

**This is a notice of a settlement of a class action lawsuit.**

**This is not a notice of a lawsuit against you.**

If you are a person to whose cellular telephone number Credit Bureau Services Association (“CBSA”) placed an artificial or prerecorded voice call from December 2, 2019 through February 11, 2025, you may be entitled to compensation as a result of the settlement in the class action lawsuit captioned:

*Daugherty v. Credit Bureau Services Association*, Case No. 4:23-cv-01728 (S.D. Tex.)

**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 the class action settlement.**

- The settlement will result in an \$850,000 fund to fully settle and release certain claims of persons to whose cellular telephone number CBSA placed an artificial or prerecorded voice call from December 2, 2019 through February 11, 2025.
- The settlement fund will be used to pay settlement amounts to settlement class members who elect to participate, after deducting the costs of settlement notice and administration, attorneys’ fees, litigation costs and expenses, and an incentive award to Jerrold Daugherty, the consumer who initiated the class action against CBSA.
- If you are a settlement class member, your legal rights are affected, and you now have a choice to make:

<b>SUBMIT A TIMELY CLAIM FORM</b>	If you submit a valid Claim Form by April 28, 2025, you will receive a share of the settlement fund after attorneys’ fees, costs, and expenses are deducted, and you will release certain Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, claims you may have against CBSA.
<b>DO NOTHING</b>	If you do nothing, you will <u>not</u> receive a share of the settlement fund, but if you are a settlement class member you will release certain TCPA claims you may have against CBSA.
<b>EXCLUDE YOURSELF</b>	If you exclude yourself from the settlement, you will <u>not</u> receive a share of the settlement fund, and you will <u>not</u> release any TCPA claims you may have against CBSA. The deadline to exclude yourself is April 28, 2025.
<b>OBJECT</b>	Write to the Court about why you do not like the settlement. The deadline to object is April 28, 2025.

**Why is this notice available?**

This is a notice of a settlement in a class action lawsuit. The settlement would resolve the class action lawsuit Mr. Daugherty filed against CBSA. Please read this notice carefully. It explains the class action lawsuit, the settlement, and legal rights you may have, including the process for receiving a settlement check, excluding yourself from the settlement, or objecting to the settlement.

**What is the class action about?**

Mr. Daugherty filed a class action lawsuit against CBSA alleging that CBSA violated the TCPA by placing calls to cellular telephone numbers in connection with which CBSA used an artificial or prerecorded voice absent prior express consent. The TCPA allows for damages in the amount of \$500 per violation, and up to \$1,500 for willful violations. However, prior express consent is a complete defense to a claim under the TCPA. You can find additional information about Mr. Daugherty’s claims in his class action complaint, which is available at [www.CBSAclassactionsettlement.com](http://www.CBSAclassactionsettlement.com).

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

In a class action, one or more people called “class representatives” file a class action 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 at once, except for those who first exclude themselves from the class.

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

Mr. Daugherty, on the one hand, and CBSA, on the other, have agreed to settle the class action lawsuit to avoid the time, risk, and expense associated with it, and to achieve a final resolution of the disputed claims. Under the settlement, settlement class members will obtain a payment in settlement of claims Mr. Daugherty raised in the class action lawsuit. Mr. Daugherty and his attorneys think the settlement is fair and reasonable.

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

The settlement resolves claims on behalf of the following settlement class:

All persons throughout the United States to whose cellular telephone number Credit Bureau Services Association placed an artificial or prerecorded voice call from December 2, 2019 through February 11, 2025.

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

CBSA will establish a settlement fund in the amount of \$850,000 to compensate members of the settlement class. Out of the settlement fund will be paid:

- a. Settlement compensation to participating settlement class members;
- b. Notice and administration costs not to exceed \$140,500;
- c. An award of attorneys’ fees not to exceed one-third of the settlement fund, subject to the Court’s approval;
- d. Litigation costs and expenses incurred in litigating the TCPA claims in this matter not to exceed \$15,000, subject to the Court’s approval; and
- e. An incentive award to Mr. Daugherty not to exceed \$7,500, subject to the Court’s approval.

Each member of the settlement class who submits a timely and valid Claim Form will be entitled, subject to the provisions of the settlement agreement, to his or her equal share of the \$850,000 settlement fund as it exists after deducting:

- a. Notice and administration costs (including related taxes and expenses);
- b. An award of attorneys’ fees;
- c. Litigation costs and expenses incurred in litigating the claims in this matter; and
- d. An incentive award to Mr. Daugherty.

It is estimated that each participating member of the settlement class will receive between \$35.00 and \$85.00. The actual amount each participating member of the settlement class will receive may be more or less depending on the number of settlement class members who submit timely, valid claims.

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

You must mail a valid Claim Form to the *Daugherty v. Credit Bureau Services Association* Settlement Administrator, P.O. Box 301172, Los Angeles, CA 90030-1172 postmarked by April 28, 2025. Or you must submit a valid claim through [www.CBSAclassactionsettlement.com](http://www.CBSAclassactionsettlement.com) by April 28, 2025.

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

If the Court grants final approval of the settlement, settlement checks will be mailed to settlement class members who timely mailed or submitted valid Claim Forms no later than 30 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 connection with this settlement?**

If you fall within the settlement class, and unless you exclude yourself from the settlement, you will give up your right to sue or continue a lawsuit against CBSA over the released claims. Giving up your legal claims is called a release. If you fall within the settlement class, unless you formally exclude yourself from the settlement, you will release certain TCPA claims you may have against CBSA.

For more information about the release, released parties, and released claims, you may obtain a copy of the class action settlement agreement from the settlement website, [www.CBSAclassactionsettlement.com](http://www.CBSAclassactionsettlement.com), or from the clerk of the United States District Court for the Southern District of Texas.

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

If you fall within the settlement class, you may exclude yourself from the settlement, in which case you will not receive a payment, and you will not release any TCPA claims you may have against CBSA. If you fall within the settlement class, and if you wish to exclude yourself from the settlement, you must mail a written request for exclusion to the Settlement Administrator at the following address, postmarked by April 28, 2025:

*Daugherty v. Credit Bureau Services Association* Settlement Administrator  
ATTN: EXCLUSION REQUEST  
P.O. Box 301172  
Los Angeles, CA 90030-1172

You must include in your request for exclusion:

- a. Your full name;
- b. Your address;
- c. The telephone number called by CBSA demonstrating that you are a member of the settlement class; and
- d. A clear and unambiguous statement that you wish to be excluded from the settlement, such as “I request to be excluded from the settlement in the *Daugherty v. Credit Bureau Services Association* action.”

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 June 6, 2025 at 10:00 a.m. The hearing will take place in person. At the final fairness hearing, the Court will consider whether the settlement is fair, reasonable, and adequate and, if so, whether final approval of the settlement should be granted. The Court will also hear objections to the settlement, if any. The Court may make a decision at that time, postpone a decision, or continue the hearing.

The date of the final fairness hearing may change without further notice. Settlement class members should check the settlement website, [www.CBSAclassactionsettlement.com](http://www.CBSAclassactionsettlement.com), or the Court’s Public Access to Court Electronic Records (“PACER”) site to confirm that the date has not changed.

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

No, there is no requirement that you attend the final fairness hearing. However, you are welcome to attend the hearing, in person, at your own expense. You cannot speak at the hearing if you have excluded yourself from the settlement class because the settlement no longer affects your legal rights.

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

If you fall within the settlement class, and if you do not exclude yourself from the settlement class, you can object to the settlement, or any part of it, if you do not believe it is fair, reasonable, and adequate. If you fall within the settlement class, and if you wish to object, you must mail a written notice of objection, postmarked by April 28, 2025, to class counsel, counsel for CBSA, and to the Court, at the following addresses:

Class Counsel:

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

Counsel for CBSA:

Andrew M. Scott  
Gordon Rees Scully Mansukhani,  
LLP  
1900 West Loop South  
Suite 1000  
Houston, TX 77027

The Court:

United States District Court for the  
Southern District of Texas  
515 Rusk Street  
Houston, TX 77002

You must include in your objection:

- a. Your full name;
- b. Your address;
- c. The telephone number to which CBSA placed an artificial or prerecorded voice call from December 2, 2019 through February 11, 2025, to demonstrate that you are a member of the settlement class;
- d. A statement of the objection;
- e. A description of the facts underlying the objection;
- f. A description of the legal authorities that support each objection;
- g. A statement noting whether the objector intends to appear at the Fairness Hearing;
- h. A list of all witnesses that the objector intends to call by live testimony, deposition testimony, or affidavit or declaration testimony;
- i. A list of exhibits that the objector intends to present at the Fairness Hearing; and
- j. A signature from the settlement class member.

You can ask the Court to deny approval of the settlement by filing an objection. You cannot ask the Court to order a different settlement. The Court can only approve or reject the settlement. If the Court denies approval, no settlement payments will be sent out and the class action lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed settlement must be in writing. If you fall within the settlement class, and if you file a timely written objection, you may, but are not required to, appear at the final fairness hearing, in person. If you appear through an attorney, you are responsible for hiring and paying that attorney.

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

Any settlement class member who objects to the settlement and wishes to enter an appearance must do so by April 28, 2025. To enter an appearance, 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 U.S. mail or hand-delivery, upon class counsel and counsel for CBSA, at the addresses set forth in this notice.

**What if you do nothing?**

If you are a member of the settlement class, you do nothing, and the Court approves the settlement agreement, you will not receive a share of the settlement fund, but you will release certain TCPA claims you may have against CBSA. If you fall within the settlement class, unless you exclude yourself from the settlement, you will not be able to sue or continue a lawsuit against CBSA over the released TCPA 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 from the settlement and the class action lawsuit will continue.

**Who is Mr. Daugherty's attorney?**

Mr. Daugherty's attorney is:

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

The Court has appointed Mr. Daugherty's attorney to act as class counsel. You do not have to pay class counsel. 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 is CBSA's attorney?**

CBSA's attorney is:

Andrew M. Scott  
Gordon Rees Scully Mansukhani, LLP  
1900 West Loop South, Suite 1000  
Houston, TX 77027

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

Mr. Daugherty filed his class action lawsuit in the following court:

United States District Court for the Southern District of Texas  
515 Rusk Street  
Houston, TX 77002

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

This notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the settlement agreement available at [www.CBSAclassactionsettlement.com](http://www.CBSAclassactionsettlement.com), by contacting class counsel, by accessing the court docket in this case, for a fee, through the court's PACER system, or by visiting the office of the clerk of the court for the United States District Court for the Southern District of Texas.

Or, to obtain additional information about this matter, please contact:

*Daugherty v. Credit Bureau Services Association* Settlement Administrator  
P.O. Box 301172  
Los Angeles, CA 90030-1172  
1-888-726-1608

Please do not call the judge about this class action. Neither he, nor any court personnel, will be able to give you advice about this class action. Furthermore, because neither CBSA nor CBSA's attorneys represent you, they cannot give you legal advice about this class action.

### **Important Dates**

February 11, 2025:	Order Preliminarily Approving the Settlement Entered
March 13, 2025:	Defendant to fund Settlement Fund
March 13, 2025:	Notice Sent
March 24, 2025:	Attorneys' Fees Petition Filed
April 28, 2025:	Opposition to Attorneys' Fees Petition
April 28, 2025:	Deadline to Submit Claims, Send Exclusion, or File Objection
May 12, 2025:	Reply in Support of Attorneys' Fees Petition
May 7, 2025:	Motion for Final Approval Filed
May 23, 2025:	Opposition to Motion for Final Approval Filed
May 30, 2025:	Reply in support of Motion for Final Approval
May 27, 2025:	Settlement Administrator will provide a sworn declaration attesting to proper service of the Class Notice and Claim Forms, and state the number of claims, objections, and opt-outs, if any
June 6, 2025 at 10:00 a.m.:	Final Fairness Hearing