

THIS IS A NOTICE OF A SETTLEMENT OF A CLASS ACTION LAWSUIT.  
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.

**If you received one or more automated or prerecorded telephone calls to your cellular telephone from Cox Communications, Inc. (“Cox”) from March 28, 2013 through March 21, 2019, and you were never a Cox customer prior to March 22, 2019, you may be entitled to compensation as a result of the settlement in the class action lawsuit captioned:**

*Joanne Knapper v. Cox Communications, Inc.*, No. 2:17-cv-00913-SPL (D. Arizona)

A federal court authorized this notice.  
This is not a solicitation from a lawyer.

Please read this notice carefully.  
It explains your rights and options to participate in a class action settlement.

WHAT ARE YOUR LEGAL RIGHTS AND OPTIONS?	
<b>SUBMIT A TIMELY CLAIM FORM:</b>	If you submit a timely claim form you will receive a share of the settlement fund after expenses are deducted, and you will release claims you may have against Cox related to this case.
<b>DO NOTHING:</b>	If you do nothing, you will <u>not</u> receive a share of the settlement fund, but if you are a Class Member you will release claims you may have against Cox related to this case.
<b>EXCLUDE YOURSELF:</b>	If you exclude yourself from the settlement, you will <u>not</u> receive a share of the settlement fund, and you will <u>not</u> release any claims you have against Cox.
<b>OBJECT:</b>	If you do not exclude yourself from the settlement, you may object to the settlement.

**1. Why is this notice available?**

This is a notice of a proposed settlement in a class action lawsuit. The settlement would resolve the lawsuit Joanne Knapper filed against Cox Communications, Inc. Please read this notice carefully. It explains the lawsuit, the settlement, and your legal rights, including the process for receiving a settlement check, excluding yourself from the settlement, or objecting to the settlement.

**2. What is this lawsuit about?**

Ms. Knapper filed this lawsuit against Cox, alleging that Cox violated the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, when calling consumers on their cellular telephones, via an automatic telephone dialing system or with an artificial or prerecorded voice, who are not and were never Cox customers. Cox denies the allegations, denies that it used an automatic telephone dialing system to place calls to Settlement Class Members, and denies that it violated the TCPA. The Court did not decide who is right or wrong. The parties have agreed to a settlement.

**Questions? Call 1-877-830-7943 or visit [www.KnapperTCPASettlement.com](http://www.KnapperTCPASettlement.com)**

### 3. Why is this a class action?

In a class action, one or more people called “class representatives” file a lawsuit on behalf of people who have similar claims. All of these people together are a “class” or “class members.” The Court accordingly resolves claims for all class members, except for those who exclude themselves from the class.

### 4. Why is there a settlement?

Ms. Knapper, on the one hand, and Cox, on the other, have agreed to settle the lawsuit to avoid the time, risk, and expense associated with it, and to achieve a final resolution of the disputed claims. The proposed settlement was reached after Ms. Knapper and Cox attended mediation with retired Judge Layn Phillips. Under the settlement, Settlement Class Members will obtain a payment in settlement of the claims Ms. Knapper raised in the lawsuit. Ms. Knapper and her attorneys think the settlement is fair and reasonable.

### 5. How do you know if your claims are included in the settlement?

This settlement resolves claims on behalf of the following class:

- (1) All users of or subscribers to cellular telephones throughout the United States,
- (2) to whom Cox Communications, Inc. made or initiated at least one call to a cellular telephone,
- (3) via an automatic telephone dialing system or with an artificial or prerecorded voice,
- (4) from March 28, 2013 through March 21, 2019,
- (5) whose cellular telephone number was at any time associated with a Neustar score of 01 in Cox Communications, Inc.’s available records.

Excluded from the Settlement Class are individuals who were customers of Cox Communications, Inc. at any time prior to March 22, 2019.

The Parties estimate there to be approximately 140,000 Settlement Class Members.

### 6. What does the settlement provide?

Cox will establish a settlement fund in the amount of \$10.75 million. Out of the settlement fund, Cox will pay:

- a. Settlement compensation to Settlement Class Members;
- b. Notice and administration costs not to exceed \$500,000;
- c. An award of attorneys’ fees, subject to the Court’s approval;
- d. Costs and expenses incurred litigating this matter, subject to the Court’s approval; and
- e. An incentive award to Ms. Knapper, subject to the Court’s approval.

Each Settlement Class Member who submits a timely and valid claim form will be entitled, subject to the provisions of the settlement agreement, to his or her equal share of the \$10.75 million settlement fund as it exists after deducting:

- a. Attorneys’ fees in an amount not to exceed 28 percent of the settlement fund, subject to the Court’s approval;
- b. Litigation costs and expenses not to exceed \$55,000, subject to the Court’s approval; and
- c. An incentive award for Ms. Knapper, not to exceed \$20,000, subject to the Court’s approval.

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It is estimated that each participating Settlement Class Member will receive between \$100 and \$300. The actual amount each participating Settlement Class Member will receive depends on the number of Settlement Class Members who submit timely, valid claims.

In the unlikely event that payments to participating Settlement Class Members would otherwise exceed \$2,500, such payments will be limited to \$2,500 unless Settlement Class Members provide documentary evidence in the form of, for example, telephone records from their wireless carrier, screen shots from their cellular telephones, or other documentary evidence demonstrating that they received more than five calls from Cox. In such circumstances, participating Settlement Class Members who provide documentary evidence demonstrating that they received more than five calls from Cox would receive additional compensation in the form of a *pro rata* portion of the remaining funds after all participating Settlement Class Members receive \$2,500 each. Should this occur, the Claims Administrator will send written communications to all participating Settlement Class Members to solicit documentation demonstrating that they received more than five calls from Cox.

Settlement Class Members should not provide telephone records or other documentation identifying the number of calls they received from Cox at this time, and will be asked to do so only if settlement awards to each participating Settlement Class Member exceed \$2,500.

### 7. How can you get a payment?

You must mail a valid claim form to the Knapper v. Cox Communications Claims Administrator, PO Box 3170, Portland, OR 97208-3170 **postmarked by October 25, 2019**. Or you must submit a valid claim through [www.KnapperTCPASettlement.com](http://www.KnapperTCPASettlement.com) by **October 25, 2019**.

### 8. When will you be paid?

If the Court grants final approval of the settlement, settlement checks will be mailed to Settlement Class Members who timely mailed or submitted valid claim forms no later than 45 days after the judgment in the lawsuit becomes final. If there is an appeal of the settlement, payment may be delayed.

### 9. What rights are you giving up in this settlement?

Unless you exclude yourself from the settlement, you will be considered a member of the class, which means you give up your right to sue or continue a lawsuit against Cox over the released claims. Giving up your legal claims is called a release. Unless you formally exclude yourself from the settlement, you will release your claims against Cox.

For more information on the release, released parties, and released claims, you may obtain a copy of the class action settlement agreement on the settlement website, [www.KnapperTCPASettlement.com](http://www.KnapperTCPASettlement.com) or from the Clerk of the United States District Court for the District of Arizona.

### 10. How can you exclude yourself from the settlement?

You may exclude yourself from the settlement, in which case you will not receive a payment. If you wish to exclude yourself from the settlement, you must mail a written request for exclusion to the Claims Administrator at the following address, **postmarked by October 25, 2019**:

Knapper v. Cox Communications, Inc. Claims Administrator  
ATTN: EXCLUSION REQUEST  
PO Box 3170  
Portland, OR 97208-3170

You must include in your request for exclusion your:

- a. Full name;
- b. Address;
- c. Telephone number called by Cox demonstrating that you are a member of the Settlement Class; and
- d. A clear and unambiguous statement that you wish to be excluded from the settlement, such as “I request to be excluded from the settlement in the Knapper v. Cox Communications action.”

You must sign the request personally. If any person signs on your behalf, that person must attach a copy of the power of attorney authorizing that signature.

### 11. When and where will the Court decide whether to approve the settlement?

The Court will hold a final fairness hearing on **December 10, 2019**, at **1:30 p.m.** The hearing will take place in the United States District Court for the District of Arizona, Sandra Day O’Connor U.S. Courthouse, 401 West Washington Street, Phoenix, AZ 85003. At the final fairness hearing, the Court will consider whether the settlement is fair, reasonable, and adequate and, if so, whether final approval of the settlement should be granted. The Court will hear objections to the settlement, if any. The Court may make a decision at that time, postpone a decision, or continue the hearing.

### 12. Do you have to attend the hearing?

No, there is no requirement that you attend the hearing. However, you are welcome to attend the hearing at your own expense. You cannot speak at the hearing if you have excluded yourself from the class settlement because the settlement no longer affects your legal rights.

### 13. What if you want to object to the settlement?

If you do not exclude yourself from the settlement, you can object to the settlement, or any part of it, if you do not believe it is fair, reasonable, and adequate. If you wish to object, you must mail a written notice of objection, postmarked by **October 25, 2019**, to Class Counsel, Cox’s attorneys, and to the Court, at the following addresses:

<u>Class Counsel:</u> Michael L. Greenwald Greenwald Davidson Radbil PLLC 7601 N. Federal Highway Suite A-230 Boca Raton, FL 33487	<u>Cox’s Counsel:</u> Petrina A. McDaniel Squire Patton Boggs (US) LLP 1230 Peachtree St NE Suite 1700 Atlanta, GA 30309	<u>Court:</u> U.S. District Court for the District of Arizona Sandra Day O’Connor U.S. Courthouse 401 West Washington Street Phoenix, AZ 85003
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You must include in your objection your:

- a. Full name;
- b. Address;
- c. Telephone number called by Cox to demonstrate that you are a member of the Settlement Class;
- d. Statement that you do not have, and never did have, a Cox account;
- e. A statement of the specific objection(s);
- f. The grounds for the objection(s);

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- g. Identification of any documents to show that you are a member of the Settlement Class or which you desire the Court to consider; and
- h. A statement noting whether you intend to appear at the fairness hearing.

**14. By when must you enter an appearance?**

Any Settlement Class Member who objects to the settlement and wishes to enter an appearance must do so by **October 25, 2019**. To enter an appearance, you must file with the Clerk of the Court a written notice of your appearance and you must serve a copy of that notice, by U.S. mail or hand-delivery, upon Class Counsel and Cox’s attorneys, at the addresses set forth below.

**15. What if you do nothing?**

If you do nothing and the Court approves the settlement agreement, you will not receive a share of the settlement fund, but you will release any claim you have against Cox related to the allegations in this case. Unless you exclude yourself from the settlement, you will not be able to sue or continue a lawsuit against Cox over the released claims.

**16. What will happen if the Court does not approve the settlement?**

If the Court does not finally approve the settlement or if it finally approves the settlement and the approval is reversed on appeal, or if the settlement does not become final for some other reason, you will receive no benefits from the settlement and the lawsuit will continue.

**17. Who are Ms. Knapper’s attorneys?**

Ms. Knapper’s attorneys are:

Michael L. Greenwald James L. Davidson Greenwald Davidson Radbil PLLC 7061 N. Federal Highway, Suite A-230 Boca Raton, FL 33487	Aaron D. Radbil Greenwald Davidson Radbil PLLC 401 Congress Avenue, Suite 1540 Austin, TX 78701
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The Court has appointed Ms. Knapper’s attorneys to act as Class Counsel. You do not have to pay Class Counsel. If you want to be represented by your own lawyer, and have that lawyer appear in Court for you in this case, you must hire one at your own expense.

**18. Who are Cox’s attorneys?**

Cox’s attorneys are:

Petrina A. McDaniel Keshia W. Lipscomb Squire Patton Boggs (US) LLP 1230 Peachtree St NE, Suite 1700 Atlanta, GA 30309	Eric J. Troutman Squire Patton Boggs (US) LLP 555 South Flower Street, 31st Floor Los Angeles, CA 90071
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**19. Before what Court is this matter pending?**

Ms. Knapper filed her class action lawsuit in the following Court:

U.S. District Court for the District of Arizona  
 Sandra Day O’Connor U.S. Courthouse  
 401 West Washington Street, Phoenix, AZ 85003

**Questions? Call 1-877-830-7943 or visit [www.KnapperTCPASettlement.com](http://www.KnapperTCPASettlement.com)**

## 20. Where can you get additional information?

This notice is only a summary of the settlement. All documents filed with the Court, including the full class action settlement agreement, may be reviewed or copied at the United States District Court for the District of Arizona. In addition, pertinent case materials, including the settlement agreement, are available at the settlement web site, [www.KnapperTCPASettlement.com](http://www.KnapperTCPASettlement.com).

If you would like additional information about this matter, please contact:

Knapper v. Cox Communications Claims Administrator  
PO Box 3170  
Portland, OR 97208-3170  
Telephone: (877) 830-7943

Please do not call the Judge about this case. Neither the Judge, nor the Clerk of Court, will be able to give you advice about this case. Furthermore, neither Cox nor Cox's attorneys represent you, and they cannot give you legal advice.