

**This is a notice of a settlement of a class action lawsuit.  
This is not a notice of a lawsuit against you.**

**If you received a telephone call from I.Q. Data International, Inc. (“I.Q.”) between February 11, 2010 and February 11, 2014, you may be entitled to compensation as a result of the settlement in the class action lawsuit captioned:**

*Jacqueline Jones v. I.Q. Data International, Inc.*, No. 1:14-cv-00130-PJK-RHS (D. N.M.)

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

**Please read this notice carefully. It explains your rights and options to participate in a class action settlement.**

**What are your legal rights and options?**

<b>SUBMIT A TIMELY CLAIM FORM:</b>	If you submit a timely claim form you will receive a <i>pro rata</i> share of the settlement fund.
<b>DO NOTHING:</b>	If you do nothing, you will <u>not</u> receive a <i>pro rata</i> share of the settlement fund, but you will release any claim you have against I.Q.
<b>EXCLUDE YOURSELF:</b>	If you exclude yourself from the settlement, you will <u>not</u> receive a <i>pro rata</i> share of the settlement fund, but you will <u>not</u> release any claim you have against I.Q.
<b>OBJECT:</b>	You may object to the settlement.

**Why did you get this notice?**

This is a notice of a proposed settlement in a class action lawsuit. The settlement would resolve the lawsuit, which Jacqueline Jones (“Ms. Jones”) filed against I.Q. Please read this notice carefully. It explains the lawsuit, the settlement, and your legal rights, including the process for receiving a settlement check, excluding yourself from the settlement, or objecting to the settlement.

**What is this lawsuit about?**

Ms. Jones filed this lawsuit against I.Q., alleging that I.Q. violated the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227. I.Q. denies Ms. Jones’s allegations, but has agreed to the settlement.

### **Why is this a class action?**

In a class action, one or more people called “class representatives” file a lawsuit on behalf of people who have similar claims. All of these people together are a “class” or “class members.” The court accordingly resolves claims for all class members, except for those who exclude themselves from the class.

### **Why is there a settlement?**

Ms. Jones, on the one hand, and I.Q., on the other, have agreed to settle the lawsuit to avoid the time, risk, and expense associated with it, and to achieve a final resolution of the disputed claims. Under the settlement, class members will obtain a payment in full settlement of the TCPA claims that Ms. Jones raises in the lawsuit. Ms. Jones and her attorneys think the settlement is best for all class members.

### **How do you know if your claims are included in the settlement?**

You received this notice because I.Q.’s records identified you as a class member. This means you appear to fit the description of the class that the court certified for settlement purposes:

All persons and entities throughout the United States (1) to whom I.Q. Data International, Inc. made or caused to be made calls, (2) directed to a number assigned to a unique cellular telephone, by (3) using an automatic telephone dialing system or an artificial or prerecorded voice, (4) from February 11, 2010 through February 11, 2014.

### **What does the settlement provide?**

I.Q. will establish a settlement fund in the amount of \$1,000,000. Out of the settlement fund, I.Q. will pay:

- a. Damages to Ms. Jones and the class members;
- b. The costs and expenses of administrating the class action settlement;
- c. An award of attorneys’ fees, subject to the court’s approval;
- d. Costs and expenses incurred litigating this matter, subject to the court’s approval; and
- e. An incentive award to Ms. Jones, subject to the court’s approval.

Each class member who submits a timely and valid claim form will be entitled to his or her pro rata share of the settlement fund as it exists after deducting:

- a. Costs and expenses of administrating the class action settlement;
- b. Attorneys’ fees in an amount not to exceed thirty-percent of the settlement fund, subject to the court’s approval;
- c. Costs and expenses not to exceed \$25,000, subject to the court’s approval; and
- d. Ms. Jones’s incentive award, not to exceed \$20,000, subject to the court’s approval.

### **How can you get a payment?**

You must mail a valid claim form to ILYM Group, Inc., P.O. Box 57087, Irvine, CA 92619 postmarked by July 6, 2015. Or you must submit a valid claim through [jonesiqtcpcasettlement.com](http://jonesiqtcpcasettlement.com) by July 6, 2015.

### **When will you be paid?**

If the court finally approves the settlement, settlement checks will be mailed to class members who timely mailed or submitted valid claim forms no later than thirty days after the judgment in the lawsuit becomes final. If there is an appeal of the settlement, payment may be delayed.

### **What rights are you giving up in this settlement?**

Unless you exclude yourself from the settlement, you will be considered a member of the class, which means you give up your right to sue or continue a lawsuit against I.Q. over the released claims. Giving up your legal claims is called a release. Unless you formally exclude yourself from the settlement, you will release your claims against I.Q.

For more information on the release, released parties, and released claims, you may obtain a copy of the class action settlement agreement from the United States District Clerk for the District of New Mexico.

### **By when must you enter an appearance?**

Any class member who desires to enter an appearance pursuant to Rule 23(c)(2)(B)(iv) must do so by July 20, 2015. To do so you must file with the clerk of the court a written notice of your appearance and you must serve a copy of that notice, by certified mail, facsimile, or hand-delivery, upon Ms. Jones's attorneys and I.Q.'s attorneys, at the addresses set forth below.

### **How can you exclude yourself from the settlement?**

You may exclude yourself from the settlement, in which case you will not receive a payment. If you wish to exclude yourself from the settlement you must mail a written request for exclusion to Ms. Jones's attorneys, to I.Q.'s attorneys, and to the court, at the addresses set forth below, postmarked no more than July 20, 2015. You must include in your request for exclusion your:

- a. Full name
- b. Address;
- c. Telephone number; and
- d. A statement that you wish to be excluded from the settlement.

You must sign the request personally. If any person signs on your behalf that person must attach a copy of the power of attorney authorizing that signature.

### **When and where will the court decide whether to approve the settlement?**

The court will hold a final fairness hearing on September 21, 2015, at 10:00 a.m. The hearing will take place in United States District Court for the District of New Mexico, Albuquerque Division, Rio Grande Court Room (3<sup>rd</sup> Floor), located at 333 Lomas Blvd. N.W., Albuquerque, NM 87102. At the final fairness hearing the court will consider whether the settlement is fair, reasonable, and adequate and, if so, whether it should be granted final approval. The court will hear objections to the settlement, if any. The court may make a decision at that time, postpone a decision, or continue the hearing.

### **Do you have to attend the hearing?**

No. You are not required to attend the hearing. But you are welcome to attend the hearing at your own expense. You cannot speak at the hearing if you have excluded yourself from the class settlement. Once you have excluded yourself, the class settlement does not affect your legal rights.

### **What if you want to object to the settlement?**

If you do not exclude yourself from the settlement, you can object to the settlement if you do not believe it is fair, reasonable, and adequate. If you wish to object, you must mail a written notice of objection to Ms. Jones's attorneys, I.Q.'s attorneys, and to the court, at the addresses set forth below, postmarked by July 20, 2015. You must include in your request for exclusion your:

- a. Full name;
- b. Address;
- c. Telephone number;
- d. A statement of the objection;
- e. A detailed description of the facts underlying the objection;
- f. A detailed description of the legal authorities that support each objection;
- g. A statement noting whether the Class Member intends to appear at the fairness hearing;
- h. A list of all witnesses that the Class Member intends to call by live testimony, deposition testimony, or affidavit or declaration testimony, and
- i. A list of exhibits that the Class Member intends to present at the Final Fairness Hearing.

### **What if you do nothing?**

If you do nothing, and the court approves the settlement agreement, you will not receive a *pro rata* share of the settlement fund, but you will release any claim you have against the I.Q. Unless you exclude yourself from the settlement, you will not be able to sue or continue a lawsuit against I.Q. over the released claims.

### **What will happen if the Court does not approve the settlement?**

If the court does not finally approve the settlement, or if it finally approves the settlement and the approval is reversed on appeal, or if the settlement does not become final for some other reason, you will receive no benefits and the lawsuit will continue.

### **Who are Ms. Jones's attorneys?**

Ms. Jones's attorneys are:

Aaron D. Radbil  
Greenwald Davidson Radbil PLLC  
5550 Glades Rd., Suite 500  
Boca Raton, FL 33431

The court has appointed Ms. Jones's attorneys to act as class counsel. You do not have to pay Ms. Jones's attorneys. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you must hire one at your own expense.

### **Who are I.Q.'s attorneys?**

I.Q.'s attorneys are:

David J. Kaminski  
Carlson & Messer LLP  
5959 W. Century Boulevard, Ste. 1214  
Los Angeles, CA 90045

### **Before what court is this matter pending?**

Ms. Jones filed her class action lawsuit in the following court:

United States District Court for the District of New Mexico  
Albuquerque Division  
333 Lomas Blvd. N.W.  
Albuquerque, N.M 87102

### **Where can you get additional information?**

This notice is only a summary of the settlement. All documents filed with the court, including the full class action settlement agreement, may be reviewed or copied at the United States District Court for the District of New Mexico, Albuquerque Division.

If you would like additional information about this matter, please contact:

ILYM Group, Inc.  
P.O. Box 50787  
Irvine, CA 92619

*or*

Aaron D. Radbil  
Greenwald Davidson Radbil PLLC  
5550 Glades Rd., Suite 500  
Boca Raton, FL 33431  
(561) 826-5477  
aradbil@gdrlawfirm.com

Please do not call the judge about this case. Neither the judge, nor the clerk of court, will be able to give you advice about this case. Furthermore, I.Q.'s attorneys do not represent you, and cannot give you legal advice.