

# **If you have or had a mortgage with Nationstar and submitted a loss mitigation application, a class action settlement may affect your rights.**

*A court authorized this notice. This is not a solicitation.*

- A Settlement has been reached in a class action lawsuit alleging Nationstar Mortgage LLC (“Nationstar” or “Defendant”) violated the Real Estate Settlement Procedures Act (“RESPA”) by failing to adhere to its requirements with respect to its customers’ loss mitigation applications and that Nationstar violated Maryland law by not timely responding to its customers’ mortgage servicing complaints. Nationstar denies all allegations of wrongdoing and no judgment or determination of wrongdoing has been made.
- The Court decided that the Class includes a Nationwide Class of all persons in the United States that submitted a loss mitigation application to Nationstar between January 10, 2014 and September 9, 2019; and a Maryland Subclass of all persons in the State of Maryland that submitted a loss mitigation application to Nationstar between January 10, 2014 and September 9, 2019.
- The Settlement offers payments to Settlement Class Members who file valid Claims.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	If you are a member of the Settlement Class, you must submit a completed Claim Form to receive a payment. If the Court approves the Settlement and it becomes final and effective, and you remain in the Settlement Class, you will receive a payment.
<b>EXCLUDE YOURSELF</b>	You will receive no benefits from the Settlement, but will retain any rights you currently have to sue Nationstar about the same claims in this case.
<b>OBJECT</b>	Write to the Court if you do not like the Settlement.
<b>GO TO A HEARING</b>	Ask to speak in court about the fairness of the Settlement.
<b>DO NOTHING</b>	You will not receive a payment if you fail to timely submit a completed Claim Form, and you will give up your right to bring your own lawsuit against Defendants about the Claims in this case.

- 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. If the Court does, and after any appeals are resolved, benefits will be distributed to those who submit qualifying Claim Forms. Please be patient.

## WHAT THIS NOTICE CONTAINS

<b>BASIC INFORMATION.....</b>	<b>PAGE 3</b>
1. Why was this notice issued?	
2. What is a class action?	
3. What is this lawsuit about and what does the Plaintiff claim?	
4. What are the reasons for the Settlement?	
<b>WHO IS PART OF THE SETTLEMENT .....</b>	<b>PAGE 4</b>
5. Who is included in the Settlement?	
6. What is a “loss mitigation application?”	
7. I’m still not sure if I am included in the Settlement.	
<b>THE SETTLEMENT BENEFITS.....</b>	<b>PAGE 4</b>
8. What does the Settlement provide?	
9. How do I file a Claim?	
10. When will I receive my payment?	
<b>EXCLUDING YOURSELF FROM THE SETTLEMENT .....</b>	<b>PAGE 5</b>
11. How do I get out of the Settlement?	
12. If I do not exclude myself, can I sue Defendants for the same thing later?	
13. What am I giving up to stay in the Settlement Class?	
14. If I exclude myself, can I still get a payment?	
<b>THE LAWYERS REPRESENTING THE CLASS.....</b>	<b>PAGE 5</b>
15. Do I have a lawyer in this case?	
16. How will the lawyers be paid?	
17. May I get my own lawyer?	
<b>OBJECTING TO THE SETTLEMENT.....</b>	<b>PAGE 6</b>
18. How do I tell the Court I do not like the Settlement?	
19. What is the difference between objecting and asking to be excluded?	
<b>THE FINAL APPROVAL HEARING .....</b>	<b>PAGE 7</b>
20. When and where will the Court decide whether to approve the Settlement?	
21. Do I have to attend the hearing?	
22. May I speak at the hearing?	
<b>IF YOU DO NOTHING.....</b>	<b>PAGE 8</b>
23. What happens if I do nothing at all?	
<b>GETTING MORE INFORMATION.....</b>	<b>PAGE 8</b>
24. Are more details available?	

## BASIC INFORMATION

### 1. Why was this notice issued?

A Court authorized this notice because you have a right to know about the proposed Settlement of this class action lawsuit and about your options before the Court decides whether to give final approval to the Settlement.

Judge Theodore D. Chuang and Magistrate Judge Timothy J. Sullivan of the United States District Court for the District of Maryland (the “Court”) are currently overseeing this case. The case is known as *Robinson v. Nationstar Mortgage LLC*, Case No. 8:14-cv-03667-TDC. The person who sued is called the Plaintiff. The company he is suing is Nationstar Mortgage LLC which is called the Defendant.

### 2. What is a class action?

In a class action, one or more people called “Class Representatives” (in this case, Demetrius Robinson) sue on behalf of people who have similar claims. All these people are a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

The Court decided that claims in this lawsuit can proceed as a class action. More information about why the Court is allowing this claim to proceed as a class action is in the Court’s Order granting in part and denying in part class certification, which you may view at [www.RESPAClassAction.com](http://www.RESPAClassAction.com).

### 3. What is this lawsuit about and what does the Plaintiff claim?

The Plaintiff claims that, as a servicer of federally-related mortgage loans, Nationstar is subject to RESPA (the “Real Estate Settlement Procedures Act”) regulations covering mortgage servicers. Plaintiff claims that Nationstar has engaged in a pattern and practice of violating these regulations. Specifically, the claims in the lawsuit that are being pursued on behalf of the Class are:

- Nationstar does not notify borrowers within 5 days after receiving a loss mitigation application, that it has received the loss mitigation application and that it has determined that the application is either complete or incomplete, as required by law.
- Nationstar does not provide borrowers with a notice in writing stating its determination of which loss mitigation options, if any, it will offer to the borrower on behalf of the owner or assignee of the mortgage loan within 30 days of receiving the borrower’s loss mitigation application, as required by law.
- Nationstar does not exercise reasonable diligence in obtaining documents and information to complete a loss mitigation application.
- For Maryland borrowers, Nationstar does not respond to mortgage servicing complaints within 15 days as required under Maryland law.

### 4. What are the reasons for the Settlement?

The Court has not decided in favor of the Plaintiff or Defendant. The parties to this litigation have agreed to the Settlement. By agreeing to the Settlement, the parties avoid the costs, delay, and uncertainty of further litigation, and Settlement Class Members receive the benefits described in this Notice. Nationstar denies the allegations and maintains it did nothing wrong or illegal.

## WHO IS PART OF THE SETTLEMENT

### 5. Who is included in the Settlement?

The Court has decided that everyone who fits the following description is a Class Member:

**Nationwide Class:** All persons in the United States that submitted a loss mitigation application to Nationstar between January 10, 2014 and September 9, 2019.

**Maryland Subclass:** All persons in the State of Maryland that submitted a loss mitigation application to Nationstar between January 10, 2014 and September 9, 2019.

### 6. What is a “loss mitigation application?”

Loss mitigation application means, “any oral or written request for a loss mitigation option that is accompanied by any information required by a servicer for evaluation for a loss mitigation option.”

### 7. I’m still not sure if I am included in the Settlement.

If you are still not sure whether you are included in the Settlement, you can visit the website [www.RESPAClassAction.com](http://www.RESPAClassAction.com), call toll-free 1-855-917-3477, or write to Robinson v Nationstar Class Action Administrator, P.O. Box 2530, Portland, OR 97208-2530, for more information.

## THE SETTLEMENT BENEFITS

### 8. What does the Settlement provide?

Nationstar has agreed to establish a Settlement Fund of \$3,000,000. The Settlement Fund will be used to pay all Notice and Administrative Costs, any Service Award as authorized by the Court, and any award of Attorneys’ Fees and Expenses as authorized by the Court. The remaining Net Settlement Fund shall be distributed as payments to Settlement Class Members who submit valid Claims. Each Settlement Class Member who files a valid claim will receive a proportionate share of the Settlement Fund remaining after these deductions are made. The amount of this payment will depend on how many Settlement Class Members file valid claims and how each Settlement Class Member answers the questions in the Claim Form.

### 9. How do I file a Claim?

You must submit a Claim Form to receive payment from the Settlement Fund. The deadline to file a Claim Form is **November 27, 2020**. You may file a Claim Form online at [www.RESPAClassAction.com](http://www.RESPAClassAction.com), or you may also call toll free 1-855-917-3477 and request a Claim Form be mailed to you.

Claim Forms submitted by mail must be postmarked on or before **November 27, 2020** to:

Robinson v Nationstar Class Action Administrator  
P.O. Box 2530  
Portland, OR 97208-2530

No matter which method you choose to file your Claim Form, please read the Claim Form carefully and provide all the information required.

**QUESTIONS? CALL 1-855-917-3477 OR VISIT [WWW.RESPACLASSACTION.COM](http://WWW.RESPACLASSACTION.COM)**

## 10. When will I receive my payment?

Payments to Settlement Class Members will be made only after the Court grants Final Approval to the Settlement and after any appeals are resolved. If there are appeals, resolving them can take time. Please be patient.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep the right to sue or continue to sue Defendant on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself—or it is sometimes referred to as “opting out” of the Settlement Class.

## 11. How do I get out of the Settlement?

To exclude yourself, you must send a letter with the following information:

- Your name, address, and telephone number;
- A statement that you wish to be excluded from the Class in *Robinson v. Nationstar Mortgage LLC*, Case No. 8:14-cv-03667-TDC; and
- Your signature.

Your exclusion request must be postmarked no later than **November 27, 2020**, to:

Robinson v Nationstar Class Action Administrator  
P.O. Box 2530  
Portland, OR 97208-2530

You cannot ask to be excluded on the phone, by email, or at the Settlement Website.

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

No. Unless you exclude yourself, you give up the right to sue Defendants for the claims that the Settlement resolves. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

## 13. What am I giving up to stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue or be part of any other lawsuit against Defendant about the issues in this case. Class Members who do not timely and validly request exclusion from the Settlement shall be bound by this Settlement and the Final Judgment when entered.

The Settlement Agreement available at [www.RESPAClassAction.com](http://www.RESPAClassAction.com) provides additional details regarding the terms of the Settlement.

## 14. If I exclude myself, can I still get a payment?

No. You will not get a payment from the Settlement Fund if you exclude yourself from the Settlement.

## THE LAWYERS REPRESENTING THE CLASS

## 15. Do I have a lawyer in this case?

Yes. The law firms of Tycko & Zavareei LLP and The Bestor Law Firm represent you as “Class Counsel.” You do not have to pay Class Counsel out of your own pocket. If you want to be

**QUESTIONS? CALL 1-855-917-3477 OR VISIT [WWW.RESPACLASSACTION.COM](http://WWW.RESPACLASSACTION.COM)**

represented by your own lawyer and have that lawyer appear in court for you in this case, you may hire one at your own expense.

#### 16. How will the lawyers be paid?

Class Counsel intend to request up to \$1,300,000 for attorneys' fees and expenses incurred in the litigation. The fees and expenses awarded by the Court will be paid out of the Settlement Fund. The Court will decide the amount of fees and expenses to award.

Class Counsel will also request that a Service Award of \$5,000 be paid from the Settlement Fund to the Class Representative for his service as representative on behalf of the whole Settlement Class.

#### 17. May I get my own lawyer?

If you are in the Class, you are not required to hire your own lawyer because Class Counsel is working on your behalf. However, if you want your own lawyer, you are may hire one at your own expense.

### OBJECTING TO THE SETTLEMENT

#### 18. How do I tell the Court I do not like the Settlement?

If you are a Settlement Class Member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement. To object, you must timely file a letter or brief with the Court that includes the following:

- (1) the objecting Settlement Class Member's full name, current address, and telephone number;
- (2) the last four digits of the objector's loan number and/or the objector's Unique ID as set forth on the Postcard Notice and Email Notice;
- (3) a statement of the position the objector wishes to assert, including the factual and legal grounds for the position;
- (4) the identity of any witnesses that the objector may call in connection with his or her objection and provide a summary of their testimony;
- (5) the name(s) of any attorney(s) representing the objector;
- (6) the name, court, and docket number of any class action litigation in which the objector has previously appeared as an objector or provided legal assistance with respect to an objection;
- (7) the name, court, and docket number of any class action litigation in which the objector's attorney(s) have previously appeared as objectors or provided legal assistance with respect to an objection;
- (8) copies of all documents that the objector wishes to submit in support of his or her position; and
- (9) a statement whether the objection applies only to the objector, to a specific subset of the class, or to the entire class.

Objections must be filed with the court and mailed to each of the addresses below, and your objection must be postmarked by **November 27, 2020**. If you have a lawyer, he or she must file an appearance and submit your objection through the court's e-filing system by the same deadline.

Clerk of the Court	Class Counsel	Defendant's Counsel
<p><u>US District Court for the District of Maryland</u> 6500 Cherrywood Lane, Greenbelt, MD 20770</p>	<p><u>Jonathan K. Tycko</u> <u>Katherine M. Aizpuru</u> <u>TYCKO &amp; ZAVAREEI LLP</u> 1828 L Street, N.W., Suite 1000 Washington, D.C. 20036</p> <p><u>Geoffrey G. Bestor</u> <u>The Bestor Law Firm</u> 187 Hockanum Road Hadley, MA 01035</p>	<p><u>Mark D. Lonergan</u> <u>Severson &amp; Werson, P.C.</u> One Embarcadero Center, Suite 2600 San Francisco, CA 94111</p>

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

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

## THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses (“Final Approval Hearing”).

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

The Court has scheduled a Final Approval Hearing on **December 10, 2020 at 10:00 a.m.** at US District Court for the District of Maryland, 6500 Cherrywood Lane, Greenbelt, MD 20770. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check [www.RESPAClassAction.com](http://www.RESPAClassAction.com) for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys’ fees and expenses and for a Service Award to the Class Representative. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

### 21. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to attend the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time to the proper addresses and it complies with all the other requirements set forth above, the Court will consider it. You may also pay your own lawyer to attend the hearing, but it is not necessary.

### 22. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, your timely filed objection must include a statement of whether you intend to appear at the Final Approval Hearing. You cannot speak at the hearing if you exclude yourself from the Settlement.

## **IF YOU DO NOTHING**

### **23. What happens if I do nothing at all?**

If you are a Settlement Class member and do nothing, meaning you do not file a timely Claim, you will not get benefits from the Settlement. Further, unless you exclude yourself, you will be bound by the judgment entered by the Court.

## **GETTING MORE INFORMATION**

### **24. Are more details available?**

This Notice summarizes the proposed Settlement. The Settlement Agreement and other information can be found at [www.RESPAClassAction.com](http://www.RESPAClassAction.com). You may also call toll-free 1-855-917-3477 or write to Robinson v Nationstar Class Action Administrator, P.O. Box 2530, Portland, OR 97208-2530.