

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION**

EUGENIO AND ROSA CONTRERAS,  
WILLIAM PHILLIPS, TERESA BARNEY,  
KEITH AND TERESA MARCEL, SHERLIE  
CHARLOT, and JENNIE MILLER, on behalf of  
themselves and all others similarly situated,

Plaintiff,

v.

NATIONSTAR MORTGAGE LLC, a  
Delaware Limited Liability Company;  
SOLUTIONSTAR HOLDINGS LLC (N/K/A  
XOME HOLDINGS LLC), a Delaware Limited  
Liability Company; and SOLUTIONSTAR  
FIELD SERVICES LLC, a Delaware Limited  
Liability Company,

Defendant.

Case No. 2:16-cv-00302-MCE-EFB

**DECLARATION OF MARK COWEN IN SUPPORT OF PLAINTIFF'S UNOPPOSED  
MOTION FOR FINAL APPROVAL OF SETTLEMENT AGREEMENT AND  
CERTIFICATION OF SETTLEMENT CLASS**

I, Mark Cowen, hereby declare as follows:

1. I am a Project Manager at A.B. Data, Ltd.'s Class Action Administration Division ("A.B. Data"), whose Corporate Office is located in Milwaukee, Wisconsin. This declaration ("Declaration") is based upon my personal knowledge, and that of A.B. Data staff members, and if called as a witness, I could and would testify competently thereto.

2. I submit this Declaration in connection with the class action notice administration proceedings related to the above-captioned Action (the "Action").

3. This Declaration details the steps that were taken to implement notice of the settlement as required by the Court's "Preliminary Approval Order" signed

on July 8, 2022, and entered on July 11, 2022. Those steps included: i) emailing the Email Notice of Class Action Settlement to Class Members where an email address was available; ii) mailing the Court-approved Postcard Notice to Class Members; iii) establishing a toll-free telephone number and case-specific website, MortgageConvenienceFeeSettlement.com, to address potential Class Member inquiries and posting the Long-Form Notice to the website, along with other materials; and iv) responding to telephone calls and emails from Class Members.

### **DISSEMINATION OF NOTICE**

4. On July 15, 2022, A.B. Data received from Nationstar electronic data files containing the names, mailing addresses, email addresses, loan numbers, and the sum of convenience fees paid for 368,848 Class Member records. All Class Member information that was provided to A.B. Data has been stored in a secure environment with controlled access.

5. A.B. Data electronically processed the data files to identify unique Class Member records. An evaluation of names and mailing addresses was used to eliminate duplicates, or to “roll-up” records where the contact information was the same and multiple loan numbers were loaded to the same record. A.B. Data determined that there were 358,727 unique records.

### **ELECTRONIC MAILING OF THE NOTICE**

6. A.B. Data prepared and sent an electronic mailing of the Email Notice to Class Members who had an email address on file. Prior to sending the Email Notice, A.B. Data conducted an email validation exercise to remove invalid and duplicate email addresses. This helps ensure the overall deliverability of the valid email addresses. A.B. Data initially determined there were 262,928 valid and distinct email addresses.

7. Pursuant to the Preliminary Approval Order, beginning on July 26, 2022, A.B. Data began sending the emails. At the conclusion of the process, 262,928 emails were sent, with 258,503 confirmed as delivered, which is a 98.3% delivery rate. A true and correct copy of the Email Notice is attached as Exhibit A.

### **MAILING OF POSTCARD NOTICE**

8. For those Class Member records where the Email Notice was not delivered, either because it was removed during the validation exercise or because A.B. Data received a bounce-back email, these Class Member records were sent Postcard Notice via first class mail. In total, there were 79,238 Postcard Notices mailed via first class mail because an email address was not available for that Class Member record, or because an Email Notice was sent, but not delivered.

9. Prior to the mailing, A.B. Data processed the Class Members' mailing addresses through the United States Postal Service's (the "USPS") NCOALink® database to update the mailing addresses with any registered moves and to standardize the mailing addresses to allow for maximum postage discounts.

10. Pursuant to the Preliminary Approval Order, on August 10, 2022, Postcard Notice was sent by USPS First-Class Mail to the 24,640 Class Members who did not have an email address on file. A true and correct copy of the Postcard Notice is attached as Exhibit B. The remainder of the Postcard Notices (54,598) were mailed on September 2, 2022.

11. As of the date of this Declaration, A.B. Data has had 1,132 Notices to Class Members returned as undeliverable by the USPS. Tracing efforts to locate a better address were made, resulting in 641 updated addresses that were remailed Postcard Notice.

### **WEBSITE AND TELEPHONE**

12. On July 26, 2022, A.B. Data established a case-specific toll-free telephone number (1-877-354-3839) with an interactive voice response ("IVR") system which provided summary information to frequently asked questions. This

also provided callers the opportunity to request a copy of the Long Form Notice be sent to them by mail or email. As of September 2, 2022, a total of 616 calls have been placed to the toll-free number, with zero (0) requests for a Long Form Notice.

13. On July 26, 2022, A.B. Data established a case-specific website, [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com). A true and correct copy of a print-out of the website is attached as Exhibit C. The website includes case-specific information, including relevant deadlines and downloadable versions of the Complaint, Settlement Agreement, Long-Form Notice, and other relevant documents. A true and correct copy of the Long-Form Notice is attached as Exhibit D. As of September 2, 2022, the website has had 2,957 visits.

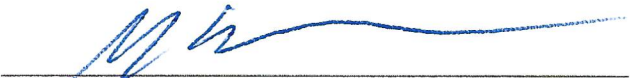
### **OBJECTIONS**

15. While the deadline for objecting to the Settlement is not until October 7, 2022, as of the date of this Declaration, A.B. Data has not received any written objections or comments related to the Settlement.

### **OPT OUTS**

16. While the deadline for opting out of the Settlement is not until October 7, 2022, as of the date of this Declaration, A.B. Data has not received any written request to opt out of the Settlement.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 2<sup>nd</sup> day of September 2022 in Apple Valley, MN.

  
\_\_\_\_\_  
Mark Cowen

# EXHIBIT A

**From:** [Mortgage Convenience Fee Class Action Settlement](#)  
**To:**  
**Subject:** Legal Notice of Class Action Settlement -- Contreras v. Nationstar Mortgage LLC, Case No. 2:16-cv-00302-MCE-EFB (E.D. Cal.)  
**Date:** Tuesday, July 26, 2022 5:11:02 PM

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**Our Records Indicate You Paid a Convenience Fee When Making a Mortgage Payment to Nationstar Mortgage LLC d/b/a Mr. Cooper and You May Be Entitled to a Payment from a Class Action Settlement.**

This notice is to inform you that a Settlement has been reached in a class action lawsuit claiming that Nationstar Mortgage LLC, a mortgage loan servicing company, and its affiliates Solutionstar Holdings LLC and Solutionstar Field Services LLC (collectively, “Nationstar” or “Defendants”), charged convenience fees that were not properly disclosed or permitted under applicable law to borrowers who reside in California, Florida, and Illinois, and made their residential mortgage payments online or over the phone, in violation of the Rosenthal Fair Debt Collection Practices Act; California Unfair Competition Law; Florida Deceptive and Unfair Trade Practices Act; and Illinois Consumer Fraud Act. Nationstar denies it violated any law but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the Litigation.

**Am I a Class Member?** Our records indicate you may be a Settlement Class Member. Members of the Settlement Classes are:

- 
- (i) residents of California or Florida who were charged Convenience Fees at Issue for making over-the-phone or online payments to Nationstar on a residential mortgage from February 1, 2012 to February 14, 2022; and
  - (ii) residents of Illinois who were charged Convenience Fees at Issue for making over-the-phone or online payments to Nationstar on a residential mortgage from February 1, 2013 to February 14, 2022 (collectively, “Class Periods”).

The “Convenience Fees at Issue” means all Convenience Fees paid by Settlement Class Members during the Class Periods described above, **excluding** certain convenience fees paid by members of the settlement classes in *Garcia v. Nationstar Mortgage LLC*, Case No. C15-1808 TSZ, in the United States District Court for the Western District of Washington. If you were a member of the *Garcia* settlement class, the Convenience Fees at Issue do not include convenience fees paid by members of the *Garcia* nationwide class between November 17, 2014 and May 25, 2018; and convenience fees paid by members of the *Garcia* Washington class between November 17, 2011 and May 25, 2018.

**What Can I Get?** If the Settlement is approved by the Court, Nationstar will establish a Settlement Fund of \$8,600,000.00 from which, if you are entitled to relief, the Settlement Administrator will determine the pro rata portion of the Settlement Fund, based on the percentage of the Convenience Fees at Issue that you paid as determined by Nationstar’s records, after subtracting notice and administrative costs, Service Awards for Named

Plaintiffs as class representatives, and any attorneys' fees and expenses awarded to Class Counsel.

**How Do I Get a Payment?** If the Settlement receives final approval by the Court, and you have not requested to be excluded, your payment will be sent automatically to this email address. If your email address changes or you have another email address where you prefer your payment and/or other settlement-related communications to be sent, please contact the Settlement Administrator to update your email address. You will be bound by all of the Court's orders and judgments. In addition, your claims against Nationstar relating to the Convenience Fees at Issue will be released.

**What are My Other Options?** You may exclude yourself from the Class by submitting a Request for Exclusion to the Settlement Administrator no later than **October 7, 2022**. If you exclude yourself, you cannot get a Settlement payment, but you keep any rights you may have to sue Nationstar over the legal issues in the lawsuit. You and/or your attorney have the right to appear before the Court and/or object to the proposed Settlement. Your written objection must be filed no later than **October 7, 2022**. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Contreras v. Nationstar Mortgage LLC*, Case No. 2:16-cv-00302-MCE-EFB and identify all your reasons for your objections (including citations and supporting evidence) and attach any materials you intend to rely on for your objections. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com).

**Who Represents Me?** The Court has appointed attorneys at Keller Rohrback L.L.P. and Hagens Berman Sobol Shapiro LLP to represent the Settlement Classes. These attorneys are called Class Counsel. You will not be charged for these attorneys. If you want to be represented by your own attorney in this Litigation, you may hire one at your expense.

**When Will the Court Consider the Proposed Settlement?** The Court will hold the Final Approval Hearing at **2:00 p.m. PST on November 10, 2022** at Courtroom 7 at the United States District Court, 501 I Street, Sacramento, California 95814. At that hearing, the Court will: hear any objections concerning the fairness of the Settlement; determine the fairness of the Settlement; decide whether to approve Class Counsel's request for attorneys' fees and expenses; and decide whether to award the class representatives Service Awards from the Settlement Fund for their service in helping to bring and settle this Litigation. Nationstar has agreed to pay Class Counsel reasonable attorneys' fees and expenses in an amount to be determined by the Court. Class Counsel will seek no more than 25% of the Settlement Fund, but the Court may award less than this amount. Class Counsel will file their motion for attorney's fees and expenses no later than **September 6, 2022**, and a copy of the motion will be available at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com).

**How Do I Get More Information?** For more information, including the full Notice and the Settlement Agreement, please visit [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com) or

contact the Settlement Administrator by email at  
[info@MortgageConvenienceFeeSettlement.com](mailto:info@MortgageConvenienceFeeSettlement.com) or at 1-877-354-3839, or  
Mortgage Convenience Fee Class Action Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 170500  
Milwaukee, WI 53217

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# EXHIBIT B

Mortgage Convenience Fee  
Class Action Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173068  
Milwaukee, WI 53217

A Settlement has been reached in a class action lawsuit claiming that Nationstar Mortgage LLC, a mortgage loan servicing company, d/b/a Mr. Cooper, and its affiliates Solutionstar Holdings LLC and Solutionstar Field Services LLC (collectively, “Nationstar” or “Defendants”), charged borrowers making their residential mortgage payments online or over the phone, convenience fees that violated the laws of California, Florida, and Illinois. Nationstar denies it violated any law but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the Litigation.

**The case is entitled *Contreras v. Nationstar Mortgage LLC*,  
Case No. 2:16-cv-00302-MCE-EFB (E.D. Cal.).**

## Case 2:16-cv-00302-MCE-JDP Document 166-2 Filed 09/06/22 Page 3 of 3

**Am I a Class Member?** Our records indicate you may be a Settlement Class Member. Settlement Class Members are residents of California or Florida who were charged Convenience Fees at Issue for making over-the-phone or online residential mortgage payments to Nationstar from February 1, 2012 to February 14, 2022, and residents of Illinois who were charged Convenience Fees at Issue for making over-the-phone or online residential mortgage payments to Nationstar from February 1, 2013 to February 14, 2022 (collectively, “Class Periods”). The “Convenience Fees at Issue” means all convenience fees paid by Settlement Class Members during the Class Periods described above, but it excludes certain fees paid by members of the settlement class in *Garcia v. Nationstar Mortgage LLC*, Case No. C15-1808 TSZ (W.D. Wash.). If you were a member of the *Garcia* settlement class, the Convenience Fees at Issue do not include convenience fees paid by members of the *Garcia* nationwide class between November 17, 2014 and May 25, 2018, and convenience fees paid by members of the *Garcia* Washington class between November 17, 2011 and May 25, 2018.

**What Can I Get?** If the Settlement is approved by the Court, Nationstar will establish a Settlement Fund of \$8,600,000 to pay for all relief to the Settlement Class, together with notice and administration expenses, attorneys’ fees and expenses, and Service Awards for Named Plaintiffs. If you are eligible for relief, you will receive a share of the Settlement Fund based on the amount of Convenience Fees at Issue you paid, after the amounts described above are paid from the Settlement Fund.

**How Do I Get a Payment?** If you stay in the Settlement Class and the Settlement is approved by the Court, you will receive a payment automatically. If you received a copy of this Notice in the mail and do not provide a valid email address to the Settlement Administrator, the Settlement Administrator will send to the same mailing address instructions for obtaining your payment. Please update your email address if you would prefer to receive further information at a different address, or update your mailing address if you move. If you have provided a valid email address, you will receive an email notifying you of your Settlement payment, and you will be provided with several digital payment options. You will also have the opportunity to request that a check be mailed to you by the Settlement Administrator. You will be bound by all of the Court’s orders and judgments. In addition, your claims against Nationstar relating to the Convenience Fees at Issue will be released.

**What Are My Other Options?** You may exclude yourself from the Class by sending a Request for Exclusion to the Settlement Administrator no later than **October 7, 2022**. If you exclude yourself, you cannot get a Settlement payment, but you keep any rights you may have to sue Nationstar over the legal issues in the Litigation. You and/or your lawyer have the right to appear before the Court and/or object to the proposed Settlement. Your written objection must be filed no later than **October 7, 2022**. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Contreras v. Nationstar Mortgage LLC*, Case No. 2:16-cv-00302 and identify all your reasons for your objections (including citations and supporting evidence) and attach any materials you rely on for your objections. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com).

**Who Represents Me?** The Court has appointed Keller Rohrback L.L.P. and Hagens Berman Sobol Shapiro LLP. to represent the Settlement Class. These attorneys are called Class Counsel. You will not be charged for these attorneys. If you want to be represented by your own attorney in this case, you may hire one at your own expense.

**When Will the Court Consider the Proposed Settlement?** The Court will hold the Final Approval Hearing at **2:00 p.m. PST on November 10, 2022** at Courtroom 7 at the United States District Court, 501 I Street, Sacramento, California 95814. At that hearing, the Court will: hear any objections concerning the fairness of the Settlement; determine the fairness of the Settlement; decide whether to approve Class Counsel’s request for attorneys’ fees and expenses; and decide whether to award Named Plaintiffs’ Service Awards from the Settlement Fund for their service in helping to bring and settle this Litigation. Nationstar has agreed to pay Class Counsel reasonable attorneys’ fees and expenses in an amount to be determined by the Court. Class Counsel will seek no more than 25% of the Settlement Fund, but the Court may award less than this amount. Class Counsel will file their motion for attorneys’ fees and expenses no later than September 6, 2022, and a copy of the motion will be available at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com).

**How Do I Get More Information?** For more information, including the full Notice and Settlement Agreement, please visit [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com) or contact the Settlement Administrator at 1-877-354-3839, by mail at **Mortgage Convenience Fee Class Action Settlement**, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217, or by email at [info@MortgageConvenienceFeeSettlement.com](mailto:info@MortgageConvenienceFeeSettlement.com).

# EXHIBIT C

MortgageConvenienceFeeSettlement.com

1-877-354-3839

Mortgage Convenience Fee Settlement

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**IF YOU PAID A CONVENIENCE FEE WHEN MAKING A MORTGAGE PAYMENT TO NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.**

A Settlement has been reached in a class action lawsuit claiming that Nationstar Mortgage LLC, a residential mortgage servicing company, and its affiliates Solutionstar Holdings LLC and Solutionstar Field Services LLC (collectively, "Nationstar" or "Defendants"), charged pay-to-pay fees (hereafter, "Convenience Fees") that were not properly disclosed or permitted under applicable law to borrowers who reside in California, Florida, or Illinois and made their residential mortgage payments online or over the phone.

Subject to certain exceptions described below, you are a Settlement Class Member if you are or were:

- a resident of California or Florida who was charged Convenience Fees at Issue<sup>1</sup> for making over-the-phone or online mortgage payments to Nationstar from February 1, 2012 to February 14, 2022, or;
- a resident of Illinois who was charged Convenience Fees at Issue for making over-the-phone or online mortgage payments to Nationstar from February 1, 2013 to February 14, 2022 (collectively, "Class Periods").

Persons included in the Settlement may be eligible to receive a share of the Settlement Fund based on the amount of Convenience Fees at Issue they paid.

Your legal rights are affected whether you act or don't act. The deadlines to exercise these rights are explained in the notice. Read carefully:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
OPTIONS	RESULT
<b>RECEIVE A SETTLEMENT PAYMENT</b>	If you are a Settlement Class Member, you may automatically receive a settlement payment based on the amount of Convenience Fees you paid to Nationstar.
<b>EXCLUDE YOURSELF</b>	You will receive no benefits, but you will retain any rights you currently have to sue Nationstar about the claims in this Litigation.
<b>OBJECT</b>	Write to the Court explaining why you do not like the Settlement.
<b>GO TO THE HEARING</b>	Ask to speak in Court about your opinion of the Settlement.

Your rights and options—and the deadlines to exercise them—are explained in this Notice.

The Court in charge of this Litigation still has to decide whether to approve the Settlement. Payments will be distributed to all qualifying Settlement Class Members who do not submit a Request for Exclusion, only if the Court approves the Settlement and after potential appeals are resolved.

If any of your contact information has changed, please notify the Settlement Administrator by either emailing at [info@MortgageConvenienceFeeSettlement.com](mailto:info@MortgageConvenienceFeeSettlement.com), calling toll-free 1-877-354-3839, or write to the Settlement Administrator at Mortgage Convenience Fee Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217.

For more information about this Action, your rights and options, and answers to other frequently asked questions, please review the [Notice](#).



<sup>1</sup>The "Convenience Fees at Issue" means all convenience fees paid by Settlement Class Members during the Class Periods described above, but it excludes certain fees paid by members of the settlement class in *Garcia v. Nationstar Mortgage LLC*, Case No. C15-1808 TSZ (W.D. Wash.).

By providing your information, either on paper, electronically or through a website, you consent to us storing and using your information for case administration purposes only. Our site uses tracking technologies to tailor your experience and understand how you and other visitors use our site. By continuing to navigate this site you consent to use of these tracking technologies. For more information on how we use your personal data, please read our [Privacy Policy](#)



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MortgageConvenienceFeeSettlement.com

1-877-354-3839

## Mortgage Convenience Fee Settlement

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### Long Form Notice

- [Notice of Class Action Settlement](#)

Note: These documents are in PDF format. To view the documents, you will need [Adobe Acrobat Reader](#) on your computer or other internet-enabled device.



By providing your information, either on paper, electronically or through a website, you consent to us storing and using your information for case administration purposes only. Our site uses tracking technologies to tailor your experience and understand how you and other visitors use our site. By continuing to navigate this site you consent to use of these tracking technologies. For more information on how we use your personal data, please read our [Privacy Policy](#)



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## Mortgage Convenience Fee Settlement

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### Court Documents

- [Third Amended Complaint](#)
- [Settlement Agreement](#)
- [Preliminary Approval Order](#)

Note: These documents are in PDF format. To view the documents, you will need [Adobe Acrobat Reader](#) on your computer or other internet-enabled device.



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**Contact Information**

**Class Counsel:**

Laura R. Gerber  
KELLER ROHRBACK L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101

And

Thomas E. Loeser  
HAGENS BERMAN SOBOL SHAPIRO L.L.P.  
1301 Second Avenue, Suite 2000  
Seattle, WA 98101

**Settlement Administrator:**

Mortgage Convenience Fee Class Action Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 170500  
Milwaukee, WI 53217  
Toll-Free Number: 1-877-354-3839  
Email: [info@MortgageConvenienceFeeSettlement.com](mailto:info@MortgageConvenienceFeeSettlement.com)

Please do not contact the Court or Clerk of Court with any questions regarding this case.

By providing your information, either on paper, electronically or through a website, you consent to us storing and using your information for case administration purposes only. Our site uses tracking technologies to tailor your experience and understand how you and other visitors use our site. By continuing to navigate this site you consent to use of these tracking technologies. For more information on how we use your personal data, please read our [Privacy Policy](#)



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# EXHIBIT D

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA**

*Contreras v. Nationstar Mortgage LLC, Case No. 2:16-cv-00302-MCE-EFB*

**IF YOU PAID A CONVENIENCE FEE WHEN MAKING A MORTGAGE PAYMENT TO NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.**

*A Federal Court authorized this Notice. You are not being sued.  
This is not a solicitation from a lawyer.*

A Settlement has been reached in a class action lawsuit claiming that Nationstar Mortgage LLC, a residential mortgage servicing company, and its affiliates Solutionstar Holdings LLC and Solutionstar Field Services LLC (collectively, “Nationstar” or “Defendants”), charged pay-to-pay fees (hereafter, “Convenience Fees”) that were not properly disclosed or permitted under applicable law to borrowers who reside in California, Florida, or Illinois and made their residential mortgage payments online or over the phone.

Subject to certain exceptions described below, you are a Settlement Class Member if you are or were:

- a resident of California or Florida who was charged Convenience Fees at Issue for making over-the-phone or online mortgage payments to Nationstar from February 1, 2012 to February 14, 2022, or;
- a resident of Illinois who was charged Convenience Fees at Issue for making over-the-phone or online mortgage payments to Nationstar from February 1, 2013 to February 14, 2022 (collectively, “Class Periods”).

Persons included in the Settlement may be eligible to receive a share of the Settlement Fund based on the amount of Convenience Fees at Issue they paid.

**PLEASE READ THIS NOTICE CAREFULLY AND COMPLETELY.  
THE SETTLEMENT WILL AFFECT YOUR RIGHTS IF YOU ARE PART OF  
THE SETTLEMENT CLASS.**

**YOU ARE NOT BEING SUED IN THIS MATTER. YOU DO NOT HAVE TO  
APPEAR IN COURT AND YOU DO NOT HAVE TO HIRE AN ATTORNEY.**

**IF YOU ARE IN FAVOR OF THE SETTLEMENT, YOU NEED NOT DO  
ANYTHING. IF YOU DISAPPROVE OF THIS SETTLEMENT, YOU MAY  
OBJECT TO THE SETTLEMENT OR EXCLUDE YOURSELF PURSUANT TO  
THE PROCEDURES DESCRIBED BELOW.**

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>RECEIVE A SETTLEMENT PAYMENT</b>	If you are a Settlement Class Member, you may automatically receive a settlement payment based on the amount of Convenience Fees you paid to Nationstar.
<b>EXCLUDE YOURSELF</b>	You will receive no benefits, but you will retain any rights you currently have to sue Nationstar about the claims in this Litigation.
<b>OBJECT</b>	Write to the Court explaining why you do not like the Settlement.
<b>GO TO THE HEARING</b>	Ask to speak in Court about your opinion of the Settlement.

- Your rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this Litigation still has to decide whether to approve the Settlement. Payments will be distributed to all qualifying Settlement Class Members who do not submit a Request for Exclusion, only if the Court approves the Settlement and after potential appeals are resolved.

### **BASIC INFORMATION**

#### **1. Why was this notice issued?**

A Federal Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options, before the Court decides whether to give final approval to the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Morrison C. England, Jr. of the United States District Court for the Eastern District of California is overseeing this case. The case is called *Contreras v. Nationstar Mortgage LLC*, Case No. 2:16-cv-00302-MCE-EFB. The persons who have filed suit, Eugenio and Rosa Contreras, Sherlie Charlot, and Jennie Miller, are called the Named Plaintiffs. Defendants are Nationstar Mortgage LLC, a mortgage loan servicing company, and its affiliates Solutionstar Holdings LLC and Solutionstar Field Services LLC (collectively, “Nationstar” or “Defendants”).

#### **2. What is a class action?**

In a class action, one or more people called class representatives (in this case, Named Plaintiffs Eugenio and Rosa Contreras, Sherlie Charlot, and Jennie Miller) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members except for those who exclude themselves from the class.

#### **3. What is this lawsuit about?**

This lawsuit alleges that Nationstar violated the: Rosenthal Fair Debt Collection Practices Act; California Unfair Competition Law; Florida Deceptive and Unfair Trade Practices Act; and Illinois Consumer Fraud Act and committed other wrongful conduct by charging Convenience Fees to borrowers paying their mortgage payments online or over the phone. Nationstar denies it violated any law. The Court has not determined who is right. Rather, the Parties have agreed to settle the Litigation to avoid the uncertainties and expenses associated with ongoing Litigation.

#### **4. Why is there a Settlement?**

The Court has not decided whether Plaintiffs or Defendants should win this Litigation. Instead, both sides agreed to the Settlement. That way, they avoid the uncertainties and expenses associated with continuing the Litigation, and Settlement Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

#### **WHO'S INCLUDED IN THE SETTLEMENT?**

#### **5. How do I know if I am in the Settlement Classes?**

The Court decided that everyone who fits the following description are members of the **Settlement Classes**:

(1) residents of California or Florida who were charged Convenience Fees at Issue for making over-the-phone or online payments to Nationstar on a residential mortgage from February 1, 2012 to February 14, 2022; and

(2) residents of Illinois who were charged Convenience Fees at Issue for making over-the-phone or online payments to Nationstar on a residential mortgage from February 1, 2013 to February 14, 2022 (collectively, "Class Periods").

The term "Convenience Fee at Issue" means all Convenience Fees paid by Settlement Class Members during the Class Periods, but it excludes certain fees paid by members of the settlement classes in *Garcia v. Nationstar Mortgage LLC*, Case No. C15-1808 TSZ (W.D. Wash.). If you were a member of the *Garcia* settlement class, the Convenience Fees at Issue do not include Convenience Fees paid by members of the *Garcia* nationwide class between November 17, 2014 and May 25, 2018, and Convenience Fees paid by members of the *Garcia* Washington class between November 17, 2011 and May 25, 2018.

#### **THE SETTLEMENT BENEFITS**

#### **6. What does the Settlement provide?**

Defendants will create a Settlement Fund totaling \$8,600,000. If you are entitled to relief under the Settlement, the Settlement Administrator will determine the pro rata

portion of the Settlement Fund, based on the percentage of the Convenience Fees at Issue that you paid as determined by Nationstar's records, after accounting for Notice and administrative costs, any Service Awards to Named Plaintiffs as class representatives, and any award of attorneys' fees and expenses to Class Counsel. (*See* Question 13 for additional information about attorneys' fees and expenses).

A detailed description of the Settlement benefits can be found in the [Settlement Agreement](#).

#### **7. How much will my payment be?**

If the Settlement is approved, Settlement Class Members will receive a proportionate share of the Settlement Fund. The Settlement Administrator will determine the pro rata portion of the Settlement Fund, based on the percentage of the Convenience Fees at Issue paid by the Settlement Class Members as determined by Nationstar's records, after accounting for Notice and administrative costs, any Service Awards to Named Plaintiffs as class representatives, and any award of attorneys' fees and expenses to Class Counsel. (*See* Question 5 for the definition of "Convenience Fees at Issue.")

#### **8. When will I get my payment?**

The Final Approval Hearing to consider the fairness of the Settlement is scheduled for **November 10, 2022**. If the Court approves the Settlement, eligible Settlement Class Members will receive their payment within fifteen (15) days of the Final Approval Order (*see* Question 19) either electronically or in the form of a paper check. All checks will expire and become void one hundred and eighty (180) days after they are issued.

### **HOW TO GET BENEFITS**

#### **9. How do I get a payment?**

If you are an eligible Settlement Class Member, you will automatically receive a payment if the Settlement is approved. If you received email notice, payments will automatically be sent to your email address of record. If you received a copy of the Notice in the mail and do not provide a valid email address to the Settlement Administrator, the Settlement Administrator will send to the same mailing address instructions for obtaining your payment. Please update your email address if you would prefer to receive further information at a different address or update your mailing address if you move. When you receive the email notifying you of your Settlement payment, you will be provided with several digital payment options. For many, a digital payment is the easiest and quickest option to receive your money. You will also have the opportunity to request that a check be mailed to you by the Settlement Administrator.

### **REMAINING IN THE SETTLEMENT**

**10. What am I giving up if I stay in the Class?**

If the Settlement becomes final, you will give up your right to sue Nationstar for the claims being resolved by this Settlement related to the Convenience Fees. The specific claims you are giving up against Nationstar are described in the [Settlement Agreement](#). You will be “releasing” Nationstar as described in Section 9 of the [Settlement Agreement](#). Unless you exclude yourself (*see* Question 14), you are “releasing” the claims.

The Settlement Agreement describes the released claims with specific descriptions, so please read it carefully. If you have any questions you can talk to the lawyers listed in Question 12 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

**11. What happens if I do nothing at all?**

If you do nothing, you may still receive a payment through the Settlement if it is approved by the Court. But, unless you submit a Request for Exclusion (*see* Question 14), you will not be able to start a lawsuit or be part of any other lawsuit against Nationstar for the claims being resolved by this Settlement.

**THE LAWYERS REPRESENTING YOU**

**12. Do I have a lawyer in the Litigation?**

The Court has appointed Keller Rohrback L.L.P. and Hagens Berman Sobol Shapiro L.L.P. (“Class Counsel”) to be the attorneys representing the Settlement Class. Class Counsel believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this Litigation, you may hire one at your own expense.

**13. How will the lawyers be paid?**

Nationstar has agreed to pay reasonable Class Counsel attorneys’ fees and expenses in an amount to be determined by the Court. The fee petition will seek no more than 25% of the Settlement Fund, plus reimbursement of their costs and expenses; the Court may award less than this amount. Under the Settlement Agreement, any amount awarded to Class Counsel will be paid out of the Settlement Fund.

Class Counsel will file their motion for attorney’s fees and expenses no later than September 6, 2022, and a copy of the motion will be available at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com).

Subject to approval by the Court, the Named Plaintiffs will be paid a Service Award in a reasonable amount to be determined by the Court to compensate them for the time and effort that they expended to achieve this Settlement. This will be paid from the Settlement.

#### EXCLUDING YOURSELF FROM THE SETTLEMENT

##### **14. How do I exclude myself from the Settlement?**

To exclude yourself from the Settlement, you must mail or otherwise deliver a letter (“Request for Exclusion”) to the Settlement Administrator stating that you want to be excluded from the settlement in *Contreras v. Nationstar Mortgage LLC*, Case No. 2:16-cv-00302-MCE-EFB. Your Request for Exclusion must: (1) identify the case name; (2) identify your name and current address; (3) be personally signed by you (no electronic or facsimile signatures); and (4) contain a statement that indicates a desire to be excluded from the Settlement Class in the Litigation. You must mail or deliver your Request for Exclusion letter no later **than October 7, 2022** to:

Mortgage Convenience Fee Class Action Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 170500  
Milwaukee, WI 53217

##### **15. If I do not exclude myself, can I sue Nationstar for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue Nationstar for the claims being resolved by this Settlement. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

##### **16. If I exclude myself, can I get anything from this Settlement?**

No. If you exclude yourself, you will not be entitled to any Settlement benefits.

#### OBJECTING TO THE SETTLEMENT

##### **17. How do I object to the Settlement?**

If you are a Settlement Class Member, you can object to the Settlement in writing if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Contreras v. Nationstar Mortgage LLC*, Case No. 2:16-cv-00302-MCE-EFB and identify all your reasons for your objections (including citations and supporting evidence) and attach any materials you rely on for your objections. If you have a lawyer, they must file an appearance and submit your objection through the Court’s e-filing system. Your letter



or brief must also include (1) your name, current address, and telephone number; (2) the last four digits of your loan number; (3) a statement that that you are objecting to the proposed Settlement or the application for attorneys’ fees and expenses in this Action; (4) a statement of the factual and legal reasons for your objection and whether it applies only to you, to a subset of the Settlement Class, or the entire Settlement Class; (5) the identity of any witnesses that you may call in connection with your objection and a summary of their testimony; (6) a list of all prior settlements to which you have objected; (7) the name and contact information of any and all lawyers representing, advising, or in any way assisting you in connection with your objection; (8) copies of all documents that you wish to submit in support of your position; and (9) your signature. You must also mail or deliver a copy of your letter or brief to Class Counsel and Nationstar’s Counsel listed below.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in Question 21), you must say so in your letter or brief. File the objection with the Court and mail a copy to the persons identified below that is postmarked no later than **October 7, 2022**.

Court	Class Counsel	Defendants’ Counsel
The Hon. Morrison C. England United States District Court for the Eastern District of California 501 I Street #4200 Sacramento, CA 95814	Laura R. Gerber KELLER ROHRBACK L.L.P. 1201 Third Avenue, Suite 3200 Seattle, WA 98101  and  Thomas E. Loeser HAGENS BERMAN SOBOL SHAPIRO L.L.P. 1301 Second Avenue, Suite 2000 Seattle, WA 98101	Mary Kate Sullivan SEVERSON & WERSON, PC One Embarcadero Center, Suite 2600 San Francisco, CA 94111

**18. What’s the difference between objecting and excluding myself from the Settlement?**

Objecting simply means telling the Court that you do not 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 do not want to be part of the Settlement Class. If you exclude yourself, you cannot object because the Litigation no longer affects you.

## THE COURT'S FINAL APPROVAL HEARING

### 19. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at **2:00 p.m. PST** on **November 10, 2022** in Courtroom 7 at the United States District Court, 501 I Street, Sacramento, California 95814. The purpose of the hearing will be for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Class Counsel's request for attorneys' fees and expenses; and to consider the request for Service Awards for the Named Plaintiffs. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check the [Settlement Website](#) or call 1-877-354-3839. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any changes to the date of such Final Approval Hearing.

### 20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it is not required.

### 21. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing to determine the Settlement's fairness. To do so, you must include in your objection to the Settlement, a statement saying that it is your "Notice of Intent to Appear in United States District Court, Eastern District of California, Sacramento, California." It must include (1) your full name, current address, and telephone number, (2) the last four digits of your loan number, (3) a statement why you are objecting, (4) the identity of any witnesses and a summary of their testimony, (5) the name and address of your lawyer (if one is appearing for you), (6) copies of all documents you wish to submit, and (7) a statement whether the objection applies only to you, to a specific subset of the Settlement class, or to the entire Settlement Class. Your objection and Notice of Intent to Appear must be filed with the Court, postmarked no later than **October 7, 2022** and be sent to the addresses listed in Question 17.

## GETTING MORE INFORMATION

### 22. Where do I get more information?

This Notice summarizes the Settlement. More details are in the [Settlement Agreement](#) and at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com). You can also print a copy of the Settlement Agreement at [www.MortgageConvenienceFeeSettlement.com](http://www.MortgageConvenienceFeeSettlement.com). You may also write with questions to Mortgage Convenience Fee Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217, email at [info@MortgageConvenienceFeeSettlement.com](mailto:info@MortgageConvenienceFeeSettlement.com) or call the Settlement Administrator at 1-877-354-3839. Before doing so however, please read this full Notice carefully. You may also find additional information elsewhere on the [Settlement Website](#).

**Please do not telephone the Court or the Court Clerk's Office to inquire about this Settlement as they cannot answer your questions.**