



NOTICE OF SETTLEMENT

March 16, 2015

VIA E-MAIL and US MAIL

Re: Caroline Castellaw *et al* v. Excelsior College
E.D.N.Y. Civil Action No.: 14-cv-01048-JBW-RLM

The parties in the above-referenced matter have entered into a Stipulation of Settlement in an action commenced by current and former students of Excelsior College ("Excelsior") to resolve certain allegations of unfair business practices under the New York State General Business Law that Excelsior denied. The matter was filed as a class action lawsuit. Thus, pursuant to the Stipulation of Settlement, compensation may be awarded to any current or former student of Excelsior's ADN Nursing Degree Programs, who took the Clinical Performance in Nursing Examination ("CPNE") and did not pass the CPNE, and then took the CPNE on an additional occasion during the **period of February 19, 2011 through March 5, 2015**, and did not pass the CPNE on one or more occasions during that period, and who demonstrate that s/he is entitled to recover as a member of the designated class. Eligible Class Members are entitled to a payment of \$200.00 for each CPNE failure during the period February 19, 2011 through March 5, 2015.

If you believe that you have such a claim, you must make such claim in writing by completing the attached claim form, which must be returned and postmarked on or before June 15, 2015 to Hamlin & Burton Liability Management, Inc., the Third-Party Administrator (TPA). If TPA has not received notification from you in writing which was postmarked by June 15, 2015, you will not be allowed to make any such claim for compensation and any claims you might have against Excelsior will be barred. Your Claim Form must be returned to TPA via U.S. mail at Hamlin & Burton Liability Management, Inc., 615 Crescent Executive Court Suite 212, Lake Mary, FL 32746 or via email at excelsiorclassaction@hamlinandburton.com. For additional information go to www.excelsiorclassaction.com.

Please be advised that class members may make a request to be excluded from the monetary relief offered as part of the settlement. Any such request must be sent to TPA postmarked on or before May 15, 2015. Class members are also entitled to object to the provisions of the

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Stipulation of Settlement and that objection must be postmarked on or before July 8, 2015. In addition, you are advised that class members may enter an appearance through counsel on this matter. The class judgment will have a binding effect on all class members. There will be a Fairness Hearing held in this matter to determine whether the conditions provided for in the Settlement Agreement are fair, reasonable, and adequate. This hearing is currently scheduled for July 15, 2015 at 11:00 a.m. in Courtroom 10 B South at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East before the Honorable Jack B. Weinstein.

This notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, you may access the Court docket in this case through the Court's Public Access to the Court Electronic Records (PACER) system at <https://www.pacer.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, New York, New York 11201, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

If you have any additional questions or concerns, please contact the Hermina Law Group at 301-776-2003.

Sincerely,

Robin Kendall, TPA Supervisor

Enclosures: Claim Form