

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

PLEASE READ THIS NOTICE CAREFULLY. If you were enrolled in any program at Point Park University (“PPU” or “University”) after March 12, 2020, and were assessed tuition and/or fees by PPU for the Spring 2020 semester, you may be eligible to receive a payment as part of a proposed settlement of *Figueroa, et al. v. Point Park University*, Civil Action No. 2:20-cv-01484 (W.D. Pa.) (the “Action”).

In this Action, Plaintiffs alleged PPU breached a contract when it transitioned to remote learning in response to the COVID-19 pandemic. Plaintiffs also alleged that PPU’s shift to remote learning gave rise to claims of unjust enrichment and conversion. Plaintiffs sought a refund of a portion of their tuition and fees for the Spring 2020 semester. The Court dismissed the conversion claim. The remaining claims in this Action are Plaintiffs’ breach of contract and unjust enrichment claim. PPU denies all allegations of wrongdoing and there has been no finding of liability in any court. However, considering the interest of both PPU and its students in prompt resolution of the matter, PPU and Plaintiffs have agreed that PPU will pay \$1,250,000 into a Settlement Fund to resolve the Action.

**Am I a Class Member?** If you were enrolled at PPU after March 12, 2020, were assessed tuition and/or fees for the Spring 2020 semester, and you were not enrolled for the Spring 2020 semester solely in classes that, at the beginning of the Spring 2020 semester, were delivered as an online-only program, then **you are part of the proposed settlement class (a “Settlement Class Member”).** **If you are a Settlement Class Member, you do not have to do anything to participate in and receive the benefits of the proposed Settlement.**

**How Do I Get a Payment?** Your payment will be sent automatically by First Class U.S. Mail to your last known mailing address on file with the University Registrar. Settlement Class Members will also have the option to visit the Settlement Website at [www.ppsettlement.com](http://www.ppsettlement.com) to choose one or more of the following selections: (a) provide an updated address for sending a check; (b) elect to receive the Settlement Benefit by Venmo or PayPal instead of a paper check; or (c) elect to have the Settlement Benefit applied to your PPU student account. These actions must be taken no later than forty-five (45) days after the Effective Date, as defined in the proposed Settlement. That date will also be posted on the Settlement Website when it is known, but it will be some time after the Final Approval Hearing currently scheduled for December 4, 2023.

By participating in the proposed Settlement, you release your right to bring any claim covered by the proposed Settlement, including bringing any claim related to PPU’s transition to remote learning in the Spring 2020 semester, or joining any other action against PPU related to PPU’s transition to remote learning in the Spring 2020 semester.

**What Are My Other Options?** If you do not want to participate in this proposed Settlement—meaning you do not want to receive the Settlement Benefit, and you do not want to be bound by

any judgment entered in this case—you may exclude yourself by mailing a signed opt-out request to the Settlement Administrator, which must be postmarked no later than October 23, 2023. If you instead want to object to this proposed Settlement because you think it is not fair, adequate, or reasonable, you may submit an objection, which also must be postmarked no later than October 23, 2023. Please follow the detailed instructions outlined in the Long-Form Notice and the Settlement Agreement, which can both be found at [www.ppsettlement.com](http://www.ppsettlement.com), to properly opt-out from, or object to, the proposed Settlement.

**What Happens Next?** The Court has preliminarily approved the proposed Settlement, but the distribution of payments will occur only if the Court grants final approval of the proposed Settlement. The Final Approval Hearing in this case is scheduled for December 4, 2023. At that hearing, the Court will consider whether to grant final approval of the proposed Settlement, and whether to approve payment from the Settlement Fund of: (1) awards to the Settlement Class Representative for their service in this litigation; and (2) Class Counsel’s requested attorneys’ fees, which will not exceed thirty-five percent of the Settlement Fund and will be posted on the Settlement Website after October 9, 2023, and reimbursement for litigation costs.

**You are encouraged to review the Long-Form Notice.** To review the Long-Form Notice, review other important documents, including the Settlement Agreement, and obtain more information about the proposed Settlement, please visit [www.ppsettlement.com](http://www.ppsettlement.com).

**If you have any questions, you can contact Class Counsel: Gary F. Lynch at Lynch Carpenter, LLP, (412) 322-9243.**

**You can also contact the Settlement Administrator by calling toll-free, 1-877-888-6613, or by emailing [info@PPSettlement.com](mailto:info@PPSettlement.com).**

Point Park University Covid Settlement  
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