

Miranda v. Xavier University  
c/o Settlement Services, Inc.  
PO Box 10269  
Tallahassee, FL 32302-2269

[postage]

**NOTICE OF CLASS ACTION**  
**SETTLEMENT**

**If you attended the Xavier  
University Accelerated Bachelor of  
Science in Nursing program during  
the Spring or Summer of 2020, you  
are entitled to benefits under a  
class action settlement.**

**[www.xavierabsnsettlement.com](http://www.xavierabsnsettlement.com)**

This Notice is authorized by the  
United States District Court, Southern District  
of Ohio

«fname» «lname» «MailID»

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«City», «State» «Zip»

**Who is a Class Member?** In the lawsuit *Ximena Miranda v. Xavier University*, Case No. 1:20-CV-539 (S.D. Ohio), pending before Judge Timothy S. Black, all persons who were enrolled as a student in Xavier University's College of Nursing Accelerated Bachelor of Science in Nursing Program in any city in Ohio who paid tuition and fees to Xavier during the Spring 2020 and/or Summer 2020 semesters are Class Members. You are receiving this Notice because records indicate that you are a Class Member and are therefore entitled to benefits under the Class Action Settlement.

**What are the Settlement Benefits?** Xavier shall establish a Settlement Fund in the amount of \$750,000 to pay for the costs of notice administration, attorneys' fees and costs, class representative service award, and Settlement Class Member payments (described below).

- Settlement Class Members will receive Settlement Payments from the Settlement Fund based on a *pro rata* distribution of the Settlement Fund after payment of any Fee Award and Expenses, Notice and Administration Expenses, and a Service Award.
- Settlement Services, Inc., the Settlement Administrator, will conduct a second round of distribution of Settlement Payments to Settlement Class Members depending on the number of uncashed Settlement Payments during the first round of distribution.
- 100% of the remaining unclaimed funds after the second round of *pro rata* distribution payment will be donated, subject to Court approval, to TriHealth/Good Samaritan School of Nursing.

**Do I have an attorney?** Yes, the Court has appointed the following lawyers to represent the Class: Terence R. Coates, Dylan J. Gould, Justin. C. Walker, and W.B. Markovits of Markovits, Stock & DeMarco, LLC, Phone (513) 651-3700; and Joseph M. Lyon of The Lyon Firm.

**Do I have any obligation to pay attorneys' fees or expenses?** No. The attorneys' fees and expenses will be paid exclusively from the Settlement Fund as awarded and approved by the Court. The attorneys' fees will be in an amount not to exceed 1/3 of the \$750,000 Settlement Fund (i.e. no more than \$250,000.00) and the expenses will not exceed \$13,000.00. The motion for attorneys' fees and expenses will be posted on the Settlement Website after it is filed with the Court.

**Who is the Class Representative?** Ximena Miranda is the Plaintiff and Class Representative in this lawsuit. She has remained engaged in representing the Class's interests during the litigation and reviewed and approved the terms of the proposed settlement. She will seek a Service Award of \$5,000.

**Who is the Settlement Administrator?** The Settlement Administrator is Settlement Services, Inc.; Telephone: (833) 616-1292.

**What are my options?** If you **Do Nothing**, you will receive a Settlement Payment. You will be legally bound by the Settlement's terms, and you will release your claims against the Released Persons, including Xavier University. Alternatively, you may **request to be excluded** from the Settlement or **object** to the Settlement by **September 4, 2023**. The Long Form Notice available on the Settlement Website explains how to request exclusion from or to object to the Settlement. The Court will hold a Final Approval Hearing on **October 3, 2023 at 11:00 a.m.** to consider whether to approve the Settlement, including the proposed Class Representative Service Award and request for attorneys' fees and expenses for Settlement Class Counsel. You may appear at the Final Approval Hearing, either yourself or through an attorney you hire on your own, but you are not required to hire your own attorney.

**How do I obtain more information about the Settlement?**

Please visit the Settlement Website for more detailed information about the Settlement, including a copy of the Amended Class Action Complaint, the Court's Order granting in part and denying in part Xavier's motion to dismiss the case, the motion for preliminary approval of class action settlement, the Settlement Agreement, and other important case documents. The Settlement Website is [www.xavierabsnsettlement.com](http://www.xavierabsnsettlement.com).

**DO NOT CONTACT THE COURT** if you have questions about the Settlement. Please visit the Settlement Website, contact the Settlement Administrator, or contact Class Counsel if you have any questions.