

Lashambae Settlement Administrator
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**If You Paid Capital One Overdraft
Fees on Transactions with Lyft,
You May Be Eligible for a Payment
from a Class Action Settlement.**

A Settlement has been reached in a class action lawsuit alleging that Capital One, N.A. (“Capital One”) improperly charged overdraft fees on one-time Lyft transactions to customers who did not opt into the Bank’s Debit Card Overdraft Service. Capital One denies any wrongdoing or liability. The Court has not decided who is right.

Who's Included? Capital One's records show that you are likely a member of the Settlement Class. The Settlement Class includes all present and former Capital One consumer checking account holders in the United States and its territories who were not opted in to Capital One's Debit Card Overdraft Service for ATM and everyday debit card transactions, and who were charged overdraft fees, **between May 1, 2013 and March 30, 2020**, the date of preliminary approval of the Settlement, on a Lyft transaction that was coded as recurring.

What Are the Settlement Terms? Capital One has agreed to establish a Settlement Fund of \$320,633. Once the court approves the Settlement, as long as you did not opt out (further described below and on the Settlement Website), you will *automatically* receive a payment by check or Account credit for your portion of the Net Settlement Fund. There is no need to file a claim. The Net Settlement Fund will be divided among the Settlement Class Members, in accordance with the terms of the Settlement Agreement. The Net Settlement Fund is the amount after fees, costs, an award to the Class Representative and Administration Expenses are paid from the Settlement Fund of \$320,633. The Settlement provides that Class Counsel may seek up to 30% of the Settlement Amount, or \$96,190, to reimburse Class Counsel for attorneys' fees, and that the Class Representative may seek \$5,000 as a Service Award.

Your Rights May Be Affected. If you do not want to be legally bound by the Settlement, you must exclude yourself from the Settlement Class by **August 7, 2020**. If you do not timely exclude yourself, you will release your claims against Capital One and related "Released Parties." If you exclude yourself, which is sometimes called "opting out" of the Settlement Class, you will not get any automatic payment. If you stay in the Settlement Class, you may object to the Settlement in writing by **August 7, 2020**. The Long Form Notice, available at the Settlement Website listed below, explains how to exclude yourself or object.

The Fairness Hearing. The Court will hold a hearing at **11:00 AM on October 1, 2020** in the Courtroom of the Honorable Vera M. Scanlon, U.S. District Court for the Eastern District of New York, 225 Cadman Plaza East, Room 13 A, Brooklyn, NY 11201. At the hearing, the Court will consider whether to approve the Settlement and Class Counsel's request for attorneys' fees, plus expenses and the Class Representative's Service Award. Unless you opt-out of the Settlement, you may appear at the hearing, but you are not required to attend. You may also hire your own attorney, at your own expense, to appear or speak for you at the hearing.

How Can I Get More Information? For more information about this lawsuit and your rights, including a detailed notice that explains how to exclude yourself from or object to the Settlement, as well as a Final Approval Order and Judgment, visit www.LashambaeCapitalOneSettlement.com. You may also obtain a detailed notice by writing to Lashambae Settlement Administrator, PO Box 6389, Portland, OR 97228-6389. Para una notificación en Español, visite nuestro sitio de Web, www.LashambaeCapitalOneSettlement.com.

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