

**If You Had an Automobile Accident While Insured Under a
Fred Loya Auto Insurance Policy,
You Could Get Money from a Class Action Settlement.**

*A court authorized this notice. This is not a solicitation from a lawyer. **Your legal rights are affected even if you do nothing. Read this Notice carefully.***

- A Settlement has been reached with Loya Insurance Company and Fred Loya Insurance Agency, Inc. (“Fred Loya”) in a class action lawsuit about uninsured and/or underinsured motorist coverage (“UM/UIM”) for New Mexico policyholders.
- The Settlement includes people who were insured under Fred Loya insurance policies issued in New Mexico who signed a UM/UIM rejection form before January 31, 2011. The Settlement provides UM/UIM coverage for those people (*see* Question 5).
- The Settlement will pay 150% of the UM/UIM benefits due to eligible Fred Loya policyholders for medical expenses, lost wages, and/or property damage resulting from an accident with an uninsured or underinsured driver (*see* Questions 7 & 8).

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM	The only way to get a payment.
ASK TO BE EXCLUDED	Get no payment. The only option that allows you to sue Fred Loya over the claims resolved by this Settlement.
OBJECT	Write to the Court about why you don’t like the Settlement.
DO NOTHING	Get no payment. Give up rights.

- 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. Payments will only be made if the Court approves the settlement and after any appeals are resolved.

**FOR MORE INFORMATION: 1-855-382-6398 WWW.WARLOCKINSURANCESSETTLEMENT.COM
PARA UNA NOTIFICACIÓN IN ESPAÑOL, LLAMAR O VISITAR NUESTRO WEBSITE.**

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION..... PAGE 3

1. Why was this Notice issued?
2. What is this lawsuit about?
3. Why is this lawsuit a class action?
4. Why is there a Settlement?

WHO IS IN THE SETTLEMENT? PAGE 4

5. How do I know if I am part of the Settlement?
6. What if I am not sure whether I am included in the Settlement?

THE SETTLEMENT BENEFITS PAGE 4

7. What does the Settlement provide?
8. How much will my settlement payment be?

HOW TO GET BENEFITS PAGE 5

9. How can I get a settlement payment?
10. When will I get my settlement payment?
11. What if my Claim Form is rejected or I disagree with the amount of my settlement payment?

REMAINING IN THE SETTLEMENT PAGE 6

12. Do I need to do anything to remain in the Settlement?
13. What am I giving up as part of the Settlement?

EXCLUDING YOURSELF FROM THE SETTLEMENT PAGE 6

14. If I exclude myself, can I benefit from this Settlement?
15. If I don't exclude myself, can I sue the Defendants for the same thing later?
16. How do I exclude myself from the Settlement?

THE LAWYERS REPRESENTING YOU PAGE 7

17. Do I have a lawyer in this case?
18. How will the lawyers be paid?

OBJECTING TO THE SETTLEMENT..... PAGE 7

19. How do I tell the Court that I do not like the Settlement?
20. What is the difference between objecting and asking to be excluded?

THE COURT'S FAIRNESS HEARING PAGE 8

21. When and where will the Court decide whether to approve the Settlement?
22. Do I have to come to the hearing?
23. May I speak at the fairness hearing?

GETTING MORE INFORMATION PAGE 9

24. How do I get more information about the Settlement?

QUESTIONS? CALL TOLL-FREE 1-855-382-6398 WWW.WARLOCKINSURANCESSETTLEMENT.COM

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this notice because you have a right to know about the proposed Settlement in this class action lawsuit and about all of your options before the Court decides whether to give “final approval” to the Settlement. This notice explains the legal rights and options that you may exercise before the Court decides whether to approve the Settlement.

Judge Nan G. Nash of the Second Judicial District Court of New Mexico is overseeing this case. The case is known as *Warlock v. Loya Insurance Company*, Case No. D-202-CV-2012-01260. The people who sued are called the “Plaintiffs.” Loya Insurance Company, Fred Loya Insurance Agency, Inc., and Omar Araujo are called the “Defendants.”

2. What is this lawsuit about?

The lawsuit claims that Fred Loya’s uninsured/underinsured motorist coverage (“UM/UIM”) rejection forms failed to properly explain a policyholder’s UM/UIM options before selling them their policies.

The Defendants deny these claims and say they did not do anything wrong. They maintain that their policyholders received accurate information about their insurance coverage.

3. Why is this lawsuit a class action?

In a class action, one or more people called “class representatives” sue on behalf of all people who have similar claims. All of these people together are the “class” or “class members.” In this case, the Class Representative is Burt Warlock. One court resolves the issues for all class members, except for those who exclude themselves from the class.

4. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost and risk of a trial, and the people affected will get a chance to receive compensation. The Class Representative and his attorneys think the Settlement is best for all Class Members. The Settlement does not mean that the Defendants did anything wrong.

WHO IS IN THE SETTLEMENT?

You need to decide whether you are included in the Settlement.

5. How do I know if I am a part of the Settlement?

You are included in the Settlement if you had an insurance policy issued by Fred Loya in New Mexico after February 2, 2006 and signed a UM/UIM rejection form before January 31, 2011. Anyone else covered by your policy is also included in the Settlement and can make a claim. This could include passengers who were in the car at the time of the accident. Please share this information with them.

Note: Policyholders who settled a UM/UIM claim and signed a final release are not included in the Settlement.

6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are included in the Settlement, you may call 1-855-382-6398 with questions or visit www.WarlockInsuranceSettlement.com. You may also write with questions to Fred Loya Settlement, P.O. Box 10117, Dublin, OH 43017-3117 or info@WarlockInsuranceSettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

The Settlement provides UM/UIM coverage to all Class Members who had an accident with an uninsured or underinsured driver between February 2, 2006 and January 31, 2011. It will pay eligible Class Members who submit valid claims the UM/UIM benefits due to them for medical expenses, lost wages, and/or property damage resulting from that accident, up to your policy limits, multiplied by 150% (*see* Question 8 for an example). The cost to administer the Settlement, attorney fees, and the payment to the Class Representative will be paid by Fred Loya as well (*see* Question 18). Your settlement payment will depend on the amount of your medical expenses, lost wages, and/or property damage.

More details are in a document called the Settlement Agreement, which is available at www.WarlockInsuranceSettlement.com.

8. How much will my settlement payment be?

If you are a Class Member and you had an accident with an uninsured or underinsured driver, the Settlement will pay for the UM/UIM benefits for medical expenses, lost wages, and/or property damage covered under a New Mexico insurance policy issued by Fred Loya, up to your policy limits, multiplied by 150% (*see* example below). Policy limits are usually \$25,000 per person or \$50,000 per occurrence.

QUESTIONS? CALL TOLL-FREE 1-855-382-6398 WWW.WARLOCKINSURANCESETTLEMENT.COM

The following example is provided to help you understand the value of the Settlement, which may help you decide on your legal rights.

- If you would have received \$5,000 for medical expenses, lost wages, and/or property damage covered by UM/UIM insurance through a Fred Loya policy, your payment will be 150% of those actual losses, or \$7,500.

Your settlement payment amount will depend on the amount of medical expenses, lost wages, and/or property damage you had as a result of your accident with an uninsured or underinsured motorist. If you file a claim, your payment will be determined for you at a later date.

Note: If any other entity (such as Medicare, Medicaid, a hospital, a health insurance company, or other auto insurance company) paid any medical expenses resulting from the auto accident, they may have a medical claim or lien against you. If this is the case, your settlement payment may be delayed, reduced, or paid to the other entity.

HOW TO GET BENEFITS

9. How can I get a settlement payment?

To ask for a settlement payment, simply complete and submit a Claim Form. If you did not receive a Claim Form in the mail, Claim Forms are available at www.WarlockInsuranceSettlement.com or by calling 1-855-382-6398. As noted on the Claim Form, you may have to provide additional medical or employment information in order to get a payment. Please read the instructions carefully, fill out the Claim Form and mail it postmarked no later than **June 20, 2015** to:

Fred Loya Settlement
P.O Box 10117
Dublin, OH 43017-3117

10. When will I get my settlement payment?

Settlement payments will be mailed to Class Members who send in valid Claim Forms on time, after the Court grants “final approval” to the settlement and after any appeals are resolved. If Judge Nash approves the Settlement at the fairness hearing (*see* Question 21) there may be appeals. It’s always uncertain whether these appeals can be resolved, and resolving them can take time. Please be patient.

11. What if my Claim Form is rejected or I disagree with the amount of my settlement payment?

There is a process in the Settlement to resolve disagreements between you and Fred Loya over whether you are eligible and how much money you should get. You can get further details in the letters you receive about your eligibility or about the amount of your settlement payment. More

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details are also available in the Settlement Agreement, which is available at www.WarlockInsuranceSettlement.com.

REMAINING IN THE SETTLEMENT

12. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement but if you want a payment you will need to fill out and submit a Claim Form.

13. What am I giving up as part of the Settlement?

If the Settlement becomes final, you will give up your right to sue the Defendants for the claims being resolved by this Settlement. The specific claims you are giving up against the Defendants are described in Section II.H. of the Settlement Agreement. You will be “releasing” the Defendants and all related people as described in Section II.H. of the Settlement Agreement. The Settlement Agreement is available at www.WarlockInsuranceSettlement.com.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can talk to the law firms listed in Question 17 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don’t want a payment from this Settlement, but you want to keep the right to sue the Defendants about issues in this case, then you must take steps to get out. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement Class.

14. If I exclude myself, can I benefit from this Settlement?

No. If you exclude yourself, you can’t submit a Claim Form to ask for a payment because the Settlement will no longer apply to you.

15. If I don’t exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendants for the claims that this Settlement resolves. You must exclude yourself from *this* Class to sue the Defendants over the claims resolved by this Settlement. Remember, the exclusion deadline is **April 21, 2015**.

16. How do I exclude myself from the Settlement?

To exclude yourself, send a letter that says you want to be excluded from the Settlement in *Warlock v. Loya Insurance Company*, No. D-202-CV-2012-01260. Include your name, address, and signature. You must mail your Exclusion Request postmarked by **April 21, 2015**, to:

QUESTIONS? CALL TOLL-FREE 1-855-382-6398 WWW.WARLOCKINSURANCESETTLEMENT.COM

Fred Loya Settlement Exclusions
P.O. Box 10117
Dublin, OH 43017-3117

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed the following as “Class Counsel”: Franklin D. Azar, Keith Scranton, and Jane G. Rowe of Franklin D. Azar & Associates, P.C.; Marc Levy and Joshua R. Proctor of Levy, Wheeler, Waters, P.C.; and Gordon H. Rowe III. You will not be charged for these lawyers. If you want to be represented by someone other than Class Counsel, you may hire a lawyer at your own expense.

18. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys’ fees and expenses of up to \$450,000 to be paid by Fred Loya. Class Counsel will request that the Class Representative who helped pursue the case on behalf of the whole Class be paid up to \$10,000.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you don’t agree with the Settlement or some part of it.

19. How do I tell the Court that I do not like the Settlement?

You can object to the Settlement if you don’t like some part of it. The Court will consider your views. To do so, you must send in a written objection in this case, *Warlock v. Loya Insurance Company*, No. D-202-CV-2012-01260. Be sure to include your full name; address; telephone number; auto policy number(s); your signature; the specific reasons why you object to the settlement; whether you plan on appearing at the Fairness Hearing; and any legal support or evidence that supports your objection that you wish to bring to the Court’s attention. Mail the objection to the address below postmarked no later than **April 21, 2015**:

Fred Loya Settlement Objections
P.O. Box 10117
Dublin, OH 43017-3117

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

Objecting is simply telling the Court that you don’t like something about the Settlement. You can object only if you don’t exclude yourself from the Class. Excluding yourself is telling the Court that you don’t want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

QUESTIONS? CALL TOLL-FREE 1-855-382-6398 WWW.WARLOCKINSURANCESETTLEMENT.COM

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

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

The Court will hold a Fairness Hearing at 2:30 p.m. on **May 18, 2015**, at the Courthouse for the Second Judicial District Court of New Mexico, 400 Lomas NW, Albuquerque, New Mexico 87102. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.WarlockInsuranceSettlement.com or call 1-855-382-6398. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them and will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

22. Do I have to come to the hearing?

No. Class Counsel will answer any questions that the Court may have regarding the terms of the Settlement. But, you or your own lawyer are welcome to attend at your expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also have your own lawyer attend, but it is not necessary.

23. May I speak at the fairness hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter stating that it is your "Notice of Intention to Appear in *Warlock v. Loya Insurance Company*, No. D-202-CV-2012-01260." Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than **April 21, 2015**, and must be sent to all three of the addresses listed below.

COURT	CLASS COUNSEL	DEFENSE COUNSEL
Second Judicial District Court of New Mexico 400 Lomas NW Albuquerque, NM 87102	Keith Scranton Franklin D. Azar & Associates, P.C. 14426 East Evans Avenue Aurora, CO 80014	Casie Collignon Baker & Hostetler LLP 1801 California Street Suite 4400 Denver, CO 80202-2662

GETTING MORE INFORMATION

24. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.WarlockInsuranceSettlement.com. You may also write with questions to Fred Loya Settlement, P.O. Box 10117, Dublin, OH 43017-3117 or info@WarlockInsuranceSettlement.com. You can also get a Claim Form at the website, or by calling the toll free number, 1-855-382-6398.