

Legal Notice

If you received a call on your cell phone promoting a Nuance software product between May 8, 2009 and May 12, 2015, a class action settlement may affect your rights.

A Federal Court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

If the Court approves the Settlement, you may be eligible to receive either a flat payment of up to \$170 or up to \$65 per call if you provide the required information by July 19, 2015.

For complete information and details, visit www.SoftwareCallSettlement.com or call 1-855-382-6408.

Your Personal Claim Number is _____.

A settlement has been reached in a class action lawsuit against Nuance Communications, Inc. and Infinity Contact, Inc. The lawsuit alleges that Infinity made unsolicited calls on behalf of Nuance to cell phones, including numbers on the National Do-Not-Call List, using automatic dialing equipment to promote Nuance's software products. While the calls were technically placed by Infinity on behalf of Nuance, the calls were identified as coming from Nuance, with no mention of Infinity. Nuance and Infinity deny the allegations, and the settlement is not an admission of wrongdoing or an indication that any law has been broken. The lawsuit is called *Hopwood v. Nuance Communications, Inc. and Infinity Contact, Inc.*, Case No. 4:13-cv-02132-YGR, and is in the U.S. District Court for the Northern District of California.

Why am I being contacted? Our records show you may be a "Settlement Class Member" in the settlement. Settlement Class Members are "individuals who received a call on a United States wireless telephone number from Infinity for the purpose of offering one or more Nuance products between May 8, 2009 and May 12, 2015." The calls identified Nuance as the caller, and the telephone numbers the calls were made from are available at www.SoftwareCallSettlement.com.

What can I get out of the settlement? If the Court approves the settlement, Defendants and their insurers will create a \$9,245,000 settlement fund, from which eligible Settlement Class Members may receive a single payment of up to \$170 or a payment of up to \$65 per unsolicited call received, depending on the number of claims submitted. Defendants have also agreed to take certain steps in the future regarding their telemarketing practices.

How do I get my payment? You must complete the appropriate Claim Form, available at www.SoftwareCallSettlement.com. You can also call 1-855-382-6408 for a paper copy of the Claim Forms. You may only submit **one** Claim Form. Use the Short Claim Form to request up to a \$170 flat payment. Use the Long Claim Form if you received several calls and want to request up to \$65 per unsolicited call. If you use the Long Claim Form, you'll need to provide a cell phone bill that shows the calls you received. ***All Claim Forms***

must be postmarked or received and properly completed by July 19, 2015.

What are my options? You have three options. You can do nothing or submit a Claim Form or exclude yourself from the settlement. If you do nothing or submit a Claim Form, your rights will be affected. You won't be able to sue Defendants in a future lawsuit about the claims addressed in the settlement. If you exclude yourself, you won't get a payment—but you'll keep your right to sue Defendants in a separate lawsuit on the issues the settlement concerns. You must contact the settlement administrator by mail to exclude yourself. If you do not exclude yourself, you can object to the settlement if you disagree with any of its terms. ***All Requests for Exclusion and Objections must be postmarked or filed in person by August 3, 2015.***

Do I have a lawyer? Yes. The Court has appointed lawyers from Edelson PC as “Class Counsel.” They represent you and other Settlement Class Members. There's no charge to you for their services. You can hire your own lawyer, but you'll need to retain the lawyer yourself. William Hopwood is a Settlement Class Member, and the Court has appointed him to represent the Settlement Class.

When will the Court approve the settlement? The Court will hold a final approval hearing on September 8, 2015 at 2:00 p.m. at the Ronald V. Dellums Federal Building, U.S. Courthouse for the Northern District of California, 1301 Clay St., Oakland, CA 94621. The Court will hear any objections, determine if the settlement is fair, and consider Class Counsel's request for fees and expenses up to \$2.25 million and an incentive award of \$1500 to William Hopwood, the class representative.

Visit www.SoftwareCallSettlement.com for complete information.