

**LEGAL NOTICE FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

If you enrolled in Temple University's Fox School of Business and Management's Online MBA program between January 1, 2015 and December 7, 2018, a class action settlement with Temple University may affect your rights.

A Federal Court authorized this notice. This is not a solicitation from a lawyer.

- The settlement resolves a class action lawsuit by students in the Fox School of Business and Management Online MBA Program ("OMBA") who alleged that Temple misrepresented certain data relevant to the rankings of some of Temple's business programs. By settling this lawsuit for a payment by Temple of \$4 million and certain non-monetary relief, OMBA students avoid the substantial costs, risks and delays associated with continuing the lawsuit, including the risk that no payment or other benefit would be received.
- Temple denies the allegations made in this lawsuit but has nevertheless agreed to settle to avoid the costs, burdens and risks of continued litigation.
- Your legal rights are affected whether you act or do not act. This Notice includes information about the litigation, the settlement, and Co-Lead Counsel's Petition for Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Incentive Awards for Class Representatives. To receive a payment from the Settlement Fund, **you must timely submit a claim form. PLEASE READ THIS NOTICE CAREFULLY.**
- This class action settlement is on behalf of and will provide both financial and non-financial benefits to the following qualified individuals:

All persons who enrolled as students in Temple University's Fox School of Business and Management's Online MBA Program between January 1, 2015 and December 7, 2018 (collectively the "OMBA Settlement Class").

- The Court has not yet approved the settlement. Payments will be made to Settlement Class Members who file a timely and valid claim, only if the Court approves the settlement after a Final Approval Hearing, which will be held on **August 5, 2019**.

YOUR LEGAL RIGHTS AND OPTIONS

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| <p style="text-align: center;">YOU CAN SUBMIT A CLAIM FORM</p> | <p style="text-align: center;">The only way to receive a payment is to submit a Claim Form either by:</p> <p>Mail to Temple Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, postmarked by June 19, 2019; Email to Info@TempleOMBASettlement.com or Online at www.TempleOMBASettlement.com</p> |
| <p style="text-align: center;">YOU CAN DO NOTHING</p> | <p>If you do nothing, you will not receive any payment from the Settlement Fund and any claims you may have against Temple relating to the conduct alleged in the Complaint will be released. See ¶¶ 7(b), 18.</p> |
| <p style="text-align: center;">YOU CAN OBJECT</p> | <p>If you have any objections to the settlement, you must submit them in writing no later than June 10, 2019. See ¶ 15.</p> |
| <p style="text-align: center;">YOU CAN ATTEND A HEARING</p> | <p>If you would like to attend the Final Approval hearing, it will be held on August 5, 2019, at 10:30 AM in Courtroom 12-A, United States Courthouse, 601 Market Street, Philadelphia, PA 19106. You are not required to attend the hearing. See ¶¶ 16, 17.</p> |
| <p style="text-align: center;">YOU CAN ASK TO BE EXCLUDED</p> | <p>If you do not want to participate in the settlement or receive any payment from the Settlement Fund, you may “opt out” of the Settlement Class. By doing so, you will preserve any claims you may have against Temple relating to the conduct alleged in the Complaint. See ¶ 12.</p> |

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BASIC INFORMATION

1. Why am I getting this Notice?

You are a member of the OMBA Settlement Class if you enrolled as a student between January 1, 2015 and December 7, 2018 in Temple's OMBA Program.

The Court authorized sending you this Notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all your options, before the Court decides whether to approve the settlement. If the Court approves the settlement, an administrator will make the payments to claimants that the settlement allows. The Settlement Website will be updated to inform the OMBA Settlement Class of the progress of the settlement.

This Notice explains the settlement, your rights, what payments and other relief are available, and how to receive them. The Honorable Cynthia M. Rufe of the United States District Court for the Eastern District of Pennsylvania is presiding over this class action. The lawsuit is captioned *Smith, et al., v. Temple University*, Case No. 2:18-cv-00590.

2. What is this lawsuit about?

Plaintiffs allege that Temple misreported certain data that affected the rankings of its OMBA Program in publications such as *U.S. News & World Report*. Plaintiffs further allege that they enrolled in the OMBA Program and paid tuition as a result of those published rankings.

Temple denies any and all allegations of liability in the lawsuit, and none of the alleged liability of any kind has been established through the course of this lawsuit or settlement.

3. What is a class action lawsuit?

In a class action lawsuit, one or more people called "Plaintiffs" or "Class Representatives" bring suit on behalf of other people who have similar claims. The Plaintiffs or Class Representatives for the OMBA Settlement Class are Kyle Smith, Ibrahim Fetahi, Shawn Wynn, Ara Sardarbegians, Ryan Fink, Christopher Hamilton, John Thompson, and Brett Bonds. The entity or individual that is being sued is called the "Defendant," which is Temple University in this case. One court resolves the issues for all Class Members.

4. Why is there a settlement?

The Court did not decide in favor of Plaintiffs or Defendant. After extensive arms'-length negotiations overseen by a former Judge of the Third Circuit Court of Appeals, Plaintiffs and Defendant entered into this settlement in order to avoid the costs, burdens, risks, and delays of continued litigation and a potential trial and subsequent appeals. Members of the Settlement Class will receive financial and other non-monetary benefits. In settling, Defendant admits no liability. Based upon their investigation, OMBA Co-Lead Counsel believe this is a very good outcome for the OMBA Settlement Class.

WHO IS IN THE SETTLEMENT CLASS?

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

You are an OMBA Settlement Class Member if:

You enrolled as a student in Temple University's Fox School of Business and Management's Online MBA Program ("OMBA") between January 1, 2015 and December 7, 2018 (collectively the "OMBA Settlement Class").

6. I am not sure if I am included in the settlement

If you are still not sure whether you are part of the settlement, you can obtain further information at www.TempleOMBASettlement.com, calling or writing the Court-appointed OMBA Co-Lead Counsel at the telephone numbers/addresses provided in paragraph 15.

WHAT DOES THE SETTLEMENT PROVIDE?

7. What does the settlement provide?

(a) **Benefits:** The Settlement Fund for the OMBA Settlement Class is \$4 million. In addition, the OMBA Settlement Class will receive non-monetary benefits, including 12 months of career counseling and free access to the OMBA video educational materials. Temple University will also establish a whistleblower hotline, as well as student and faculty committees, to prevent future misreporting of data. A full listing of the settlement benefits is set forth in the Settlement Agreement, which is on file with the Court and available online at www.TempleOMBASettlement.com.

(b) **Release of Temple:** If the settlement is approved by the Court and becomes final, all OMBA Settlement Class Members who do not timely "opt out", as provided in paragraph 12 below, will release Temple over the matters at issue in this lawsuit. The specific claims that are being released against Temple are described in paragraph 29 of the Settlement Agreement. Class Members who do not timely opt-out are releasing those claims regardless of whether or not a Claim Form is submitted.

8. How much will my payment be?

The Settlement Fund for the OMBA Settlement Class is \$4 million. Settlement funds remaining after the Court has entered an Order approving the payment of attorney's fees and costs, incentive awards to the named plaintiffs, and the cost of settlement notice and administration will be distributed to Settlement Class Members who file timely claims. The amount of each Settlement Class Member's *pro-rata* payment will vary depending on several factors, namely, the number of Settlement Class Members who file claims; the total number of credit hours and total tuition for all Settlement Class Members who file claims; and your total credit hours and tuition. The determination of each Settlement Class Member's *pro-rata* payment will be made by the Temple Settlement Administrator pursuant to the Plan of Allocation filed by Co-Lead Counsel with the Court, which is posted on the Settlement Website.

HOW YOU GET A PAYMENT–SUBMITTING A CLAIM FORM

9. How can I receive a payment?

To receive a payment, you must timely submit a Claim Form by mail, email, or online. Inaccuracies in the information you provide will not automatically disqualify you from receiving a payment; however, it may take longer to process your claim. A Claim Form is included with this notice. Additional Claim Forms are available online at www.TempleOMBASettlement.com.

Claim Forms must be submitted online or emailed no later than June 19, 2019 or if mailed, postmarked no later than June 19, 2019. IF YOU FAIL TO TIMELY SUBMIT THE CLAIM FORM YOU WILL BE BARRED FROM RECEIVING A PAYMENT FROM THIS SETTLEMENT.

10. When will I get my payment?

The Court will hold a Final Approval hearing on **August 5, 2019**, to decide whether or not to approve the OMBA settlement. Even if the Court approves the settlement, there may be an appeal. It is uncertain when all issues will be resolved. The Settlement Website will be updated to inform the OMBA Settlement Class of the progress of the settlement. Please be patient.

11. What if I do not want a payment?

If you do not wish to receive a payment, DO NOTHING and do not submit a Claim Form.

12. Can I sue Temple for the same thing later?

As set forth above in paragraph 7(b), unless you choose to “opt out” of the Settlement Class, you cannot sue Temple University for the same conduct in another lawsuit. The deadline to opt out of the Settlement Class is **June 10, 2019**. To opt out, you must submit a written opt-out request by mail to:

Class Action Opt-Outs
ATTN: TEMPLE SETTLEMENT ADMINISTRATOR
PO BOX 58220
1500 John F. Kennedy Blvd.
Suite C31
Philadelphia, PA 19102

IF YOU OPT OUT OF THE SETTLEMENT CLASS, YOU WILL NOT BE ELIGIBLE TO SUBMIT A CLAIM FORM OR RECEIVE ANY PAYMENT FROM THIS SETTLEMENT. ALSO, YOU WILL NOT BE ABLE TO OBJECT TO THE SETTLEMENT.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

The Court appointed the law firms of Brown, LLC and Blau Leonard Law Group LLC to represent you as “OMBA Co-Lead Counsel.” More information about these firms, their practices, and their lawyers is available at <https://www.IFightForYourRights.com> and <https://www.blauleonardlaw.com/>.

You do not need to hire your own lawyer because OMBA Co-Lead Counsel continue to work on your behalf in this case. You may, however, hire your own lawyer at your own expense.

14. How will the lawyers be paid?

The Court will decide how much OMBA Co-Lead Counsel will be paid. They will petition the Court for payment of attorneys’ fees from the \$4 million Settlement Fund in an amount not to exceed one-third of the Settlement Fund, and for reimbursement of out-of-pocket expenses they incurred in the litigation. They will also petition the Court for payment of incentive awards from the Settlement Fund to the 8 class representatives in recognition of their substantial time and effort expended in prosecuting this action.

The Petition for Award of Attorneys’ Fees, Reimbursement of Litigation Expenses and Incentive Awards for Class Representatives will be filed with the Court on or before **May 10, 2019**, and also will be posted online to the Settlement Website at www.TempleOMBASettlement.com.

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I object to the settlement?

If you are an OMBA Settlement Class Member and have not opted out of the Settlement Class, you can object to the settlement, the request for attorneys’ fees, reimbursement of expenses, and payment of class representative incentive awards. The Court will consider your views. To object, you must send a written document stating that you object to the settlement in *Smith, et al., v. Temple University*, Case No. 2:18-cv-00590. Your written objection must include: (a) your name, address, telephone number, and email address; (b) the dates you were enrolled in the OMBA Program; (c) a statement whether you intend to appear at the Final Approval Hearing, either in person or through your own attorney; (d) the reasons supporting your objection; (e) copies of any papers upon which your objection is based; and (f) your signature. In order to be considered by the Court, your objection must be filed with the Clerk of the Court no later than **June 10, 2019** and mailed to each of the following addresses postmarked no later than **June 10, 2019**:

| Court | OMBA Lead Counsel | Defense Counsel |
|--|--|---|
| Clerk of the Court United States District Court Eastern District of Pennsylvania 601 Market Street Philadelphia, PA 19106 Att'n: <i>Smith v. Temple University</i> , No. 2:18-cv--00590. | Steven Blau, Esq. Shelly A. Leonard, Esq. Blau Leonard Law Group LLC 23 Green Street, Suite 303 Huntington, NY 11743 sblau@blauleonard.com sleonard@blauleonardlaw.com If your last name begins with A-M call (800)-320-0403 Jason T. Brown, Esq. Brown, LLC 111 Town Square Place, Suite 400 Jersey City, NJ 07310 jtb@jtblawgroup.com If your last name begins with N-Z call (877) 561-0000 | Roberta D. Liebenberg, Esq. Fine, Kaplan and Black, R.P.C. One South Broad Street 23rd Floor Philadelphia, PA 19107 |

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **August 5, 2019 at 10:30 AM**, in Courtroom 12-A of the United States Courthouse, located at 601 Market Street Philadelphia, PA 19106. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will also consider the Petition for Award of Attorneys' Fees, Reimbursement of Litigation Expenses and Incentive Awards for Class Representatives. If there are timely written objections, the Court will consider them. You may speak at the Final Approval Hearing, but only if you have filed a timely written objection. We do not know how long it will take for the Court to decide these issues, or whether an appeal will be taken.

17. Do I have to come to the hearing?

No. OMBA Co-Lead Counsel will answer any questions the Court may have about the settlement. You may, however, come at your own expense if you so choose. If you send an objection, you do not have to come to Court to talk about it. As long as you mail your written objection on or before **June 10, 2019**, the Court will consider it.

IF YOU DO NOTHING

18. What happens if I do nothing at all?

If you do nothing, you will not be eligible to participate in the settlement and any claims you may have against Temple relating to the conduct alleged in the Complaint will be released.

GETTING MORE INFORMATION

19. How do I get more information about the settlement?

This Notice summarizes the proposed settlement. You can find important documents from the case, including the Settlement Agreement, at www.TempleOMBASettlement.com. If you have any questions or concerns, call or write to Court-appointed OMBA Co-Lead Counsel at the addresses and phone numbers provided in paragraph 15.

You should consult the Settlement Website to become aware of any updates about the settlement and claims process.

PLEASE DO NOT CALL OR WRITE THE COURT FOR INFORMATION OR ADVICE.

DATED: April 10, 2019

BY ORDER OF THE U.S. DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA