

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

**IF APPROVED, YOU ARE ENTITLED TO PAYMENT FROM A
PROPOSED CLASS ACTION SETTLEMENT.**

A federal court authorized this notice.

- This notice is to inform you of a proposed settlement of the class action lawsuit known as *Edwards v. The First American Corporation, et al.*, Case No. 07-03796 SJO (FFMx).
- In June 2010, the Court in *Edwards v. The First American Corporation, et al.* ordered certification of a class of purchasers of title insurance from Tower City Title Agency, LLC (“Tower City”) during the time period between June 12, 2006 and November 9, 2006 (the “Tower City Class”). In March 2013, you were mailed Notice of this class action against The First American Corporation and First American Title Insurance Company (collectively “First American”) because you purchased title insurance from Tower City during the relevant time period. At that time, you were given the opportunity to exclude yourself from this class action. Because you met the requirements of class membership and did not submit a Request for Exclusion, **you are a member of the Tower City Class.**
- A settlement has been reached in that class action that will pay you, as a Tower City Class Member, two times the amount of money you paid for your title insurance. For example, if you paid \$1,000 for title insurance, you will receive \$2,000.
- The settlement resolves a class action lawsuit over whether First American Title Insurance Company and The First American Financial Corporation (collectively “First American”) unlawfully paid referral fees for title insurance underwriting business in the form of payment for acquiring ownership interests in title insurance agencies. The settlement avoids costs and risks to you from continuing the lawsuit, pays money to the Class Members, and releases First American from liability.
- Court-appointed lawyers for the Tower City Class and another class of customers of 25 other title agencies will ask the Court to order First American to pay up to \$5,750,000 to be paid as fees and expenses for investigating the facts, litigating the case, and negotiating the settlement.
- Your legal rights are affected whether you act, or don’t act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

| | |
|------------------------|---|
| DO NOTHING | You will automatically receive a payment. |
| OBJECT | Write to the Court about why you don’t like the settlement. |
| GO TO A HEARING | Ask to speak in Court about the fairness of the settlement. |

- 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 be made if the Court approves the settlement and after appeals are resolved. Please be patient.

QUESTIONS? CALL 1-844-778-5951 TOLL FREE.

PARA UNA NOTIFICACIÓN EN ESPAÑOL, LLAMAR O VISITAR NUESTRO WEBSITE.

WHAT THIS NOTICE CONTAINS
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BASIC INFORMATION

1. Why did I receive notice of the proposed settlement?

You are a member of the Tower City Class.

The Court authorized this notice because you have a right to know about a proposed settlement of this class action lawsuit, and about all of your options, before the Court decides whether to approve the settlement. If the Court approves it, and after objections and appeals are resolved, an administrator approved by the Court will make the payments that the settlement allows. You will be informed of developments on the website, www.RESPAClassActionSettlement.com. The information below explains the lawsuit, the settlement, your rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the Central District of California, and the case is known as *Edwards v. The First American Corporation, et al.*, Case No. 07-03796 SJO (FFMx). Denise Edwards is the Plaintiff, and the First American entities are Defendants.

2. What is this lawsuit about?

The lawsuit claims that First American violated § 8(a) of the Real Estate Settlement Procedures Act (“RESPA”), 12 U.S.C. § 2607(a), by purchasing ownership interests in title insurance agencies and obtaining agreements from such agencies to refer title insurance business exclusively to First American Title Insurance Company. Specifically, the Plaintiff claims that this scheme violated RESPA’s ban on giving or receiving “any fee, kickback, or thing of value” in return for referrals of title insurance business in a mortgage loan transaction. The Complaint alleges that First American engaged in this scheme to increase the title insurance premiums it collected and to expand its share of the title insurance market in a way and manner that violates federal law.

3. Why is this a class action?

In a class action, one or more people called “Class Representatives” (in this case, Denise Edwards) sue on behalf of people who have similar claims. All these people are a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class. U.S. District Judge S. James Otero is in charge of this class action.

4. Why is there a settlement?

The Court did not decide in favor of Plaintiff or First American. Plaintiff thinks she would have won up to three times what was paid for title insurance if she had won at trial. First American thinks that Plaintiff would not have won at trial. There was no trial in this matter. Instead, both sides have agreed to a settlement. That way they avoid the cost of a trial and the people affected will get compensation. The Class Representative and her attorneys think the settlement is best for all Class Members.

WHO IS IN THE SETTLEMENT

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

Judge Otero has already decided that you are a member of the Tower City Class. Thus, you are already entitled to receive a payment from the settlement if the Court approves the settlement.

THE SETTLEMENT BENEFITS—WHAT YOU GET

6. What does the settlement provide?

First American has agreed to pay each member of the Tower City Class, including yourself, two times what each Class Member paid for title insurance.

7. Will I have to pay taxes on my payment?

You should consult your tax preparer when you file your tax returns.

HOW YOU GET A PAYMENT

8. How can I get a payment?

You do not need to do anything to get a payment. If the Court approves the settlement, you will automatically receive a payment from a Settlement Administrator hired to administer the settlement and disburse payments. The Settlement Administrator will send that payment to you at the same address that was used to send you the Tower City Direct Notice of Settlement.

9. When would I get my payment?

The Court will hold a hearing on **October 5, 2016** to decide whether to approve the settlement. If Judge Otero approves the settlement after that, there may be appeals. It's always uncertain whether these appeals can be resolved, and resolving them can take time. Class Counsel will post updates on the case on the website, www.RESPAClassActionSettlement.com. Please be patient.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

The Court appointed the following law firms to represent you and other Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

James W. Spertus, Esq.
SPERTUS, LANDES & UMHOFFER, LLP
1990 South Bundy Drive, #705
Los Angeles, CA 90025

Cyril V. Smith, Esq.
William K. Meyer, Esq.
ZUCKERMAN SPAEDER LLP
100 East Pratt Street, Suite 2440
Baltimore, MD 21202

11. How will the lawyers be paid?

Class Counsel will ask the Court to order First American to pay up to \$5,750,000 to them for attorneys' fees and expenses for representing the Tower City Class and the Settlement Class, and \$10,000 to Ms. Edwards for her services as Class Representative. The fees would pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. The Court may award less than these amounts. First American will separately pay these fees, expenses, and payments that the Court awards. These amounts will not reduce the payments available for members of either the Tower City Class or the Settlement Class. First American has agreed not to oppose Class Counsel's request for these payments. First American will also pay the costs to administer the settlement.

OBJECTING TO THE SETTLEMENT

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

12. How do I tell the Court that I don't like the settlement?

As a member of the Tower City Class, you can object to the settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to the settlement, or you can use the Objection Form available on the website, www.RESPAClassActionSettlement.com. Mail the objection to each of these four different places postmarked no later than **August 19, 2016**:

| | |
|------------------------|---|
| Court | Clerk of the Court United States District Court for the Central District of California 312 North Spring Street Los Angeles, CA 90012 |
| Class Counsel | James W. Spertus, Esq. SPERTUS, LANDES & UMHOFFER, LLP 1990 South Bundy Drive, #705 Los Angeles, CA 90025 Cyril V. Smith, Esq. William K. Meyer, Esq. ZUCKERMAN SPAEDER LLP 100 East Pratt Street, Suite 2440 Baltimore, MD 21202 |
| Defense Counsel | Ronald D. Kent, Esq. Michael J. Duvall, Esq. DENTONS US LLP 601 South Figueroa Street Suite 2500 Los Angeles, CA 90017-5704 |

The timeliness of objections will be conclusively determined by the postmarked date or other proof for the date of mailing or for the delivery.

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 don’t have to.

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

The Court will hold a Fairness Hearing on **October 5, 2016 at 10:00 a.m.** at the United States District Court for the Central District of California, 312 North Spring St, Los Angeles, CA 90012, Courtroom No. 1 (2nd Floor). At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Otero will listen to people who have asked to speak at the hearing. The Court will also decide how much to pay to Class Counsel. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

14. Do I have to come to the hearing?

No. Class Counsel will answer questions Judge Otero may have, but you are welcome to come at your own expense. If you send an objection, you don’t 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 pay your own lawyer to attend, but it’s not necessary.

15. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your “Notice of Intention to Appear in *Edwards v. First American*.” Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than **August 19, 2016** and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the four addresses in Question 12. You cannot speak at the hearing if you have excluded yourself.

IF YOU DO NOTHING

16. What happens if I do nothing at all?

If you do nothing, you will still get money from this settlement in an amount equal to two times what you paid for title insurance.

GETTING MORE INFORMATION

17. Are there more details about the settlement?

This notice summarizes the proposed settlement. More details can be found in the Settlement Agreement and other documents, which can be found on the website, www.RESPAClassActionSettlement.com.

18. How do I get more information?

More information is available on the website, www.RESPAClassActionSettlement.com. You can also call 1-844-778-5951 toll-free or write to *Edwards v. First American* Class Action Settlement Administrator, P.O. Box 4098, Portland, OR 97208-4098.