

**Class Action Fairness Act (CAFA) Notices
in November, 2012 to the
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Notice Date	Case Number	Court	Case Name Summary of Issue	Fairness Hearing Date	Website Link
11-1-2012	10-CV-1190	(D.N.J.)	<p>Jennifer Eoff v. Sprint Spectrum L.P. d/b/a Sprint Nextel Plaintiff alleges that the assessment, charging, billing, or collection of casual data charges and/or the advertising, marketing, representations, disclosures and/or omissions related to Sprint's messaging plans ("Messaging Plan") violates the Federal Communications Act and consumer protection laws of the states and territories of the U.S.</p> <p>Class Members are all persons who are or were parties to an Individually Liabile post-paid Wireless Service Agreement for Sprint or Sprint Nextel-branded services for one or more wireless service lines provisioned with a Messaging Plan obtained from Sprint between 1-1-2008 and 6-30-2012 who: (i) incurred casual data charges from Sprint, including but not limited to using services otherwise included in their Messaging Plan (such as using their wireless device to send or receive pictures through messaging); (ii) claim that they were not adequately informed by Sprint as to what their Messaging Plan included, or how to properly use the services in the Messaging Plan to avoid additional charges, and as a result, incurred Casual Data Charges; and/or (iii) did not use certain features of the Messaging Plan, including as a result of requesting that Sprint block data use and resulting charges, which may have blocked their ability to use certain features included in the Messaging Plan.</p>	12-10-2012	<p>For more information Visit or call: www.sprintmessagingsettlement.com 1-877-347-3437</p>

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11-1-2012	12-CV-20025	(S.D. Fla.)	<p>Brandee Singleton, et al. v. General Revenue Corporation (GRC)</p> <p>As alleged in the Amended Complaint, the Class Representative was a debtor under federally guaranteed student loans that were placed into default status. After the loans were assigned to GRC for collection, GRC communicated with the Class Representative and offered the opportunity to enter into a loan rehabilitation program in order to cure the default status of the federally guaranteed student loans. Plaintiffs allege that GRC violated the Federal Fair Debt Collection Practices Act (FDCPA) and the Florida Consumer Collection Practices Act (FCCPA).</p> <p>Class Members are all student loan borrowers who were sent a collection letter or communication from GRC or an affiliate of GRC between 1-4-2011 and the date that the Order of Preliminary Approval of Class Action Settlement is entered by the court.</p>	Not set yet	<p>For more information write or call</p> <p>Robert W. Murphy 1212 S.E. 2nd Avenue Ft. Lauderdale, Fl. 33316</p> <p>954-763-5670</p>
11-2-2012	11-CV-514	(E.D. Va.)	<p>Tyrone Henderson v. Verifications, Inc.</p> <p>Plaintiffs allege that Verifications violated the Fair Credit Reporting Act by: 1) failing to provide the proper FCRA disclosure to applicants for employment and current employees prior to obtaining a background check; and 2) failing to provide applicants and employees subject to a background check an opportunity to dispute the background check results before discontinuing their application process or employment with Verifications.</p>	Not set yet	<p>For more information write to or e-mail:</p> <p>Leonard Anthony Bennett Consumer Litigation Associates, P.C. 763 J. Clyde Morris Blvd. Suite 1A Newport News VA 23601</p> <p>lenbennett@cox.net</p>

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			<p>Class Members are all natural persons residing in the United States, including all territories and other political subdivisions of the United States who: (a) were the subject of a Verifications consumer report, (b) such report was furnished for an employment purpose, (c) such report was obtained within five years preceding the filing of this action and during its pendency, and (d) for whom Verifications failed to provide a written notice to applicants/employees prior to obtaining the background check reports.</p>		
11-5-2012	MDL-2047	(E.D. La.)	<p>In re: Chinese-Manufactured Drywall Products Liability Litigation (Settling Defendants Tobin Trading, Inc.; Builders Plaster & Drywall, LLC; JMM Drywall Co., LLC and their Participating Insurers)</p> <p>Amended Notice of Pendency of Proposed Settlements of each of the three Class Actions was received. The Settling Defendants have each agreed to separate Settlements on behalf of insured builders, installers, and suppliers arising from Chinese Drywall (CDW) within the legal responsibility of Participating Defendants who are insured by Nationwide, Hanover or State Farm.</p> <p>Nationwide Insureds Settlement Agreement Class includes all persons or entities together with their beneficiaries involving affected property and arising from or related to actual or alleged Chinese Drywall purchased, imported, supplied, distributed, marketed, installed, used, sold or in any way alleged to be within the legal</p>	11-13-2012	<p>For more information call, visit or e-mail:</p> <p>404 853-8314</p> <p>www.chinesedrywallclass.com</p> <p>Thomas W. Curvin Tom.curvin@sutherland.com</p>

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			<p>responsibility of any Nationwide Participating Defendant. The Overlook, LLC's and CG Stony Point Townhomes, LLC's status as Nationwide Participating Defendants does not bar them from asserting class membership in connection with their assigned claims concerning affected properties they remediated before 8-13-2012.</p> <p>Porter-Blaine/Venture Supply Settlement Agreement Class will include: all persons or entities together with their beneficiaries with claims, known or unknown, involving affected property and arising from or related to actual or alleged Chinese Drywall purchased, imported, supplied, distributed, marketed, installed, used, sold or in any way alleged to be within legal responsibility of Porter-Blain, Venture Supply, Insurance Company of America or Hanover Insurance Company.</p> <p>The Tobin Trading and Installers Settlement Agreement Class will include all persons or entities together with their beneficiaries with claims, known or unknown, involving affected property and arising from or related to actual or alleged Chinese Drywall purchased, imported, supplied, distributed, marketed, installed, used, sold or in any way alleged to be within the legal responsibility of any Tobin Trading or any Installers Participating Defendant.</p>		
11-5-2012	MDL-2047	(E.D. La.)	<p>In re: Chinese-Manufactured Drywall Products Liability Litigation Amended Summary Notice of each of three Class Action Settlement Agreements (Nationwide</p>	11-13-2012	<p>For more information write, call or visit: Catherine M. Colinvaux</p>

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			Insureds Settlement Agreement, Porter-Bland/Venture Supply Settlement Agreement, Tobin Trading and Installers Settlement Agreement) in MDL No. 2047 regarding claims against participating Defendants including builders, installers, suppliers and participating insurers relating to Virginia and certain other remaining claims.		Counsel for the Participating Insurer 950 Winter Street Suite 1300 Waltham, Mass. 02451 781 446-0700 www.chinesedrywallclass.com
11-8-2012	08-CV-04888	(N.D. Ill.)	<p>In re: Aftermarket Filters Antitrust Litigation Plaintiffs allege that Defendants conspired to illegally fix, raise, maintain, and/or stabilize prices and allocate customers for Light Duty Aftermarket Filters ("LDAF") purchased in the U.S. in violation of the Sherman Act. The lawsuit claims that the Defendants engaged in this illegal activity from 3-1-1999 to 3-8-2012 and that during this time period, any person or entity that purchased LDAF directly from any Defendant paid a higher price than they otherwise would have paid in a competitive market.</p> <p>Class Members are all persons and entities, excluding original equipment manufacturers, that from 3-1-1999 to 3-8-2012 purchased LDAF directly from Defendants in the United States.</p>	Not set yet	<p>For more information write to:</p> <p>In re: Aftermarket Filters Antitrust Litigation Settlement Administrator c/o KCC Class Action Services P.O. Box 43086 Providence, RI 02940-3086</p>
11-8-2012	12-CV-2191	(S.D. Tex.)	<p>Glover, et al. v. Woodbolt Distribution, Ltd. Plaintiffs allege that Defendant's advertising and marketing for the Products C4 Extreme, M5 Extreme and NO Extreme, which are pre-workout dietary supplements, were false and misleading. Defendant sells the Products at third party</p>	Not set yet	<p>For more information write to:</p> <p>Robert Esensten Wasserman, Comden Casselman & Esensten LLP 5567 Reseda Boulevard</p>

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			<p>retail establishments as well as online.</p> <p>Class Members are all residents of the United States who purchased one of the following products for personal use: (1) C4 Extreme from 1-1-2011 through 4-30-2012, (2) M5 Extreme from 2-1-2010 through 4-30-2012, and (3) NO Extreme from 10-1-2009 through 4-30-2012.</p>		<p>Suite 330 P.O. Box 7033 Tarzana, CA 91357-7033</p>
11-9-2012	11-CV-9811	(C.D. Cal.)	<p>Dr. Julio Garcia v. Allergan, Inc. Plaintiff alleges that Botox® Cosmetic sold by Allergan and Allergan-authorized distributors to physicians and licensed health care providers from 4-15-2002 through [date of preliminary approval] promoted the use of one vial of Botox® Cosmetic to inject more than one patient. There are no allegations that Botox® Cosmetic is unsafe or ineffective.</p> <p>Class Members are all physicians or licensed health care providers in the United States who purchased Botox® Cosmetic from Allergan or an Allergan-authorized distributor at any time from 4-15-2002 until [date of preliminary approval].</p>	1-7-2012	<p>For more information visit: www.cosmeticproceduresettlement.com</p>
11-12-2012	11-CV-2615	(N.D. Ohio)	<p>Bruce White v. CRST, Inc Order Issued 10-9-2012 regarding Stipulation of Settlement made and entered into, as of September 21, 2012 (see CAFA Report 9-28-12).</p>	2-8-2013	<p>For more information visit: www.CRSTClassAction.com</p>

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11-13-2012	11-CV-2496	(N.D. Ill.)	<p>In re: Navistar Diesel Engine Products Liability Litigation</p> <p>Plaintiffs allege that Defendants 6.0-liter diesel engine installed primarily in 2003-2007 heavy-duty Ford trucks and vans contain defects that result in poor performance and expensive repair bills. Plaintiffs assert a variety of legal claims against Ford based on the engine's design, the marketing of the vehicles, and Ford's repair practices.</p> <p>Class Members are all entities and natural persons in the U.S. (including its Territories and the District of Columbia) who currently own or lease, or who have owned or leased a model year 2003-2007 non-ambulance Ford vehicle sold or leased in the U.S. and equipped with a 6.0-liter PowerStroke diesel engine that received one or more repairs covered by Ford's New Vehicle Limited Warranty during the vehicle's first five years in service or 100,000 miles, whichever comes first, to the fuel injector; the exhaust gas recirculation ("EGR") valve; the EGR cooler; the oil cooler; or the turbocharger.</p>	Not set yet	No information
11-13-2012	11-CV-02585	(N.D. Cal.)	<p>Pimental v. Google Inc. and Slide, Inc.</p> <p>Plaintiffs allege that unsolicited text messages were sent to consumers from the "Disco" group text messaging service created by Slide. The lawsuit claims that Defendants violated the Telephone Consumer Protection Act because consumers did not provide prior express consent to receive these text messages.</p>	4-23-2013	<p>For more information visit or call:</p> <p>www.discotextsettlement.com</p> <p>1-866-591-7263</p>

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			Class Members are all persons who received the Disco Mobile App Text or other text messages sent by or through the Disco Messaging Service informing such persons about the Disco Message Service.		
11-14-2012	08-CV-00042	(E.D.N.Y.)	<p>Precision Associates, Inc., Anything Goes LLC d/b/a Mail Boxes Etc., and JCK Industries, Inc. v. Panalpina World Transport (Holding) Ltd., et al.</p> <p>Plaintiffs allege that Eagle Global Logistics, L.P., and the other Defendants were engaged in a conspiracy to fix, raise, maintain, or stabilize prices of Freight Forwarding Services by coordinating surcharges (amounts that freight forwarders charge in addition to normal shipping rates for specific extra costs) in violation of U.S. antitrust law. As a result of such violations Plaintiffs allege that they and other members of the Class paid more for Freight Forwarding Services than they would have paid in the absence of this alleged conduct.</p> <p>Class Members are all persons who directly purchased freight forwarding services for shipments within, to or from the United States from any of the Defendants or any subsidiary or affiliate thereof, at any time during the period from 1-1-2001 to 6-8-2011.</p>	Not set yet	<p>For more information write, call or fax:</p> <p>Lovell Stewart Halebian Jacobson LLP 61 Broadway, Suite 501 New York, NY 10006</p> <p>212-608-1900</p> <p>212-719-4677</p>
11-16-2012	09-CV-00118	(S.D.N.Y.)	<p>Anwar et al. v. Fairfield Greenwich Limited, et al.</p> <p>Plaintiffs allege that the Fairfield Greenwich Defendants engaged in deceptive conduct, made</p>	Not set yet	<p>For more information write to or email:</p> <p>David A. Barrett Howard L. Vickery, II</p>

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			<p>materially false and misleading statements and omissions, and breached their duties and contractual obligations with respect to the sales and management of shares and partnership interests in Fairfield Sentry Limited, Fairfield Sigma Limited, Fairfield Lambda Limited, Greenwich Sentry, L.P. or Greenwich Sentry Partners, L.P. (the "Funds").</p> <p>Class Members are all persons who were Beneficial Owners of shares or limited partnership interests in the Funds as of 12-10-2008 (whether as holders of record or traceable to a shareholder of limited partner account of record), and who suffered a net loss of principal investment in the Funds.</p>		<p>Boies, Schiller & Flexner LLP 575 Lexington Avenue New York, NY 10022</p> <p>irrep@wolffpopper.com</p>
11-16-2012	11-CV-8472	(S.D.N.Y.)	<p>Hernandez, et al. v. Merrill Lynch & Co., Inc., et al.</p> <p>This lawsuit alleges: (1) Defendants failed to pay Core 1 Financial Solutions Advisors ("FSAs") overtime wages for hours worked "off the clock" and (2) Defendants improperly classified Core 2, Premier, Transition, New Accounts, Rollover, CDA, IAT, and MEET FSAs (collectively, "Salaried FSAs") as exempt employees who are not entitled to receive overtime pay under state and federal wage and hour laws and failed to pay them overtime premium pay for the time they worked in excess of 40 hours a week.</p> <p>Class Members are all who worked for Merrill Lynch call centers in Arizona, Florida or New Jersey between 6-7-2009 and 10-31-2012 as a Financial Solutions Advisor.</p>	Not set yet	<p>For more information write to:</p> <p>Kurtzman Carson Consultants LLC Merrill Lynch FSA Settlement 599 Lexington Avenue 39th Floor New York, NY 10022</p>

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11-19-2012	12-CV-1115	(S.D. Cal.)	<p>Eileen Johansson-Dohrmann v. CBR Systems, Inc. On 12-13-2010, CBR equipment, including a laptop, external hard drive, USB Key, Dell barcodes, and LT04 Tapes were stolen from CBR's San Bruno, California offices containing Plaintiff's and the Settlement Class's unencrypted individually identifiable information, including names, Social Security Numbers, driver's license numbers, credit card information and/or credit card expiration dates. In January 2012, this lawsuit was filed against CBR claiming that CBR did not adequately protect confidential consumer information.</p> <p>Class Members are all who received a notice about this settlement in the mail or received a letter in February 2011 from David Zitlow, Executive Vice President, External Affairs of Cord Blood Registry®, informing individuals they are included as a Settlement Class Member. Specifically, the Court decided that the Settlement Class includes everyone in the United States who is a former and current CBR Systems, Inc. client whose confidential individually identifiable medical information and/or financial information was contained on CBR's computer equipment and computer backup tapes that were stolen on 12-13-2010.</p>	1-28-2013	<p>For more information e-mail, write to, call or fax:</p> <p>Joseph R. Tiffany II Pillsbury Winthrop Shaw Pittman LLP. 2550 Hanover Street Palo Alto, CA 94304</p> <p>650 233-4500 650 236-1995</p>
11-20-2012	10-CV-922	(C.D. Cal.)	<p>In re: Toyota Motor Corp., Securities Litigation Plaintiffs filed claims on behalf of a class of purchasers of Toyota Motor Corporation American Depositary Shares between 5-10-2005 and 2-2-2010, inclusive. The claims asserted included</p>	12-17-2012	<p>For more information write to:</p> <p>Bernstein Litowitz Berger & Grossmann LLP Blair A. Nicholas</p>

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			<p>claims under the Securities Exchange Act of 1934, and claims under Japanese law based on the allegations that Defendants concealed unintended acceleration problems affecting Toyota Vehicles.</p> <p>The parties have entered into a Settlement Agreement pending review and approval of the Court.</p>		<p>Niki L. Mendoza 12481 High Bluff Drive Suite 300 San Diego, Cal. 92130</p>
11-21-2012	05-CV-1602	(D.N.J.)	<p>In re: Hypodermic Products Antitrust Litigation</p> <p>Plaintiffs allege that Becton, Dickerson and Company ("BD") illegally acquired and maintained monopoly power in certain markets for BD Hypodermic Products by engaging in an exclusionary contracting and bundled pricing scheme, causing Direct Purchaser Plaintiffs and all members of the proposed Direct Purchaser Class to pay higher prices for BD Hypodermic Products than they otherwise would have paid absent BD's conduct. Direct Purchaser Plaintiffs claimed that BD's conduct violated the Sherman Act.</p> <p>Class Members are all persons and entities (and assignees of claims from such persons and entities) who: (1) purchased BD Hypodermic Products in the United States from BD at any time during the period of 3-23-2001 through 4-27-2009 (the "Class Period") and (2) were invoiced by BD for said purchases at inflated prices.</p>	3-8-2013	<p>For more information write to:</p> <p>Bruce E. Gerstein Elena K. Chan Garwin Gerstein & Fisher LLP 1501 Broadway, Suite 1416 New York, NY 10036</p>

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11-26-2012	07-CV-00828	(S.D. Ohio)	<p>Shanehchian, et al. v. Macy's, Inc., et al. Plaintiffs bring this action against Defendants who were fiduciaries of the Macy's Inc., Profit Sharing 401(K) Investment Plan and the May Department Stores Company Profit Sharing Plan. The Complaint alleges that the Defendants breached their fiduciary duties under ERISA by not prudently selecting other investment options for the Plans and by failing to disclose information about the fees and expenses of the Plans' other investment options. The Complaint alleges that, as a result of Defendants' ERISA violations, Plan participants suffered substantial losses of retirement savings and anticipated retirement income.</p> <p>Class Members are individuals who were Participants in either the Macy's Plan or the May Plan at any time between 2-27-2005 and 7-24-2012 whose retirement Plan account included an investment in the Macy's Company Stock Fund at any time during that period.</p>	Not set yet	<p>For more information write to or e-mail:</p> <p>Robert I. Harwood Harwood Feffer LLP 488 Madison Avenue 8th Floor New York, NY 10022</p> <p>rhawood@hfesq.com</p>
11-28-2012	12-CV-5423	(N.D. Ill.)	<p>Dennis Grandalski v. Encore Receivable Management, Inc. Plaintiffs allege that Defendant violated the Fair Debt Collection Practices Act (FDCPA) by sending a demand letter to consumers who had filed for bankruptcy protection.</p> <p>Class Members are all persons to whom Defendant sent a letter dated 3-23-2012 seeking to collect a Discover credit card debt that had been previously discharged in bankruptcy.</p>	Not set yet	<p>For more information write or call:</p> <p>The Consumer Advocacy Center, P.C. 180 W. Washington Street Suite 700 Chicago, IL 60602</p> <p>312-782-5808</p>

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11-28-2012	10-CV-01154	(D. Kan.)	<p>Freebird v. Merit Energy Company Plaintiffs allege that Merit has underpaid royalties under leases covering wells in Kansas and that Kansas law requires Merit to bear all costs necessary to produce marketable products, and then pay royalties based on the commercial price for marketable products. Plaintiff Class asserts that Merit has underpaid royalties in various respects including: (1) deducting from royalty owners the necessary costs of placing the gas stream and all constituent products into marketable condition such as by deducting or contracting to have deducted the costs of gathering, compression, dehydration, treatment, processing, fuel charges, lost and unaccounted for allowances, and other third party expenses; (2) deducting a royalty owner's share of the total Conservation Fee; (3) using a crude helium price to pay royalties on helium instead of the Grade A helium price; and (4) deducting processing, fractionation and other charges or fees from natural gas liquids (NGLs), helium, and other constituents before they are placed in marketable condition. Freebird, Inc. also contends Merit owes interest on all underpaid amounts. As a result of the efforts of Class Counsel and this Action, Merit ceased taking Conservation Fee deductions. The Court has not determined the merits of any claim or defense being asserted, other than granting partial summary judgment in favor of Merit and applying a five year statute of limitations without equitable tolling to any claims between 1-1-1998 through 8-31-2003.</p>	Not set yet	For more information write to: Craig R. Carver CSMKF Lawyers Hudson's Bay Centre 1600 Stout Street, Suite 1700 Denver, Colorado 80202

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			Class Members are all Royalty owners of Merit Energy Company from Kansas wells that have produced Natural Gas, Helium, and Liquids from 1-1-1998 to 2-7-2011.		
11-29-2012	09-CV-11537	(D. Mass.)	<p>Otte, et al. v. Life Insurance Company of North America</p> <p>Plaintiffs allege that Defendants retained the life insurance benefits from the beneficiaries of certain welfare benefit plans that Defendants insured and whose claims Defendants settled through Cignassurance accounts. Plaintiff claims that Defendants invested the life insurance benefits for their own enrichment and kept some of the resulting profits in violation of the Employee Retirement Income Security Act of 1975.</p> <p>Class Members are all beneficiaries of a group life insurance policy obtained by employers and issued by Life Insurance Company of North America ("LINA") or Connecticut General Life Insurance Company ("CGLIC") and benefits were paid through a Cignassurance account between 9-15-2003 and 11-1-2012.</p>	3-12-2013	<p>For more information write, call or e-mail:</p> <p>Jermey P. Blumenfeld Morgan, Lewis Bockius LLP 1701 Market Street Philadelphia, PA 19103</p> <p>215 963-5000</p>
11-30-2012	12-CV-00183	(D. Haw.)	<p>Benedict, et al. v. Diamond Resorts Corporation, et al.</p> <p>Plaintiffs allege that on 9-30-2011, the Board of the Directors of the Association of Apartment Owners of Poipu Point ("AOAO") and Diamond Resorts Hawaii Collection Members Association ("DRHCMA") approved a Water Intrusion Assessment in the amount of \$55,822,529. The Assessment</p>	3-18-2013	<p>For more information write or call:</p> <p>Girard Gibbs LLP 601 California Street Suite 1400 San Francisco, CA</p>

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			<p>was charged to all Deeded Owners, based on the number of vacation intervals owned, and to all members of the Hawaii Collection on a member-by-member basis based on the number of points owned. Plaintiffs also allege that Defendants breached their fiduciary duties and violated applicable Hawaii and Nevada consumer protection laws by approving, implementing and charging the Water Intrusion Assessment.</p> <p>Class Members are all persons and entities who are current or former Deeded Owners and who received a Water Intrusion Assessment, and all persons and entities who are current or former DRHCMA members who received a Water Intrusion Assessment.</p>		<p>94108</p> <p>415 981-4800</p>
12-30-2012	09-CV-08633	(S.D.N.Y)	<p>City of Roseville Employees' Retirement System v. EnergySolutions, Inc., et al.</p> <p>Plaintiff alleges that Defendants made false and misleading statements in the prospective and registration of EnergySolutioans, Inc. ("ES" or the "Company") securities during the class period. Plaintiff alleges that Defendants violated the Exchange Act and in that they: (a) employed devices, schemes, and artifices to defraud; (b) made untrue statements of material facts or omitted material facts necessary to not make misleading statements; or (c) engaged in acts, practices, and a course of business that operated as a fraud or deceit upon Plaintiff and other similarly situated in connection with their purchases of ES common stock during the Class Period.</p>	3-15-2013	<p>For more information write or call:</p> <p>Rick Nelson c/o Shareholder Relations Robbins Geller Rudman & Dowd LLP 655 West Broadway Suite 1900 San Diego, Cal. 92101</p> <p>800-499-4900</p>

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			Class Members are all persons who acquired the common stock or depository shares of EnergySolutions, Inc. ("ES" or the "Company") in or traceable to the Company's offering of securities on or about 11-14-2007 or 7-24-2008 (The "Offering") or purchased ES common stock or depository shares between 11-14-2007 and 10-14-2008, inclusive (the "Class Period").		