

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON**

**Notice of Proposed Class Action Settlement**

*Samson v. United HealthCare Services, Inc.*  
Case No. 2:19-cv-00175-MJP

**If you received a prerecorded call from UnitedHealthcare to your cell phone between January 9, 2015 and January 9, 2019 and you were not a UnitedHealthcare member at the time of the call you may be eligible for a class action settlement payment.**

Class Counsel estimate that payments could be between \$350 and \$1,000. This is only an estimate, the final amount may be more or less depending on the number of claims filed. You must complete a Claim Form to get a payment.

*A federal court authorized this Settlement Notice. This is not a solicitation from a lawyer.*

- A settlement has been proposed to end a class action lawsuit against United HealthCare Services, Inc. (UnitedHealthcare or Defendant), known as *Samson v. United HealthCare Services, Inc.*, Case No. 2:19-cv-00175-MJP (W.D. Wash.) (the Lawsuit) for violations of the Telephone Consumer Protection Act (TCPA). The Lawsuit alleges that UnitedHealthcare placed prerecorded telephone calls to cellular telephones. The Plaintiff, Frantz Samson, alleges that UnitedHealthcare did not have consent to place the calls.
- Defendant denies any wrongdoing. Defendant claims it has abided by all state and federal laws, and that the Lawsuit is not well grounded in law or fact. As part of the proposed settlement, Defendant does not admit to any wrongdoing, maintains its compliance with the law, and continues to deny the allegations against it.
- The Parties in the Lawsuit have agreed to resolve the Lawsuit with a \$2,500,000 settlement to resolve the claims of a Settlement Class defined as follows:

All persons residing within the United States who, between January 9, 2015, and January 9, 2019, received a non-emergency telephone call(s) placed using either the Avaya Pro Contact or LiveVox IVR dialing systems from the Medicare and Retirement Non-Licensed Retention Team, the Community and State National Retention Team or the Medicare and Retirement Collections Team, to a cellular phone through the use of an artificial or prerecorded voice, and who was not a UnitedHealthcare member or a third party authorized to receive calls on a member's behalf at the time of the call.

The Settlement Class does not include Defendant, any entity that has a controlling interest in Defendant, and Defendant's current or former directors, officers, counsel, and their immediate families. The Settlement Class also does not include any person who validly requests exclusion from the Settlement Class.

- The Court has scheduled a Final Fairness Hearing for June 20, 2025. If the settlement is approved and becomes final, you will be issued a payment if (i) you are a member of the Settlement Class; and (ii) you file a valid Claim Form before April 15, 2025. Even if you do not file a Claim Form, your rights will be affected if you are a member of the Settlement Class and you do not exclude yourself from the settlement. Read below or call (833) 215-9289 for more information.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:	
<b>FILE A CLAIM BY APRIL 15, 2025</b>	<p><b>This is the only option that allows you to get a payment.</b></p> <p>If you are a member of the Settlement Class, you have a right to complete a Claim Form to share in the settlement proceeds paid by UnitedHealthcare to settle the Lawsuit. A Claim Form can be (a) completed and submitted electronically on the website, or (b) printed, completed, and submitted by mail.</p> <p>If your Claim Form is approved and the settlement is approved by the Court and becomes final, you give up your right to bring your own lawsuit about the issues in this Lawsuit.</p>
<b>DO NOTHING</b>	<p><b>Stay in this Lawsuit. Get no payment. Give up certain rights.</b></p> <p>By doing nothing, you will not get a payment from the settlement, but you give up any rights to sue UnitedHealthcare separately about the same legal claims in this Lawsuit.</p>
<b>ASK TO BE EXCLUDED BY APRIL 15, 2025</b>	<p><b>Get out of this Lawsuit. Get no payment. Keep rights.</b></p> <p>If you ask to be excluded, you will not get a payment from the settlement, but you keep any rights you may have to sue UnitedHealthcare separately about the same legal claims in this Lawsuit.</p>
<b>OBJECT TO THE SETTLEMENT BY APRIL 15, 2025</b>	<p><b>Tell the Court why you disagree with the settlement.</b></p> <p>If you do not exclude yourself from the settlement, you may object to or comment about the settlement and/or Class Counsel's request for attorneys' fees, expenses, and Service Award to the Class Representative who brought this Lawsuit. If you want to get a Claimant Award from the settlement, you also have to complete a Claim Form.</p>

## BASIC INFORMATION

### 1. Why did I get this Notice?

Records indicate that you may have received a prerecorded or artificial voice call from UnitedHealthcare between January 9, 2015 and January 9, 2019. This Settlement Notice explains that the Court has granted Preliminary Approval of a settlement that may affect you. You have legal rights and options that you may exercise before the Court decides whether to approve the settlement. To get a payment from the settlement, you must complete a Claim Form by April 15, 2025. Judge Marsha J. Pechman of the United States District Court for the Western District of Washington is overseeing this class action. The Lawsuit is known as *Samson v. United HealthCare Services, Inc.*, Case No. 2:19-cv-00175-MJP (W.D. Wash.).

### 2. What is this Lawsuit about?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All of these people are a class, or class members. One court resolves the issues for all class members, except those who exclude themselves from the class.

Here, the Class Representative alleges that UnitedHealthcare is liable for TCPA violations by making prerecorded or artificial voice calls to cellular telephones even though UnitedHealthcare's business records show the telephone number had been marked as "wrong number." The Class Representative alleges that Settlement Class Members did not give permission to receive these calls.

The proposed Settlement Class includes:

All persons residing within the United States who, between January 9, 2015, and January 9, 2019, received a non-emergency telephone call(s) placed using either the Avaya Pro Contact or LiveVox IVR dialing systems from the Medicare and Retirement Non-Licensed Retention Team, the Community and State National Retention Team or the Medicare and Retirement Collections Team, to a cellular phone through the use of an artificial or prerecorded voice, and who was not a UnitedHealthcare member or a third party authorized to receive calls on a member's behalf at the time of the call.

UnitedHealthcare denies any wrongdoing and believes it has fully complied with the law. UnitedHealthcare has asserted many defenses it believes would be successful at trial. In agreeing to settle, UnitedHealthcare maintains that it complied with the law and does not admit any wrongdoing. The settlement is not an admission of wrongdoing. The Court has not decided whether UnitedHealthcare did anything wrong. If the Court approves the settlement, there will be no trial about the claims in the Lawsuit.

### **3. What is a class action and who is involved?**

In a class action, one or more people, called class representatives (in this case, Frantz Samson), sue on behalf of people who have similar claims. These people together are called a class, or class members. The class representative who sued, and all class members like him, are called Plaintiffs. The company he sued (in this case, United HealthCare Services, Inc.) is called the Defendant. One court resolves the issues for everyone in the class except for those people who choose to exclude themselves from the class.

### **4. Why is this Lawsuit a class action?**

The Court decided that this Lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- (a) Questions of law or fact common to the members of the classes predominate over any questions affecting only individual members; and
- (b) A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

### **5. What has happened in the Lawsuit?**

The Plaintiff filed his complaint. UnitedHealthcare filed an answer that denies Plaintiff's allegations. The Court granted class certification. UnitedHealthcare filed a motion to decertify the class, which Plaintiff opposed. The Parties subsequently agreed to a settlement and the Court has granted Preliminary Approval of the proposed settlement.

## **WHO IS IN THE SETTLEMENT CLASS**

### **6. Am I part of the Settlement Class?**

You are a member of the Settlement Class if, between January 9, 2015, and January 9, 2019, you received a non-emergency telephone call placed using either the Avaya Pro Contact or LiveVox IVR dialing systems from the Medicare and Retirement Non-Licensed Retention Team, the Community and State National Retention Team or the Medicare and Retirement Collections Team, to a cellular phone through the use of an artificial or prerecorded voice, and you were not a UnitedHealthcare member or a third party authorized to receive calls on a member's behalf at the time of the call.

If you received notice of this settlement via email or mail, that means records indicate that you might be part of the Settlement Class.

The Settlement Class does not include UnitedHealthcare, any entity that has a controlling interest in UnitedHealthcare, and UnitedHealthcare's current or former directors, officers, counsel, and their immediate families.

## THE PROPOSED SETTLEMENT

### 7. What are the terms and benefits of the settlement?

The complete terms of the settlement are found in the Settlement Agreement. This Settlement Notice only provides a summary.

If the settlement is approved and becomes final, UnitedHealthcare will pay \$2.5 million (\$2,500,000) into a Settlement Fund. This money will be used to: (1) make Claimant Awards to Settlement Class Members who complete a valid Claim Form, (2) pay the costs of distributing notice and settlement payments to Settlement Class Members and other costs of administering the settlement; and (3) pay court-awarded attorneys' fees and litigation expenses of the attorneys appointed by the Court to represent the Settlement Class ("Class Counsel") and any Service Award granted to the Class Representative.

**Class Counsel estimate that payments could be between \$350 and \$1,000. This is only an estimate, the final amount may be more or less depending on the number of claims that are made. You must complete a Claim Form to get a payment.**

### 8. What claims will be released by the settlement?

If you stay in the Settlement Class you will be giving up any and all claims against UnitedHealthcare for artificial or prerecorded voice calls made from January 9, 2015, and January 9, 2019.

Specifically, you release any and all claims, rights (including rights to restitution or reimbursement), demands, actions, causes of action, suits, liens, damages, attorneys' fees, obligations, contracts, liabilities, agreements, costs, expenses or losses of any nature, whether known or unknown, direct or indirect, matured or unmatured, contingent or absolute, existing or potential, suspected or unsuspected, equitable or legal, and whether under federal statutory law, federal common law or federal regulation, or the statutes, constitutions, regulations, ordinances, common law, or any other law of any and all states or their subdivisions, parishes or municipalities that arise out of or relate in any way to artificial or prerecorded voice calls placed using either the Avaya Pro Contact or LiveVox IVR dialing systems by UnitedHealthcare's Medicare and Retirement Non-Licensed Retention Team, the Community and State National Retention Team or the Medicare and Retirement Collections Team (collectively, "Claims"), that have been, or could have been, brought in the Action, as well as any Claims arising out of the same factual predicate as any of the Claims asserted in the Action.

The full Settlement Agreement is available on the website.

### 9. How are Claimant Award payments calculated?

If the settlement is approved and becomes final, Settlement Class Members who complete and submit a valid Claim Form will be issued a payment. Settlement Class Members' payment amounts will be shared equally among all Settlement Class Members who submit valid Claim Forms, after the Court-ordered deduction of costs, attorneys' fees, expenses, and any Service Award granted to the Class Representative. Class Counsel estimate that payments could range between \$350 and \$1,000 per Eligible Claimant, although the actual amount could be higher or lower depending on how many valid Claim Forms are received.

If you are a Settlement Class Member, to receive a payment you need to complete and submit a Claim Form by April 15, 2025. The Claim Form allows Settlement Class Members to elect the method by which to receive payments including paper checks or electronic payment.

For any payments that are uncashed or deemed undeliverable by the Settlement Administrator, the funds will be distributed by one or both of the following means: (1) a pro rata second distribution to those Settlement Class Members who cashed/received their initial payments (if there are sufficient residual funds to justify the administrative costs of such distribution); and/or (2) distribution to the AARP Foundation. No money will revert back to the Defendant.

## YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Settlement Class, whether to make a claim for a payment, whether to object to the settlement, or whether to exclude yourself from the Settlement Class.

### 10. How do I get a payment?

Complete a Claim Form by April 15, 2025. This is the only way to get a payment from the settlement. The Claim Form requires you to confirm that, at the time of the calls, you were the owner or regular user of the phone number to which UnitedHealthcare placed the prerecorded calls and that, to the best of your knowledge and belief, you were not a UnitedHealthcare member at the time of the calls, you were not authorized to receive calls on behalf of a UnitedHealthcare member, and you did not otherwise consent to receive the calls.

Once completed, the Claim Form can be submitted electronically at [www.UnitedTCPAClassAction.com](http://www.UnitedTCPAClassAction.com) or printed and mailed to the following address:

Samson v. United HealthCare Services, Inc.  
c/o Settlement Administrator  
P.O. Box 16  
West Point, PA 19486

Mailed Claim Forms must be postmarked by April 15, 2025. Each Settlement Class Member is entitled to submit only one Claim Form, regardless of the number of calls they received. If you submit a Claim Form through the settlement website, please do not submit a duplicate Claim Form by mail, or vice versa. Duplicate Claim Forms will be rejected.

### 11. What happens if I do nothing at all?

By doing nothing you are staying in the Settlement Class but you are giving up the ability to get a payment from the settlement. To get a payment you must complete a Claim Form by April 15, 2025. By doing nothing or completing a Claim Form, you are choosing to stay in the Settlement Class and if the settlement becomes final, you give up any rights to sue the Defendant separately about the same issues in this Lawsuit. See Question 8.

By staying in the Settlement Class, you may object to or comment on the settlement and/or to Class Counsel's request for attorneys' fees, litigation expenses, and Service Awards. You do not need to object or comment in order to receive a payment.

### 12. How do I object or comment?

If you are a Settlement Class Member, and have not excluded yourself from the settlement, you can comment on or object to the settlement, Class Counsel's request for attorneys' fees and litigation expenses, and/or the request for Service Awards for the Class Representative. Class Counsel's motion for attorneys' fees and litigation expenses and for a Service Award, and all supporting materials, will be filed with the Court and posted online at [www.UnitedTCPAClassAction.com](http://www.UnitedTCPAClassAction.com) by March 17, 2025. To object or comment, you must send a written objection/comment to the address below including the following:

- (a) the name and case number of this Lawsuit (*Samson v. United HealthCare Services, Inc.*, Case No. 2:19-cv-00175-MJP (W.D. Wash.));
- (b) your full name, mailing address, telephone number, and email address;
- (c) information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class;
- (d) a statement as to whether the objection applies only to the Settlement Class Member, to a specific subset of the Settlement Class, or to the entire Settlement Class;

- (e) a written statement of the specific legal and factual bases for each and every objection, accompanied by any legal support for the objection you believe is applicable;
- (f) if you are represented by counsel, the name and telephone number of any attorney representing you in this matter, or any attorney who may be entitled to compensation for any reason related to the objection, whether counsel intends to submit a request for fees, and all factual and legal support for that request;
- (g) a statement of whether or not you intend to appear at the Final Fairness Hearing, and if so, the identity of all counsel representing you who will appear at the Final Fairness Hearing (who must enter a written Notice of Appearance of Counsel with the Clerk of the Court);
- (h) the identity of any witnesses you may call to testify and any documents to be presented or considered; and
- (i) your signature and the signature of your attorney or authorized representative.

Your comment or objection must be postmarked no later than April 15, 2025, and mailed to the following address:

Samson v. United HealthCare Services, Inc.  
c/o Settlement Administrator  
P.O. Box 16  
West Point, PA 19486

### **13. How do I ask to be excluded from the Settlement Class?**

You may exclude yourself from the Lawsuit by mailing an exclusion request to the Settlement Administrator at the address above that is postmarked no later than April 15, 2025. The exclusion request must (a) include your full name, address, and telephone number; (b) state the name and number of this case, *Samson v. United HealthCare Services, Inc.*, Case No. 2:19-cv-00175-MJP (W.D. Wash.); (c) contain your personal and original signature or the original signature of a person authorized by law to act on your behalf with respect to a claim or right such as those asserted in the litigation, such as a trustee, guardian or person acting under a power of attorney; and (d) state unequivocally your intent to be excluded from the settlement.

You have the right to exclude yourself if for any reason you do not wish to be part of the Settlement Class. If you are already pursuing claims against UnitedHealthcare for alleged violations of the TCPA or other federal or state statutes related to telephone calls, or plan to pursue such claims, you should talk to your lawyer in that matter. You should exclude yourself from the Settlement Class if you wish to separately make claims against UnitedHealthcare based on the TCPA or other federal or state statutes related to telephone calls. If you exclude yourself from the Settlement Class—which also means to remove yourself from the Settlement Class and is sometimes called “opting-out” of the Settlement Class—you will not get a payment from the settlement.

You must submit your own request for exclusion—in other words, you may not request exclusion for anyone other than for yourself.

## **THE LAWYERS REPRESENTING YOU**

### **14. Do I have a lawyer in this case?**

The Court has appointed Terrell Marshall Law Group PLLC, Francis Mailman Soumilas, P.C., and Shub & Johns LLC to represent you and all Settlement Class Members. These lawyers are called Class Counsel. They are experienced in handling similar cases. More information about the law firms, their practices, and their lawyers’ experience is available at [www.TerrellMarshall.com](http://www.TerrellMarshall.com), [www.ConsumerLawFirm.com](http://www.ConsumerLawFirm.com), and [www.ShubLawyers.com](http://www.ShubLawyers.com).



#### **15. Should I get my own lawyer?**

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to hire them on your own. For example, you can ask a lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you. If you hire a lawyer to speak for you or to appear in Court, your lawyer should file a Notice of Appearance with the Court.

#### **16. How will the lawyers be paid?**

Class Counsel (lawyers from Terrell Marshall Law Group PLLC, Francis Mailman Soumilas, P.C., and Shub & Johns LLC) will ask the Court to approve payment of legal fees of \$833,333, which is 1/3 (33%) of the \$2.5 million Settlement Fund, and out-of-pocket costs of approximately \$420,000 from the settlement. They will also request a Service Award of \$20,000 for Frantz Samson.

### **THE COURT'S FINAL FAIRNESS HEARING**

#### **17. When and where will the Court decide whether to approve the settlement?**

The Court will hold a Final Fairness Hearing at 10:00 a.m. on June 20, 2025, in Courtroom 14229 of the United States District Court for the Western District of Washington in Seattle, 700 Stewart Street, Seattle, WA 98101. The hearing may be moved to a different date or time, or the Court may order that the hearing be held telephonically or by videoconference, without additional notice. Please check the website for updates or changes.

At the Final Fairness Hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will also consider Class Counsel's application for attorneys' fees, expenses, and a Service Award. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

#### **18. Do I have to come to the hearing?**

No. You do not have to attend or participate in the hearing to receive a payment. Class Counsel will answer questions the Court may have. But you are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it but you can at your own expense. So long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

#### **19. May I speak at the hearing?**

If you are a Settlement Class Member and have not excluded yourself from the settlement, you may ask the Court for permission to speak at the Final Fairness Hearing. You cannot speak at the hearing if you exclude yourself from the Settlement Class.

### **GETTING MORE INFORMATION**

#### **20. Are there more details available?**

If you have questions that are not answered on the website, you can speak to Class Counsel by calling (206) 518-6225 or by writing to: Terrell Marshall Law Group PLLC, 936 N. 34th Street, Suite 300, Seattle, WA 98103. You also may call the Settlement Administrator toll free at (833) 215-9289. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov).

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT  
WITH QUESTIONS ABOUT THE ACTION.**