

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

ROBIN KARNETTE and DIANE MCINTYRE, Plaintiffs, etc.  
v.  
WOLPOFF & ABRAMSON, L.L.P., Defendants.

Civil Action No. 3:06-CV-00044 REP (Judge Payne)

**THIS IS TO NOTIFY YOU THAT YOU MAY RECEIVE A CASH PAYMENT UNDER  
THE TERMS OF A PROPOSED SETTLEMENT OF THIS CLASS ACTION LAWSUIT. THIS IS NOT A BILL.**

**THIS NOTICE EXPLAINS:**

- A. The lawsuit**
- B. The settlement.**
- C. Your rights and how to claim your share.**
- D. Further court proceedings.**
- E. Additional information.**

**A. THE LAWSUIT**

A class action lawsuit was filed by Plaintiffs Robin Karnette and Diane McIntyre, on behalf of themselves and all other similarly situated, against Wolpoff and Abramson LLP ("W&A") in the United States District Court for the Eastern District of Virginia alleging violations of the Fair Debt Collection Practices Act.

The Court has made the following rulings: (1) the Class Action Settlement Agreement is preliminarily approved; (2) this notice is to be sent to all members of the Class; (3) the Class, through this notice, shall be advised of the right to object to this settlement; and (4) you will be bound by its terms and conditions if the Settlement receives final approval by the Court.

The Settlement Class is defined as follows:

- a. All persons with addresses in Virginia;
- b. From whom Defendant obtained or attempted to obtain an arbitration award through an arbitral process with non-participatory process that included a notice with the statement, "You may request a Hearing in your Response or in a separate writing. Unless you have agreed otherwise, an In-person Participatory Hearing will be held in the Judicial District where you reside or do business.";
- c. In connection with an attempt to collect an alleged debt that is shown by Defendant's records or the records of the original creditors to be primarily for personal, family, or household purposes;
- d. During the one year prior to the date of filing this action and through the date of certification, i.e., January 18, 2005 through March 23, 2007.

**B. THE SETTLEMENT**

Plaintiffs Karnette and McIntyre and Defendant W&A have agreed to settle this case as outlined below. Defendant is willing to enter into the settlement to avoid the further expense and inconvenience of litigation.

**Potential Recovery For Class Members**

**Benefits To Class Members**

Upon the Effective Date hereof, and in consideration of Defendant's payment of the Settlement amounts set forth below and its agreement not to send any further arbitration notices to consumers that contain the statement "You may request a Hearing in your Response or in a separate writing. Unless you have agreed otherwise, an In-person Participatory Hearing will be held in the Judicial District where you reside or do business", each Settlement Class Member shall be deemed to have, and by operation of the proposed Final Order and Judgment shall have fully finally and forever released, relinquished and discharged all Released Claims (including "Unknown Claims") against the Defendant. A total of 1421 persons are members of the class and the total monetary benefit to the Settlement Class is the sum of \$49,000 which amount shall be paid directly to Class Members. Any portion of that amount which cannot be distributed to the Class Members shall be awarded to, and shall be distributed to, the Legal Services Corporation of Virginia for purposes of consumer representation and advocacy.

**How Much Money Will You Receive?**

Each class member will receive a pro rata share of the total class recovery of \$49,000 representing the maximum recovery of statutory damages allowable under the FDCPA. For each Class Member this amount is projected to be approximately \$34.58.

**When You Will Be Paid:**

The distribution of the checks will be made approximately fifteen days from the date of the Final Order and Judgment Approving Class Settlement by the Court becomes a “final” non-appealable order.

**Release of Claims Against the Defendants**

If the terms of this Class Settlement are approved by the Court, you release Defendant Wolpoff & Abramson, L.L.P., and its parents, affiliates, subsidiaries, successors, assignees, and its present and former directors, officers, employees or agents, attorneys and insurers, from the claims made in this lawsuit with the exception of the Excessive Fees Claim defined in § 1.6 of the Settlement Agreement, which can be found at the website listed at the end of this notice, and which claim is not being released but shall be dismissed without prejudice to your right to file a similar claim in your individual capacity.

**Other Parts of the Settlement**

Plaintiffs Robin Karnette and Diane McIntyre will each receive \$6,001.00 from defendant, as statutory damages, compensatory damages, and for their service to the class.

Defendants will pay to Class Counsel, Dale W. Pittman and O. Randolph Bragg, reasonable attorney fees and nontaxable costs in the amount to be approved by the Court not to exceed \$250,000.00.

The costs and attorneys' fees and additional payment to Plaintiffs are in addition to the Class Settlement identified above.

**C. YOUR RIGHTS & HOW TO CLAIM YOUR SHARE****How To Claim Your Share of the Class Fund:**

**If you wish to claim your share of the class fund, you need not do anything.**

**D. FURTHER COURT PROCEEDINGS**

A Final Fairness Hearing will be held before the Honorable Robert E. Payne on March 25, 2008, at 10:30 a.m. in Courtroom 348, U.S. District Court for the Eastern District of Virginia, 1000 E. Main Street, Richmond, Virginia. At the hearing, Judge Payne will decide whether the proposed settlement is reasonable, adequate and fair. If the Court approves it, the settlement will be completed and the distributions paid as stated above. Any Settlement Class Member may appear and show cause (if he or she has any): (1) why the proposed Settlement of the Action should or should not be approved as fair, just, reasonable and adequate; (2) why a Final Judgment and Order Approving Class Settlement should or should not be entered thereon; and/or

(3) why attorneys' fees and expenses should or should not be awarded to Plaintiffs' Counsel.

However, no Settlement Class Member or any other Person shall be heard or entitled to contest the approval of the terms and conditions of the proposed Settlement, or the proposed Final Order and Judgment Approving Class Settlement to be entered thereon approving the same, or the attorneys' fees and expenses to be awarded to Plaintiffs' Counsel unless that Person has (a) delivered by hand or sent by overnight or first-class mail written objections and copies of any papers and briefs such that they are received on or before twenty-one (21) days before the date of the Final Fairness Hearing, to Dale W. Pittman, The Law Office of Dale W. Pittman, The Eliza Spotswood House, 112-A West Tabb Street, Petersburg, Virginia 23803-3212, and to A. Peter Brodell, Williams Mullen, 1021 E. Cary Street, Richmond, VA 23219, and (b) filed said objections, papers and briefs with the Clerk of the United States District Court, Eastern District of Virginia, Room 307, 1000 East Main Street, Richmond, Virginia, on or before twenty-one (21) calendar days before the date of the Final Fairness Hearing.

Any Settlement Class Member who does not make his or her objection in the manner provided herein shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness or adequacy of the proposed Settlement as incorporated in the Settlement Agreement, to the Final Order and Judgment Approving Class Settlement, and/or to the award of attorneys' fees and reimbursement of expenses to Plaintiffs' Counsel, unless otherwise ordered by the Court. Class Members who have filed an objection should appear at the hearing to explain their position. **You need not appear in order to receive your share of the class funds.**

**E. ADDITIONAL INFORMATION**

If you would like more information about this notice or this litigation, you may write Plaintiffs' Counsel, Dale W. Pittman, The Law Office of Dale W. Pittman, The Eliza Spotswood House, 112-A West Tabb Street, Petersburg, Virginia 23803-3212.

The court papers filed in this case, Civil Action No.: 3:06-CV-00044 REP are available for inspection in the Office of the Clerk, U.S. District Court for the Eastern District of Virginia, Room 307, 1000 E. Main Street, Richmond, Virginia. The class action complaint, the order certifying the class, and other documents can be viewed at the following website:

<http://www.wolpoffandabramsonclassaction.com>

**Please do not contact the Judge or Clerk of the Court. They will not be able to give you advice about this case.**