

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

MELVIN CORNELIUS, on behalf of himself
and others similarly situated,

Plaintiff,

v.

DEERE CREDIT SERVICES, INC.,

Defendant.

Case No.: 4:24-cv-25-RSB-CLR

This is a notice of a settlement of a class action lawsuit.

If you received an artificial or prerecorded voice call on your cellular telephone from Deere Credit Services, Inc. (“DCSI”) from February 2, 2020 through June 25, 2024 and you were not a DCSI customer or accountholder, you may be entitled to compensation as a result of the settlement in the class action lawsuit captioned:

Cornelius v. Deere Credit Services, Inc., No. 4:24-cv-25-RSB-CLR (S.D. Ga.)

A federal court authorized this notice.

This is not a solicitation from a lawyer.

Please read this notice carefully.

It explains your rights and options to participate in a class action settlement.

- Melvin Cornelius filed a class action lawsuit against DCSI alleging that it violated the federal Telephone Consumer Protection Act (“TCPA”) by using an artificial or prerecorded voice in connection with calls it placed to the cellular telephones of persons who were not its customers or accountholders. DCSI denies the allegations and denies that it violated the TCPA. The name of the lawsuit is *Cornelius v. Deere Credit Services, Inc.*, No. 4:24-cv-25-RSB-CLR (S.D. Ga.).
- A settlement will result in a \$1.5 million fund to fully settle and release claims of persons (1) to whom Deere Credit Services, Inc. placed a call, (2) directed to a number assigned to a cellular telephone service, but not assigned to a Deere Credit Services, Inc. customer or accountholder, (3) in connection with which Deere Credit Services, Inc. used an artificial or prerecorded voice, (4) from February 2, 2020 through June 25, 2024.
- The settlement fund will be used to pay settlement amounts to class members who elect to participate, after deducting the costs of settlement notice and administration, attorneys’ fees, costs, and expenses, and a payment to Mr. Cornelius for the general release that he is providing to DCSI.
- Your legal rights are affected, and you now have a choice to make:

<p>Option 1: Submit a Claim Form Deadline: January 25, 2025</p>	<p>Complete and submit a claim form and receive a share of the settlement fund.</p> <p>If you submit a valid claim form by January 25, 2025, you will receive a share of the settlement fund after fees and expenses are deducted (estimated to be between \$2,500 and \$3,750, depending on the number of participating class members), and you will release claims you may have against DCSI and other released parties. You may complete a claim form at www.DCSITCPAsettlement.com.</p>
<p>Option 2: Ask to be Excluded (Opt Out) Deadline: January 10, 2025</p>	<p>Get out of this lawsuit and get no benefits from it.</p> <p>If you exclude yourself from the settlement, you will <u>not</u> receive a share of the settlement fund, and you will <u>not</u> release any claims you may have against DCSI and other released parties.</p>
<p>Option 3: Object to the Settlement Deadline: January 10, 2025</p>	<p>Object to the terms of the settlement agreement.</p> <p>You may object to the terms of the settlement agreement and have your objections heard at the February 12, 2025 final fairness hearing.</p>
<p>Option 4: Do Nothing</p>	<p>Do nothing.</p> <p>If you do nothing, you will not receive a share of the settlement fund, but, if you are a class member, you will release any related claim(s) you have against DCSI and other released parties.</p>

Why is this notice available?

This is a notice of a proposed settlement in a class action lawsuit. The settlement would resolve the lawsuit Mr. Cornelius filed against DCSI. Please read this notice carefully. It explains the lawsuit, the settlement, and your legal rights, including the process for receiving a settlement award, excluding yourself from the settlement, or objecting to the settlement.

What is the lawsuit about?

Mr. Cornelius filed a class action lawsuit against DCSI alleging that it violated the TCPA by using an artificial or prerecorded voice in connection with calls it placed to cellular telephones without prior express consent. DCSI denies the allegations, and denies that it violated the TCPA. The Court did not decide who is right or wrong. The parties have agreed to a settlement.

Why is this a class action?

In a class action, one or more people called “class representatives” file a lawsuit on behalf of people who have similar claims. All of these people together are a “class” or “class members.” The Court accordingly resolves claims for all class members, except for those who exclude themselves from the class.

Why is there a settlement?

Mr. Cornelius, on the one hand, and DCSI, on the other, agreed to settle the lawsuit to avoid the time, risk, and expense associated with it, and to achieve a final resolution of the disputed claims. The proposed settlement was reached after Mr. Cornelius and DCSI attended a mediation. Under the settlement, participating class members will obtain a payment in settlement of the claims Mr. Cornelius raised in the lawsuit. Mr. Cornelius, and his attorneys, think the settlement is fair and reasonable.

How do you know if your claims are included in the settlement?

This settlement resolves claims on behalf of the following class:

All persons throughout the United States (1) to whom Deere Credit Services, Inc. placed a call, (2) directed to a number assigned to a cellular telephone service, but not assigned to a Deere Credit Services, Inc. customer or account holder, (3) in connection with which Deere Credit Services, Inc. used an artificial or prerecorded voice, (4) from February 2, 2020 through June 25, 2024.

What does the settlement provide?

DCSI will establish a settlement fund in the amount of \$1.5 million to compensate members of the class. Out of the settlement fund will be paid:

- a. Settlement compensation to class members who submit timely, valid claims;
- b. Notice and administration costs;
- c. An award of attorneys' fees not to exceed one-third of the settlement fund, subject to the Court's approval;
- d. Costs and expenses incurred litigating the claims in this matter, subject to the Court's approval; and
- e. A payment to Mr. Cornelius for the general release he is providing not to exceed \$5,000, subject to the Court's approval.

Each class member who submits a timely and valid claim form will be entitled, subject to the provisions of the settlement agreement, to his or her equal share of the \$1.5 million settlement fund as it exists after deducting:

- a. Notice and administration costs;
- b. An award of attorneys' fees;
- c. Costs and expenses incurred in litigating the claims in this matter; and
- d. Compensation to Mr. Cornelius for providing a general release to DCSI.

It is estimated that each participating class member will receive between \$2,500 and \$3,750. The actual amount each participating class member will receive may be more or less depending on the number of class members who submit timely, valid claims.

How can you get a payment?

You must mail a valid claim form to the *Cornelius v. DCSI* Settlement Administrator, c/o Verita Global, P.O. Box 301132, Los Angeles, CA 90030-1132. Or you must submit a valid claim through www.DCSITCPAsettlement.com by January 25, 2025.

When will you be paid?

If the Court grants final approval of the settlement, settlement checks will be mailed after the judgment in the lawsuit becomes final to class members who timely mailed or submitted valid claim forms. If there is an appeal of the settlement, payment may be delayed.

What rights are you giving up in this settlement?

If you fall within the class, you will give up your right to sue or continue a lawsuit against DCSI and other released parties over the released claims, unless you exclude yourself from the settlement (opt out) by following the instructions set out in this notice before the opt-out deadline. Giving up your legal claims is called a release. Unless you formally opt out from the settlement, you will release claims against DCSI and other released parties.

For more information on the release, released parties, and released claims, you may obtain a copy of the class action settlement agreement on the settlement website, www.DCSITCPAsettlement.com, or from the Clerk of the United States District Court for the Southern District of Georgia. You may contact the Clerk of Court via telephone to inquire about obtaining a copy of the settlement agreement.

How can you exclude yourself from the settlement (opt out)?

You may exclude yourself (opt out) from the settlement, in which case you will not receive a payment, and you will not release your claims against DCSI and other released parties. If you wish to exclude yourself from the settlement, you must mail a written request for exclusion to the Settlement Administrator at the following address, postmarked by January 10, 2025:

Cornelius v. DCSI Settlement Administrator
c/o Verita Global
ATTN: EXCLUSION REQUEST
P.O. Box 301132
Los Angeles, CA 90030-1132

You must include in your request for exclusion:

- a. Your full name;
- b. Your address;
- c. The case name and number (*Cornelius v. Deere Credit Services, Inc.*, No. 4:24-cv-25-RSB-CLR)
- d. Your telephone number called by DCSI demonstrating that you are a member of the class; and
- e. A clear and unambiguous statement that you wish to be excluded from the settlement, such as “I request to be excluded from this action.”

You must sign the request personally.

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

The Court will hold a final fairness hearing on February 12, 2025, at 10:00 a.m. The hearing will take place in the Third Floor Courtroom of the Savannah Annex Courthouse, 124 Barnard Street, Savannah, GA 31401. At the final fairness hearing, the Court will consider whether the settlement is fair, reasonable, and adequate and, if so, whether final approval of the settlement should be granted. The Court will hear objections to the settlement, if any. The Court may make a decision at that time, postpone a decision, or continue the hearing.

The date of the final fairness hearing may change without further notice. Class members should check the settlement website, www.DCSITCPAsettlement.com, or the Court’s Public Access to Court Electronic Records (PACER) system to confirm that the date has not changed.

Do you have to attend the hearing?

No, there is no requirement that you attend the hearing. However, you are welcome to attend the hearing at your own expense. You cannot speak at the hearing if you have excluded yourself from the class because the settlement no longer affects your legal rights.

What if you want to object to the settlement?

If you do not exclude yourself from the settlement, you can object to the settlement, or any part of it, if you do not believe it is fair, reasonable, and adequate. If you wish to object, you must mail a written notice of objection, postmarked by January 10, 2025, to the Court at the following address:

Court

United States District Court for the
Southern District of Georgia
8 Southern Oaks Ct.
Savannah, GA 31405

You must include in your objection:

- a. Your full name;
- b. Your address;
- c. The case name and number (*Cornelius v. Deere Credit Services, Inc.*, No. 4:24-cv-25-RSB-CLR)
- d. Documents establishing, or information sufficient to allow the parties to confirm, that you are a class member, including providing the cellular telephone number called;
- e. A statement of your specific objections;
- f. The grounds for your objection, as well as the identity of any documents you would like the Court to consider; and
- g. The name of your attorney, if you are represented by one.

Any objection to the proposed settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the final fairness hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

By when must you enter an appearance?

Any class member who objects to the settlement and wishes to enter an appearance must do so by January 10, 2025. To enter an appearance, you must file with the Clerk of the Court a written notice of your appearance and you must serve a copy of that notice upon all parties.

What if you do nothing?

If you are a member of the class, you do nothing, and the Court approves the settlement agreement, you will not receive a share of the settlement fund, but you will release any related claims you have against DCSI and other released parties. Unless you exclude yourself from the settlement, you will not be able to sue or continue a lawsuit against DCSI and other released parties over the released claims.

What will happen if the Court does not approve the settlement?

If the Court does not finally approve the settlement, or if it finally approves the settlement and the approval is reversed on appeal, or if the settlement does not become final for some other reason, you will receive no benefits from this settlement and the lawsuit will continue.

Who are Mr. Cornelius’s attorneys?

Mr. Cornelius’s attorneys are:

PARONICH LAW, P.C. Anthony I. Paronich 350 Lincoln Street, Suite 2400 Hingham, MA 02043 anthony@paronichlaw.com	GREENWALD DAVIDSON RADBIL PLLC Michael L. Greenwald 5550 Glades Road, Suite 500 Boca Raton, FL 33431 mgreenwald@gdrllawfirm.com	THE KOVAL FIRM, LLC Steven H. Koval 3575 Piedmont Road, NE 15 Piedmont Center, Suite 120 Atlanta, GA 30305 Steve@KovalFirm.com
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The Court has appointed Mr. Cornelius’s attorneys to act as class counsel. You do not have to pay class counsel. If you want to be represented by your own lawyer, and have that lawyer appear in Court for you in this case, you must hire one at your own expense.

Who are DCSI’s attorneys?

DCSI’s attorneys are:

CARLTON FIELDS	
Aaron S. Weiss aweiss@carltonfields.com 2 MiamiCentral 700 NW 1st Avenue, Suite 1200 Miami, FL 33136	Logan M. Owens lowens@carltonfields.com 1201 West Peachtree Street, Suite 3000 Atlanta, GA 30309

Before what Court is this matter pending?

This matter is pending in the United States District Court for the Southern District of Georgia, 8 Southern Oaks Ct., Savannah, GA 31405.

Where can you get additional information?

This notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the settlement agreement available at www.DCSITCPAsettlement.com, by contacting class counsel, by accessing the Court docket in this case, for a fee, through the Court’s PACER system, or by visiting the office of the Clerk of the Court for the United States District Court for the Southern District of Georgia, 8 Southern Oaks Ct., Savannah, GA 31405, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Or, to obtain additional information about this matter, please contact:

Cornelius v. DCSI Settlement Administrator
 c/o Verita Global
 P.O. Box 301132
 Los Angeles, CA 90030-1132
 Telephone: 1-888-726-1597

Please do not call the Judge about this case. The Judge will not be able to give you advice about this case. Furthermore, neither DCSI nor DCSI’s attorneys represent you, and they cannot give you legal advice.