

NOTICE OF CLASS ACTION SETTLEMENT

Chernyavsky v. Inland Bank & Trust d/b/a Cambridge Bank, Case No. 08 C 4009

IF YOU USED A CAMBRIDGE BANK ATM BETWEEN JULY 15, 2007 AND MAY 17, 2008 (“CLASS PERIOD”), AND WERE CHARGED A FEE FOR THE USE OF THAT ATM, YOU MAY BE A CLASS MEMBER. THIS SETTLEMENT MAY AFFECT YOUR RIGHTS.

Cambridge Bank, which is now known as Inland Bank & Trust (hereafter, “Inland/Cambridge Bank”), operated ATMs in Morton Grove and Lake Zurich, IL. This Notice relates only to those ATMs and concerns a lawsuit about the charging of fees at the ATMs. Mr. Chernyavsky sued Inland/Cambridge Bank under a law called the Electronic Funds Transfer Act on the grounds that the ATMs did not have fee notices posted on the outside of the ATMs advising consumers that a fee may be charged for using the ATMs. Inland/Cambridge Bank denies Mr. Chernyavsky’s claims but has agreed to a settlement of the case.

The settlement includes everyone who was charged a fee for using the ATMs between July 15, 2007 and May 17, 2008. These people are called “Class Members,” and the time period that is covered is called the “Class Period.” Under the law, the maximum that a group of people may recover in a case like this one is the lesser of 1% of Inland/Cambridge Bank’s net worth or \$500,000, plus any actual damages that Class Members suffered. Inland/Cambridge Bank has stated that there were approximately 19,083 transactions for which ATM fees may have been charged during the Class Period. Inland/Cambridge Bank has agreed to establish a Settlement Fund of \$100,000 to settle the case. Class Members may make a claim on the Settlement Fund to receive a pro rata share, up to a maximum of \$1,000. The most an individual filing his own lawsuit could recover is \$1,000 plus any actual harm suffered, so the attorneys believe that a settlement allowing Class Members to make a claim for up to \$1,000 is fair and reasonable. The Settlement Fund will also be used to pay the costs of notifying Class Members of the settlement; the lawyers who filed the lawsuit their reasonable attorney fee, not to exceed \$30,000; and Mr. Chernyavsky \$2,000 for his services as class representative.

On July 31, 2009 at 9:00 a.m., Magistrate Judge Schenkier will hold a hearing to decide whether to finally approve this settlement. **YOU DO NOT NEED TO ATTEND.** If the settlement is approved, all Class Members will be bound by the resulting judgment and court orders, and eligible Class Members will be entitled to claim benefits under the settlement.

You have three choices:

1) If you want to receive your *pro rata* share of the Settlement Fund, up to a maximum of \$1,000, you must submit a completed Claim Form, postmarked by July 15, 2009 to First Class, Inc. at 5410 W. Roosevelt Rd., Unit 222, Chicago, IL 60644. Failure to submit a Claim Form will mean you receive no money but are still governed by a Release of your rights to sue Defendant for the ATM fee notice claims raised in this Lawsuit. Download a Claim Form at www.caclawyers.com or call Class Counsel at (312) 782-5808 to request a Claim Form.

2) If you do not want to participate in the Settlement you must write a letter stating, “EXCLUDE ME FROM THE *CHERNYAVSKY V. INLAND/CAMBRIDGE BANK SETTLEMENT.*” Include your name and address and mail the letter to First Class, Inc. at 5410 W. Roosevelt Rd., Unit 222, Chicago, IL 60644. Your letter must be postmarked by July 15, 2009 to be valid.

3) If you think the Settlement is unfair, you may object to it by writing a memo stating the specific reasons for your objection and filing it with the Court at 219 South Dearborn Street, Chicago, Illinois 60604 on or before July 15, 2009 and sending a copy to Class Counsel at 180 West Washington, Suite 700, Chicago, IL 60602 and to William J. McKenna, Foley & Lardner LLP, 321 N. Clark St., Suite 2800, Chicago, IL 60654.

For more information, visit www.caclawyers.com or contact Class Counsel Lance Raphael of The Consumer Advocacy Center, P.C., 180 W. Washington St., Ste. 700, Chicago, IL 60602; phone: (312) 782-5808.

**DO NOT CONTACT THE COURT FOR INFORMATION,
AS IT WILL NOT BE ABLE TO ASSIST YOU**