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Commissioner

State of Alabama Department of Revenue

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August 18, 2008

MEMORANDUM

2009-26

TO: ALL COUNTY LICENSE PLATE ISSUING OFFICIALS

FROM: Mike Gamble, Assistant Director
Motor Vehicle Division

SUBJECT: DPPA Class Action Case No. 07-60695-Civ-martinez/Brown

Enclosed is a legal notice informing class members, which include persons who have received driver's license or registered a car in Alabama, of their legal rights pursuant to the above referenced class action case. Per the direction of United States Judge Jose E. Martinez, a copy of this notice should be posted (i.e. public location, taped to a countertop, etc.) in each of your local offices for general viewing.

If you have any questions regarding this matter, please feel free to contact our office at (334) 242-9007.

LEGAL NOTICE

If You Are a Licensed Driver or Own a Motor Vehicle A Proposed Class Action Settlement May Affect Your Rights

PARA UNA NOTIFICACIÓN EN ESPAÑOL, LLAMAR O VISITE NUESTRO WEBSITE
WWW.DPPASETLEMENT2.COM

There is a Proposed Settlement in a class action lawsuit, *Fresco, et al. v. R.L. Polk & Co. and Acxiom Corp.*, Case No. 07-cv-60695-JEM, in the U.S. District Court for the Southern District of Florida. The Proposed Settlement affects a "Class," or group, of people that may include you. This is just a summary of your rights. To get complete information you should visit www.dppasettlement2.com or call 1-866-397-0925.

What is the Case About?

The people who filed this lawsuit, the Plaintiffs, claim that the Defendants knowingly obtained, used or disclosed personal information from motor vehicle records in violation of a federal law, the Driver's Privacy Protection Act ("DPPA").

The companies that were sued, the Defendants, don't think they did anything wrong. They agreed to the Proposed Settlement to avoid the further expense, inconvenience, and the burden of this litigation.

Who Is Involved?

The Class includes all persons whose Personal Information or Highly Restricted Personal Information (as those terms are defined by the DPPA) was obtained, used or disclosed by either of the Defendants from April 1, 1998 through the date that the Court approves the Final Order.

The Defendants are: R.L. Polk & Co. and Acxiom Corporation.

What Does the Settlement Provide?

The relief provided is injunctive. This means that the Defendants have agreed to design, implement and maintain specific, substantial procedures to enhance compliance with the DPPA when they obtain, use or disclose information regulated by the DPPA. There will be no monetary recovery for Class Members. However, if you have actual money damages, you can file a lawsuit on your own.

Who Represents Me?

The Court has appointed attorneys to represent the Class. Class Counsel will request that the Court award attorneys' fees and expenses in an amount not to exceed \$7.5 million. You may hire your own attorney, if you wish. However, you

will be responsible for your attorney's fees and expenses.

What are My Legal Rights?

If the Court approves the Proposed Settlement, you will be bound by the Court's decisions. You will not be able to sue the Defendants for the claims that were made in this lawsuit, including claims for statutory liquidated damages. But you will be able to sue for actual money damages in an individual lawsuit. For full information about the rights you are giving up, please read the *Notice of Proposed Class Action Settlement*.

You can tell the Court if you do not like the Proposed Settlement.

To object or comment, you must send a letter that is mailed and postmarked no later than October 9, 2009, as outlined in the *Notice of Proposed Class Action Settlement*. If you employ a lawyer to prepare the objection, then the objection letter must include a section detailing the lawyer's experience with class actions. The section must specifically list the capacity in which the lawyer participated in each class case (e.g. plaintiffs, defendants, or objectors' counsel) and the outcome of each class case. If the lawyer represented objectors in a class case, then the lawyer must detail the disposition or effect that the objection had on each class case. Please note that even if you employ a lawyer to prepare the objection, you must still personally sign the objection letter. By signing the objection letter, you are attesting that you discussed the objection with the lawyer and have fully reviewed the objection letter.

Will the Court Approve The Proposed Settlement?

The Court will hold a Final Approval Hearing on December 7, 2009 at 10:00 A.M. to consider whether the Proposed Settlement is fair, reasonable, and adequate and the motion for attorneys' fees and expenses. If comments or objections have been received, the Court will consider them at this time.

For more information on the Proposed Settlement, and to get a copy of the Notice of Proposed Class Action Settlement, call 1-866-397-0925, visit www.dppasettlement2.com, or Write DPPA Settlement Administrator, c/o The Garden City Group, Inc.,

1-866-397-0925

www.dppasettlement2.com