

Damen, Chicago IL 60625, 4829-31 N. Damen, Chicago, IL 60625, 1435 N. Dearborn, Chicago, IL 60610, 1425 N. Dearborn, Chicago, IL 60610, 1446 N. Dearborn, Chicago, IL 60610, 1347 N. Dearborn, Chicago, IL 60610, 1216-1220 N Dearborn, Chicago IL 60610, 1164 N Dearborn/ 39-51 W. Divison, Chicago IL 60610, 818 W. Diversey, Chicago, IL 60614, 2201-2209 W Eastwood, Chicago IL 60625, 3823-29½ N. Fremont, Chicago, IL 60613, 3831 N. Fremont Street, Chicago IL 60613, 1050 W George, Chicago IL 60657, 4737 N Hermitage, Chicago IL 60640, 3933-3943½ N. Janssen, Chicago, IL 60613, 2420 N Kedzie Chicago IL 60647, 1220 N. LaSalle, Chicago, IL 60610, 4601-4609 N Lincoln/ 2244 W Wilson, Chicago IL 60625, 511 W. Melrose, Chicago, IL 60657, 2900-14 N. Mildred/ 908-910 W. George, Chicago, IL 60657, 627-35 W. Oakdale, Chicago, IL 60657, 639-47 W. Oakdale, Chicago, IL 60657, 1115-1127 W. Oakdale Chicago IL 60657, 2840-2846 N. Orchard, Chicago IL 60657, 2834 W Palmer Chicago IL 60647, 612 W. Patterson, Chicago IL 60613 , 4614 N. Paulina, Chicago, IL 60640, 4631 N. Paulina, Chicago IL 60640, 4641 N Paulina, Chicago IL 60640, 4225-4235 N. Paulina, Chicago IL 60640, 3720-28 N. Pine Grove, Chicago, IL 60613, 3517-25 N. Racine, Chicago, IL 60657, 2317-2327 N Rockwell Chicago IL 60647, 425 W. Roscoe, Chicago, IL 60657, 540-548 W. Surf, Chicago IL 60657, 813-31 W. Waveland, Chicago, IL 60613, 816 W. Waveland, Chicago IL 60613, 1101-03 W. Wellington/ 2948-54 N. Seminary, Chicago, IL 60657, 1200-02 W. Wellington/ 3000-08 N. Racine, Chicago, IL 60657, 540 W. Wellington, Chicago, IL 60657, 445 W Wellington, Chicago IL 60657, 4407-19 N. Wolcott, Chicago, IL 60640, 4421-4427 N Wolcott, Chicago IL 60640, 837 W. Wolfram, Chicago, IL 60657, 660 W. Wrightwood, Chicago IL 60614, and 625 W. Wrightwood, Chicago IL 60614.

**IF YOU WISH TO RECEIVE A PORTION OF THE CLASS SETTLEMENT
YOU MUST RETURN CLAIM THE FORM AT THE END OF THIS
NOTICE (PAGE 8 of 8) BY MAIL, OR EMAIL POSTMARKED ON OR
BEFORE NOVEMBER 13, 2019.**

**If you do not wish to be part of the settlement, you may submit a written
request for exclusion pursuant to the instructions below.**

WHAT THIS CLASS ACTION LAWSUIT IS ABOUT

On June 6, 2018, Plaintiff filed a class action complaint in the Circuit Court of Cook County, Chicago, Illinois. Plaintiff's class action complaint alleged that Defendants violated the Chicago Residential Landlord and Tenant Ordinance ("RLTO") by failing to attach to leases and renewals the required RLTO Summary and Separate Summary pursuant to Chicago RLTO Section 5-12-170. Defendants deny any wrongdoing. The Plaintiff and Defendants have reached a proposed settlement of the lawsuit. The Court has preliminarily approved the settlement, has appointed Mark Silverman Law Office Ltd. as counsel for the class ("Class Counsel"), and has approved this class notice and claim form. This class notice explains the terms of the settlement, informs you of your legal rights and obligations, and how to execute the claim form on Page 8.

THE PROPOSED SETTLEMENT

Summary of the Benefits to YOU Under the Settlement:

1. You will receive **\$70.00 per lease or renewal** paid to each person who was initially offered a rental agreement and/or renewal at any affected property under a Defendant's management within the two (2) year time period before the case was filed. The payment is in the form of a check mailed to the last known address of that person (i.e. you), as updated by that person (i.e. you) in response to the class notice, or, as found in the records of Defendants. Each lease or renewal shall be the source of a total recovery of \$70.00, such that multiple individuals under the same lease or renewal shall be treated as one class member, and entitled jointly to one total payment of \$70.00 to be divided equally between all of the claimants who submit claims and who have claims under the same lease or renewal;
2. **The Claim Form (see ATTACHED PAGE 8) is required** for class members to file a claim.

YOU SHOULD RETURN YOUR COMPLETED CLAIM FORM:

- a) By email to **mark@depositlaw.com**; or
- b) By mail to Mark Silverman Law Office LTD., 225 W. Washington, Ste. 2200, Chicago, IL 60606

You should update your address in the Claim Form and also include your current email and mailing address for receipt of your check. Class members must file a claim within the notice period, or, submit a written exclusion or objection to both Class Counsel and Defendants' counsel within that same period of time. Any non-response will be deemed a waiver of your claim.

3. If a class member submits a timely signed claim form and provides an address, then Defendants shall, after 30 days after entry of an order granting final approval, mail a check in the amount of \$70.00 or their pro rata share to each class member's address on his/her claim form.
4. Checks shall all indicate on their face that they shall be void after 90 days. After checks become void the funds included in any such checks shall become deemed "unclaimed" funds, which shall be paid then to a Cy Pres nonprofit recipient approved by the Court and determined at the Hearing on Final Approval.
5. Any funds that would have been payable to any class members that submit timely exclusions shall not be deemed "unclaimed" funds.

Recovery to Plaintiffs: Subject to Court approval the Plaintiff shall receive \$2,500.00. This agreement reflects both the damages that Plaintiff claimed as a member of the Class as well as an

incentive award in connection with Plaintiff's services as a representative of the class during the pendency of this litigation.

Attorney's Fees and Costs: Class Counsel Mark Silverman Law Office Ltd. has requested that the Court award attorneys' fees and costs payable by Defendant in the amount of \$15,000.00. This request is based on the litigation costs incurred and the amount of hours worked by Class Counsel at their normal hourly rate. The costs of administering the settlement agreement to be reimbursed or paid by the Defendants

Unless you exclude yourself from the settlement, you will be part of the Class and bound by the Settlement. Regardless of whether you submit a Claim Form, if you stay in the Class you will release the Defendants and Released Parties for all claims that you may have had, as of the date of Final Approval of this Settlement, which is anticipated to be **DECEMBER 3, 2019**, arising out of your relationship with Defendant (except for claims of bodily injury).

WHAT TO DO IF YOU WISH TO RECEIVE MONEY FROM THE SETTLEMENT: If you wish to obtain the benefits of the Settlement, and you are a Class Member, then you must submit a *completed Claim Form*, by U.S. mail, or email, to

- a) By email to **mark@depositlaw.com**; or
- b) By mail to Mark Silverman Law Office LTD., 225 W. Washington, Ste. 2200, Chicago, IL 60606

If you submit the Claim Form by email it must be received no later than NOVEMBER 13, 2019.

IMPORTANT: **WHAT RELEASE WILL YOU GRANT THE DEFENDANTS AND RELEASED PARTIES IF YOU DO NOT SUBMIT AN EXCLUSION FORM BY NOVEMBER 13, 2019?**

-----Doing nothing could affect your rights.-----

1. **Release by Class:** It is the desire of the Parties to settle all disputes and claims, including for money damages, attorneys' fees, and costs, arising from or related to the tenancies of the Plaintiff and Class Members at any property owned and/or managed by any Defendant. Except for Class Members who submit a timely request for exclusion from the Class, upon entry of the Final Order and Dismissal in the Litigation, Plaintiff and each and every Class Member shall be bound by this Agreement and shall have no recourse for all claims against Defendants and the Released Parties, including for money damages, attorney's fees, and costs, for any claims related to, arising from, or otherwise regarding their tenancies with any

Defendant or Released Party. This release does not release Defendants, the Released Parties, and owners of the properties managed by Defendants and their respective subsidiaries, parents, or affiliate entities, members, managers, shareholders, officers, directors, employees, and agents, attorneys, owners of beneficial interests, and their successors in right thereto of other future violations (if any) of Section 5-12-170, with a future violation defined as one accruing after the date of final approval of this settlement.

2. In consideration of all payments caused to be made by Defendants, Class Members' eligibility to participate in this Settlement, and any other relief described herein and upon the Final Approval Date, Class Members fully, finally, and forever release, relinquish, and discharge the Released Parties from any and all claims, obligations, causes of action, actions, demands, damages, rights, relief, remedies, and liabilities of every kind, nature and description, including penalties, liquidated damages, punitive damages, interest, attorneys' fees, litigation costs, restitution, and equitable relief under the Chicago RLTO or any other related ordinance, any state statute, federal statute or common law theory, whether known or unknown, whether anticipated or unanticipated, arising out of or relating to their tenancies with any of the Released Parties, their rental agreement provisions with any of the Released Parties, or the administration of this settlement, through and including the date of final approval, that was or could have been asserted in the Litigation or under the Chicago RLTO or any other related ordinance, statute, or common law, or their rental agreement, arising prior to the Final Approval Date, which were pled in the Action or could have been pled in the Action.

REPRESENTATION BY CLASS COUNSEL – OR YOUR OWN ATTORNEY: As a member of the Class, your interests will be represented by the attorneys for Plaintiff without any additional charge to you. If you wish to participate on your own or through your attorney, an appearance must be filed with the Clerk of the Circuit Court, Chancery Division, by **NOVEMBER 13, 2019**. If you participate through your own attorney, it will be at your expense.

WHAT TO DO IF YOU OBJECT TO THE SETTLEMENT: If you object to the settlement and do not wish to exclude yourself from the class action, you must submit your objection in writing to the Clerk of the Circuit Court of Cook County, Chancery Division, Richard J Daley Center, 50 West Washington Street, Chicago, Illinois 60602. The objection must be mailed to the Clerk of the Circuit Court and also both (1) one of the Class Counsel and (2) Defendants' Counsel postmarked on or before **NOVEMBER 13, 2019**. **Your objection must include the name and case number and reasons for your objection. On the same date that you mail your objections to the Clerk of the Court. Don't forget you must also mail copies of that objection to Class Counsel and Defense Counsel, as follows:**

Class Counsel:

Mark Silverman Law Office, Ltd.

225 W. Washington St.
Suite 2200
Chicago, IL 60606

Defense Counsel:

Russel G. Winick & Associates, PC
1220 Iroquois Ave.
Suite 100
Naperville, IL 60563

Sheryl Ring, Esq.
Open Communities
990 Grove Street, Suite 500
Evanston, Illinois 60201

Your written objections must include detailed reasons explaining why you contend that the settlement should not be approved. It is not sufficient to simply state that you object. Provided that you have submitted a written objection, you may also appear at the fairness hearing.

THE FAIRNESS HEARING

YOU ARE NOT OBLIGATED TO ATTEND THIS HEARING BUT MAY DO SO IF YOU PLAN TO OBJECT TO THE SETTLEMENT.

A hearing will be held by the Court to consider the fairness of the proposed settlement and to decide whether to issue a final approval of the settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement, including the amount of the attorneys' fee awarded. The hearing will take place before the **Honorable Judge David Atkins on DECEMBER 3, 2019 at 10:30 a.m. in Room 2102 of the Richard J Daley Center, Chicago, IL 60602.**

WHAT TO DO IF YOU WISH TO BE EXCLUDED FROM THE SETTLEMENT: You have the right to exclude yourself from both the Class and the settlement by submitting a written request for exclusion to Class Counsel postmarked (or by email) on or before **NOVEMBER 13, 2019**. Your request for exclusion must state your name, address, and the name and number of the case.

WHAT IF THE SETTLEMENT IS NOT APPROVED? If the settlement is not approved, the case will proceed as if no settlement had been reached. There can be no assurance that, if the settlement is not approved, the Class will recover more than is provided in the settlement or, indeed, anything at all.

ADDITIONAL INFORMATION: The description of the case in this Notice is general and does not cover all of the issues and proceedings thus far. In order to see the complete file, including a copy of the settlement agreement, you may visit the office of the Clerk of the Circuit Court of Cook County, Chancery Division, Richard J Daley Center, 50 West Washington Street, Chicago, Illinois 60602, Room 802, where you may inspect and/or copy the court file for this case at your own expense.

In addition, you or your attorney may direct questions to Class Counsel: Mark Silverman Law Office Ltd., 225 W. Washington, Suite 2200, Chicago, IL 60606, tel. (312) 775-1015, email: mark@depositlaw.com

**PLEASE DO NOT CALL
THE JUDGE'S CHAMBERS.**

