

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

MEGHAN GIBBONS, on behalf of herself and all
others similarly situated

Plaintiff,

v.

WELTMAN, WEINBERG & REIS CO., LPA,

Defendant.

CIVIL ACTION

Docket No: 2:17-cv-01851-JHS

YOU ARE A MEMBER OF A CLASS ACTION

**DO NOT THROW THIS AWAY. THIS IS NOT JUNKMAIL OR AN AD,
YOU COULD LOSE RIGHTS OR BENEFITS**

Because you are a member of the below Class, you have a legal claim and that's why we are writing to you. There are some other things you need to know which we have outlined below. If at any time after reading this notice you still have questions or want to discuss what this notice means, you can get more information by calling one of the lawyers' offices free of charge. Please just take a few minutes to review this notice as it may affect your rights to receive benefits, and it will explain what you need to know.

Records indicate that you are a member of the following Class certified by the Court:

1. All persons with addresses within the jurisdiction of the United States Court of Appeals for the Third Circuit who, beginning one year prior to the filing of the Complaint through and including the final resolution of this case, were sent an initial letter from Defendant attempting to collect a consumer debt which was printed on law firm letterhead.

There has been no money or benefit recovered to date, and there is no guarantee that there will be money or a benefit available in the future. However, the Court did grant a motion certifying the above Class, and *you have a choice to make now*.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue Defendant individually and to seek damages for the same legal claims that are in this lawsuit. Similarly, if you do nothing and Defendant wins at trial, you will lose your claims covered by this lawsuit.
ASK TO BE EXCLUDED	Remove yourself from this class action. Get no benefits or money. Keep certain rights. If you ask to be excluded and money or benefits are awarded later, you will not share in such recovery. But, you keep any rights you may have to sue Defendant separately about the same legal claims that are in this lawsuit.

- Your options are explained in this notice. To ask to be excluded, you must act before November 26, 2019.
- The Plaintiff and her lawyers must prove the claims against Defendant at trial. If money or benefits are obtained from Defendant, you will be notified about how to obtain your share.
- Any questions? Call 1-877-735-8600.

BASIC INFORMATION

1. Why did I get this letter/notice?

This notice was sent to you because a collection law firm called Weltman, Weinberg & Reis Co., LPA sent you a letter in an attempt to collect a debt that was similar to the letter that it sent to the Plaintiff Meghan Gibbons.

This letter explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide Defendant’s liability and the amount of statutory damages to be assessed against Defendant, on your behalf. Judge Joel Slomsky of the United States District Court for the Eastern District of Pennsylvania is overseeing this class action. The lawsuit is known as *Gibbons v. Weltman, Weinberg & Reis Co., LPA*, Civil Action No. 17-1851 (E.D. Pa.).

2. What is this lawsuit about?

The claim is that Defendant’s form collection letter is unlawful. Specifically, the claim is that the letter violated a federal law called the Fair Debt Collection Practices Act because it was misleading and deceptive by falsely implying that an attorney was meaningfully involved in the debt collection process prior to the sending of the collection letter on law firm letterhead.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called the “Class Representative,” in this case Meghan Gibbons, sued on behalf of other people who have similar claims. In essence, the Class Representative is the leader or “face” of the Class. All of the people together are called a “Class” or “Class Members.” Ms. Gibbons is also called the Plaintiff and the Class Representative and she is pursuing the above claims on behalf of the Class. The debt collector she sued, Weltman, Weinberg & Reis Co., LPA, is called the Defendant. One court resolves the issues for everyone in the Class, except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are thousands of persons to whom Defendant sent the form letter during the applicable period;
- There are legal questions and facts that are common to each of them;
- The claims of Plaintiff Meghan Gibbons are typical of the claims of the rest of the Class;
- Ms. Gibbons and the attorneys representing the Class will fairly and adequately represent the interests of the Class;
- The common legal questions and facts are more important than questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to be a class action is in the Court’s Order certifying the Class.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, Plaintiff claims that Defendant violated the FDCPA as described in section 2 above.

6. How did Defendant answer?

Defendant denied that it violated any laws. Defendant’s Answer to the Complaint is also at the website www.claimsinformation.com/gibbons.aspx.

7. What is the Plaintiff asking for?

The Plaintiff will ask the Court to award money, known as statutory damages, in the maximum amount of 1% of Defendant's net worth. The Plaintiff will also ask the Court to order Defendant to return all monies unlawfully collected.

8. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether or how much Defendant should pay the Class in damages. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for a share.

WHO IS IN THE CLASS

You need to decide whether you are affected by this lawsuit.

9. Am I in the Class? Who is?

Judge Slomsky decided that the category of consumers described on the first page of this notice are in the Class. Don't worry if you do not remember receiving such a letter. The Defendant's own records demonstrate that you were sent the letter. Thus, it is almost certain that you are a member of the Class.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class (do nothing right now) or ask to be excluded before the trial. You have until November 26, 2019, to exclude yourself.

10. What happens if I do nothing at all?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. **By doing nothing you stay in the Class.** If you stay in the Class and the Plaintiff obtains money or benefits, either as a result of the trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing now, regardless of whether the Plaintiff wins or loses the trial, you will not be able to sue, or continue to sue, Defendant about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

11. Why would I ask to be excluded?

If you already have a lawsuit against the Defendant for similar claims and want to continue with it, you need to ask to be excluded from the Class. If you exclude yourself from the Class – which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class – you will not get any money or benefits from this lawsuit even if the Plaintiff wins damages at trial or there is a settlement (that may or may not be reached) between Defendant and the Plaintiff. However, you may then be able to sue or continue to sue Defendant on your own. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against Defendant after you exclude yourself, you'll have to seek damages in court, and you may have to hire and pay your own lawyer for that lawsuit. If you do exclude yourself so you can start your own lawsuit against Defendant, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations or other time-sensitive requirements.

12. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must send an “Opt-Out Request” in the form of a letter sent by U.S. Mail, facsimile or e-mail stating that you want to be excluded from *Gibbons v. Weltman, Weinberg & Reis Co., LPA*. Be sure to include your name, address, and telephone number, and sign the letter. You must mail your Opt-Out Request postmarked or time-stamped by November 26, 2019, to: *Gibbons v. Weltman, Weinberg & Reis Co., LPA* Opt-Outs, c/o Francis & Mailman, P.C. 1600 Market Street, Suite 2510, Philadelphia, PA 19103, or fax the letter to 215-940-8000 or e-mail your request to info@consumerlawfirm.com.

THE ATTORNEYS REPRESENTING YOU

13. Do I have an attorney in this case?

The Court has certified the law firm of Francis & Mailman, P.C. as Class Counsel. The law firm and the attorneys are called “Class Counsel” and the contact information is as follows:

FRANCIS & MAILMAN, P.C.

James A. Francis, Esq.
David A. Searles, Esq.
Joseph L. Gentilcore, Esq.
1600 Market Street, Suite 2510
Philadelphia, PA 19103
(215) 735-8600
www.consumerlawfirm.com

14. Should I get my own attorney?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you may retain one. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

15. How will the attorneys be paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. You won't have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would either be deducted from any money obtained for the Class or paid separately by Defendant.

THE TRIAL

The Court will schedule a trial to decide if Defendant violated the law, and if so, how much the Defendant should pay the Class as a result of violating the FDCPA.

16. When is the trial?

As long as the case isn't resolved by a settlement or otherwise, Plaintiff and Class Counsel will have to seek a verdict in Plaintiff's favor and money damages at a trial, which has not yet been scheduled.

17. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff and the Class, and Defendant will present its defenses. You or your own lawyer is welcome to attend at your own expense.

18. Will I get money after the trial?

If at some point the Plaintiff obtains money or benefits as a result of the trial or a settlement, and you did not exclude yourself from the Class, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

19. Are more details available?

You may speak to one of the attorneys working on this class action by calling: 1-877-735-8600 or e-mailing at the following address: info@consumerlawfirm.com

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