Court’s electronic filing system or by any other manner by which the Court accepts filings) and mail your objection to each of the following three (3) addresses, and your objection must be postmarked by **December 9, 2024**.

Settlement Administrator	Class Counsel	Defendants’ Counsel
Lee v JDC Healthcare c/o Settlement Administrator P.O. Box 23309 Jacksonville, FL 32241	Manuel Hiraldo, Esq. Hiraldo, PA 401 East Las Olas Boulevard Suite 1400, Fort Lauderdale, FL 33301	Stephen Bumgarner, Esq. Maynard Nexsen PC 1901 Sixth Avenue North Suite 1700 Birmingham, AL 35203

**18. What is the difference between objecting and asking to be excluded?**

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

**THE DECISION WHETHER TO APPROVE THE SETTLEMENT**

**19. When and where will the Court decide whether to approve the Settlement?**

The Court will ultimately decide whether to certify the Settlement Class and approve the Settlement, as fair, adequate and reasonable, with or without a Final Approval Hearing. The Court will also consider and decide whether to approve the requests by Class Counsel for an Attorneys’ Fees and Costs Award and for a Service Award for Plaintiff. The Court has reserved the right to hold a Final Approval Hearing in connection with determining whether to certify the Settlement Class, approve the Settlement, and rule on the Attorneys’ Fees and Costs Award and the Service Award requests. If the Court decides to hold a Final Approval Hearing, it will be posted on the Settlement Website, so it is a good idea to regularly check [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com) for updates. If there are objections, the Court will consider them in making its decision. It is unknown how long these decisions will take.

**20. Do I have to attend a hearing?**

No. If the Court sets a Final Approval Hearing, Class Counsel will answer any questions the Court may have. But you are welcome to attend any Final Approval Hearing set by the Court at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted



your written objection on time to the proper addresses and it complies with all the other requirements set forth above, the Court will consider it. You may also pay your own lawyer to attend any Final Approval Hearing set by the Court, but it is not necessary.

#### 21. May I speak at a hearing?

You may ask the Court for permission to speak at any Final Approval Hearing set by the Court if you file an objection. To do so, your timely filed objection must include a statement that you request the Court to set a Final Approval Hearing at which you can present your objection and provide a list of all persons who you would call to testify at a Final Approval Hearing in support of the objection (*see* Question 17 above).

You cannot speak at a hearing if you exclude yourself from the Settlement.

### IF YOU DO NOTHING

#### 22. What happens if I do nothing at all?

If you are a Settlement Class member and do nothing, meaning you do not file a timely Claim or exclusion request or objection, you will remain a member of the Settlement Class, you will not receive benefits from the Settlement, you will be barred from suing or continuing to sue Defendant for any of the Released Claims, and you will be bound by the Final Approval Order entered by the Court.

### GETTING MORE INFORMATION

#### 23. How do I get more information?

This Notice summarizes the proposed Settlement. You are urged to review more details about the Settlement on the Settlement Website and in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at [www.jeffersondentalclasssettlement.com](http://www.jeffersondentalclasssettlement.com). You also may ask questions to the Settlement Administrator by calling the toll-free number, 1-800-543-4459.

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