

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**BRIAN DOUGLAS LARSON, on behalf of  
himself and all others similarly situated,**

**Plaintiff,**

v.

**TRANS UNION, LLC,**

**Defendant.**

**Case No. 3:12-cv-05726-WHO**

**RONALD J. MILLER, on behalf of himself and  
all others similarly situated,**

**Plaintiff,**

v.

**TRANS UNION, LLC,**

**Defendant.**

**Case No. 18-3280-WHO**

---

**YOU ARE A MEMBER OF A CLASS ACTION**

**READ THIS NOTICE CAREFULLY**

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

---

You are receiving this notice because in 2011 you requested an online disclosure of your Trans Union LLC (“TransUnion”) file, and information may have been incorrectly displayed on your disclosure.

**Background Information**

Brian Douglas Larson and Ronald J. Miller (the “Class Representatives”) both filed class action lawsuits against TransUnion relating to the erroneous display, on certain credit file disclosures obtained online in 2011, of information about the Office of Foreign Assets Control (“OFAC”). The lawsuits were filed under the Fair Credit Reporting Act (“FCRA”).

The Class Representatives and TransUnion have reached a settlement of the lawsuits. The settlement provides that TransUnion will write a letter of apology to each class member, explaining that the OFAC information was included in the online disclosure due to a programming error, but was not transmitted to any third parties such as lenders. TransUnion corrected the programming error in 2011, soon after it occurred. Further, TransUnion will offer each member a free, three-year Credit Monitoring Subscription, which includes daily access to TransUnion credit reports and daily access to a credit score.

Lawyers for the Class will ask the Court for up to \$1,480,000 as fees and expenses for investigating the facts, litigating the case, and negotiating the settlement—and for \$10,000 to be paid to each of the Class Representatives, Brian Douglas Larson and Ronald J. Miller, for their services to the Class.

Defendant Trans Union LLC denies any and all liability and the two sides disagree on how much money, if any, could have been won if this case went to trial. The settlement avoids costs and risks to you from continuing the lawsuit; provides valuable benefits to people like you; and releases Defendant from liability.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>YOU CAN DO ONE OR MORE OF THE FOLLOWING:</b>	
<b>DO NOTHING</b>	Receive a letter of apology from TransUnion and accept the offer of a free, three-year Credit Monitoring Subscription, which includes daily access to TransUnion credit reports and daily access to a credit score, in exchange for giving up your rights to bring your own lawsuit on the issues raised in this class action.
<b>OPT OUT OF THIS CLASS ACTION – REQUEST EXCLUSION</b>	You have the right to request exclusion (“opt out”) of this class action settlement. This will give up your chance to recover the benefits in this class action, in exchange for preserving any rights you may have to bring your own lawsuit on the issues raised in this class action.  <b>THE DEADLINE FOR REQUESTING EXCLUSION IS OCTOBER 29, 2018.</b>
<b>OBJECT</b>	Write to the Court about why you don’t like the settlement.  <b>THE DEADLINE FOR OBJECTING IS OCTOBER 29, 2018.</b>
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the settlement.

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. The benefits of the settlement will be provided if the Court approves the settlement and after any appeals are resolved. Please be patient.

**WHAT THIS NOTICE CONTAINS**

**BASIC INFORMATION.....4**

- 1. What is contained in this notice?
- 2. What is this lawsuit about?
- 3. Why is this a class action?
- 4. Why is there a settlement?

**THE SETTLEMENT CLASS.....5**

- 5. Why am I a part of the settlement?

**THE SETTLEMENT BENEFITS — WHAT YOU GET.....5**

- 6. What does the settlement provide?
- 7. When would I get my settlement benefits?

**THE LAWYERS REPRESENTING YOU .....6**

- 8. Do I have a lawyer in this case?
- 9. How will the lawyers be paid?

**OPTING OUT OF THE SETTLEMENT .....7**

- 10. How do I exclude myself from the settlement?

**OBJECTING TO THE SETTLEMENT .....7**

- 11. How do I tell the Court that I don't like the settlement?

**THE COURT'S FINAL APPROVAL HEARING .....7**

- 12. When and where will the Court decide whether to approve the settlement?
- 13. Do I have to come to the hearing?
- 14. May I speak at the hearing?

**IF YOU DO NOTHING .....8**

- 15. What happens if I do nothing at all?

**GETTING MORE INFORMATION.....8**

- 16. How do I get more information?

## Basic Information

### 1. What is contained in this Notice?

This Notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the settlement agreement available at [www.larsonmillertransunionclassaction.com](http://www.larsonmillertransunionclassaction.com), by contacting Class Counsel at 1-877-735-8600, by accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, 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.

The Court in charge of the case is the United States District Court for the Northern District of California. This class action is captioned as *Larson and Miller v. Trans Union LLC*. The persons who sued are called the Plaintiffs, or the Class Representatives, and the company they sued is called the Defendant.

### 2. What is this lawsuit about?

The lawsuit claimed that Defendant TransUnion erroneously suggested in 2011 that the Plaintiffs and Settlement Class Members were potential matches to a list of Specially Designated Nationals maintained by the U.S. Treasury, Office of Foreign Assets Control, in violation of federal and California law. Defendant denies that it did anything wrong.

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

In a class action, one or more people called the Class Representative (in this case, Brian Douglas Larson and Ronald J. Miller), sue on behalf of people who have similar claims. All these people are a Class or Class Members. One court resolves the issues for all Class Members. Honorable U.S. District Judge William H. Orrick is in charge of this class action.

### 4. Why is there a settlement?

The Court entered an Order certifying a Class of persons, but did not decide in favor of the Plaintiffs or the Defendant.

There was no trial. Instead, both sides agreed to a settlement after vigorous pre-trial litigation, including a series of mediation sessions overseen by private mediators as well as a U.S. Magistrate Judge. By reaching a settlement agreement (available at [www.larsonmillertransunionclassaction.com](http://www.larsonmillertransunionclassaction.com)), the parties avoid the cost of a trial, and the people affected will get compensation. The Class Representatives and the attorneys think the settlement is best for all Class Members.

## The Settlement Class

### 5. Why am I am part of the settlement?

Judge Orrick has decided that everyone who fits this description is a Settlement Class Member:

A. All natural persons residing at a California address to whom TransUnion provided a file disclosure from September 22, 2011 until October 27, 2011 which was substantially similar in form to the one received by Plaintiff Brian Douglas Larson.

B. All natural persons residing at an address within the jurisdiction of the U.S. Court of Appeals for the Third Circuit to whom Trans Union LLC provided a Personal Credit Report, from September 22, 2011 until October 27, 2011, substantially similar in form to the one TransUnion provided to Plaintiff Ronald J. Miller.

You are being sent this notice because according to TransUnion's records, you fit one of these two descriptions.

## The Settlement Benefits — What You Get

### 6. What does the settlement provide?

The settlement agreement provides that Defendant TransUnion will write a letter of apology to each Class Member, explaining that the OFAC information was included in the online disclosure due to a programming error, but was not transmitted to any third parties such as lenders. TransUnion corrected the programming error in 2011, soon after it occurred. Further, TransUnion will offer each Class Member a free, three-year Credit Monitoring Subscription, which includes daily access to TransUnion credit reports and daily access to a credit score. Class Members also retain their right to bring individual actual damages claims (but no class action or mass-filed claims) within thirteen months after the settlement is approved by the judge.

Subject to the approval of the Court, TransUnion shall also pay a service award to each of the Class Representatives in the amount of \$10,000.00, and Class Counsel's fees and expenses not to exceed \$1,480,000.00. TransUnion shall also pay the costs of notice and settlement administration.

More details on all of the settlement benefits are set forth in the settlement agreement which is available at [www.larsonmillertransunionclassaction.com](http://www.larsonmillertransunionclassaction.com).

#### 7. When would I get my settlement benefits?

The Court will hold a Final Approval Hearing on **November 28, 2018**, in Courtroom 2, 17th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, CA 94102 at 2:00 p.m. to decide whether to approve the settlement. This date may change without further notice to the Class. Class Members are advised to check the settlement website or the Court's PACER site to confirm that the date has not been changed. If the Court approves the settlement after that, there may be appeals. It's always uncertain what the outcome of any appeals will be, and resolving them can take time, perhaps more than a year. **Please be patient.**

#### The Lawyers Representing You

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

The law firm of Francis & Mailman, P.C. in Philadelphia, Pennsylvania, represents you and other Class Members. These lawyers are called Class Counsel. You will not be 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 and Class Representatives be paid?

No later than October 15, 2018, Class Counsel will file a motion asking the Court to approve payment to them of up to \$1,480,000.00 for attorneys' fees and expenses. The attorneys' fees would pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. The Court may award less than this amount.

The Class Representatives also will request that they each be paid \$10,000 (a total of \$20,000) for their services to the Class.

Defendant has agreed not to oppose the request for fees and expenses, or the request for the service awards.

## 10. How do I exclude myself from the settlement?

As a Class Member, you have the right to exclude yourself (opt-out) from the settlement. If you wish to opt out of the settlement, you should write a letter to the settlement administrator at the address below, setting forth your name and a statement that you request exclusion from the Class and do not wish to participate in the settlement. Your letter should be postmarked no later than **October 29, 2018**, and mailed to:

Settlement Administrator  
Larson v. Trans Union LLC Class Action  
P.O. Box 1327  
Blue Bell, PA 19422

## 11. How do I tell the Court that I don't like the settlement?

As a Class Member, you can object to the settlement if you don't like any part of it. You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a larger settlement; the Court can only approve or deny the settlement. If the Court denies approval, no settlement benefits will be provided and the lawsuit will continue. If that is what you want to happen, you must object.

You may object to the proposed settlement in writing. You may also appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number (Larson v. TransUnion, LLC, Case Number 12-5726), (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, U.S. Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California, and (c) be filed or postmarked on or before **October 29, 2018**.

### **The Court's Final Approval Hearing**

The Court will hold a hearing to decide whether to approve the settlement. You may attend, and you may ask to speak, but you don't have to.

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

The Court will hold a Final Approval Hearing at 2:00 p.m. on November 28, 2018, in Courtroom 2, 17<sup>th</sup> Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, CA 94102.

At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate and whether the requested payments to Class Counsel and Class Representatives are proper. If there are objections, the Court will consider them. Judge Orrick will also listen to people who

have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

### 13. Do I have to come to the hearing?

No. Class Counsel will answer questions Judge Orrick may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

### 14. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. If you plan to speak at the hearing because you don't like the settlement, you must send a letter as described in Section 11 above.

### **If You Do Nothing**

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

If you do nothing, and if the Court approves the settlement, you will still receive the benefits described in Section 6 above.

### **Getting More Information**

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

This Notice summarizes the proposed settlement. More details—including the Settlement Agreement, the Class Action Complaint, answers to common questions, plus other information to help you understand the settlement—are available at [www.larsonmillertransunionclassaction.com](http://www.larsonmillertransunionclassaction.com).