

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

Notice of Class Action Settlement

*The United States District Court for the District of New Mexico has authorized this Notice.
This is not a solicitation from a lawyer.*

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
Continental Insurance Company as successor by merger to Glen Falls

(collectively with the Released Parties defined in the Settlement Agreement, “Allstate”) relating to allegations that Allstate violated New Mexico law by misrepresenting underinsured motorist (“UIM”) coverage and applying an offset due to the insurance coverage limits of third parties responsible for injuries or property damage (the “Lawsuit” or the “Litigation”).

PLEASE CAREFULLY READ THIS COURT-AUTHORIZED NOTICE.
ALL OF ITS TERMS MAY AFFECT YOUR RIGHTS.

- This Settlement establishes a process for certain individuals involved in automobile accidents that may have been caused, in whole or in part, by an underinsured driver to submit claims and **potentially receive a money payment**. This is true even if you:
 - (1) are no longer insured with Allstate;
 - (2) were not the named insured, but instead a passenger in, or an authorized driver of, a vehicle covered by Allstate;
 - (3) previously made a claim; or
 - (4) have never made a claim.

Alternatively, there is a process for certain Allstate policyholders to receive a partial refund of premiums that were collected for UM/UIM coverage.

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

- For every Settlement Class Member who submits a claim, the Settlement entitles eligible Settlement Class Members to payment of previously uncompensated underinsured motorists bodily injury and/or property damage benefits or a return of a portion of the premiums that were collected for UM/UIM coverage.
- Allstate denies all allegations of wrongdoing and liability.
- This Notice explains: 1) the terms of the Settlement; 2) who is a member of the Class; 3) how to request exclusion from the Settlement; 4) how to object to the Settlement; and 5) how to get more information about the Settlement.

The Plaintiff asserted claims for: (1) negligence, (2) violations of New Mexico’s Unfair Trade Practices Act, (3) violations of the New Mexico Unfair Insurance Practices Act, (4) policy reformation, (5) breach of the implied duty of good faith and fair dealing, (6) unjust enrichment, (7) negligent misrepresentation, (8) declaratory judgment, and (9) injunctive relief. Allstate denies all of the claims and says it did not do anything wrong. The lawsuit is titled *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. 19-CV-00317-WJ-SCY.

You are a “Settlement Class Member” if you were mailed or emailed a Notice of Settlement by the Settlement Administrator. The Settlement provides the following settlement benefits to Settlement Class Members:

- 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.
- **Settlement Class Members not eligible for the above benefit must file a claim to receive payment under one of two options:**

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 of premiums paid for UM/UIM coverage. **No additional evidence is required to be submitted.** Your refund will be either 12% of all

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

premiums paid for minimum limits, unstacked UIM coverage or 18% of all premiums 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 premiums 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.

UIM Claim Re-Adjustment. Allstate will process all Automatic Payments and Option 1 settlement claims received through its claims department. All Automatic Payments and Option 1 settlement claims shall be adjusted expeditiously, as they would be in the ordinary course of business. You must submit all reasonable, required supplemental documentation concerning your UIM claim in order to obtain any additional UIM benefit payment.

This Notice may affect your rights. Please read it carefully.

	Your Legal Rights and Options	Deadline
SUBMIT A CLAIM FORM	<p>The only way to get Settlement benefits under Options 1 and 2 is to submit a claim form to the Settlement Administrator.</p> <p>If you do submit a claim form under Option 1, you may be contacted by Allstate concerning your claim. Allstate may request additional documentation concerning your UIM claim.</p> <p>You must submit all reasonable, required supplemental documentation concerning your UIM claim in order to obtain any additional UIM benefit payment.</p> <p>If you do submit a claim form under Option 2, no further documentation will be required.</p>	May 1, 2024
EXCLUDE YOURSELF	<p>Get no Settlement benefits.</p> <p>Keep your right to file your own lawsuit against Allstate about the legal claims in this case.</p>	March 2, 2024
OBJECT	<p>Tell the Court why you do not like the Settlement. You will still be bound by the Settlement if the Court approves it.</p> <p>You may still file a Claim Form.</p>	March 2, 2024
DO NOTHING	<p>Get no Settlement benefits. Be bound by the Settlement.</p>	

- These rights and options—and the deadlines to exercise them—are explained in this Notice.

The Court in charge of this case must still decide whether to approve the Settlement and the requested attorneys' fees and expenses. No Settlement benefits or payments will be provided unless the Court approves the Settlement and it becomes final.

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Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

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BASIC INFORMATION

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

1. Why is this Notice being provided?

A United States District Court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the Lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

Federal Judge William P. Johnson of the United States District Court for the District of New Mexico is overseeing this class action. The case is known as *Yvonne Belanger v. Allstate Fire and Cas. Ins. Co., et al.*, United States District Court for the District of New Mexico, Case No. 19-CV-00317-WJ-SCY. The person who filed this Lawsuit is called the “Plaintiff” or “Class Representative” and the companies they sued, 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, are called “Allstate” or the “Defendants.”

2. What is this lawsuit about?

Plaintiffs allege that Allstate violated New Mexico law by misrepresenting underinsured motorist (“UIM”) coverage in their written materials and applying an offset due to the insurance coverage limits of third parties responsible for injuries or property damage (the “Lawsuit”). The Plaintiffs asserted a variety of claims: (1) negligence, (2) violations of New Mexico’s Unfair Trade Practices Act, (3) violations of New Mexico’s Unfair Insurance Practices Act, (4) policy reformation, (5) breach of the implied duty of good faith and fair dealing, (6) unjust enrichment, (7) negligent misrepresentation, (8) declaratory judgment, and (9) injunctive relief.

Allstate denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing, or that any law has been violated. Allstate denies these and all other claims made in the Litigation. By entering into the Settlement, Allstate is not admitting any wrongdoing.

3. Why is the lawsuit a class action?

In a class action, one or more people called Class Representatives sue on behalf of all people who have similar claims. Together all these people are called a Settlement Class or Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those Settlement Class Members who timely exclude themselves from the Settlement Class.

The proposed Class Representative in this case is the Plaintiff: Yvonne Belanger.

4. Why is there a Settlement?

Plaintiff and Allstate do not agree about the claims made in this Litigation. The Litigation has not gone to trial, and the Court has not decided in favor of Plaintiff or Allstate. Instead, Plaintiff and Allstate have agreed to settle the Litigation. Plaintiff and the attorneys for the Settlement Class (“Class Counsel”) believe the Settlement is best for all Settlement Class Members because of the Settlement benefits and the risks and uncertainty associated with continued litigation and the nature of the defenses raised by Allstate.

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am part of the Settlement?

You are a Settlement Class Member if you received a Notice of Settlement. If the Settlement Administrator mailed or emailed you a notification, you are a Settlement Class Member.

6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: 1) any claimant who has separately filed suit against Allstate up to the Notice Date, the subject of which suit includes the reduction or denial of benefits on the basis of the offset described in Question 2 above (unless such claimant elects to submit a claim under this settlement and dismisses their separately filed suit against Allstate); 2) any individual who has settled a claim for benefits reduced or denied on the basis of the offset described in Question 2 above, whose claim was adjusted or readjusted without applying the offset described in Question 2 above, and signed a final release prior to the Notice Date; 3) any claimant for whom, at claimant's request, Allstate has already re-adjusted a claim for benefits reduced or denied on the basis of the offset described in Question 2 above prior to the Notice Date; 4) the Judge(s) presiding over this Action; and 5) Allstate and any employee of Allstate.

7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at NewMexicoAllstateClassAction.com, call the toll-free number at 1-888-294-7563, or call Settlement Class Counsel at 505-407-2088.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

The Settlement provides the following Settlement benefits to Settlement Class Members:

- Allstate will readjust certain wrongful death claims for Settlement Class Members who suffered a fatality reported to Allstate between January 1, 2014 and July 11, 2022, without the need to file a claim (the "Automatic Payments").
- **Settlement Class Members not eligible for the above benefit must file a claim to receive payment under one or two options:**

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**

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

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 of premiums paid for UM/UIM coverage. **No additional evidence is required to be submitted.** Your refund will be either 12% of all premiums paid for minimum limits, unstacked UIM coverage or 18% of all premiums 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 premiums 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.

UIM Claim Re-Adjustment and Appeal Process. Allstate will process all Automatic Payments and Option 1 Settlement Claims received through its claims department. All Automatic Payments and Option 1 Settlement Claims shall be adjusted expeditiously, as they would be in the ordinary course of business. You must submit all reasonable, required supplemental documentation concerning your UIM claim in order to obtain any additional UIM benefit payment.

If you have made a claim under Option 1, Allstate shall send you a Notice of Determination, which shall set forth (i) the amounts (if any) of the Settlement Class Payment to be paid; (ii) where not otherwise obvious, a brief explanation of the calculation and basis for the determination of those amounts; and (iii) if any claims or dollar amounts are rejected, a brief explanation of the reasons for the rejection.

If you disagree with Allstate’s Notice of Determination, you may appeal to a court-appointed neutral Referee by mailing a demand for a Neutral Evaluation on Appeal to the Settlement Administrator at:

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

The Neutral Evaluation on Appeal form is available at NewMexicoAllstateClassAction.com. Your demand must be postmarked within 30 days from the date on which the Notice of Determination was postmarked or email.

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

9. What am I giving up to receive Settlement benefits or stay in the Settlement Class?

Unless you exclude yourself, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all of the Court’s orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against Allstate and Released Parties about the legal issues in this Litigation that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

10. What are the Released Claims?

The Settlement Agreement, in Section VII and Paragraph 52, describes the Release, Released Claims and the Released Parties in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at NewMexicoAllstateClassAction.com or in the public court records on file in this Lawsuit. For questions regarding Releases and what they mean, you can also contact one of the lawyers listed in Question 14 for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

11. How do I make a claim for Settlement benefits?

Settlement Class Members entitled to Automatic Payments do not need to make a claim to have their claim readjusted.

To receive benefits under Options 1 or 2, you must complete and submit a valid Claim Form to the Settlement Administrator, postmarked or submitted online on or before **May 1, 2024**. Claim Forms may be submitted online at NewMexicoAllstateClassAction.com or printed from the website and mailed to the Settlement Administrator at the address on the form. The quickest way to submit a claim is online. Claim Forms are also available by calling 1-888-294-7563 or by writing to:

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

12. What happens if my contact information changes after I submit a claim?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by calling 1-888-294-7563 or by writing to:

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

13. When will I receive my Settlement benefits?

If you make a Valid Claim, payment will be provided by the Settlement Administrator or Allstate after the Settlement is approved by the Court and becomes final, including the end of any dates to appeal the final approval of the Settlement. The date of payment will vary depending on which benefit you may receive, whether you are required to submit additional documentation to Allstate, and

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

whether you appeal a determination under Option 1. Automatic Payments and payments under Option 2 will be paid within 30 days after the Settlement becomes final. Payment dates under Option 1 vary, but many Valid Claims should be paid within 180 days of the date the Settlement becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check NewMexicoAllstateClassAction.com for updates.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

Yes, the Court has appointed Kedar Bhasker of Bhasker Law (2741 Indian School Rd. NE, Albuquerque, NM 87106), Corbin Hildebrandt of Corbin Hildebrandt P.C. (2741 Indian School Rd. NE, Albuquerque, NM 87106), and Geoffrey Romero of Law Offices of Geoffrey R. Romero (4801 All Saints Rd. NW Ste. A, Albuquerque, NM 87120) as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this Litigation.

15. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award them attorneys' fees not to exceed \$2,225,000 to be paid by Allstate. They will also ask the Court to approve a \$10,000 service award to the named Plaintiff for participating in this Litigation and for her effort in achieving the Settlement. Plaintiff also shall have her own UIM claims readjusted by Allstate as part of the Settlement. If awarded by the Court, Allstate will pay fees, costs, expenses, and incentive awards directly. The Court may award less than these amounts.

Class Counsel's application for attorneys' fees, expenses, and service awards will be made available on the Settlement Website at NewMexicoAllstateClassAction.com before the deadline for you to comment or object to the Settlement.

OPTING-OUT FROM THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue Allstate or the Released Parties on your own based on the claims raised in this Litigation or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from – or “opting out” of – the Settlement.

16. How do I get out of the Settlement?

To opt out of the Settlement, you must mail written notice of a request for exclusion. You can also opt out on the website NewMexicoAllstateClassAction.com; clicking on the FAQ tab, and going to FAQ 16. The written notice must state that you want to be excluded from the Settlement in *Yvonne Belanger v. Allstate Fire and Cas. Ins. Co., et al.* United States District Court for the District of New Mexico, Case No. 19-CV-00317-WJ-SCY. The written notice must be signed and clearly state that you wish to be excluded from the Settlement Class.

The exclusion request must be **postmarked** and sent to Allstate's counsel and Class Counsel at the following addresses by **March 2, 2024**:

CLASS COUNSEL	ALLSTATE'S COUNSEL
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Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

Kedar Bhasker BHASKER LAW 2741 Indian School Rd. NE Albuquerque, NM 87106	Peter Valeta COZEN O'CONNOR 123 North Wacker Drive Suite 1800 Chicago, IL 60606
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You cannot exclude yourself by telephone or by email.

17. If I opt out can I still get anything from the Settlement?

No. If you exclude yourself, you are telling the Court you do not want to be part of the Settlement. You can only get Settlement benefits if you stay in the Settlement and, submit a valid Claim Form if requesting benefits under Options 1 or 2.

18. If I do not exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendants and Released Parties for the claims this Settlement resolves relating to the Litigation. You must exclude yourself from this Litigation to start or continue with your own lawsuit or be part of any other lawsuit against the Defendants or any of the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO THE SETTLEMENT

19. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement or requested attorneys' fees and expenses. You can also give reasons why you think the Court should not approve the Settlement or attorneys' fees and expenses. To object, you must file timely written notice as provided below no later than **March 2, 2024**, stating you object to the Settlement in *Yvonne Belanger v. Allstate Fire and Cas. Ins. Co., et al.* United States District Court for the District of New Mexico, Case No. 19-CV-00317-WJ-SCY.

To be valid, an objection must state: (a) the objector's full name, address, telephone number, and e-mail address (if any); (b) information identifying the objector as a Settlement Class Member; (c) a written statement of all grounds for the objection, accompanied by any legal support the objector cares to submit; (d) the identity of all lawyers (if any) representing the objector; (e) the identity of all of the objector's lawyers (if any) who will appear at the Final Fairness Hearing; (f) a list of all persons who will be called to testify at the Final Fairness Hearing in support of the objection; (g) a statement confirming whether the objector intends to personally appear and/or testify at the Final Fairness Hearing; and (h) the objector's signature or the signature of the objector's duly authorized lawyer or other duly authorized representative (along with documentation setting forth such representation).

In addition to the foregoing, objections should also provide the following information: (a) a list, by case name, court, and docket number, of all other cases in which the objector (directly or through a lawyer) has filed an objection to any proposed class action settlement within the last three (3) years; (b) a list, by case name, court, and docket number, of all other cases in which the objector's lawyer (on behalf of any person or entity) has filed an objection to any proposed class action settlement within the last three (3) years; and (c) a list, by case number, court, and docket number, of all other cases in which the objector has been a named plaintiff in any class action or served as a lead plaintiff or class representative.

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.

To be timely, written notice of an objection in the appropriate form containing the case name and docket number (*Yvonne Belanger v. Allstate Fire and Cas. Ins. Co., et al.* United States District Court for the District of New Mexico, Case No. 19-CV-00317-WJ-SCY) must be filed with the Clerk of the Court (address below) and mailed to the following:

COURT	CLASS COUNSEL	ALLSTATE’S COUNSEL
US District Court District of New Mexico Pete V. Domenici U.S. Courthouse 333 Lomas Blvd NW, Suite 270 Albuquerque, NM 87102	Kedar Bhasker LAW OFFICE OF KEDAR BHASKER, LLC 2741 Indian School Rd. NE Albuquerque, NM 87106 Corbin Hildebrandt CORBIN HILDEBRANDT, P.C. 2741 Indian School Rd. NE Albuquerque, NM 87106 Geoffrey Romero LAW OFFICES OF GEOFFREY ROMERO 4801 All Saints Rd. Albuquerque, NM 87120	Peter Valeta COZEN O’CONNOR 123 North Wacker Drive Suite 1800 Chicago, IL 60606

Any Settlement Class member who fails to comply with the requirements for objecting in Section IX of the Settlement Agreement shall waive and forfeit any and all rights he or she may have to appear separately and/or to object to the Settlement Agreement and shall be bound by all the terms of the Settlement Agreement and by all proceedings, orders and judgments in the Litigation.

20. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court you do not like something about the Settlement or requested attorneys’ fees and expenses. You can object only if you stay in the Settlement Class (that is, do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you exclude yourself, you cannot object to the Settlement.

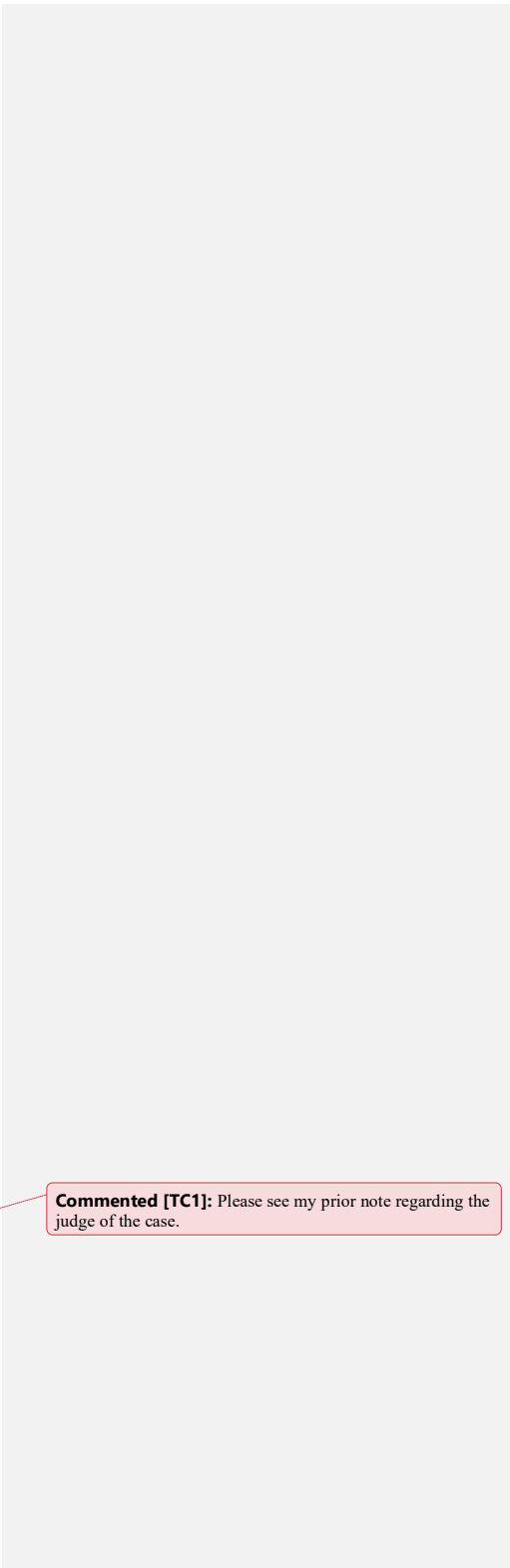
THE FINAL FAIRNESS HEARING

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

The Court will hold a Final Fairness Hearing on **March 26, 2024 at 9:30 a.m.** before Judge Steven C. Yarbrough, by ZOOM video Conference. Any 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.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve: the Settlement, Class Counsel’s application for attorneys’ fees, costs and expenses, and the incentive award to Plaintiff. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.



Commented [TC1]: Please see my prior note regarding the judge of the case.

Note: The date and time of the Final Fairness Hearing are subject to change. Any change will be posted at NewMexicoAllstateClassAction.com.

22. Do I have to attend the Final Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to speak about it. As long as you file or mail your written objection on time the Court will consider it.

23. May I speak at the Final Fairness Hearing?

Yes, as long as you do not exclude yourself, you can (but do not have to) participate and speak for yourself in this Litigation and Settlement. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you in this Litigation, you must follow all of the procedures for objecting to the Settlement listed in Question 19 above – and specifically include a statement whether you and your counsel will appear at the Final Fairness Hearing.

IF YOU DO NOTHING

24. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement benefits unless you are entitled to Automatic Payments. You will give up rights explained in the “Excluding Yourself from the Settlement” section of this Notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants or any of the Released Parties about the legal issues in this Litigation that are released by the Settlement Agreement relating to the Litigation.

GETTING MORE INFORMATION

25. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at NewMexicoAllstateClassAction.com, by calling 1-888-294-7563 or by writing to:

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

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT’S CLERK OFFICE
REGARDING THIS NOTICE.**

Questions? Go to NewMexicoAllstateClassAction.com or call 1-888-294-7563.