

# PLAINTIFFS' EXHIBIT 1D

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In The Case Of

*Rosa Calderon; and, Javier Calderon, Individually and on Behalf of  
All Others Similarly Situated,*

*v*

*The Wolf Firm, A Law Firm,*

CV16-1266 JLS (KESx)

KAZEROUNI LAW GROUP, APC  
245 FISCHER AVENUE, UNIT D1  
COSTA MESA, CA 92626  
(800) 400-6808

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

If you were sent a demand letter from The Wolf Firm, A Law Corporation between July 8, 2015 and **X**, you may be entitled to monetary compensation as part of a class action lawsuit

A California District Court authorized this Notice. This is not a solicitation from a lawyer.

- ROSA CALDERON and JAVIER CALDERON (“the Individual Plaintiffs”) have sued THE WOLF FIRM, A LAW CORPORATION (“Wolf Firm”) for alleged violations of the Rosenthal Fair Debt Collection Practices Act; and, the Fair Debt Collection Practices Act concerning certain demand letters that The Wolf Firm mailed to consumers. The Wolf Firm denies any legal violation in sending the demand letters and is defending the lawsuit brought by the Individual Plaintiffs.
- The Individual Plaintiffs are not only suing on behalf of themselves but also on behalf of a class of people similarly situated. You may be part of that class of people (“class member”) if you were sent a letter from the Wolf Firm that was substantially in the form of the letter enclosed as **Exhibit (i)** between July 8, 2015 and **X** (the “Class Period”).

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:</b>	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit and receive a portion of the settlement.</b></p> <p>By doing nothing, you are choosing to stay in the lawsuit. You will keep your right to share in a possible money award as part of statutory damages that may come from the settlement. But, you are giving up the right to sue the Wolf Firm on your own about the same legal claims in this lawsuit. Additionally, you are giving up the possible right to recover any actual damages that you may have incurred as a result of receiving a demand letter at issue in this case from the Wolf Firm</p>
<b>ASK TO BE EXCLUDED</b>	<p><b>Get out of this lawsuit. Get no money award from this lawsuit. Retain the right to sue the Wolf Firm, including for any actual damages.</b></p> <p>If you ask to be excluded and money or benefits are later awarded or obtained, you will not be able to share in that money or those benefits. But, you will keep the right to sue the Wolf Firm on your own about the same legal claims in this lawsuit, including for any actual damages that you may have incurred. The deadline to request to be excluded from the settlement is ninety days from the date of preliminary approval – specifically, <b>X</b>.</p>
<b>TELL THE COURT YOU DO NOT LIKE THE SETTLEMENT AGREEMENT</b>	<p><b>Object to the settlement if you believe the Settlement is unfair or inadequate.</b></p> <p>If you are a class member and believe the Settlement is unfair or inadequate, you may object to the Settlement. You cannot object to the Settlement if you chose to exclude yourself from the Settlement. The deadline to request to be excluded from the settlement is ninety days from the date of preliminary approval – specifically, <b>X</b>.</p>

- Your rights and options are explained in this notice. To ask to be excluded, you must act by **Month, 00, 0000.**

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## BASIC INFORMATION

### 1. Why was this notice sent?

This notice was sent because the United States District Court, Central District of California has “certified” this case to proceed as a class action settlement and your rights may be affected. If you were sent a demand letter from the Wolf Firm that was substantially in the form of the enclosed **Exhibit (i)** between July 8, 2015 and **X**, you may have legal rights and options in this case before a jury decides whether the claims being made against The Wolf Firm are correct. This notice explains all of these things.

The Honorable Josephine L. Staton is overseeing this class action. The case is known as *Rosa Calderon; and, Javier Calderon, Individually and on Behalf of All Others Similarly Situated v. The Wolf Firm, A Law Corporation.*, Case No. CV16-1266 JLS (KESx). The people who sued, the Calderons, are called the Plaintiffs. The company the Calderons sued, The Wolf Firm, is called the Defendant.

### 2. What is this lawsuit about?

The lawsuit claims that the Wolf Firm violated the Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code § 1788, et seq. (“RFDCPA”); and, the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (“FDCPA”), by sending certain demand letters to consumers in an attempt to collect an alleged consumer debt. The lawsuit asks for money to be paid to people as part of an award of statutory damages. In addition, the lawsuit also asks that the Wolf Firm change the written communication at issue herein.

This lawsuit does not seek recovery for any actual damages. The Wolf Firm denies all of the claims and allegations in the lawsuit. The Wolf Firm has denied any wrongdoing and is defending against the lawsuit.

### 3. What is a class action?

In a class action, one or more people, called Class Representatives (in this case, the Calderons or Individual Plaintiffs), sue on behalf of all people who have similar claims. Together these people are called a Class or Class Members. One court and one jury resolve the issues for all Class Members, except for those who exclude themselves from the Class.

### 4. Why is this lawsuit a class action?

The Court decided that this lawsuit could move forward as a class action settlement because it meets the numerosity, commonality, typicality, and adequacy requirements of the Federal Code of Civil Procedure. For example, the Court ruled that the class is so large or “numerous” that bringing all estimated 114 Class Members together is impracticable; there are questions of law and fact that are “common” to the Class; the claims of the Class Representatives and the defenses to those claims by the Wolf Firm are “typical” to the claims of the Class and the defenses to those claims by the Wolf Firm; and the lawyers for the Class will fairly and “adequately” protect the interests of all Class Members.

## THE CLAIMS IN THE LAWSUIT

### 5. What does the lawsuit complain about?

The lawsuit claims that the Wolf Firm violated the RFDCPA; and, FDCPA by sending certain demand letters to consumers in an attempt to collect an alleged consumer debt. More specifically, the Individual Plaintiffs allege that

the demand letters at issue violated these statutes by failing to include required notices and by utilizing confusing language.

The lawsuit asks for money to be paid to people as part of an award of statutory damages due to the allegedly unlawful debt demand letters sent by the Wolf Firm during the Class Period. The lawsuit also asks for a change to the Wolf Firm' written communication.

This lawsuit does not seek recovery for any actual damages. The Wolf Firm denies all of the claims and allegations in the lawsuit.

#### 6. How does The Wolf Firm answer?

The Wolf Firm denies all of the claims and allegations in the lawsuit. It believes that it acted responsibly and truthfully in design, development, and mailing of its demand letters.

#### 7. Has the Court decided who is right?

No decision about whether the Individual Plaintiffs or the Wolf Firm is right has been made. The lawyers for the Individual Plaintiffs will present their claims and the lawyers for the Wolf Firm reserve the right to argue their defense/s at a trial that has not yet been scheduled in the event that the settlement is not approved.

#### 8. What are the Calderons asking for on behalf of the Class?

The Individual Plaintiffs are asking that money be paid to Class Members as part of an award of statutory damages for alleged violation of the RFDCPA; and, FDCPA, which statute provides of up to \$1,000 for a violation, plus reasonable attorneys' fees and costs to be paid by the Wolf Firm should the Individual Plaintiffs win at trial. Following litigation, the Wolf Firm agreed to pay a total of \$68,000.00 inclusive of the Class Members' pro rata portion; the Individual Plaintiffs' incentive award; administrative costs, attorneys' fees; and, litigation costs. If you are a Class Member and you do not opt-out, you will receive \$15.66 for your alleged damages. This settlement provides Class Members less than what they might have received if they took an individual case to judgment.

In this class action, the Individual Plaintiffs are not seeking recovery for any actual damages. "Damages" are monetary compensation for loss or harm suffered by a person, or certain to be suffered in the future, as the result of the unlawful act or omission of another. "Actual" is defined as "existing in fact or reality," as contrasted with "potential" or "hypothetical," and as distinguished from "apparent" or "nominal." "Actual damages" are those which compensate someone for the harm from which he or she has been proven to currently suffer or from which the evidence shows he or she is certain to suffer in the future. Examples of actual damages may include emotional pain, suffering, and mental anguish.

#### 9. Is there any money available now?

No. There is no money available now because the jury has not decided whether or not The Wolf Firm did anything wrong. There is no guarantee that money will ever be awarded or obtained; however, if you remain in the class and it is, you will be notified about how to ask for your share.

## MEMBERS OF THE CLASS

#### 10. How do I know if I am part of the Class?

You are part of this lawsuit if: (1) you were sent a demand letter that was substantially in the form of the demand letter enclosed as **Exhibit (i)**; (2) between July 8, 2015 and **X**; (3) the demand letter was seeking to collect a consumer debt; and (4) the demand letter was not returned undeliverable by the United States Postal Service.

11. How do I know if I was sent one of the demand letters at issue by The Wolf Firm?

This Notice was sent to the last known address of each of the 114 persons to whom The Wolf Firm mailed a letter that was substantially in the form of the enclosed **Exhibit (i)**. The Wolf Firm has a record of all 114 persons to whom it mailed the demand letter at issue during the Class Period. If your name and address match the name and address to which this Notice was sent, you are entitled to submit a claim if and when the lawsuit is decided in favor of the Individual Plaintiffs at trial or after any settlement. If your address information is different from the address to which this Notice was sent, or if you did not receive this Notice in the mail, you may still be a Class Member if you were sent a demand letter substantially in the form of the enclosed **Exhibit (i)** during the Class Period. You may contact the settlement administrator to determine whether you are a Class Member, as explained in Section 12 below.

12. I'm still not sure if I am included.

If you are still not sure whether you are included, you either can write to **the Individual Plaintiffs' Class, c/o Phoenix Class Action Administration Solutions** or call **Phoenix at X** for more information.

## YOUR RIGHTS AND OPTIONS

13. What happens if I do nothing at all?

If you do nothing, you are a part of this settled and you will receive a portion of the settlement funds. This means that you will be legally bound by all orders and judgments of the Court, and you will not be able to sue or continue to sue the Wolf Firm in a different case over the same legal claims.

14. What happens if I exclude myself?

If you exclude yourself from the Class, you will not be legally bound by the Court's judgments and you will keep any rights you may have to sue the Wolf Firm for the same claims in a different lawsuit, now or in the future, including for recovery of any actual damages that you may have incurred. However, you will not be able to get any money or benefits from this lawsuit if any are awarded or obtained as a result of the trial or any settlement.

15. How do I ask to be excluded?

To exclude yourself, send a letter that says you want to be excluded from the settlement. Include your name, address, telephone number, and signature. You must mail your exclusion request letter so that it is postmarked by **Month 00, 0000**, to: Calderons Class, c/o **Claims Administrator**.

16. How do I tell the Court that I do not like the settlement?

If you are a Class Member and believe the Settlement is unfair or inadequate, you may object to the Settlement by submitting a written objection postmarked by **Month 00, 0000** to: Calderons Settlement, c/o **Phoenix**. Be sure to include the case name and number, *Calderon, et al. v. The Wolf Firm.*, Case No. CV16-1266 JLS (KESx). You must also include your name, address, telephone number, and an explanation of the basis for your objection. Additionally, you must list the case name and number for all cases in which you previously submitted an objection

to a class action settlement, either for yourself or on behalf of someone else.

You may also ask the Court for permission to speak at the fairness hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *Calderons, et al. v. The Wolf Firm.*, Case No. CV16-1266 JLS (KESx)" Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than [REDACTED], 2017, and be sent to the Court, Class Counsel and Defense Counsel at the addresses below.

## THE LAWYERS REPRESENTING YOU

### 17. Do I have a lawyer in this case?

Yes. The Court appointed Abbas Kazerounian and Matthew M. Loker of Kazerouni Law Group, APC; and, Joshua B. Swigart of Hyde & Swigart to represent you and other Class Members as Class Counsel. These lawyers have experience handling similar cases.

Kazerouni Law Group, APC  
245 Fischer Avenue, Suite D1  
Costa Mesa, CA 92626  
800-400-6808

Hyde & Swigart  
2221 Camino Del Rio S, Ste. 101  
San Diego, CA 92108  
619-233-7770

More information about this law firm and the lawyers working for them is available at [www.kazlg.com](http://www.kazlg.com) or [www.westcoastlitigation.com](http://www.westcoastlitigation.com)

### 18. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is representing you and all the other members of the Class. You can hire your own lawyer, who may ask to appear in Court for you in this case, if you want someone other than Class Counsel to speak for you, but you will have to pay that lawyer yourself.

### 19. How will the lawyers be paid?

If Class Counsel obtains money or benefits for the Class, they will ask the Court for attorneys' fees and expenses to be paid by the Wolf Firm. If the Court grants their request, the fees and expenses will either be deducted from any money obtained for the Class or paid separately by the Wolf Firm. You will not personally have to directly pay any of these fees and expenses.

## FAIRNESS HEARING

### 20. How and when will the Court decide the case?

A fairness hearing will be held to determine whether the Court should finally approve the Settlement and dismiss the lawsuit with prejudice. The fairness hearing will take place on [REDACTED] at 9:00 a.m. in Department 10A at the Ronald Reagan Federal Building, 411 West 4th Street, Santa Ana, CA 92701. The fairness hearing may be moved to a different date or time without additional notice, so it is a good idea to periodically check with Class Counsel by calling 800-400-6808.

21. Do I have to come to Court?

You do not have to come to Court unless you choose to do so. Class Counsel will present the case for Individual Plaintiffs, and the lawyers for The Wolf Firm will present their defense/s. If you wish, you and/or your own lawyer may appear in Court for this case at your own expense.

22. Will I get money after the trial?

You may have already received payment by mail with the Notice. If you do not Opt-Out and you are a Member of the Class, you may contact Class Counsel at the two addresses listed above in Section 17 and seek payment.

## GETTING MORE INFORMATION

23. Is more information about the lawsuit available?

More information about the lawsuit is available by writing to Calderons FDCPA Class, c/o **Phoenix**. You may obtain a copy of documents filed with the Court in furtherance of this Action by calling or writing to Class Counsel at any of the two addresses listed above in Section 17. In addition, you may also visit [www.kazlg.com](http://www.kazlg.com).

DATE: **Month 00, 0000**



## EXCLUSION (OPT OUT) REQUEST

***Rosa Calderon; and, Javier Calderon, Individually and on Behalf of All Others Similarly Situated v. The Wolf Firm, A Law Corporation***

To exclude yourself from the Settlement, you must complete this Exclusion Request or provide a letter stating that you want to be excluded from the Settlement of the *Calderon, et al. v. The Wolf Firm* case. You must physically sign your request for exclusion. Call Class Counsel at 800-400-6808 for additional information about submitting the request or visit Class Counsel's website at [www.kazlg.com](http://www.kazlg.com).

If you send a letter, be sure to include: (1) the name of this lawsuit, *Calderon, et al. v. The Wolf Firm*, Case No. CV16-1266 JLS (KESx); (2) your full name, current address, and telephone number; (3) the following statement: "I request to be excluded from the class settlement in *Calderon, et al. v. The Wolf Firm*, Case No. CV16-1266 JLS (KESx)"; and (4) your physical signature.

You must submit this Exclusion Request or a letter either by mail, so that it is postmarked no later than [REDACTED], 2017 to:

**Phoenix Class Action Administration Solution**  
1411 N. Batavia St., Suite 105  
Orange, CA 92863

FILL OUT AND RETURN THIS FORM **ONLY** IF YOU WISH TO EXCLUDE YOURSELF FROM THE SETTLEMENT

I am opting out of the Settlement in *Calderon, et al. v. The Wolf Firm*, Case No. CV16-1266 JLS (KESx). I understand that by opting out of the Settlement that I will not be bound by the Settlement and will not receive any award from the Settlement.

Name (Printed): \_\_\_\_\_

Signature \_\_\_\_\_

Address: \_\_\_\_\_

Current Contact Telephone: \_\_\_\_\_

Dated: \_\_\_\_\_