

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

TYRONE HENDERSON, JOSEPH L.
BUCKLEY, and JONATHAN HARRIS,
*on behalf of themselves and all others
similarly situated,*

Plaintiffs,

v.

Civil Action No. 3:14-cv-00679-JAG

TRANS UNION LLC, and TRANS
UNION RENTAL SCREENING
SOLUTIONS, INC.,

Defendants.

ORDER

This matter comes before the Court on the parties' agreed form of the class notice. (Dk. No. 91.) The Court APPROVES both the "short form" and "long form" versions of the class notice, as edited. The approved versions are attached to this Order as Exhibits A and B. The parties shall send these notices as outlined in the Order Approving Form and Manner of Class Notice Plan dated July 26, 2016.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: August 10, 2016
Richmond, VA

Is/ Jg.j.

John A. Gibney, Jr.
United States District Judge

For more information regarding the case, please visit
www.HendersonTransUnion.com

NOTICE OF CLASS ACTION

You have received this Notice because you are a member of a Class Action lawsuit styled *Henderson v. Trans Union, LLC*. The lawsuit claims that Trans Union violated the federal Fair Credit Reporting Act (or “FCRA”) in the way that it sold a credit report about you when you applied or were considered for employment. Plaintiffs allege that Trans Union violated the FCRA, 15 U.S.C. § 1681k(a). Trans Union denies that it did anything wrong or that its conduct violated the FCRA.

You have legal rights and options before the Court conducts a trial to determine if Trans Union violated the law and whether you and other class members are entitled to damages. The trial is set to begin on **April 3, 2017, at 9:00 a.m.**, in the United States District Court for the Eastern District of Virginia, 701 E. Broad Street, Richmond, VA 23219. It is possible that trial could be continued or the case could be resolved or settled before trial.

There is no money available now because the Court has not yet conducted a trial and the two sides have not settled this case. If there is an award of money, you will be notified about how to claim your share. **You do not have to do anything if you want to maintain the possibility of getting money from this lawsuit.** By doing nothing, you will remain a Class Member.

However, if you do not opt out of the Class and it loses at trial, you will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action. **The deadline to opt out of the lawsuit is _____.** If you would like to opt out of the lawsuit, please send a letter stating that you would like to opt out of the “*Henderson v. Trans Union, LLC*” case, Civil Action No. 3:14-cv-679, to _____. Please make sure to include your full name, address, and telephone number in the letter.

A long and detailed class notice is available at: www.HendersonTransUnion.com or by emailing the attorneys representing you at: HendersonTransUnion@clalegal.com.

If you have any questions about this case, you may contact the lawyers representing you and the other Class Members.

By Phone: (703) _____
By E-Mail: HendersonTransUnion@clalegal.com
Via Internet: www.HendersonTransUnion.com.

For more information regarding the case, please visit
www.HendersonTransUnion.com

A FEDERAL COURT ORDERED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Tyrone Henderson et al. v. Trans Union, LLC, et al.,
Civil Action No. 3:14-cv-679-JAG**

NOTICE OF CLASS ACTION LAWSUIT

You have received this notice because records indicate that Trans Union, LLC (“Defendant” or “Trans Union”) furnished an employment background check about you to either Business Information Group, Inc., or HireRight, Inc., and that report contained at least one record of a civil lien, bankruptcy, or civil judgment.

Your legal rights will be affected by this lawsuit. Please read this notice carefully. It explains the lawsuit and your legal rights, including the process for excluding yourself from the case.

ADDITIONAL INFORMATION ABOUT THE LAWSUIT AND YOUR RIGHTS MAY BE FOUND AT: <http://HendersonTransUnion.com>.

You can call (703) _____ to speak with the Law Firm that is representing you or write to the Class Counsel, Consumer Litigation Associates, P.C., 763 J. Clyde Morris Blvd., Suite 1-A, Newport News, VA 23601, or by e-mail to: HendersonTransUnion@clalegal.com.

PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE LAWSUIT TO THE COURT OR CLERK’S OFFICE.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
<u>OPTION 1:</u> DO NOTHING	If you do nothing, you will remain in the class and you will be legally bound by the outcome of the case at trial, including all of the orders that the Court enters and any judgment that is entered. If the Plaintiffs and the Class obtain a monetary judgment, you will be sent a second notice with instructions on how to obtain your portion of the award.
<u>OPTION 2:</u> EXCLUDE YOURSELF ENTIRELY	You can remove yourself from participation in this class action. You will not be bound by any orders or judgments entered in the case, but if the Plaintiffs and the Class are successful in obtaining monetary relief, you will not be entitled to receive a portion of that award. If you exclude yourself, you will retain any right to file a separate lawsuit against Trans Union. Your request to opt out of the Lawsuit must be postmarked by _____, 2016.

1. WHY DID I RECEIVE THIS NOTICE?

The Court ordered this notice because you have a right to know about the certification of a class action lawsuit of which you may be a member, and about your options, before the case proceeds to trial.

This notice explains the lawsuit and your legal rights. Judge John A. Gibney, Jr., of the United States District Court for the Eastern District of Virginia, is overseeing this class action. The case is known as *Tyrone Henderson, et al. v. Trans Union, LLC, et al.*, Case No. 3:14-cv-679-JAG (the “Lawsuit”).

You are a member of the Class and are affected by the outcome of the case because Trans Union supplied either Business Information Group, Inc., or HireRight, Inc., with a background check about you that contained at least one record of a civil lien, bankruptcy, or civil judgment on or after October 3, 2012, and Trans Union did not provide you with notice that it had furnished that report on the day it furnished the report. Based upon Trans Union’s records, you are in the Class.

The Class is defined as follows: *All natural persons residing in the United States (including all territories and other political subdivisions of the United States) (a) who were the subject of a consumer report furnished by Trans Union LLC (“Trans Union”) to (1) Business Information Group, Inc., or (2) HireRight, Inc., (b) that was furnished for an employment purpose, (c) that contained at least one record of a civil lien, bankruptcy or civil judgment, (d) on or after October 3, 2012, and (e) to whom Trans Union did not place in the United States mail postage pre-paid, on the day it furnished any part of the report containing the public record, a written notice that it was furnishing the subject report and containing the name of the person that was to receive the report. Excluded from the class definition are any employees, officers, directors of Trans Union, any attorney appearing in this case, and any judge assigned to hear this action.*

2. WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs Joseph Buckley and Jonathan Harris, (the “Plaintiffs” or “Class Representatives”) are consumers who claim that Trans Union violated the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (the “FCRA”) in connection with preparing background reports. Specifically, the Plaintiffs contend that Trans Union violated the FCRA by reporting adverse public record information—a civil lien, bankruptcy, or civil judgment—to either Business Information Group, Inc., or HireRight, Inc., without either furnishing notice to the consumer of the fact of such reporting on the day it furnished the report or maintaining strict procedures to ensure that the information was complete or up to date at the time the report was prepared.

Trans Union has denied all claims in the Lawsuit and contends that it acted lawfully and in compliance with the FCRA at all times.

3. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action lawsuit, one or more people called a “Class Representative,” sue on behalf of other people who have similar claims. In this case the Plaintiffs, Joseph Buckley and Jonathan Harris, are the Class Representatives. One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class. The trial in this case will resolve the claims for all people in the Class.

4. IS THERE ANY MONEY AVAILABLE TO ME AT THIS TIME?

No. There is no money available now because the Court has not yet conducted a trial to determine if money will be available. If there is a monetary award, you will be sent a second notice with instruction on how to claim your share of the class benefits. You do not have to do anything at this time in order to stay in the Class and maintain the possibility of getting money from the Lawsuit.

5. WHAT AM I GIVING UP TO STAY IN THE CLASS?

Unless you exclude yourself from this Class, you will be considered a Class Member, which means you give up your right to sue or continue a lawsuit against Trans Union regarding the legal issues that were raised in this case. Unless you formally exclude yourself from the Lawsuit, you will also be bound by all orders and judgments that the Court enters in this case. However, if you remain in the Class and the Class obtains a monetary award at trial or a settlement with Trans Union, you will be entitled to claim a share of the Class benefits.

6. HOW DO I EXCLUDE MYSELF FROM THE LAWSUIT?

To completely exclude yourself from the Lawsuit, you must send a letter stating that you want to be excluded from the *Henderson, et al. v. Trans Union, LLC, et al.* case. Be sure to include: (1) the name of the Lawsuit, “*Henderson v. Trans Union, LLC*,” Civil Action No. 3:14-cv-679-JAG; (2) your full name, current address, and telephone number, (3) a statement of intention to exclude yourself from the Lawsuit; and (4) your signature. You must mail your Exclusion Request so that it is postmarked no later than ____, 2016 to:

Henderson v. Trans Union, LLC Lawsuit
[address here]

7. DO I HAVE A LAWYER IN THE CASE?

The Court has appointed Leonard A. Bennett, Susan M. Rotkis, and Craig C. Marchiando of Consumer Litigation Associates, P.C., 763 J. Clyde Morris Boulevard., Suite 1-A, Newport News, Virginia 23601; Matthew J. Eerausquin and Casey S. Nash of Consumer Litigation Associates, P.C., 1800 Diagonal Road, Suite 600, Alexandria, Virginia 22314; James A. Francis,

John Soumilas, David Searles, and Lauren K. W. Brennan of Francis & Mailman, P.C., 100 S. Broad Street, Suite 1902, Philadelphia, Pennsylvania 19110; Dale W. Pittman of The Law Offices of Dale W. Pittman, P.C., 112-A West Tabb Street, Petersburg, Virginia 23803; and John C. Bazaz of The Law Offices of John C. Bazaz, PLC, 4000 Legato Road, Suite 1100, Fairfax, Virginia 22033 to represent you and other Class Members. Together, the lawyers are called Class Counsel. You will not be separately charged by these lawyers for their work on the case. If you want to be represented by your own lawyer, you may hire one at your own expense.

8. HOW WILL THE LAWYERS BE PAID?

If successful at trial, Class Counsel will ask the Court for an award of attorney's fees. Class Counsel will also ask the Court to reimburse their costs and expenses incurred by them and by the Class Representative in litigating this matter.

9. WHEN AND WHERE WILL THE TRIAL BE?

The Court will hold a trial on April 3, 2017, at 9 a.m. in Courtroom 6000 of the United States District Court, Eastern District of Virginia, Spotswood W. Robinson, III and Robert R. Merhige, Jr., Federal Courthouse, 701 East Broad Street, Richmond, Virginia 23219. You may attend the trial, but you do not have to.

10. DO I HAVE TO COME TO THE TRIAL?

No. Class Counsel will litigate the case on your behalf. You are welcome to attend at your own expense if you so desire. If you have excluded yourself from the Lawsuit, your claims will not be litigated at the trial and you will be free to bring your own individual claim against Trans Union.

11. HOW DO I GET MORE INFORMATION?

You can visit the website at www.HendersonTransUnion.com. If you have questions about the case, you can call #####, email HendersonTransUnion@clalegal.com or write to:

Henderson v. Trans Union, LLC Lawsuit
[address here]

**PLEASE DO NOT CALL THE COURT OR THE CLERK REGARDING THIS
LAWSUIT.**