

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND (GREENBELT)**

**PIONTEK V. CU SERVICE NETWORK, LLC and SERVICE CENTERS  
CORPORATION**

**CASE NO.: 10-CV-01202-PJM**

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

All persons who used an ATM card not issued by Service Centers Corporation and were charged a transaction fee at the following ATMs operated by Service Centers Corporation between September 28, 2009 thru June 8, 2010, may be eligible to receive a Settlement Check:

Capitol Heights, Maryland  
9001 Central Avenue  
Capitol Heights, Maryland 20743-3805  
ATM ID -- CK0A37  
ATM ID -- CK0A38

Marlow Heights, Maryland  
4003 Branch Avenue  
Marlow Heights, Maryland 20748-1643  
ATM ID -- CK0A27  
ATM ID -- CK0A35

Canton, Michigan  
5810 N. Sheldon Road  
Canton, Michigan 48187-3153  
ATM ID -- CK0A20

Detroit-Eastside, Michigan  
14481 Gratiot Avenue  
Detroit, Michigan 48205-2306  
ATM ID -- CK0A26  
ATM ID -- CK0A28

Detroit-Northwest, Michigan

18463 Livernois

Detroit, Michigan 48221-2254

ATM ID -- CK0A18

ATM ID -- CK0A34

Garden City, Michigan

30094 Ford Road

Garden City, Michigan 48135-2320

ATM ID -- CK0A05

ATM ID -- CK0A17

Kalamazoo, Michigan

6286 South Westnedge Ave.

Kalamazoo, Michigan 49002-2810

ATM ID -- CK0A04

Livonia, Michigan

33036 W. 7 Mile Road

Livonia, Michigan 48152-1358

ATM ID -- CK0A03

ATM ID -- CK0A23

Madison Heights, Michigan

1419 W. 14 Mile Road

Madison Heights, Michigan 48071-1055

ATM ID -- CK0A22

Riverview, Michigan

19224 W. Fort Street

Riverview, Michigan 48192-6702

ATM ID -- CK0A25

ATM ID -- CK0A33

St. Clair Shores, Michigan

31065 Harper Avenue

St. Clair Shores, Michigan 48082-1567

ATM ID -- CK0A14

Southfield, Michigan

23647 Greenfield Road  
Southfield, Michigan 48075-3132  
ATM ID -- CK0A31  
ATM ID -- CK0A32

Southfield Administrative Office

21840 West Nine Mile Road  
Southfield, Michigan 48075-3231  
ATM ID -- CK0A40

Taylor, Michigan

21584 Ecorse Road  
Taylor, Michigan 48180-1854  
ATM ID -- CK0A29  
ATM ID -- CK0A30

Waterford, Michigan

5150 Highland Road  
Waterford, Michigan 48327-1912  
ATM ID -- CK0A09

Springfield, Virginia

6314 Springfield Plaza  
Springfield, Virginia 22150-3431  
ATM ID -- CK0A24

- The proposed settlement resolves a lawsuit alleging that Service Centers Corporation (the “Defendant”) violated certain requirements imposed by the Electronic Funds Transfer Act (“EFTA”). It avoids costs and risks to you from continuing the lawsuit; entitles certain persons to Settlement Checks; and releases the Defendant from any liability.
- Court-appointed lawyers for the Class will ask the Court for attorneys’ fees and costs in the amount of \$40,000, to be paid separately by the Defendant, Service Centers Corporation.
- 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 Service Centers Corporation 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?**

Vicki Piontek (“Plaintiff”), on behalf of all members of the class, has asserted that Service Centers Corporation (“SCC”) violated certain requirements imposed by the Electronic Funds Transfer Act (“EFTA”). Specifically, plaintiffs claim that certain the ATMs operated by SCC did not meet the EFTA’s ATM fee surcharge disclosure rules by failing to post accurate external signage disclosing the fee, and that SCC therefore was not permitted to charge ATM transaction fees to non-customers at ATMs during the Class Period, as specifically set forth in the Complaint on file and available at the Court at 6500 Cherrywood Lane, Greenbelt, Maryland, 20770. SCC disclosed the fee on the computer screen, but Plaintiff claims that SCC was required to post external notices on the ATMs that accurately reflected the amount of the fee that was to be charged. SCC 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 Vicki Piontek), 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.

**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?**

The Court decided that everyone who fits this description may be a Class Member:

All persons who were charged an “ATM Owner Fee” at the following ATMs operated by Service Centers Corporation between September 28, 2009 through June 8, 2010:

Capitol Heights, Maryland  
9001 Central Avenue  
Capitol Heights, Maryland 20743-3805  
ATM ID -- CK0A37  
ATM ID -- CK0A38

Marlow Heights, Maryland  
4003 Branch Avenue  
Marlow Heights, Maryland 20748-1643  
ATM ID -- CK0A27  
ATM ID -- CK0A35

Canton, Michigan  
5810 N. Sheldon Road  
Canton, Michigan 48187-3153  
ATM ID -- CK0A20

Detroit-Eastside, Michigan

14481 Gratiot Avenue  
Detroit, Michigan 48205-2306  
ATM ID -- CK0A26  
ATM ID -- CK0A28

Detroit-Northwest, Michigan

18463 Livernois  
Detroit, Michigan 48221-2254  
ATM ID -- CK0A18  
ATM ID -- CK0A34

Garden City, Michigan

30094 Ford Road  
Garden City, Michigan 48135-2320  
ATM ID -- CK0A05  
ATM ID -- CK0A17

Kalamazoo, Michigan

6286 South Westnedge Ave.  
Kalamazoo, Michigan 49002-2810  
ATM ID -- CK0A04

Livonia, Michigan

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Livonia, Michigan 48152-1358  
ATM ID -- CK0A03  
ATM ID -- CK0A23

Madison Heights, Michigan

1419 W. 14 Mile Road  
Madison Heights, Michigan 48071-1055  
ATM ID -- CK0A22

Riverview, Michigan

19224 W. Fort Street  
Riverview, Michigan 48192-6702  
ATM ID -- CK0A25  
ATM ID -- CK0A33

St. Clair Shores, Michigan  
31065 Harper Avenue  
St. Clair Shores, Michigan 48082-1567  
ATM ID -- CK0A14

Southfield, Michigan  
23647 Greenfield Road  
Southfield, Michigan 48075-3132  
ATM ID -- CK0A31  
ATM ID -- CK0A32

Southfield Administrative Office  
21840 West Nine Mile Road  
Southfield, Michigan 48075-3231  
ATM ID -- CK0A40

Taylor, Michigan  
21584 Ecorse Road  
Taylor, Michigan 48180-1854  
ATM ID -- CK0A29  
ATM ID -- CK0A30

Waterford, Michigan  
5150 Highland Road  
Waterford, Michigan 48327-1912  
ATM ID -- CK0A09

Springfield, Virginia  
6314 Springfield Plaza  
Springfield, Virginia 22150-3431  
ATM ID -- CK0A24

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

If you are still not sure whether you are included, you can 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?**

There were 83,422 transactions from September 28, 2009 thru June 8, 2010, where individuals in the Class were charged a “ATM Owner Fee” of \$1.75 per transaction when the notice posted on or at the machine stated that the ATM Owner Fee to be charged would be \$1.50. This resulted in overcharges totaling \$20,855.50. Class Members who send in a valid claim form demonstrating that they were charged an ATM transaction fee by Service Centers Corporation, will be entitled to receive a *pro rata* share of the settlement fund (\$61,000.00 less cost of publishing the Summary Notice), with a maximum payment of \$100.00 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, to The Children’s Miracle Network for use in Maryland, Virginia and Michigan.

#### **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 “Proof of Claim” form that accompanies this Notice and return it to the following address: Carlson Lynch, Ltd, 231 Melville Lane, P.O. Box 367, Sewickley, PA 15143. The “Proof of Claim” must be postmarked by September 24, 2011.

If you have one or more receipts that show that you were charged an ATM transaction fee at the ATMs listed above, or the relevant part of a bank statement that shows that you were charged an ATM transaction between September 28, 2009 through June 8, 2010, 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 at ATM transaction fee during the Class Period and providing the date of the transaction and the last four digits of the ATM 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 August 30, 2011 at 2:00 P.M. at Courtroom 4C, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770, to decide whether to approve the settlement. If Judge Messitte 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 Service Centers Corporation or the other persons and 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 potential class member opting-out: (1) the name of the individual, (2) the current address of the individual, and (3) the date signed. You must mail your exclusion request postmarked no later than July 11, 2011 to:

Service Centers Corporation 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 the Defendant 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 Service Centers Corporation for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue the Defendant 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 Service Center Corporation.

**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 Offices of E. David Hoskins, LLC and the law firm of Carlson Lynch Ltd. represent 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 \$40,000.00. The fees would pay Class Counsel for investigating the facts, litigating the case, negotiating the settlement and administering the settlement. In addition, class counsel will ask for payment of \$1,000.00 to Vicki Piontek for her service as a Class Representative. Service Centers Corporation will separately pay the fees, expenses, and payments that the Court awards up to those maximum amounts. Service Centers Corporation has agreed not to oppose the request for these fees and expenses.

**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 *Piontek v. CU Service Network, LLC and Service Centers Corporation*, No. 10-cv-01202-PJM. 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 July 11, 2011:

E. David Hoskins, Esquire  
The Law Offices of E. David Hoskins, LLC  
2 Hamill Road, Suite 362  
Baltimore, Maryland 21210

Rhonda J. Sudina  
Robb, Leondard, Mulvihill LLP  
BNU Mellon Center

500 Grant Street, 23rd Floor  
Pittsburgh, Pennsylvania 15219

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 telling the Court that you do not agree with the settlement, in whole or in part. 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 August 30, 2011 at 2:00 P.M. at Courtroom 4C, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770. 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 the Court 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" *Piontek v. CU Service Network, LLC and Service Centers Corporation*, No. 10-cv-01202-PJM. Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than July 11, 2011, and be sent to the Clerk of the Court and Class 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 the Defendant 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, the Settlement Agreement and other papers on file in this litigation, which may be inspected during regular business hours at the Court, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770. If you wish to communicate with class counsel identified above, you may do so by writing to E. David Hoskins, 2 Hamill Road, Suite 362, Baltimore, Maryland 21210. Alternatively, you may call the offices of the firm at (410) 662-6500.