

A SETTLEMENT HAS BEEN REACHED IN A CLASS ACTION ENTITLED:

Richard Swift v. Bank of America Corporation, et al., Case No.: 3:14-cv-1539-HES-PDB

**YOU HAVE BEEN IDENTIFIED AS A CLASS MEMBER AND
THAT IS WHY YOU ARE RECEIVING THIS NOTICE.**

A preliminary settlement has been reached in a class action lawsuit alleging that Bank of America Corporation, NB Holdings Corporation, and FIA Card Services, N.A. (collectively, “Defendants”) violated the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (“TCPA”) by contacting Class Members through auto-dialed and/or pre-recorded calls or text messages to their cell phones regarding a Bank of America account other than their own without prior express consent to receive such calls or text messages between February 1, 2013 and April 21, 2016. Defendants deny any wrongdoing or liability. The Court has tentatively approved a Settlement to avoid the uncertainties and expenses of ongoing litigation.

What are the terms of the Settlement? The Settlement, if approved by the Court, would provide \$1,000,000 to pay Class Members, as well as to pay attorneys’ fees, costs and expenses to Class Counsel, a service award to Plaintiff, and the administrative costs of the Settlement. Each Class Member will receive a check for his, her, or its equal share of the Settlement Fund, which will not be less than \$15 and not more than \$25.

What are my legal rights? Because you are a Class Member, you will *automatically* receive a check for your equal share of the Settlement Fund; and unless you request to be excluded you will be legally bound by the terms of the Settlement and will release your claims against Defendants. If you do not want to be legally bound by the Settlement, you must exclude yourself by **May 30, 2016**. If you want to object to the terms of the Settlement, you must submit a written statement of objection on or before **May 30, 2016**. The detailed notice available at the website explains how to request exclusion from or object to the Settlement.

The Court will hold a Final Settlement Approval Hearing on July 13, 2016 at 1:30 p.m. at the United States District Court for the Middle District of Florida, 300 North Hogan Street, Jacksonville, Florida 32202 to determine whether to approve the settlement as fair, reasonable, and adequate and to approve payment of attorneys’ fees, costs and expenses to Class Counsel, and a service award to Plaintiff. You may appear at the hearing, either yourself or through an attorney hired by you, but you don’t have to.

How can I get more information? For more information, including specific instructions on how to exclude yourself or object, please visit www.SwiftBofATCPASettlement.com or call 844-804-4369. You can also request a longer and more detailed notice of the Settlement by sending an email to: info@SwiftBofATCPASettlement.com.