

NOTICE OF CLASS ACTION LAWSUIT

This notice is given pursuant to Rule 23 of the Arkansas Rules of Civil Procedure and pursuant to an Order of the Circuit Court of Pulaski County, Arkansas. A lawsuit entitled *Samuel Baggett and Jana Lee, on behalf of themselves and all other similarly situated persons and entities v. Shelter Mutual Insurance Company* is now pending in the Circuit Court of Pulaski County, Arkansas, Case Number 60CV-18-1542.

Plaintiffs allege that Defendant, Shelter Mutual Insurance Company, violated applicable laws and breached its contracts with insureds from March 13, 2013 through December 22, 2022 by reducing Med Pay benefits because of payments or adjustments made by another insurance company or collateral source. Plaintiff further alleges that Shelter was unjustly enriched by Shelter's violation of Arkansas law.

Plaintiffs Samuel Baggett and Jana Lee have undertaken to represent similarly situated class members who were insured by Defendant Shelter at any time between March 13, 2013 through December 22, 2022. Plaintiffs seek to recover all monetary damages caused by the alleged breaches of these contracts, violation of Arkansas law and unjust enrichment of Defendant Shelter.

Shelter maintains that it has at all times appropriately adjusted and paid Med Pay claims in accordance with the Policies of insurance issued to its insureds consistent with the governing laws, decisions, and regulations of Arkansas.

The Court has not ruled on any of the above claims, but will permit all parties to offer proof on these issues. The Court will then decide the merits of all of these issues at the close of the case. Judicial Disclaimer: The Court does not encourage or discourage participation in this case.

On July 16, 2021, the Circuit Court of Pulaski County, Arkansas directed and certified that this cause proceed as a class action under the provisions of Rule 23 of the Arkansas Rules of Civil Procedure. The class which the Court certified is defined as

All Arkansas residents, including Plaintiffs and all similarly situated persons for the period from March 13, 2013 to December 22, 2022 (the "Class Period"), who have or had automobile insurance with medical payments coverage issued by Shelter and who requested a medical payment from Shelter as a result of a covered accident, and did not receive the full medical payment requested due to payments or adjustments made by another insurance plan or collateral source.

Excluded from the class are the agents, affiliates and employees of Shelter and the assigned judge and his/her staff, and members of the appellate courts and their staff.

Notice is hereby given pursuant to the provisions of Rule 23(c) of the Arkansas Rules of Civil Procedure that:

- (1) Samuel Baggett and Jana Lee have been appointed by the Court to function as representatives of the Plaintiff Class; and
- (2) Class Counsel have been appointed by the Court to represent the interests of the Class. Class Counsel include: Thomas P. Thrash and Will Crowder of Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, Arkansas 72201 - (501) 374-1058; Kenneth "Rusty" Mitchell of Taylor King Law, P.A., 820 W. 3'd Street, Little Rock, Arkansas 72201-(870) 246-0505; David Mitchell of David S. Mitchell, P.A., 1501 North University Avenue, Suite 219, Little Rock, Arkansas 72207 - (501) 663-3322.

You will not be charged for Class Counsel's services, nor for any costs or expenses incurred by Class Counsel or the Class Representatives. If there is a recovery of monetary value for the Class, Class Counsel may ask the Court for attorneys' fees and costs, which would be deducted from any money obtained, or paid separately by Shelter. You have the right to hire your own attorney. If you hire your own attorney, you will be responsible for paying that attorney's fees and expenses.

IF YOU WISH TO REMAIN A MEMBER OF THE CLASS, YOU NEED NOT DO ANYTHING AT THIS TIME. As a Class Member, you will be bound by all orders and judgments of the Court, whether favorable or not.

If you do not wish to participate in the Class, the Court will exclude you from the Class if you request exclusion in writing in a letter postmarked on or before Thursday, December 22, 2022. Requests for exclusion should be sent to Thomas P. Thrash, Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, AR 72201, and must be personally signed by the Class Member requesting exclusion.

If you do not request exclusion, you may, if you desire, enter an appearance with the Court in person or through counsel of your own choosing and participate in the litigation. If you do not request exclusion, and you do not enter an appearance with the Court, the above-named attorneys for the Plaintiff will represent your interest in the case.

Trial of this cause of action may be set by Court Order and notice given to anyone who has entered an appearance. The final judgment entered in this case will include and be binding upon all members of the Class who do not request exclusion.

Pursuant to Rule 23(b) of the Arkansas Rules of Civil Procedure, the Class Certification Order signed and filed of record on July 16, 2021, may be altered or amended before a final judgment by the Court on the merits.