

NOTICE OF CLASS ACTION SETTLEMENT

Stone, et al. v. Corus Bank, N.A., Case No. 08 C 1746
(consolidated with Case Nos. 08 C 2254, 08 C 2797, and 08 C 3511)

IF YOU USED A CORUS BANK ATM BETWEEN MARCH 26, 2007 AND MARCH 27, 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.

**THIS IS A SUMMARY NOTICE -- FOR MORE INFORMATION, PLEASE VISIT
WWW.CACLAWYERS.COM**

Corus Bank has ATMs in Chicago, Calumet City, Wheeling, River Forest and Niles, IL. Plaintiffs sued Defendant Corus Bank ("Defendant") alleging that 19 of Defendant's 22 ATMs violated the Electronic Funds Transfer Act, 15 U.S.C. § 1693 *et seq.*, ("EFTA"), and its implementing regulation, 12 C.F.R. § 205.1 *et seq.*, because the ATMs did not have a posted fee notice on the outside of the machines. To avoid the continued expense of litigation, Defendant has agreed to settle this matter. Under the EFTA, a class may recover up to a maximum of 1% of a defendant's net worth or \$500,000.00, whichever is less, plus any actual damages, attorneys' fees and costs. Defendant has therefore agreed to establish a Settlement Fund of \$500,000.00. Class members may claim in to the Settlement Fund to receive up to \$1,000.00, the maximum statutory damages available to an individual under EFTA. Out of the Settlement Fund, Defendant will also pay class counsel its reasonable attorney fee for prosecuting this case, not to exceed \$125,000.00 (subject to court approval), and pay Plaintiffs for their services as class representatives in the amount of \$8,000.00 total, and pay the costs of notice and administration. Any Funds remaining after payment of costs of notice, payment to class representatives, class members and class counsel, up to \$75,000.00, will be distributed equally to the Legal Assistance Fund of Metropolitan Chicago, the Chicago Bar Foundation, and the Coordinated Advice and Referral Program for Legal Services ("CARPLS"). Funds remaining in the Settlement Fund after payment of the above amounts, if any, will be returned to Defendant.

On June 29, 2009 at 9:30 a.m., Judge Denlow 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 \$1,000.00, you must submit a completed Claim Form, postmarked by June 8, 2009 to the Settlement Administrator, First Class, Inc., 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 *STONE V. CORUS BANK* SETTLEMENT." Include your name and address and mail the letter to the Settlement Administrator, First Class, Inc., 5410 W. Roosevelt Rd., Unit 222, Chicago, IL 60644. Your letter must be postmarked by June 8, 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 June 8, 2009 and sending a copy to Class Counsel (see below) and to James R. Daly, Jones Day, 77 W. Wacker Dr., Ste. 3500, Chicago, IL 60601.

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.