

If a text from Regions Bank was directed to your cellphone and you were not the intended recipient or you had previously informed Regions Bank it had the wrong number, you could get a payment from a class action settlement.

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

- Defendant Regions Bank (“Regions”) has agreed to pay \$2,805,200 into a fund from which eligible persons or entities who file claims will receive cash awards.
- The settlement resolves a lawsuit involving allegations that Regions sent text messages to class members in violation of the Telephone Consumer Protection Act.
- Court-appointed lawyers for the class (“Class Counsel”) will ask the Court for up to thirty percent (30%) of the settlement fund as fees and to reimburse them for the out-of-pocket expenses they paid to investigate the facts, litigate the case, and negotiate the settlement.
- Regions denies all allegations of wrongdoing in the lawsuit. As part of the proposed settlement, Regions does not admit to any wrongdoing and continues to deny the allegations against it.
- The two sides disagree on whether Plaintiff and the class could have won at trial.
- 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 FORM BY APRIL 20, 2020	This is the only way to receive a payment.
EXCLUDE YOURSELF BY MARCH 4, 2020	Get no payment. This is the only option that allows you to ever be part of any other lawsuit against Regions about the legal claims released in this case.
OBJECT BY MARCH 4, 2020	Write to the Court explaining why you don’t like the settlement.
ATTEND A HEARING ON May 11, 2020	Ask to speak in Court about the fairness of the settlement.
DO NOTHING	Get no payment. Give up the right to ever be part of any other lawsuit against Regions about the legal claims released in this case.

QUESTIONS? CALL 1-800-657-1189 TOLL FREE OR VISIT www.tcpasettlementregionsbank.com

BASIC INFORMATION

The purpose of this Notice is to let you know that a proposed settlement has been reached in the above class action lawsuit. You have legal rights and options that you may act on before the Court decides whether to approve the proposed settlement. Because your rights will be affected by this settlement, it is extremely important that you read this Notice carefully. This Notice summarizes the settlement and your rights under it. In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All of these people are a class, or class members. One court resolves the issues for all class members, except those who exclude themselves from the class. Here, the class representative alleges that Regions violated the Telephone Consumer Protection Act (“TCPA”) by sending text messages to cellular telephones through the use of an automatic telephone dialing system (“ATDS”) without prior express consent in that the texted party either was not the intended recipient or the recipient had previously informed Regions it had the wrong number. The Court has certified a class for settlement purposes only (the “Settlement Class”). U.S. District Court Judge R. David Proctor (the “Court”) oversees this class action. Regions denies that it did anything wrong and denies that this case would be certified as a class action in litigation.

THE SETTLEMENT

The Court did not decide in favor of Plaintiff or Regions on Region’s liability under the TCPA. Instead, both sides agreed to a settlement of the claims in the complaint to avoid the cost of a trial, the risk and uncertainty of proceeding forward in the case, and to provide compensation for class members. The class representative and her attorneys believe that the settlement is in the best interests of the Settlement Class.

WHO IS IN THE SETTLEMENT CLASS?

You are in the “Settlement Class” if you received a text message from Regions between January 24, 2011 and the present, without your prior express consent in that you were either not the intended recipient or had previously informed Regions it had the wrong number. If you received notice of this claim via post-card it is because your number was texted by Region’s text alerting and banking system during that time period and you may fall into the above category of individuals. If you have questions about whether you are part of the Settlement Class, you may call 1-800-657-1189 or visit www.tcpasettlementregionsbank.com for more information.

THE SETTLEMENT BENEFITS – WHAT YOU GET

Regions has agreed to pay \$2,805,200 to be divided among all Settlement Class Members who submit a valid Claim Form, after any attorneys’ fees, costs, and expenses awarded to Class Counsel, and a service award to the class representative, have been deducted. Class Counsel anticipates that Class Members who submit timely claims will receive approximately \$50. However, if the amount of the Settlement Fund is insufficient to pay \$50 to each class member, payments will be reduced proportionally (by a percentage), i.e. *pro rata*. In other words, your payment will depend on the number of Claim Forms that Settlement Class Members submit and the amount of the Settlement Fund which is available to pay claims.

If, after all payments are processed, an amount greater than \$50,000 remains in the Settlement Fund after the initial distribution to Settlement Class Members who filed a valid claim, then the Settlement Administrator shall distribute the remaining Settlement Fund to Settlement Class Members who cashed their payment checks in the previous round of distribution on a *pro rata* basis after all costs associated with the second distribution are paid from the remaining Settlement Fund. In no event shall a Class Member

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receive more than the maximum that he or she could have received under the TCPA for a single text message. If an amount less than \$50,000 remains in the Settlement Fund after the initial distribution to Settlement Class Members who filed a valid claim, then such amount shall be distributed to a Cy Pres Recipient or Recipients approved by the Court. Further, if a second distribution is made per the above terms and there are funds remaining in the Settlement Fund after such distribution, the remaining funds shall be distributed to the Cy Pres Recipient or Recipients.

HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

To qualify for payment, you must submit a Claim Form by **April 20, 2020**. There are multiple ways to submit a Claim Form. You may have received a paper Claim Form by mail as an attachment to a postcard that provided notice of this settlement. A paper Claim Form is also available upon request by calling the settlement administrator at 1-800-657-1189. Read the instructions on the Claim Form carefully, fill out the form, sign it, and mail it postmarked no later than **April 20, 2020**. You may also submit a Claim Form online by going to the Settlement Website at www.tcpsettlementregionsbank.com and following directions. You also may download a paper Claim Form on the Settlement Website or call the Settlement Administrator at 1-800-657-1189. Claim Forms sent by mail must be postmarked by **April 20, 2020** and mailed to:

Swaney v Regions Bank
c/o Settlement Administrator
P.O. Box. 23459
Jacksonville, FL 32241-3459

The Court will hold a hearing on **May 11, 2020 at 10:00 a.m.** to decide whether to approve the settlement. If the settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take more than a year. Please be patient.

Unless you exclude yourself, you are staying in the Settlement Class and you will be a Settlement Class Member. That means you can't sue, continue to sue, or be part of any other lawsuit against Regions regarding the TCPA arising out of or related to any text messages received from Regions during the Class Period, including, but not limited to, claims asserted in the Action or arising out of the facts and circumstances asserted in the Action. If the settlement is approved and becomes final and not subject to appeal, then you and all Class Members release all "Released Claims" against all "Released Parties." It also means that all of the Court's orders will apply to you and legally bind you. The Settlement Agreement (available at www.tcpsettlementregionsbank.com) describes the claims you are releasing (the "Released Claims") and against whom you are releasing claims ("Released Parties") in detail, so read it carefully. To summarize, the release includes, but is not limited to, TCPA claims arising out of or related to any text messages received from Regions during the Class Period.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from this settlement, but you want to keep the right to sue or continue to sue Regions, then you must take steps to remove yourself from the Settlement Class. This is called excluding yourself—or is sometimes referred to as "opting out" of the Settlement Class. To exclude yourself from the settlement, you must send a letter saying that you want to be excluded from the *Swaney v. Regions Bank*, Civil Action No. 2:13-cv-00544- RDP settlement. You must sign the letter

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and include a statement that you wish to be excluded from this action. Please be sure to include your name, address and telephone number and signature. You must mail your exclusion request postmarked no later than **March 4, 2020** to the following address:

Swaney TCPA Settlement
Settlement Administrator
P.O. Box 23459
Jacksonville, FL 32241-3459

You cannot exclude yourself on the phone or by fax or email. If you ask to be excluded, you will not get any payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit.

THE LAWYERS REPRESENTING YOU

The Court has appointed John Allen Yanchunis, Sr. of Morgan & Morgan Complex Litigation Group to represent you and other Settlement Class Members. This lawyer is called Class Counsel. You will not be personally charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense. Class Counsel will ask the Court to approve payment of up to 30% of the \$2,805,200 Settlement Fund. Class Counsel will also seek recovery of their actual expenses incurred in the litigation. These payments would pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. Class Counsel also will request a service award of \$10,000 for the named Plaintiff to compensate her for her time and effort in pursuing this case on the Class's behalf. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

If you are a Settlement Class member and you do not exclude yourself from the Settlement Class, you can object to the settlement if you don't like any part of it. You may give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to *Swaney v. Regions Bank*, Civil Action No. 2:13-cv-00544- RDP. You must make your objection in writing and file it with the Court. The written objection must (a) contain information sufficient to allow the parties to confirm that you are a member of the Settlement Class, including your full name, address, telephone number, and signature; (b) include a statement of your specific objections, as well as any witness testimony and documents that you would like the Court to consider; and (c) the name and contact information of any attorney you intend to have assert your objections before the Court. You must file the objection with the Court no later than **March 4, 2020**.

Swaney v. Regions Bank
Civil Action No. 2:13-cv-00544- RDP
Clerk of the Court for Judge R. David Proctor
Hugo L. Black United States Courthouse
1729 5th Avenue North Birmingham, AL 35203

Also send your objection to *Swaney v Regions Bank*, c/o Settlement Administrator, P.O. Box 23459, Jacksonville, FL 32241-3459. Objecting simply means telling the Court that you don't like something about the settlement. You can object only if you stay in the Settlement Class. Excluding yourself from the Settlement Class 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 case no longer affects you.

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THE COURT'S FAIRNESS HEARING

The Court will hold the final fairness hearing at **10:00 a.m. on May 11, 2020**, before the Honorable R. David Proctor, Hugo L. Black United States Courthouse 1729 5th Avenue North Birmingham, AL 35203. The purpose of the hearing is for the Court to determine whether the settlement is fair, reasonable, 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, costs, and expenses, and the service award to the class representative. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

Note: The date and time of the fairness hearing is subject to change by Court Order. Any changes will be posted on the Settlement website, www.tcpasettlementregionsbank.com.

DO I HAVE TO ATTEND 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 above and in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to. 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 Agreement. If you filed an objection and intend to appear at the hearing, you must state your intention to do so in your objection. To speak, you must state that in your objection. Be sure to include your name, address, telephone number, that you are a Class Member, and your signature. You cannot speak at the hearing if you exclude yourself.

IF YOU DO NOTHING

If you do nothing, you'll get no money from this settlement. But, unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Regions about the legal issues released in this case.

GETTING MORE INFORMATION

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You may review the Settlement Agreement on the Settlement Website at www.tcpasettlementregionsbank.com. You can also get a copy of the Settlement Agreement by writing to any of the Court-appointed attorneys. You can call 1-800-657-1189 toll free; write to Swaney v Regions Bank, c/o Settlement Administrator, P.O. Box 23459, Jacksonville, FL 32241-3459; or visit the website at www.tcpasettlementregionsbank.com, where you will find answers to common questions about the settlement, a Claim Form, plus other information to help you determine whether you are a member of the Settlement Class.

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

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