

# **If you received a telemarketing call from America's Lift Chairs, you may be entitled to a payment of up to \$40 from a class action settlement.**

*A court authorized this notice. You are **not** being sued. This is **not** a solicitation from a lawyer.*

Call records indicate that you may be affected by a Settlement<sup>1</sup> of a class action lawsuit claiming that Defendant America's Lift Chairs, LLC ("America's Lift Chairs") violated a federal law called the Telephone Consumer Protection Act ("TCPA") when their telemarketing vendor Prospects DM sent pre-recorded calls on their behalf. America's Lift Chairs denies that it violated the law.

The lawsuit is called *Crystal Chapman v. America's Lift Chairs, LLC*, Case. No 21-cv-245. Judge R. Stan Baker decided that this Settlement should be a class action on behalf of a Class, or group of people that could include you, and a Settlement has been reached affecting this Class.

The Settlement offers payments to Class Members who file Approved Claims. Your legal rights are affected whether you act or do not act. Read this Notice carefully.

**Who's Included?** The Settlement includes the following Class that the Court certified: "All users or subscribers to telephone numbers that received a pre-recorded telemarketing call by Prospects DM on behalf of America's Lift Chairs, LLC and/or that were on the national Do Not Call Registry and received a telemarketing call from Prospects DM, Inc. and any related entities on behalf of America's Lift Chairs, LLC from August 31, 2017 through June 6, 2023."

You are receiving this Notice because your name and phone number appeared in calling records obtained for this case.

**What are the Settlement Terms?** America's Lift Chairs has agreed to a Settlement Sum of \$1,700,000. The Settlement Sum will be used to pay all Settlement costs, including Settlement Administration Expenses, any attorneys' Fee Award awarded to Class Counsel by the Court, and all Approved Claims. Members of the Class who submit Approved Claims shall receive an amount not to exceed forty dollars and three cents (\$40.03), less each Class Member's share of any attorneys' Fee Award. In the event that claims exceed a certain threshold, the amount will also be reduced by each Class Member's share of Settlement Administration Expenses. Only Approved Claims will be paid. Only one claim per telephone number will be validated and deemed an Approved Claim.

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<sup>1</sup> Capitalized terms herein have the same meanings as those defined in the Settlement Agreement.

America's Lift Chairs has also agreed to implement enhanced policies and procedures to ensure future compliance with the TCPA.

**How can I get a Payment?** By completing the Claim Form attached to this notice and submitting it by U.S. mail to the Settlement Administrator at the address on the Claim Form. You may also download or file a Claim Form online at [www.LiftChairsTCPASettlement.com](http://www.LiftChairsTCPASettlement.com) or by email to [claims@LiftChairsTCPASettlement.com](mailto:claims@LiftChairsTCPASettlement.com). If you send in a Claim Form by regular mail, it must be postmarked on or before **September 4, 2023**. The deadline to file a Claim Form online or by email is **11:59 p.m. ET on September 4, 2023**.

**What are my Other Options?** If you do not want to be legally bound by the Settlement, you must exclude yourself by **September 4, 2023** by sending the Settlement Administrator a letter that complies with the procedure set forth in the Settlement Agreement, available at the Settlement website. If you do not exclude yourself, you can share in the Settlement Sum by completing and submitting a Claim Form, and you will release any claims you may have, as more fully described in the Settlement Agreement, available at the Settlement website. Even though you submit a Claim Form, you may object to the Settlement by **September 4, 2023** by complying with the objection procedures detailed in the Settlement Agreement. The Court will hold a Final Approval Hearing on **September 7, 2023 at 10 a.m. ET** to consider whether to approve the Settlement and a request for attorneys' fees not to exceed one third of the Settlement Sum and reimbursement of expenses. If you properly object, you may appear at the hearing, either yourself or through an attorney hired by you, but you do not have to. For more information, call the Settlement Administrator or visit the Settlement website.

[www.LiftChairsTCPASettlement.com](http://www.LiftChairsTCPASettlement.com)

1-833-630-8585