

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS, FAYETTEVILLE DIVISION

MOJICA, ET AL., PLAINTIFFS

V.

CASE NO. 5:14-CV-5258

SECURUS TECHNOLOGIES, INC., DEFENDANT

NOTICE OF CLASS ACTION LAWSUIT AGAINST SECURUS TECHNOLOGIES, INC.

This Notice is to advise you of a class action lawsuit in the United States District Court, Western District of Arkansas, titled *Mojica, et al. v. Securus Technologies, Inc.*, Case No. 5:14-cv-5258 (the “Lawsuit”), which might affect your rights.

1. What This Lawsuit Is About

Plaintiffs allege that Securus Technologies, Inc. (“Securus”) obtained exclusive contracts to provide inmate calling services (“ICS”) to inmates at correctional facilities throughout the United States in exchange for the payment of “kickbacks” or “site commissions” to the facilities. Plaintiffs allege that Securus charged unjust and unreasonable: (1) rates for interstate calls, and (2) fees when someone used a credit card to fund a prepaid calling account. Plaintiffs allege that Securus violated the Federal Communications Act of 1934 as well as state law preventing “unjust enrichment.” Plaintiffs seek to recover these unjust charges for themselves and all class members. Securus denies that it obtained exclusive contracts in exchange for the payment of site commissions or “kickbacks”, and denies that its practices, rates, and fees are unjust or unreasonable.

By Order dated February 3, 2017, the Court ruled that the Lawsuit may proceed as a class action on behalf of a nationwide class and two subclasses (together referred to as the “Class”) and has authorized the issuance of this Notice.

2. Who Is Included in the Class

a. All persons in the United States who, at any time from August 14, 2012 to the present (or, for interstate calls from a Corrections Corporation of America (“CCA”) facility, from February 16, 2000 to the present): (1) paid to use ICS provided by Securus (including its predecessors) to make or receive one or more interstate phone calls from a correctional facility during a period of time when Securus paid the facility a commission of any type in connection with the interstate calls; and/or (2) paid deposit fees to Securus Technologies, Inc. in order to fund a prepaid account used to pay for any interstate calls.

b. All persons who, while in Alaska, Arkansas, California, Connecticut, Hawaii, Indiana, Iowa, Michigan, Minnesota, Ohio, Nebraska, New Hampshire, South Carolina, Tennessee, Utah, Vermont, Washington or West Virginia, at any time from August 14, 2011 to the present (or, for interstate claims from a CCA facility, February 16, 2000 to the present), paid to use ICS provided by Securus (including its predecessors) to make or receive one or more interstate phone calls from a correctional facility during a period of time when Securus paid the facility a commission of any type in connection with the interstate calls.

3. Your Rights and Options In Response to This Notice

a. You can remain a member of the Class

If you would like to remain a Class member, you do not need to do anything at this time. If you remain a Class member, you will be bound by the result of this Lawsuit. If the Class is successful, you will share in any money that is recovered. If the Class is unsuccessful, you will not receive anything and you will be foreclosed from

seeking other relief for the claims asserted, or that could have been asserted, by the Class in the Lawsuit. There is no guarantee that money will ever be obtained. However, if money is obtained, you will be notified about how to obtain your share (if any) if you are a member of the Class and do not exclude yourself from the Class.

The Court has appointed the following law firms to serve as Class counsel:

Kessler Topaz Meltzer & Check, LLP
280 King of Prussia Road
Radnor, PA 19087

Berger Montague, P.C.
1622 Locust Street
Philadelphia, PA 19103

Cohen Milstein Sellers & Toll, PLLC
1100 New York Avenue, NW
Suite 500
Washington, D.C. 20005

Saltz, Mongeluzzi, Barrett
& Bendesky, P.C.
1650 Market Street, 52nd Floor
Philadelphia, PA 19103

Amy C. Martin, P.A.
P.O. Box 765
Fayetteville, AR 72707
Liaison Counsel

You also have the right to enter an appearance through an attorney of your choice, at your own expense. If you make such an appearance, you will be bound by the result of the Lawsuit to the same extent that you will be bound if you do not appear.

b. You can exclude yourself from the Class

If you do not want to be a Class member, you have the right to exclude yourself from the Lawsuit. If you exclude yourself, and the Class recovers money, whether by settlement or trial, you will not share in the recovery. If you exclude yourself from the Class, you will not be bound by any judgment that the Court may enter in the case. You will have the right to hire your own attorney and pursue any individual claims you may have against Securus.

If you wish to be excluded, you must send a letter that states: 1) your name; 2) your address; and 3) the following statement: "Please exclude me from the *Mojica v. Securus* class action lawsuit." You must send your letter to Notice Administrator, c/o JND Class Action Administration, P.O. Box 6878, Broomfield, CO 80021. In order to be valid, your letter must be postmarked on or before May 31, 2017.

4. Questions About this Notice or About this Lawsuit

If you have any questions, you may contact the Notice Administrator, JND Class Action Administration, at this toll-free number: 1-844-470-7975 or visit www.InterstateCSLitigation-Securus.com. Please do not contact the Court or Securus concerning this case. You may review the documents filed in this litigation at the office of the Clerk of the Court, United States District Court, Western District of Arkansas, 35 East Mountain Street, Fayetteville, Arkansas 72701-5354.

PLEASE DO NOT CONTACT THE CLERK OF THE COURT REGARDING THIS NOTICE.

Dated: May 1, 2017

BY ORDER OF COURT
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS