

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

**JACKMAN V. GLOBAL CASH ACCESS HOLDINGS, INC.,
CASE NO.: 09-CV-897**

NOTICE OF CERTIFIED CLASS ACTION SETTLEMENT

- All consumers who were charged a transaction fee at any automated teller machine and cash dispensing device (collectively “ATM”) operated by Global Cash Access Holdings, Inc. and each of its affiliates (collectively “GCA”) between July 8, 2008, and the Preliminary Approval Date may be eligible to receive a Settlement Check of up to \$100.00.
- The settlement resolves a lawsuit over whether GCA violated certain requirements imposed by the Electronic Funds Transfer Act (“EFTA”). It avoids costs and risks to you from continuing the lawsuit; entitles consumers like you to Settlement Checks; and releases GCA from any liability.
- Court-appointed lawyers for the Class will ask the Court for: 1) attorneys’ fees and costs in the amount of 33.3% of the \$500,000.00 settlement fund to be created by GCA under the terms of the Settlement Agreement, and 2) the other costs and expenses identified below also to be paid out of the settlement fund created by GCA. Any amounts remaining in the fund after all claims and expenses have been paid will be donated to charity as is also described below.
- Your legal rights are affected whether you act, or do not act. Please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

SUBMIT A CLAIM FORM	The only way to get a Settlement Check.
EXCLUDE YOURSELF	Get no Settlement Check. This is the only option that allows you to ever be part of any other lawsuit against GCA about the legal claims in this case.
OBJECT	Write to the Court about why you do not like the settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the settlement.
DO NOTHING	Get no payment. Give up rights.

- These rights and options – and the deadlines to exercise them – are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the settlement. Payments will be made if the Court approves the settlement and after any appeals are resolved. Please be patient.

1. What is this lawsuit about?

Theresa Jackman (“Plaintiff”), on behalf of all members of the class, has asserted that GCA violated certain requirements imposed by the Electronic Funds Transfer Act (“EFTA”). Specifically, plaintiffs claim that certain ATMs and cash dispensing devices operated by GCA did not meet the EFTA’s ATM fee surcharge disclosure rules, and that GCA therefore was not permitted to charge terminal owner fees to non-customers at those ATMs during the Class Period, as specifically set forth in the Complaint on file and available at the Court at 700 Grant Street, Suite 3100, Pittsburgh, PA 15219. GCA denies any liability or wrongdoing.

2. Why is this a class action?

In a class action, one or more people called Class Representatives (in this case Theresa Jackman), sue on behalf of people who are similarly situated and have similar claims. All these people are Class Members. One court resolves the issues for all Class Members, except for those who exclude themselves from the Class. United States District Court Judge Terrence McVerry is in charge of this class action.

3. Why is there a settlement?

The Court did not decide in favor of Plaintiff or Defendant. The Plaintiff thinks she could have prevailed at a trial. The Defendant thinks the Plaintiff would not have prevailed at trial. But there was no trial. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and the people affected will get compensation. The Class Representative and the attorneys think the settlement is best for all Class Members.

4. How do I know if I am part of the settlement?

Judge McVerry decided that everyone who fits this description is a Class Member:

All persons who: 1) were charged a “terminal owner fee” at any ATM or cash dispensing device operated by Defendant when such persons made an electronic fund transfer and/or balance inquiry between July 8, 2008 through the Preliminary Approval Date where, 2) no notice indicating that such fee was to be charged was posted on the outside of the ATM machine or cash dispensing device.

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

If you are still not sure whether you are included, a list by location of the ATMs and cash dispensing devices at issue is available at www.noticeclass.com/jackmansettlement. You can also ask for free help. You can call 1-800-467-5241 or you can fill out and return the claim form to see if you qualify.

6. What does the settlement provide?

Class members who send in a valid claim form and one or more receipts issued between July 8, 2008, and the Preliminary Approval Date demonstrating that they were charged an ATM transaction fee by GCA, or the relevant portion of a bank statement illustrating that they were charged an ATM transaction fee by GCA will be entitled to receive a *pro rata* share of the \$500,000.00 settlement fund, with a maximum, total payment of \$100 per Participating Class Member.

The Settlement also imposes certain other requirements, which are set forth in detail in the Settlement Agreement.

The Settlement Agreement also provides that any unclaimed funds will be donated, on a *cy pres* basis, 50% to Girl's Hope of Pittsburgh, www.girlshope.org, and 50% to the Boys and Girls Clubs of Western Pennsylvania, www.bgcwpa.org.

7. How can I get a Settlement Check?

If you believe you are a member of the class and desire to participate in this settlement, you should completely fill out the "Qualifying Settlement Claim Certification Form" form that accompanies this Notice and return it to the following address: Jackman Claims Administrator, PO Box 11486, Birmingham, AL 35202-1486. The "Qualifying Settlement Claim Certification Form" must be postmarked by April 6, 2010.

If you have one or more receipts that show that you were charged an ATM transaction fee by GCA, or the relevant part of a bank statement that shows that you were charged an ATM transaction fee by GCA, be sure to include them with the claim form.

If you don't have a receipt or a bank statement, you can still receive a settlement payment if you check the box on the claim form attesting, under penalty of perjury, to the fact that you were charged an ATM transaction fee during the Class Period and providing the last four digits of the credit or debit card that was used in connection with the transaction in connection with which you were charged a fee. If you choose this option, the information that you provide will be used to verify your claim.

You can also submit a claim form online. **CLAIMS FOR WHICH RECEIPTS OR BANK STATEMENTS ARE ATTACHED MUST BE MAILED.** Failure to fully follow the procedures will result in a class member receiving no relief under the settlement, but nonetheless

being bound by any judgments, orders and releases in this case.

8. When would I get my Settlement Check?

The Court will hold a hearing on Friday, March 5, 2010 at 10:30 A.M., to decide whether to approve the settlement. If Judge McVerry approves the settlement, after that, there may be appeals. It's always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. Please be patient.

9. What am I giving up to get a Settlement check or stay in the Class?

Unless you exclude yourself, you are staying in the class, and that means that you can't sue, continue to sue, or be part of any other lawsuit against Global Cash Access Holdings, Inc. or the other entities released in the settlement agreement about the legal issues in *this case*. It also means that all of the Court's orders will apply to you and legally bind you.

10. Can I exclude myself from the Class?

If you do not wish to participate in this settlement, you must notify Class Counsel in writing of your intention to be excluded. Your election to opt-out must contain the following information and must be signed by the class member opting-out: (1) the name of class member, (2) the current address of class member, and (3) the date signed. You must mail your exclusion request postmarked no later than **February 1, 2010** to:

Global Cash Access Holdings, Inc. Exclusions
c/o Carlson Lynch Ltd.
P.O. Box 367
Sewickley, PA 15143

If you ask to be excluded, you will not get a Settlement Check, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue Global Cash Access Holdings, Inc. or the other entities released in the settlement agreement in the future regarding the legal issues in this case.

11. If I don't exclude myself, can I sue Global Cash Access Holdings, Inc. for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Global Cash Access Holdings, Inc. and the other entities released in the settlement agreement for the claims that this settlement resolves. If you have a pending lawsuit, involving the same claims that this settlement resolves, speak to your lawyer in that case immediately. You must exclude yourself from *this* Class to continue your own lawsuit. If you have a pending lawsuit on matters not addressed in this settlement, you may continue that lawsuit against GCA.

12. If I exclude myself, can I get a Settlement Check from this Settlement?

No. If you exclude yourself, do not send in a claim form to ask for a Settlement Check.

13. Do I have a lawyer in this case?

The law firm of Carlson Lynch LTD represents you and other Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will these lawyers be paid?

Class counsel will ask the Court to approve payment of attorneys' fees and expenses of \$166,500.00, plus the costs of notice and settlement administration, to be paid out of the Settlement Fund. The fees would pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. In addition, class counsel will ask for payment of \$1,500.00 to Theresa Jackman for her service as a Class Representative. GCA has agreed not to oppose the request for these fees and expenses. These fees and expenses will be paid from the Settlement Fund.

15. How can I object to the Settlement?

If you are a Class Member, you can object to the settlement if you don't 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 send a letter that you object to the class settlement in *Jackman v. Global Cash Access Holdings, Inc.*, No. 09-cv-897. Be sure to include your name, address, telephone number, your signature, and the reasons you object to the settlement. You must file the objection with the Clerk of the Court and serve notice of the objection to plaintiffs' class counsel and defense counsel at the following addresses postmarked no later than **February 1, 2010**:

R. Bruce Carlson, Esq.
Carlson Lynch Ltd.
231 Melville Lane
P.O. Box 367
Sewickley, PA 15143

Mark P. Ladner, Esq.
William L. Stern, Esq.
Ruti Smithline, Esq.
Morrison Foerster
1290 Avenue of the Americas
New York, NY 10104

Objectors who fail to properly or timely file their objections with the Court, or to serve them as provided above, shall not be heard during the Fairness Hearing, nor shall their objections be considered by the Court.

16. What's the difference between objecting and excluding?

Objecting is simply telling the Court that you don't like something about the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

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

The District Court will hold a hearing to decide whether to approve the settlement. The Fairness Hearing will be held on Friday, March 5, 2010 at 10:30 A.M. at the Court, 700 Grant Street, Pittsburgh, PA 15219. At this hearing, the Court will consider whether the settlement is fair, reasonable and adequate. If there are objections or requests to be heard, the Court may consider them at the hearing. The Court may also decide the amount of attorneys' fees and costs to be paid to plaintiffs' class counsel.

18. Do I have to come to the Hearing?

No. Class Counsel will answer questions Judge McVerry may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

19. May I speak at the hearing?

You may 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 *Jackman v. Global Cash Access Holdings, Inc.*, 09-cv-897. Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than **February 1, 2010**, and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the addresses in question 15. You cannot speak at the hearing if you excluded yourself.

20. What happens if I do nothing at all?

If you do nothing, you will not get a Settlement Check from this settlement. But, unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against GCA about the legal issues in this case, ever again.

21. How do I get more information?

The foregoing is only a summary of the circumstances surrounding the litigation, the claims asserted, the class, the settlement, and related matters. You may seek the advice and guidance of

your own private attorney, at your own expense, if you desire. For more detailed information, you may review the pleadings, records, and other papers on file in this litigation, which may be inspected during regular business hours at the Court, 700 Grant Street, Pittsburgh, PA, 15219. If you wish to communicate with class counsel identified above, you may do so by writing to R. Bruce Carlson, Carlson Lynch Ltd., 231 Melville Lane, P.O. Box 367, Sewickley, PA, 15143. Alternatively, you may call the offices of the firm at its toll free number (1-800-467-5241).