

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Clark and Schlossberg v. Gannett Co. Inc., Case No. 16-CH-06603 (Cir. Ct. Cook Cnty. Ill.)

If you received calls to your cellular telephone regarding one of *Gannett’s* publications, and you did not provide prior express consent, a class action settlement may affect your rights.

An Illinois State Court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement has been reached in a class action lawsuit against Gannett Co., Inc. (“Gannett” and “Defendant”). The suit concerns whether the Defendant violated a federal law called the Telephone Consumer Protection Act (the “TCPA”) when it placed or caused to be placed calls to cellular telephone numbers using an automatic telephone dialing system or an artificial or prerecorded voice regarding one of *Gannett’s* publications without prior express consent. Defendant denies any wrongdoing and maintains that its calls do not violate the TCPA. The Settlement does not establish who is correct, but rather is a compromise to end the lawsuit.
- Our records show you may be a “Settlement Class Member.” Settlement Class Members are all persons in the United States or its territories or possessions to whom Gannett or anyone acting on Gannett’s behalf placed or caused to be placed a call to such Person’s telephone number when it was assigned to a cellular telephone service using any automatic telephone dialing system or an artificial or prerecorded voice without prior express consent of the called party between January 2, 2010 and August 4, 2016.
- Those who submit valid claims will be eligible to receive a *pro rata* share of a \$13,800,000.00 Settlement Fund that Gannett has agreed to establish. Each individual who submits a valid claim will receive a portion of this fund, after all notice and administration costs, the incentive award, and attorneys’ fees have been paid.

QUESTIONS? CALL 1-855-730-8623 TOLL FREE OR VISIT WWW.GANNETTTCPASSETTLEMENT.COM

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	This is the only way to receive a payment.
EXCLUDE YOURSELF	You will receive no payment, but you will retain any rights you currently have to sue the Defendant about the issues the Settlement covers in this case.
OBJECT	Write to the Court explaining why you don’t like the Settlement.
ATTEND A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	You will receive no payment under the Settlement and give up your rights to sue the Defendant about the issues covered by the Settlement in this case.

These rights and options—and the deadlines to exercise them—are explained in this notice.

The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be provided only after any issues with the Settlement are resolved. Please be patient.

BASIC INFORMATION

1. What is this notice and why should I read it?

A Court authorized this notice to let you know about a proposed Settlement with Gannett. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. You may be eligible to receive a cash payment as part of the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Kathleen G. Kennedy of the Circuit Court of Cook County, Illinois is overseeing this class action. The case is called *Ramona Clark and Dylan Schlossberg v. Gannett Co., Inc.*, Case No. 16-CH-06603. The people who filed the lawsuit, Ramona Clark and Dylan Schlossberg, are the Plaintiffs. The company they sued, *Gannett Co., Inc.*, is the Defendant. You need not live in Illinois to get a payment under the Settlement.

2. What is a class action lawsuit?

A class action is a lawsuit in which one or more plaintiffs—in this case, Ramona Clark and Dylan Schlossberg—sue on behalf of a group of people who have similar claims. Together, this group is called a “Class” and consists of “Class Members.” In a class action, the court resolves the issues for all class members, except those who exclude themselves from the class. After the Parties reached an agreement to settle this case, the Court granted preliminary approval of the Settlement and recognized it as a case that should be treated as a class action for settlement purposes.

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THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

The lawsuit alleges that Defendant placed calls to the cellular telephone numbers of certain individuals using an automatic telephone dialing system or an artificial or prerecorded voice regarding Gannett's various publications without obtaining prior express consent of the called party. The lawsuit alleges Defendant violated a federal law called the Telephone Consumer Protection Act.

Defendant denies these allegations and denies that the telephone calls violated the law. No court has decided who is right. Plaintiffs and Gannett are entering into the Settlement to avoid time-consuming and expensive litigation. The Settlement is not an admission of wrongdoing by Defendant. More information about the complaint in the lawsuit and the Defendant's answers can be found in the "Court Documents" section of the settlement website at www.GannettTCPASettlement.com.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or the Defendant should win this case. Instead, Plaintiffs and Gannett have agreed to a Settlement. That way, they can avoid the uncertainty and expense of ongoing litigation, and Class Members will get compensation now rather than years later—if ever. The Class Representative and their attorneys ("Class Counsel") believe that the Settlement is in the best interests of the Class Members.

WHO'S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that this Settlement includes a Class of "all persons in the United States or its territories or possessions to whom Gannett or anyone acting on Gannett's behalf placed or caused to be placed a call to such Person's telephone number when it was assigned to a cellular telephone service using any automatic telephone dialing system or an artificial or prerecorded voice without prior express consent of the called party between January 2, 2010 and the date of Preliminary Approval [August 4, 2016]."

If you meet the above definition, you are a Class Member. Most Class Members will receive either an email or a postcard summary of this notice.

6. What were the allegedly unconsented calls about?

The calls covered by this Settlement related to at least one of *Gannett's* publications.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Cash Payments to Class Members: Gannett has agreed to create a \$13,800,000.00 Settlement Fund, from which Class Members who submit valid claims will receive cash payments after payment of all Settlement Administration Expenses, any incentive award to the Class Representatives, and any Fee Award. To get a payment, Class Members must submit a valid claim before the deadline of **November 5, 2016**. The amount Class Members will receive will depend on the total number of valid claims received.

All un-cashed checks issued to Class Members and any unclaimed money in the Settlement Fund will be redistributed *pro rata* to the other Class Members with valid claims, or in a manner as otherwise directed by the Court upon application made by Class Counsel.

Prospective Relief: As part of the Settlement, Gannett has also agreed to provide training concerning TCPA compliance to key managers who oversee telemarketing calls to consumers and to conduct a review of its internal TCPA compliance procedures and the TCPA compliance procedures of any vendor that conducts telemarketing on Gannett's behalf.

HOW TO GET BENEFITS

8. How do I make a claim?

If you want to get settlement benefits, you must fill out and submit a valid Claim Form. An online Claim Form is available on this website and can be filled out and submitted online. If you received an email or postcard summary notice about the Settlement, such notices will tell you how to submit a Claim Form. You can also get a paper Claim Form by calling **1-855-730-8623**. We encourage you to submit a claim online. It's faster and it's free.

The Claim Form requires you to provide the following information: (1) full name, (2) current mailing address, (3) current contact telephone number, (4) current email address, and (5) the cellular telephone number on which you received the calls, and (6) a statement that you received one or more calls from or on behalf of Gannett on your cellular telephone during the relevant period of time and did not provide prior express consent to receive the telephone call(s), and (7) any other information as reasonably required by the Settlement Administrator.

9. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **November 9, 2016**. If the Court approves the Settlement, eligible Class Members whose claims were approved by the Settlement Administrator will be sent a check. Please be patient. All checks will expire and become void 90 days after they are issued.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Yes, the Court has appointed lawyers Rafey S. Balabanian, Benjamin H. Richman and Eve-Lynn J. Rapp of Edelson PC as the attorneys to represent you and other Class Members. These attorneys are called "Class Counsel." In addition, the Court appointed Plaintiffs Ramona Clark and Dylan Schlossberg to serve as the Class Representatives. They are Class Members like you. Class Counsel can be reached by calling 1-866-354-3015.

11. Should I get my own lawyer?

You don't need to hire your own lawyer because Class Counsel is working on your behalf. But if you want your own lawyer, you will have to pay for that lawyer. For example, you can ask your lawyer to appear in Court for you if you want someone other than Class Counsel to represent you.

12. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees and expenses of up to 39% of the Settlement Fund and will also request an award of \$5,000.00 for the Class Representative Schlossberg and \$1,000.00 for Class Representative Clark. The Court will determine the proper amount of any attorneys' fees and expenses to award Class Counsel and the proper amount of any award to the Class Representatives. The Court may award less than the amounts requested. Any money not awarded will stay in the Settlement Fund to pay Class Members.

YOUR RIGHTS AND OPTIONS

13. What happens if I do nothing at all?

If you do nothing, you will receive no payment under the Settlement, you will be in the Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court. Unless you exclude yourself, you won't be able to start a lawsuit or be part of any other lawsuit against the Defendant for the claims or legal issues being resolved by this Settlement.

14. What happens if I ask to be excluded?

If you exclude yourself from the Settlement, you will receive no payment under the Settlement. However, you will not be in the Class. You will keep your right to start your own lawsuit against Defendant for the same legal claims made in this lawsuit. You will not be legally bound by the Court's judgments related to the Class and the Defendant in this class action.

15. How do I ask to be excluded?

You can ask to be excluded from the Settlement. To do so, you must send a letter stating that you want to be excluded from the Settlement in *Clark and Schlossberg v. Gannett Co., Inc.*, Case No. 16-CH-06603. Your letter must also include (1) your name and address, (2) the telephone number at which you received the telephone calls at issue, (3) a statement that you wish to be excluded from the Class, (4) the caption for this case, and (5) your signature. You must mail your exclusion request no later than **October 21, 2016** to:

Clark and Schlossberg v. Gannett
Settlement Administrator
P.O. Box 43429
Providence, RI 02940-9953

You can't exclude yourself on the phone or by email.

16. If I don't exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

17. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for a payment.

18. How do I object to the Settlement?

If you do not exclude yourself from the Class, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should deny approval by filing an objection. To object, you must file a letter or brief with the Court stating that you object to the Settlement in *Clark and Schlossberg v. Gannett Co., Inc.*, Case No. 16-CH-06603 no later than **October 21, 2016**. Your objection should be sent to the Circuit Court of Cook County at the following address:

Clerk of the Circuit Court of Cook County-Chancery Division
Richard J. Daley Center, 8th Floor
50 West Washington Street
Chicago, Illinois 60602

If you are represented by a lawyer, the lawyer must file your objection with the Clerk of the Court. Include your lawyer's contact information in the objection.

The objection must be in writing and include the case name *Clark and Schlossberg v. Gannett Co., Inc.*, Case No. 16-CH-06603. Your objection must be personally signed and include the following information: (1) your name and current address, (2) the specific grounds for your objection, (3) all arguments, cases, and evidence supporting your objection, including copies of any documents you intend to rely on, (4) a statement that you are a Class Member, (5) the telephone number at which you received the telemarketing call(s) at issue, (6) the name and contact information of any and all attorneys representing you, advising, or in any way assisting you in connection with the preparation or submission of your objection or who may profit from the pursuit of your objection, and (7) a statement indicating whether you (or your counsel) intend to appear at the Final Fairness Hearing. If you are represented by a lawyer, he or she must file an appearance or seek *pro hac vice* admission to practice before the Court.

In addition to filing your objection with the Court, you must send copies of your objection and any supporting documents to both Class Counsel and Gannett's lawyers at the addresses listed below:

Class Counsel	Defense Counsel
Benjamin H. Richman Eve-Lynn J. Rapp EDELSON PC 350 North LaSalle Street Suite 1300 Chicago, Illinois 60654	Matthew J. Fedor Drinker Biddle & Reath LLP 600 Campus Drive Florham Park, New Jersey 07932

Class Counsel will file with the Court and post on the settlement website its request for attorneys' fees and incentive award on **October 7, 2016**.

19. What's the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Excluding yourself from the Class is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FAIRNESS HEARING

20. When and where will the Court hold a hearing on the fairness of the Settlement?

The Court will hold the final fairness hearing at **11:00 am CST on November 9, 2016** before the Honorable Kathleen G. Kennedy in Courtroom 2502 of the Richard J. Daley Center, 50 West Washington Street, Chicago, 60602 in Courtroom 2502. The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, and adequate, and in the best interests of the Class. **At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees and expenses and the incentive award to the Class Representatives.**

Note: The date and time of the fairness hearing are subject to change by Court Order. Any changes will be posted at the settlement website, www.GannettTCPASettlement.com or through the Court's online docket search at www.cookcountyclerkofcourt.org.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come to the hearing at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in the Settlement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to.

22. May I speak at the hearing?

Yes. If you do not exclude yourself from the Settlement Class, you may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement. If you filed an objection (*see* Question 18 above) and intend to appear at the hearing, you must state your intention to do so in your objection.

GETTING MORE INFORMATION

23. Where can I 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.GannettTCPASettlement.com, contact Class Counsel at 1-866-354-3015, through the Court's online electronic full case docket search at www.cookcountyclerkofcourt.org, or visit the office of the Clerk of the Circuit Court of Cook County -Chancery, Richard J. Daley Center, 8th Floor, 50 West Washington Street, Chicago, IL 60602, between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT
WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.**

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