

You have received this Letter because you had an auto insurance policy in Washington issued by STATE FARM FIRE & CASUALTY COMPANY and received payment to cover damage to your vehicle under that policy.

You may be able to get a payment from this class action Settlement.

The Pierce County Superior Court for the State of Washington authorized this Notice. This is not a solicitation from a lawyer.

- Subject to Court Approval, the Settlement Fund will provide up to \$2,091,200.00 (less legal fees and costs and a service award to the Class Representative) to pay claims to those who properly submit Claim Forms by **November 12, 2024**.
- The Settlement affects the rights of all Washington insureds of STATE FARM FIRE AND CASUALTY COMPANY (“SFF&CC”) who received payment under their underinsured motorist property damage coverage (“UMPD”) for property damage to their insured automobiles for losses between March 23, 2012, and February 13, 2024, and who meet certain other requirements (set forth below).

Your legal rights and options in this Settlement:	
Submit a Claim Form (Postmarked or Submitted Online by November 12, 2024)	This is the only way to get a payment. The Claim Form is enclosed with this Notice. You must submit a Claim Form to receive a payment in connection with this Settlement. You will be bound by the terms of the settlement, including the release of claims.
Comment (including Objections) (Received by August 28, 2024)	Write to the Court about what you think about the Settlement.
Go to the hearing (September 27, 2024)	If you would like, you may ask to speak in Court about the fairness of the Settlement. You do not need to do this to receive a payment under the Settlement.
Do nothing	You will get no payment if you do not submit a Claim Form and you will still be bound by the terms of the Settlement.
Ask to be excluded (Postmarked by August 28, 2024)	Get out of this Settlement. Get no benefits from it. Keep your rights.

TABLE OF CONTENTS

1.	Why did I receive this Notice?.....	3
2.	What is this lawsuit about?	3
3.	What is a class action and who is involved?.....	3
4.	Why is there a settlement?	3
5.	Who is in the Settlement Class?.....	4
6.	What am I entitled to receive if I timely submit a claim form?	4
7.	How can I get a payment?.....	4
8.	When will I get my payment?.....	4
9.	How do I get out of or exclude myself from the Settlement?.....	4
10.	Do I have a lawyer in this case?.....	5
11.	How will Class Counsel get paid?	5
12.	How do I tell the Court if I don't agree with all or part of the Settlement?	5
13.	When and where will the Court decide whether to approve the Settlement?	6
14.	Do I have to come to the hearing?	6
15.	May I speak at the Final Approval Hearing?	6
16.	What if I do nothing?	6
17.	How do I get more information?.....	6

1. Why did I receive this Notice?

You have received this letter (called a “Notice”), and the enclosed blue Claim Form, because the records of SFF&CC show that you were an insured who received payment under your UMPD coverage for property damage to your insured automobile for an accident occurring between March 23, 2012 and February 13, 2024, and who meets certain other requirements (set forth in Section 5, below)

The class action suit has been pending since March 23, 2018. It has now been resolved for up to \$2,091,200.00. If the Settlement is approved, you may be eligible for benefits that will be provided as part of the proposed Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. If you wish to receive money from or comment upon (including stating any objection to the Settlement) you must do so following the procedures described below. If you do nothing, you will not receive any money but will bound by the Settlement terms and any final judgment.

The Court in charge of the case is the Pierce County Superior Court, state of Washington, and the case is known as *Sanith v. State Farm Fire & Casualty Co.*, Case No. 18-2-06616-1. The person who brought this suit is called the Plaintiff.

The following is only a summary of the Settlement. You can read Settlement Agreement by visiting www.SanithSettlement.com.

2. What is this lawsuit about?

In the lawsuit, Plaintiff claims that when certain automobiles sustain damage to their structural systems and bodies, they cannot be fully repaired to their pre-accident condition, causing the vehicles to suffer a loss in value called “diminished value.” Plaintiff alleges that SFF&CC failed to pay or pay adequately for this type of loss under its Washington insurance policies’ UMPD coverage, and that such an alleged failure to pay is a breach of SFF&CC’s automobile insurance contracts. SFF&CC denies that it did anything wrong and contends that it paid the full and appropriate amounts for diminished value, where applicable, as part of its regular claim adjusting process.

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

In a class action, one person, the Class Representative, sues on behalf of people who have similar claims. All of these people are part of a “Class.” One court resolves the issues for all Class Members, except for those who have previously excluded themselves from the Class. Pierce County Superior Court Judge Bryan Chushcoff is presiding over this class action.

4. Why is there a settlement?

After this matter was filed, and proceeded in Court for five years, both sides agreed to a Settlement, which, if approved, brings the litigation to an end. That way, Plaintiff and SFF&CC avoid the further cost, delay, and uncertainty of moving forward in litigation to trial and possible appeals, and the Class Members may get payments. The Class Representative and his attorneys think the Settlement is best for the Class Members.

You may be eligible to receive money from this Settlement if you are a Class Member and you submit a valid claim form.

5. Who is in the Settlement Class?

You are a member of the Class if you are a SFF&CC insured, and your insured vehicle's repairs were covered under the UMPD provision of a policy issued in Washington; and

1. the repair estimate on the vehicle (including any supplements) totaled at least \$1,000; and
2. the vehicle was no more than six years old (model year plus five years) and had less than 90,000 miles on it at the time of the accident; and
3. the vehicle suffered structural (frame) damage and/or deformed sheet metal and/or required body or paint work.

You are not a member of the Class if (a) your claim involved a leased vehicle, or your vehicle was declared a total loss, or (b) the accident did not occur between March 23, 2012 and February 13, 2024.

6. What am I entitled to receive if I timely submit a claim form?

Each Class Member who submits a valid claim form and qualifies for a payment will receive a payment that will depend on his or her vehicle repair costs. Here's how it works: each Class Member is entitled to request a payment. For Class Members who qualify for a payment, that payment will be calculated as the portion of the Settlement Fund paid to Class Members (i.e., \$2,091,200.00 minus attorneys' fees and costs and the service award to the Class Representative) multiplied by the result of dividing the Class Member's repair cost by the aggregate value of all Class Members' repair costs. The average payment for qualified Class Members will likely be in the range of \$550 per Class Member, depending on how much, if any, payment for diminished value the Class Member has already received. You can only receive your share of the Settlement if you submit a valid Claim Form by **November 12, 2024**.

7. How can I get a payment?

To qualify for payment, you must be an eligible Class Member (see Section 5, above) and submit a valid Claim Form. The Claim Form, which is blue in two pages, is enclosed with this Notice. Read the instructions carefully and, if you wish to make a claim, fill out the Claim Form, sign it, and submit it online, or by mail postmarked by **November 12, 2024**. If you had two (or more) qualifying accidents, you will receive a Claim Form for each, and will, if you wish to assert a claim for each, need to submit a Claim Form for each qualifying accident.

8. When will I get my payment?

The Court will hold a hearing on September 27, 2024, to decide whether to approve the Settlement. If the Court approves the Settlement, and there are no appeals, we estimate that checks will be mailed around second half of 2025. You will get your payment after all appeals have been concluded and the Settlement is approved with no further appeals possible.

We will provide regular updates on the status of the Settlement at www.SanithSettlement.com. Please be patient.

9. How do I get out of or exclude myself from the Settlement?

If you exclude yourself from the Class by "opting out," you won't get any money or benefits from this Settlement. However, you will retain any right you currently have to make your own claim against SFF&CC.

To ask to be excluded, you must send a signed letter, stating that you want to be excluded from the *Sanith v. State Farm Fire and Casualty Company* class action settlement. Be sure to include your name and address and sign the

letter. You must mail your Exclusion Request postmarked by **August 28, 2024**, to: Sanith v. State Farm Fire and Casualty Company, c/o JND Legal Administration, PO Box 91238, Seattle, WA 98111.

10. Do I have a lawyer in this case?

Yes. The Court has decided that the attorneys bringing this suit are qualified to represent you and all Class Members. Together these lawyers are called “Class Counsel.” They are experienced in handling similar cases against other insurers. Class Counsel appointed by the Court are Stephen M. Hansen and Scott P. Nealey. They can be reached to answer any questions you may have at 253-302-5955 or 415-231-5311 respectively. You will not be charged for contacting these lawyers.

Your lawyers’ fees and costs will be determined by the Court and subtracted from the Settlement. Other than that, you will not be charged for these lawyers’ work in securing the Settlement benefits for you and the other Class Members. You owe nothing if you participate in the Settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will Class Counsel get paid?

Class Counsel will ask the Court for an award of their attorneys’ fees up to 30% of the Settlement Fund, together with reimbursement of their costs according to the terms of the Settlement Agreement. Since even before filing this lawsuit, Class Counsel have worked on this case, but have not received any money for that work. The attorneys’ fees and costs, as awarded by the Court, shall be paid from the Settlement Fund. In addition, Class Counsel will apply to the Court for a service award of \$10,000.00 for the Class Representative Mr. Sanith, also to be paid from the Settlement Fund. This service award is being requested in recognition of the time, effort, and risk incurred by the Class Representative in securing this Settlement for you and the other Class Members.

12. How do I tell the Court if I don’t agree with all or part of the Settlement?

If you’re a Class Member, and you do not exclude yourself, you can – but need not - comment on or object to the Settlement. You can give reasons why you think the Court should or should not approve it. The Court will consider your views. To be effective, a notice of intent to object to the Settlement must: (1) Contain a heading that includes the name of the case and case number; (2) Provide the name, address, telephone number and signature of the Class Member filing the objection; (3) Be filed with the Clerk of the Court not later than **August 28, 2024**; (4) Be served on Class Counsel and counsel for SFF&CC at the addresses below by first-class mail, postmarked no later than **August 28, 2024**; (5) Contain the name, address, bar number and telephone number of the objecting Class Member’s counsel, if represented by an attorney. If you are represented by an attorney, you must comply with all applicable laws and rules for filing pleadings and documents in the Court; and State whether you intend to appear at the Final Settlement Hearing, either in person or through counsel. In addition to the foregoing, a notice of intent to object must contain the following information, if you or your attorney request permission to speak at the Final Settlement Hearing: (1) A detailed statement of the specific legal and factual basis for each and every objection; and (2) A detailed description of any and all evidence you may offer at the Final Settlement Hearing, including photocopies of any and all exhibits which you may introduce at the Final Settlement Hearing.

Class Counsel:	Counsel for State Farm Fire and Casualty Company:
Stephen M. Hansen Law Office of Stephen M. Hansen 3800 Bridgeport Way West, Ste. A, PMB 5 University Place, WA 98466	Tom Curvin Eversheds Sutherland (US) LLP 999 Peachtree Street NE, Suite 2300 Atlanta, GA 30309-3996

Any comments or objections which do not comply with the above or are not timely served on both counsels will not be considered by the Court.

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

The Court will hold a Final Settlement Hearing at 9:00 a.m. on September 27, 2024, at the Pierce County Superior Court, 930 Tacoma Ave. S., Tacoma, WA 98402. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Bryan Chushcoff will, if the requisite notice of intent to appear and speak is filed, listen to anyone at the hearing who asks to speak, and if objections were timely served, he will consider them. The Court will also decide how much to pay Class Counsel and the Class Representative. The Final Settlement Hearing may be postponed without further notice to the Class.

14. Do I have to come to the hearing?

No. Counsel will answer questions the Judge may have. But you are welcome to come at your own expense. If you send a comment (including an objection), you don't have to come to Court to talk about it. If you mail it on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

15. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Settlement Hearing. To do so, you must send a letter to both lawyers listed in Section 12, above, saying that it is your "Notice of Intention to Appear at the Final Settlement Hearing in *Sanith v. State Farm Fire and Casualty Company*". You must include your name, address, telephone number, and signature. Your Notice of Intention to Appear must be postmarked by **August 28, 2024**. You cannot speak at the hearing if you previously opted out of the Class, because the case no longer affects you.

16. What if I do nothing?

If you do nothing, you will get no money from this Settlement, and you will be bound by the terms of the Settlement, including the release of claims. **To receive a payment, you must submit a valid Claim Form.**

GETTING MORE INFORMATION

17. How do I get more information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can view and print a copy of the Settlement Agreement and other information about the lawsuit by visiting www.SanithSettlement.com, where you will find answers to common questions about the Settlement, and other information to help you determine whether you are a Class Member and whether you are eligible for a payment. The website will also have instructions for filling out and submitting your Claim Form online.

Please do not call the Court, the Court clerk's office, or State Farm Fire & Casualty Company or its lawyers to inquire about this Settlement. They will be unable to help you.

By order of the Pierce County Superior Court, Pierce County Washington, in Tacoma.

Dated: May 10, 2024

Bryan Chushcoff
Superior Court Judge