

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

If you paid a real estate agent directly to help you buy or sell real estate between February 13, 2005 and February 13, 2009, inclusive, you could get a payment from a class action settlement.

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

- The settlement resolves a lawsuit over whether certain real estate brokerages violated the antitrust laws of the United States; it avoids the costs and risks to you from continuing the lawsuit; pays money to purchasers like you; and releases the West Penn Multilist, Inc. and these brokerages and their representatives (collectively, “the Defendants”) from liability.
- A settlement fund of \$2,375,000.00 has been established to administer and pay claims for anyone who paid for real estate services from Howard Hanna Real Estate Services, Coldwell Banker Real Estate Services, Freeman Realty, Northwood Realty Services, or Prudential Preferred Realty between February 13, 2005 and February 13, 2009, inclusive (“Purchasers”).
- Your legal rights are affected whether you act, or don’t act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS:	
SUBMIT A CLAIM FORM	The only way to get payment.
EXCLUDE YOURSELF FROM THE CLASS	Get no payment. You need to do this if you intend to bring your own lawsuit at your cost against the Defendants about the legal claims in <i>this</i> case.
OBJECT	If you don’t like the settlement, you can submit a formal written objection to the Court.
GO TO A HEARING	If you want to speak to the Court about the fairness of the settlement, you can go to a hearing.
DO NOTHING	If you do nothing, you will not get a payment but you will still give up your right to pursue your own lawsuit against the Defendants.

- These rights and options—and the deadlines to exercise them—are explained in this notice
- Payments will be made after all court proceedings are concluded and the settlement becomes final. Please be patient.

BASIC INFORMATION

1. Why did I get this notice package?

You or someone in your family may have purchased real estate brokerage services from one of the Defendants between February 13, 2005 and February 13, 2009, inclusive.

The Court sent you this notice because you have a right to know about a proposed settlement of a 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 appointed by the Court will make the payments that the settlement allows.

This package explains the lawsuit, the settlement, your legal 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 Western District of Pennsylvania, and the case is known as *Logue v. West Penn Multi-List, Inc., et al.*, Case No. 2:10-cv-451.

2. What is this lawsuit about?

The lawsuit claims that the Defendants conspired to restrain the ability of certain brokerages to compete in the West Penn Multilist service area, which includes the counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington, and Westmorland. The lawsuit claims that by limiting the ability of certain brokerages to compete effectively for real estate listings,

Defendants were able to maintain commission rates in the entire West Penn service area at artificially high levels. The Defendants deny that they did anything wrong, and deny that they have liability to any member of the proposed class.

After the parties had engaged in extensive document discovery, they each hired experts that were prepared to testify. The economic issues were highly complex and both sides recognized there was considerable risk of not prevailing at trial. Plaintiff and Defendants reached this settlement after protracted negotiations that began with formal mediation in September 2010 and culminated after weeks of arm's length bargaining in March 2011. Plaintiff and Defendants agree that the resulting settlement is a fair and reasonable resolution of these claims.

3. Why is this a class action?

In a class action, one or more people called Class Representatives (in this case Thomas L. Logue) sue on behalf of all others who have similar claims (the Class). By proceeding collectively, the Class Members and the Defendants can resolve their issues in a single case. U.S. District Judge Arthur J. Schwab is in charge of this Class Action.

WHO IS IN THE SETTLEMENT

To see if you will get money from this settlement, you first have to decide if you are a Class Member.

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

The Court decided that everyone who fits the following description is a Class Member: **All individuals or businesses that purchased the brokerage defendants' real-estate brokerage services in the West Penn MLS Service Area from February 13, 2005 through February 13, 2009, inclusive.** The brokerage defendants are Howard Hanna Real Estate Services, Coldwell Banker Real Estate Services, Freeman Realty, Northwood Realty Services, and Prudential Preferred Realty.

5. Are there exceptions to being included?

You are not a Class Member if you are or were an officer, director, agent, and/or employee of the Defendants. You are not a Class Member if you make a timely election to be excluded from the proposed Class.

6. I'm still not sure if I am included.

If you are still not sure whether you are included, you can ask for free help. You can call 1-888-502-2601 or visit www.strategicclaims.net/westpennsettlement for more information. Or you can fill out and return the claim form described in question 9, to see if you qualify.

THE SETTLEMENT BENEFITS—WHAT YOU GET

7. What does the settlement provide?

The Defendants have agreed to create a \$2,375,000.00 fund (less Court approved attorneys' fees and costs) to be divided pro rata among all Class Members who send in a valid claim form.

8. How much will my payment be?

Your share of the fund will depend on the amount of commission you paid, the fees and costs to be paid from the fund as approved by the Court, and the number of valid claim forms that Class Members send in. Here's how it works:

Once the total number of Claimants (Class Members that submit valid claim forms) is known, the Claims Administrator will divide the balance of the settlement fund (the amount remaining after attorneys fees and costs of litigation and settlement administration are paid) among the Claimants in proportion to the commissions each Claimant originally paid for real estate brokerage services covered by this action, up to 10% of the commission paid.

HOW YOU GET A PAYMENT—SUBMITTING A CLAIM FORM

9. How can I get a payment?

To qualify for payment, you must send in a claim form. A claim form is attached at the end of this Notice. You may also get a claim form on the internet at www.strategicclaims.net/westpennsettlement. Read the instructions carefully, fill out the form, sign it, and mail it postmarked no later than October 14, 2011.

10. When would I get my payment?

The Court will hold a hearing on November 1, 2011 to decide whether to approve the settlement. If the Court approves the settlement after that, there may be appeals. Resolving the appeals can take time, perhaps more than a year. Updates on the progress of the settlement will be posted on www.strategicclaims.net/westpennsettlement. Please be patient.

11. What am I giving up to get a payment or stay in the Class?

Unless you exclude yourself, you are staying in the Class. That means you will be part of this case and can't sue, continue to sue, or be part of any other lawsuit against the Defendants about the legal issues in *this* case. All of the Court's orders in this case will apply to you and legally bind you meaning you will agree to the "Release of Claims," as described in the Settlement Agreement. The Release of Claims provides that once this settlement is final, you can't bring the legal claims it describes against the Defendants.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from this settlement, but you want to keep the right to sue or continue to sue the Defendants on your own and at your own expense about the legal issues in *this* case, then you must take steps to get out. This is called excluding yourself — or is sometimes referred to as opting out of the settlement Class.

12. How do I get out of the settlement?

To exclude yourself from the settlement, you must send a letter by mail saying that you want to be excluded from *Logue v. West Penn Multi-List, Inc., et al.* Be sure to include your name, address, telephone number, signature, name of Defendant from which you purchased real estate services, the address of the property bought or sold, and the date of the sale of the property. You must mail your exclusion request postmarked no later than October 14, 2011 to:

Clerk of Court
U.S. District Court for W.D. Pennsylvania
U.S. Courthouse
PO Box 1805
Pittsburgh, PA 15230

If you ask to be excluded, you will not get any settlement payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) the Defendants in the future.

13. If I exclude myself, can I get money from this settlement?

No. If you exclude yourself, do not send in a claim form to ask for any money.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

The Court approved the law firms of Goldman Scarlato & Karon, P.C.; Specter Specter Evans & Manogue, P.C.; and Reinhardt Wendorf & Blanchfield to represent you and other Class Members. The Court appointed Goldman Scarlato & Karon, P.C. as Lead Counsel for the Class. 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.

15. How will the lawyers be paid?

Class counsel will ask the Court to approve a payment of \$783,750.00 (or 1/3 of the settlement fund) for attorneys' fees. The fees requested will compensate Class counsel for bringing this case on behalf of the Class and for their time investigating and litigating this case. The requested fee is less than the amount of time Class Counsel spent litigating this case at their normal hourly rates. Class counsel will also request payment for the costs they incurred in litigating this case (including the costs related to this notice and claims administration) of approximately \$350,000.00, and Class counsel will request payment to Thomas L. Logue not to exceed \$10,000.00 for his services as the Class Representative. The Court may award less than these amounts. Defendants have agreed not to oppose Class counsels' request for these payments.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you don't think the settlement is fair or reasonable.

16. What if I don't think the settlement is fair or reasonable?

If you're a Class Member (and chose not to exclude yourself from the Class) and are dissatisfied with the settlement, then you can file a formal objection to the settlement with the Court. If you file an objection, then the Court will consider your views. To object, you must send a letter saying that you object to *Logue v. West Penn Multilist, et al.* and state the specific basis for your objection. Be sure to include your name, address, telephone number, your signature, and the reasons you object to the settlement. Mail the objection to these two different places so that it is received no later than October 14, 2011:

COURT

Clerk of Court
U.S. District Court for W.D. Pa.
U.S. Courthouse
PO Box 1805
Pittsburgh, PA 15230

CLASS COUNSEL

Brian D. Penny, Esq.
Goldman Scarlato & Karon, P.C.
101 West Elm Street, Suite 360
Conshohocken, PA 19428

17. What's the difference between objecting and excluding?

Objecting is explaining to the Court why you don't think the settlement is fair or reasonable. You can object only if you stay in 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.

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. If you do not exclude yourself from the settlement, then you may attend and you may ask to speak, but you don't have to.

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

The Court will hold a Fairness Hearing at 9:00 a.m. on Tuesday, November 1, 2011, at the United States District Court for the Western District of Pennsylvania, U.S. Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania, in Courtroom 7C. At this hearing, the Court will consider whether the settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. The Court may 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.

19. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have. If you send an objection, you don't have to come to the 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 required.

20. 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 *Logue v. West Penn Multilist et al.*" Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be received no later than October 14, 2011, and be sent to the Clerk of Court and Class Counsel at the addresses shown in question 16. You cannot speak at the hearing if you exclude yourself.

IF YOU DO NOTHING

21. What happens if I do nothing at all?

If you do not submit a claim form, then you will not get any money from this settlement.

GETTING MORE INFORMATION

22. Are there more details about the settlement?

This notice summarizes the proposed settlement. More details are in a Settlement Agreement. You can get a copy of the Settlement Agreement by writing to Brian D. Penny, Esq., Goldman Scarlato & Karon, P.C., 101 West Elm Street, Suite 360, Conshohocken, PA 19428; email penny@gsk-law.com, or visiting www.strategicclaims.net/westpennsettlement.

23. How do I get more information?

You can call 1-888-502-2601 toll free, or write to Brian Penny at the address or email address in question 22, or visit the website www.strategicclaims.net/westpennsettlement, where you will find answers to common questions about the settlement, a claim form, plus other information to help you determine whether you are a Class Member and whether you are eligible for a payment.

CLAIM FORM

I _____ am a Class Member and wish to remain in the Class and share in the settlement fund.

I paid the following real estate agents/brokers for brokerage services in connection with the following real estate transactions in Allegheny, Crawford, Mercer, Venango, Clarion, Butler, Lawrence, Armstrong, Indiana, Beaver, Westmorland, Washington, Greene, Fayette, or Somerset counties between February 13, 2005 and February 13, 2009, inclusive.

<u>Agent/Broker</u>	<u>Property Address</u>	<u>Date of Property Sale</u>

I affirm that the information set forth above is true and accurate to the best of my knowledge.

Signature: _____ Date: _____

Please mail the completed claim form to:
Logue v. West Penn Multi-List, Inc.
c/o Strategic Claims Services
600 N Jackson Street - Suite 3
Media, PA 19063

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c/o Strategic Claims Services
600 N. Jackson Street, Suite 3
Media, PA 19063

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PLEASE FORWARD

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PLEASE FORWARD—IMPORTANT LEGAL NOTICE