

Villegas, et al. v. ADT Security Services, Inc., et al.
Case No. BC510665

If you received penalties from the City of Los Angeles for not having a permit for your alarm system monitored by ADT at any time on or after May 31, 2009 but before December 7, 2018, a class action settlement may affect your rights.

A CALIFORNIA COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

A settlement (“Settlement”) has been proposed in the class action lawsuit referenced above pending in the Superior Court of the State of California in the County of Los Angeles (“Action”). If the Court gives final approval to the Settlement, then ADT LLC, f/k/a ADT Security Services, Inc. (“Defendant”) will provide, for each Settlement Class Member who submits a valid and timely Claim Form, a Settlement Benefit of approximately \$19.40 calculated as explained below.

Your legal rights are affected whether you act or don’t act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
SUBMIT A CLAIM	<p>If you received direct notice of this settlement via email or a letter, this means records indicate you are a Class Member. You must complete and mail in the Claim Form enclosed therewith to receive the settlement benefit. This means to fill in your name, current mailing address, email address, and phone number. These will only be used to communicate with you about your claim and you will not receive any solicitations. You must check the box that you did in fact receive a fine for an unpermitted alarm system, date and sign the claim form. It must be mailed to the address on the form. Claim forms can also be submitted online at: www.villegas-v-adt.com.</p> <p>YOU MUST SUBMIT A CLAIM FORM IN ORDER TO RECEIVE A SETTLEMENT BENEFIT. If you choose to participate in this Settlement, you will give up your right to bring a separate lawsuit on your own about the legal claims in this case.</p> <p>If you do not submit a claim form and do not exclude yourself from the Class, you will not receive the class benefit but will still give up your right to bring a separate lawsuit about the legal claims in this case. You are strongly urged to submit a claim form if you do not wish to exclude yourself.</p>	Deadline: June 21, 2021
EXCLUDE YOURSELF	<p>If you exclude yourself from the Settlement, you will not receive a benefit under the Settlement. Excluding yourself is the only option that allows you to bring or maintain your own lawsuit against the Defendant regarding the allegations in the Action ever again.</p>	Deadline: June 21, 2021

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

OBJECT	You may send a written objection explaining why you object to (i.e., don't like) the Settlement and think it shouldn't be approved. Sending an objection does not exclude you from the Settlement, and you may submit a Claim Form.	Deadline: June 21, 2021
GO TO THE "FAIRNESS HEARING"	The Court will hold a "Fairness Hearing" to consider the Settlement, the request for attorneys' fees and costs of the lawyers who brought the Action, and the Representative Plaintiffs' request for a service award for bringing the Action.	Hearing Date and Time: July 26, 2021 at 10:00 a.m.

These rights and options—and the deadlines to exercise them—are explained in more detail below.

The Court in charge of this Action has preliminarily approved the Settlement and shall decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

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BACKGROUND INFORMATION

1. *Why did I get a notice?*

You received a notice because a Settlement has been reached in this Action. Based on Defendant’s and the City of Los Angeles’ records, you appear to be a “Class Member” of the Settlement Class and therefore eligible for the relief detailed below.

This Notice explains the nature of the Action, the general terms of the proposed Settlement, and your legal rights and obligations. To obtain more information about the Settlement, including information about how you can see a copy of the Settlement Agreement (which defines certain capitalized terms used in this Notice), visit the Settlement Website at www.villegas-v-adt.com.

2. *What is this lawsuit about?*

Plaintiffs Christine Smith and Oscar Gardner (“Representative Plaintiffs”) filed a lawsuit against Defendant on behalf of themselves and all others similarly situated. The lawsuit alleges Defendant failed to properly ensure its customers had alarm system permits prior to installing or monitoring alarm systems in Los Angeles, and that those customers received increased penalties from the City of Los Angeles for false alarms as a result of their failure to have alarm system permits.

Defendant ADT denies any wrongdoing, any allegations of unlawful conduct, and any liability, and no court or other official entity has made any judgment or other decision that ADT acted wrongfully or unlawfully or is liable. ADT also denies that any Class Member is entitled to relief or that this Action is appropriate for treatment as a class action, except for the purposes of this Settlement and the relief it provides.

The issuance of this Notice is not an expression of the Court’s opinion on the merits or the lack of merits of the Representative Plaintiffs’ claims in the Action.

For information about how to learn about what has happened in the Action to date, please see Section 18 below.

3. *Why is this a class action?*

In a class action lawsuit, one or more people called “Representative Plaintiffs” sue on behalf of other people who allegedly have similar claims. For purposes of this proposed Settlement, one court will resolve the issues for all Class Members. The company sued is called the Defendant.

4. *Why is there a Settlement?*

The Representative Plaintiffs have made claims against Defendant. Defendant denies that it has done anything wrong or illegal and admits no liability. The Court has **not** decided that the Representative Plaintiffs or Defendant should win this Action. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and the Class Members will receive relief now rather than years from now, if at all.

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

The Court has decided that everyone who fits this description is a Class Member for purposes of the proposed Settlement: All persons or entities located within the City of Los Angeles who: (1) had an alarm system installed, operated or monitored by ADT, LLC d/b/a/ ADT Security Services, (2) received penalties from the City of Los Angeles for a false alarm and not having a permit for their alarm system on or after May 31, 2009 through December 7, 2018, and (3) did not opt-out of the class notice previously sent in this matter.

If you received notice of this Settlement via a letter in the mail or via email, you appear to be a member of the Class based on the Defendant’s and the City of Los Angeles’ records.

6. *I’m still not sure if I am included.*

If you are still not sure whether you are included, you can call Class Counsel for help. The contact information for Class Counsel is: Prescott W. Littlefield, Esq., (213) 473-1900.

THE PROPOSED SETTLEMENT

7. *What relief does the Settlement provide to the Class Members?*

Under the Agreement, Defendant has agreed to establish a Maximum Settlement Fund of \$635,000. The Maximum Settlement Fund will be used to provide Class Members who submit a Claim Form on time with a one-time payment of approximately \$19.40.

This amount is calculated by taking the Maximum Settlement Fund and subtracting anticipated Class Counsel’s attorneys’ fees (estimated at \$211,666.67), actual litigation costs not to exceed \$42,000, administration expenses of \$50,000.00, and the two Class Representative Enhancement awards of a combined \$15,000. The remaining amount, approximately \$318,333.33, is to be divided by the total number of Class Members (approximately 16,418) for an average benefit to each class member of \$19.40.

If not all Class Members make claims, then the average settlement amount for those who submit Claim Forms will be higher than that, but in no event will payments to those Class Members who submit Claim Forms exceed \$251 per Class Member.

THE LAWYERS IN THIS CASE AND THE REPRESENTATIVE PLAINTIFFS

8. *Do I have a lawyer in this case?*

The Court has ordered that the law firms of Kearney Littlefield, LLP and Catherine Burke Schmidt, Attorney at Law (“Class Counsel”) will represent the interests of all Class Members. You will not be separately charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

9. *How will the lawyers be paid?*

Class Counsel will seek for the Court to award up to \$211,666.67 in attorney’s fees and no more than \$42,000.00 in costs. You will not be required to pay any attorneys’ fees or costs. Please see Section XIV of the Settlement Agreement, available at www.villegas-v-adt.com, for additional details.

10. *Will the Representative Plaintiffs receive any compensation for her efforts in bringing this Action?*

The two Representative Plaintiffs will request a service award of up to \$7,500 each for their services as class representatives and their efforts in bringing the Action. The Court will make the final decision as to the amount to be paid to the class representatives.

DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS

11. *What am I giving up to obtain relief under the Settlement?*

If the Court approves the proposed Settlement, unless you exclude yourself from the Settlement, you will be releasing any claims you might have against Defendant ADT and certain other Released Parties.

Specifically, you will be releasing the following claims: “all claims, demands, actions, and/or causes of action of whatever kind or nature, in law or in equity, including damages, costs, expenses, penalties, restitution, punitive damages, expert fees, and attorneys’ fees that were asserted in the Action or that could have reasonably been alleged or asserted based on the facts alleged in the Action by the Releasing Parties against the Released Parties arising out of or related to the Action, including without limitation any allegations, events, transactions, acts, omissions, matters, or occurrences related to the Alarm Permit Fee or payments of the Alarm Permit Fee or Reduced Alarm Permit Fee during the Class Period, i.e. from May 31, 2009 to December 7, 2018.

The Released Parties are: Defendant and all of its boards, bureaus, divisions, departments, administrators, officers, agents, elected officials, employees, parents, subsidiaries, affiliates, insurers, predecessors, successors, assigns, and all persons that acted on behalf of Defendant, including Defendant’s authorized dealers. The Parties expressly acknowledge that each of the foregoing is included as a Released Party even though not identified by name.

HOW TO EXCLUDE YOURSELF FROM THE SETTLEMENT

12. *How do I exclude myself from the Settlement?*

You may exclude yourself from the Class and the Settlement. If you want to be excluded, you must send a signed letter or postcard which: (a) includes your name, address, and telephone number; (b) references *Villegas v. ADT Security Services, Inc.* BC510665; and (c) clearly states that you desire to be excluded from the Class, not participate in the Agreement and not receive any Agreement benefits. The letter or postcard must be postmarked no later than June 21, 2021, and sent to the Claims Administrator at:

Villegas v. ADT Security Services, Inc.
c/o Phoenix Settlement Administrators
PO Box 7408
Orange, CA 92863
Toll-Free: (800) 523-5773

If you timely request exclusion from the Class: you will be excluded from the Class; you will not receive any benefit under the Settlement; you will not be bound by the judgment entered in the Action; and you will not be precluded from prosecuting any timely, individual claim against Defendant or other Released Parties based on the conduct complained of in the Action.

HOW TO OBJECT TO THE SETTLEMENT

13. *How do I tell the Court that I disagree with the Settlement?*

At the date, time, and location stated in Section 15 below, the Court will hold a Fairness Hearing to determine if the Settlement is fair, reasonable, and adequate, and to also consider Class Counsel's request for an award of attorneys' fees and costs and service awards to the Representative Plaintiffs.

If you wish to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement, you may provide a written objection to the Settlement Administrator, at the addresses set forth below, no later than (*i.e.*, postmarked by) June 21, 2021.

Villegas v. ADT Security Services, Inc.
c/o Phoenix Settlement Administrators
PO Box 7408
Orange, CA 92863
Toll-Free: (800) 523-5773

Any written objections should contain: (a) the full name of objector; (b) the full address of Objector; (c) the specific reason(s), if any, for the objection, including any legal support the Class Member wishes to bring to the Court's attention; (d) copies of any evidence or other information the Class Member wishes to introduce in support of the objections; (e) a statement of whether the Class Member intends to appear and argue at the Fairness Hearing; (f) the individual Class Member's written signature, with date;

and (g) reference *Villegas v. ADT Security Services, Case No. BC510665* on the envelope and written objection.

You may, but need not, submit your objection through counsel of your choice. If you do make your objection through an attorney, you will be responsible for your personal attorney's fees and costs.

Class Members have the option to appear at the Fairness Hearing, either in person or through personal counsel hired at the Class Member's expense.

14. *What is the difference between excluding myself and objecting to the Settlement?*

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

FAIRNESS HEARING

15. *What is the Fairness Hearing?*

The Court has preliminarily approved the Settlement and will hold a hearing to decide whether to give final approval to the Settlement. The purpose of the Fairness Hearing will be for the Court to: (a) determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class; (b) consider the award of attorneys' fees and expenses to Class Counsel, and (c) consider the request for service awards to the Representative Plaintiffs. You may attend, but you do not have to.

16. *When and where is the Fairness Hearing?*

On July 26, 2021 at 10:00 a.m. a hearing will be held on the fairness of the proposed Settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the proposed Settlement's fairness. The hearing will take place before the Honorable Amy D. Hogue in Department 7 of the Los Angeles County Superior Court, located at 312 North Spring Street, Los Angeles, CA 90012. The hearing may be postponed to a different date or time or location without notice, except posting on the website. Please check www.villegas-v-adt.com for any updates about the Settlement generally or the Fairness Hearing specifically. If the date or time of the Fairness Hearing changes, an update to the Settlement website will be the only way you will be informed of the change.

17. *May I speak at the hearing?*

At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

If you have requested exclusion from the Settlement, you may not speak at the hearing.

ADDITIONAL INFORMATION

18. *How do I get more information?*

To see a copy of the Settlement Agreement, the Court's Preliminary Approval Order, Class Counsel's application for attorneys' fees and costs, and the operative complaint filed in the Action, please visit the Settlement website located at: www.villegas-v-adt.com. Alternatively, you may contact the Settlement Administrator at the email address *Villegas v. ADT Security Services, Inc.*, c/o Phoenix Settlement Administrators, PO Box 7408, Orange, CA 92863, Toll-Free: (800) 523-5773.

This description of this Action is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file, you should visit the Clerk's office at 312 N Spring St, Los Angeles, CA 90012. The Clerk will tell you how to obtain the file for inspection and copying at your own expense.

19. *What if my address or other information has changed or changes after I submit a Claim, Written Objection to the Settlement or Request to be excluded from the Class?*

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below:

Villegas v. ADT Security Services, Inc.
c/o Phoenix Settlement Administrators
PO Box 7408
Orange, CA 92863
Toll-Free: (800) 523-5773

PLEASE NOTE THAT, DUE TO THE CURRENT COVID-19 OUTBREAK, THE COURT HAS CURRENTLY IMPLEMENTED CERTAIN SOCIAL DISTANCING PROCEDURES. THIS INCLUDES LIMITED ACCESS TO THE COURTHOUSE, REMAINING SIX FEET APART IN ALL AREAS, WEARING FACE COVERINGS AND FOLLOWING ALL EMPLOYEE INSTRUCTIONS. FURTHER INFORMATION CAN BE FOUND ON THE LOS ANGELES SUPERIOR COURT'S WEBSITE AT: LACOURT.ORG

DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.