

Belanger v. Allstate  
Settlement Administrator  
P.O. Box 2317  
Portland, OR 97208-2317

*Yvonne Belanger, et al. v. Allstate Fire  
and Cas. Ins. Co., et al.*

**United States District Court  
for the District of New Mexico**

Case No. 1:19-CV-00317-WJ-SCY

**You may be eligible for a payment from a class action  
settlement if you purchased coverage or were in an  
automobile accident and denied underinsured  
motorist coverage from Allstate in New Mexico**

**You Must File a Claim to Receive Payments Under**

**Options 1 or 2.** To get a Claim Form, visit

[www.NewMexicoAllstateClassAction.com](http://www.NewMexicoAllstateClassAction.com) or call  
888-294-7563. **The claim deadline is February 5, 2024.**

*Si desea recibir esta notificación en español,  
llámenos o visite nuestra página web.*

A settlement has been reached in a class action lawsuit brought against **Allstate Fire and Casualty Insurance Company, Allstate Indemnity Company, Allstate Insurance Company, Allstate Property and Casualty Insurance Company, Encompass Home and Auto Insurance Company, Encompass Insurance Company of America, Encompass Indemnity Company, Encompass Property and Casualty Insurance Company, Esurance Property and Casualty Insurance Company, National General Assurance Company, National General Insurance Company, and Continental Insurance Company as successor by merger to Glen Falls** (collectively with the “Released Parties,” or “Allstate”) relating to allegations that Allstate violated New Mexico law by misrepresenting underinsured motorist coverage (“UIM”) and applying an offset due to the insurance coverage limits of third parties responsible for injuries or property damage (the “Lawsuit”). Allstate denies all claims in the Lawsuit and alleges that it did nothing wrong.

**Who is Included?** Allstate’s records show that you are a “Settlement Class Member” because you purchased coverage or made a claim for UIM coverage from Allstate in New Mexico.

**Settlement Benefits.** The settlement provides a variety of benefits to Settlement Class Members.

- **Option 1** – Bodily Injury and/or Property Damage Claim – If you believe you made or could have made a UIM claim to Allstate between January 1, 2004 and your first policy renewal after July 11, 2022 for an automobile accident and/or property damage that was subject to an offset in coverage due to the insurance coverage limits of a third party responsible for your injuries and/or property damage, then you can submit a settlement claim to have your claim readjusted or to make a new claim if you did not submit one previously. If you did not submit a claim previously, you will be required to submit evidence to support your claim, including medical records, medical bills, police reports, or other evidence to substantiate your claim. If you submitted a claim previously, you may be required to supplement your previous claim with additional evidence. Any claim under this option not involving wrongful death where the accident occurred between January 1, 2004 – December 31, 2009 will receive 55% of the total amount determined. Wrongful death claimants will receive 100% of the total amount regardless of date. All Option 1 claimants, including Wrongful Death Claimants whose claims arose between January 1, 2004 and December 31, 2013, must submit a claim. Allstate will process claims made under Option 1 through its ordinary claims process.
- **Option 2** – Return of Premiums – If you are or were an Allstate policyholder at any time between January 1, 2004 and your first policy renewal after July 11, 2022, you may make a claim for a partial refund premium paid for UM/UIM coverage. No additional evidence is required to be submitted. Your refund will be either 12% of all premium paid for minimum limits, unstacked UIM coverage or 18% of all premium paid for all other UIM coverage between January 1, 2004 and your first policy renewal after July 11, 2022. The amount of your benefit will be based on the amount of UM/UIM premium paid to Allstate during the class period. Benefits under Option 2 are subject to a \$2,200,000 aggregate cap for all valid claims. If the aggregate value of Valid Claims for Option 2 made is less than \$2,200,000, Settlement Class Members who submit Valid Claims under this Option 2, the “Residue” (the difference between \$2,200,000 and the aggregate Option 2 Valid Claims value) shall be distributed to the Class Members who submitted Valid Option 2 Claims, and receiving a pro rata share of the Residue based on their respective payment amounts so that a total payment of \$2,200,000 will be paid under Option 2.
- Allstate will readjust certain wrongful death claims for Settlement Class Members who suffered a fatality reported to Allstate between January 1, 2014 and first policy renewal after July 11, 2022, without the need to file a claim (the “Automatic Payments”). This benefit covers offsets taken due to the insurance coverage limits of a third party responsible for your injuries and/or property damage resulting in uncompensated damages.
- To file a claim please visit [www.NewMexicoAllstateClassAction.com](http://www.NewMexicoAllstateClassAction.com) and go to the Make a Claim page. Enter your ClaimantID and PIN, from above, to access your pre-populated claim form.

**Other Options.** You can also exclude yourself or object to the Settlement by **December 6, 2023**. If you do nothing, you will remain in the class, you will not be eligible for benefits, and you will be bound by the decisions of the Court and give up your rights to sue Allstate for the claims resolved by this Settlement. A more detailed notice is available to explain how to exclude yourself or object. Please visit [www.NewMexicoAllstateClassAction.com](http://www.NewMexicoAllstateClassAction.com) or call **888-294-7563** for a copy of the more detailed notice. On **February 15, 2024**, the Court will hold a Fairness Hearing, by ZOOM video conference, to determine whether to approve the Settlement, Class Counsel’s request for attorneys’ fees, costs, and expenses not to exceed \$2,225,000 and an incentive award of \$10,000 for the Representative Plaintiff. The motion for attorneys’ fees will be posted on the website after it is filed. You or your own lawyer, if you have one, may ask to appear and speak at the Hearing at your own cost, but you do not have to. Persons, other than the parties, wishing to appear and be heard by Zoom must contact the Court 14 days prior to the hearing to receive the Zoom information. Otherwise, the hearing will be broadcasted live on the Court’s website. The Court asks that all participants log in to the Zoom conference five minutes prior to the starting time in case there are any technical issues that need to be addressed prior to the hearing. This is only a summary. For more information, call or visit the website.