

## **You may be eligible for a payment from a class action settlement if you received a text message from Contractors.com or One Planet Ops**

*Para una notificación en Español, visitar [www.optextclassaction.com](http://www.optextclassaction.com)*

*A state court authorized this Notice. This is not junk-mail, an advertisement, or a solicitation from a lawyer.*

- A settlement has been proposed in a class action lawsuit against Defendants One Planet Ops Inc. and Contractors.com LLC (collectively “Defendant”) relating to text messages sent by Defendant (the “Text Messages”).
- If you received a notification from Defendant, you may be included in this Settlement as a “Settlement Class Member.”
- The Settlement provides payments to people who submit valid claims, as well as a code redeemable for six (6) Leads from Defendant to Settlement Class Members.
- Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>		
<b>SUBMIT A CLAIM FORM</b>	This is the only way you can get payment.	Submit online or postmark by <b>October 18, 2021</b>
<b>EXCLUDE YOURSELF FROM THE SETTLEMENT</b>	You will not get any payment or free leads from the Settlement, but you also will not release your claims against Defendant. This is the only option that allows you to be part of any other lawsuit against Defendant or related parties for the legal claims resolved by this Settlement.	Postmark by <b>October 18, 2021</b>
<b>OBJECT TO THE SETTLEMENT</b>	Write to the Court with reasons why you do not agree with the Settlement.	File with the Court and postmark to Class Counsel and Defendant’s Counsel by <b>October 18, 2021</b>
<b>GO TO THE FINAL APPROVAL HEARING</b>	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing.	<b>November 19, 2021 at 9:00 a.m.</b>
<b>DO NOTHING</b>	You will not get any payment from this Settlement and you will give up certain legal rights. Submitting a claim form is the only way to obtain payment from this Settlement. Leads may still be redeemed using the code provided on the postcard notice you received.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice. For complete details, view the Class Action Settlement Agreement and Release (“Settlement Agreement”), available at [www.optextclassaction.com](http://www.optextclassaction.com), or call 1-888-691-3561.
- The Court in charge of this case still has to decide whether to grant final approval the Settlement. Payments will only be made after the Court grants final approval of the Settlement and after any appeals are resolved.

Questions? Call 1-888-691-3561 Toll Free, or Visit [www.optextclassaction.com](http://www.optextclassaction.com)

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## **BASIC INFORMATION**

### **1. Why is this Notice being provided?**

The Court directed that this Notice be provided because you have a right to know about a proposed settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the payments that the Settlement allows. This Notice explains the lawsuit, the Settlement, your legal rights, what payments are available, who is eligible for them, and how to get them.

The Court in charge of this case is the Superior Court of the State of Washington, County of King. The case is known as *Michael Aaland v. Contractors.com LLC, and One Planet Ops Inc.*, Cause No. 19-2-24212-4 SEA (the "Action"). The person who filed the Action is called the Plaintiff and the entities they sued, Defendant, are called the Defendants.

### **2. What is this lawsuit about?**

The Action claims that Defendant sent the Text Messages in violation of the Washington State Consumer Protection Act. The Action seeks, among other things, payment for persons who received such Text Messages.

Defendant has denied and continues to deny all of the claims made in the Action, as well as all charges of wrongdoing or liability against it.

### **3. What is a class action?**

In a class action, one or more people called Class Representatives (in this case, Michael Aaland) sue on behalf of people who have similar claims. Together, all these people are called a Class or Class members. One Court and one judge resolves the issues for all Class members, except for those who exclude themselves from the Settlement Class.

### **4. Why is there a Settlement?**

The Court did not decide in favor of the Plaintiff or Defendant. Instead, the Plaintiff negotiated a settlement with Defendant that allows both Plaintiff and Defendant to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. It also allows Settlement Class Members to obtain payment without further delay. The Class Representative and his attorneys think the Settlement is in the best interest of all Settlement Class Members. This Settlement does not mean that Defendant did anything wrong.

## **WHO IS INCLUDED IN THE SETTLEMENT?**

### **5. How do I know if I am part of the Settlement?**

You are a part of this Settlement as a Settlement Class Member if you meet the following definition, approved by the Court:

All residents of Washington state with a cellular telephone number to which at least one electronic commercial text message was transmitted by Contractors.com, or someone acting on behalf of Defendant. The Settlement Class is defined to include all persons who could claim to have suffered any injury or could assert any claims as a result of the sending or receipt of Text Messages to the mobile telephone numbers listed in Exhibit 5 of the Parties' Settlement Agreement.

If you have received this notice, then you have been identified as a person who may have received such a Text Message.

Questions? Call 1-888-691-3561 Toll Free, or Visit [www.optextclassaction.com.com](http://www.optextclassaction.com.com)

## **6. Are there exceptions to being included in the Settlement?**

Yes. Specifically excluded from the Settlement Class are: (i) Defendant and its officers and directors; (ii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; and (iii) the Judge assigned to evaluate the fairness of this settlement.

## **THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY**

### **7. What does the Settlement provide?**

The Settlement will provide payments to people who submit valid claims. If the Settlement is approved, Defendant will be obligated to make a payment of \$774,500.00, inclusive of all funds necessary to effectuate the Settlement other than internal costs incidental to providing the leads described below. The Gross Settlement Payment includes the Settlement Administration Costs, the Fee Award and Costs, the Class Representative Service Award, and all Individual Settlement Payments to Settlement Class Members who submit a timely and valid Claim Form. Persons who submit a timely and valid claim will be entitled to payment of at least \$120 and up to \$1,500, depending on the number of claims received. The total amount of any unclaimed funds will be paid, subject to Court approval, to the following charity: Downtown Seattle Association.

In addition, Defendant will also provide codes for six (6) redeemable leads. Each lead is valued at \$50.00. In the postcard notice, each Settlement Class Member will receive a unique code to redeem the free leads. To redeem leads using the unique code, go to [www.optextclassaction.com](http://www.optextclassaction.com) or call 1-888-691-3561. You will be asked to provide information that will allow Defendant to tailor the Leads to your business needs. Leads redeemed prior to the time that the Court finally approves the settlement will be provided after the settlement is finally approved and becomes effective. Leads may be redeemed until settlement administration terminates, which is one year after the Effective Date of the settlement, as defined in the Settlement Agreement.

## **HOW TO GET BENEFITS**

### **8. How do I get benefits from the Settlement?**

To ask for a payment, you must complete and Submit a Claim Form. Claim Forms are available at [www.optextclassaction.com](http://www.optextclassaction.com), or you may request one by mail by calling 1-888-691-3561. Read the instructions carefully, fill out the Claim Form, and submit it online or mail it postmarked no later than **October 18, 2021** to:

*Aaland v. One Planet Settlement*  
c/o JND Legal Administration  
PO Box 91414  
Seattle, WA 98111

To redeem your free leads, contact Contractors.com either by calling 1-888-691-3561 or visiting [www.optextclassaction.com](http://www.optextclassaction.com). You will be asked to provide the Lead ID that was provided on the postcard notice you received. If you misplaced the Lead ID from your postcard, you can contact the Settlement Administrator at [www.optextclassaction.com](http://www.optextclassaction.com), or by calling 1-888-691-3561 to request your Lead ID. Leads must be redeemed before the settlement administration terminates, which is one year after an order approving the settlement becomes final.

### **9. How will claims be decided?**

The Settlement Administrator will initially decide whether the information provided on a Claim Form is complete and valid. The Settlement Administrator may require additional information from any claimant. If the required information is not timely provided, the claim will be considered invalid and will not be paid.

### **10. When will I get my payment?**

The Court will hold a Final Approval Hearing at **9:00 a.m. on November 19, 2021**, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether any appeals can be resolved favorably, and resolving them can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed, depending on the number of claims submitted and whether any appeals are filed. Please be patient.

## **REMAINING IN THE SETTLEMENT**

### **11. Do I need to do anything to remain in the Settlement?**

You do not have to do anything to remain in the Settlement, but if you want a payment you must submit a Claim Form online or postmarked by **October 18, 2021**. You are still able to redeem your six free leads as described in Question 8 above.

### **12. What am I giving up as part of the Settlement?**

If the Settlement becomes final, you will give up your right to sue Defendant for the claims being resolved by this Settlement. The specific claims you are giving up against Defendant are described in Section 1.27 of the Settlement Agreement. You will be “releasing” Defendant and all related people or entities as described in Section 1.28 of the Settlement Agreement. The Settlement Agreement is available at [www.optextclassaction.com](http://www.optextclassaction.com).

The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions about what this means you can talk to the law firms listed in Question 16 for free or you can, of course, talk to your own lawyer at your own expense.

## **EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not want a payment from this Settlement, but you want to keep the right to sue Defendant about issues in the Litigation, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement Class.

### **13. If I exclude myself, can I still get payment from the Settlement?**

No. If you exclude yourself from the Settlement, you will not be entitled to any benefits of the Settlement, but you will not be bound by any judgment in this case.

### **14. If I do not exclude myself, can I sue Defendant for the same thing later?**

No. Unless you exclude yourself from the Settlement, you give up any right to sue Defendant for the claims that this Settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for a payment.

## **15. How do I get out of the Settlement?**

To exclude yourself from the Settlement, you must send a letter by mail stating that you want to be excluded from the Settlement in *Michael Aaland v. Contractors.com LLC, and One Planet Ops Inc.*, Cause No. 19-2-24212-4 SEA. Your letter must also include your name, address, and signature. You must mail your exclusion request postmarked no later than **October 18, 2021** to:

*Aaland v. One Planet Settlement* - Exclusions  
c/o JND Legal Administration  
PO Box 91414  
Seattle, WA 98111

## **THE LAWYERS REPRESENTING YOU**

### **16. Do I have a lawyer in this case?**

Yes. The Court appointed Jason A. Rittreiser, Rachel M. Emens, Henry Brudney, and Donald Heyrich of HKM Employment Attorneys LLP 600 Stewart Street, Suite 901, Seattle, WA 98101 and Peter D. Stutheit of Stutheit Kalin LLC, 308 SW 1st Avenue, Suite 325, Portland, OR 97204 to represent you and other Settlement Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

### **17. How will Class Counsel be paid?**

If the Settlement is approved and becomes final, Class Counsel will ask the Court to award attorneys' fees, costs, and expenses not to exceed 30 percent of the Total Settlement Value of \$1,529,000. Class Counsel will also request approval of a service award of \$5,000 for the Class Representative.

## **OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement or some part of it.

### **18. How do I tell the Court that I do not like the Settlement?**

If you are a Settlement Class Member, you can object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve the Settlement. The Court will consider your views before making a decision. To object, you must file with the Court and mail copies to Class Counsel and Defendant's Counsel a written notice stating that you object to the Settlement in *Michael Aaland v. Contractors.com LLC, and One Planet Ops Inc.*, Cause No. 19-2-24212-4 SEA.

Your objection must include:

- 1) your full name, address, telephone number, and e-mail address;
- 2) information or proof showing you are a Settlement Class Member;
- 3) the reasons why you object to the Settlement, including any documents supporting your objection;
- 4) the name and address of your attorney if you have retained one;
- 5) the name and address of any attorneys representing you that may appear at the Final Approval Hearing;
- 6) a statement confirming whether you and/or your counsel intend to personally appear and/or testify at the Final Approval Hearing;

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- 7) a list, by case name, court, and docket number, of all other cases in which you (directly or through a lawyer) have filed an objection to any proposed class action settlement within the last three years;
- 8) a list, by case name, court, and docket number, of all other cases in which your lawyer (on behalf of any person or entity) has filed an objection to any proposed class action settlement within the last three years;
- 9) your signature or the signature of your attorney or other duly authorized representative (along with documentation illustrating representation).

Your objection must be filed with the Clerk of the Superior Court of the State of Washington, County of King, 516 Third Avenue, Room E-609, Seattle, WA 98104 no later than **October 18, 2021**. You must also mail copies of your objection to Class Counsel and Defendant’s Counsel postmarked no later than **October 18, 2021**, at all of the addresses below.

CLASS COUNSEL	DEFENDANT’S COUNSEL
Jason A. Rittereiser, Rachel M. Emens, Henry Brudney, and Donald Heyrich <b>HKM EMPLOYMENT ATTORNEYS LLP</b> 600 Stewart Street, Suite 901 Seattle, WA 98101  Peter D. Stutheit <b>STUTHEIT KALIN LLC</b> 308 SW 1st Avenue, Suite 325 Portland, OR 97204	Paul G. Karlsgodt <b>BAKER &amp; HOSTETLER LLP</b> 1801 California Street, Suite 4400 Denver, Colorado 80202-2662

**19. What is the difference between objecting to and excluding myself from the Settlement?**

Objecting is telling the Court that you do not like something about the Settlement. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself from the Settlement, you have no basis to object or submit a Claim Form because the Settlement no longer affects you.

**THE COURT’S FINAL APPROVAL HEARING**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You cannot speak at the hearing if you exclude yourself from the Settlement.

**20. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Final Approval Hearing at **9:00 a.m. on November 19, 2021**, in the Superior Court of the State of Washington, County of King, 516 Third Avenue, Seattle, WA 98104. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will take into consideration any properly-filed written objections and may also listen to people who have asked to speak at the hearing (*see* Question 18). The Court will also decide whether to approve fees and costs to Class Counsel, and the service awards to the Class Representative.

**21. Do I have to come to the Final Approval Hearing?**

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

**22. May I speak at the Final Approval Hearing?**

Yes, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must follow the instructions provided in Question 18 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

**IF YOU DO NOTHING**

**23. What happens if I do nothing?**

If you do nothing, you will not receive any compensation from this Settlement but you are still able to redeem your six free leads as described in Question 8 above. If the Court approves the Settlement, you will be bound by the Settlement Agreement and the Release. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant or related parties about the issues involved in the Action, resolved by this Settlement, and released by the Settlement Agreement.

**GETTING MORE INFORMATION**

**24. Are more details about the Settlement available?**

Yes. This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is available at [www.optextclassaction.com](http://www.optextclassaction.com), or by writing to the Settlement Administrator at *Aaland v. One Planet Settlement.*, c/o JND Legal Administration, P.O. Box 91414, Seattle, WA 98111

**25. How do I get more information?**

Go to [www.optextclassaction.com](http://www.optextclassaction.com), call 1-888-691-3561, or write to the Settlement Administrator at *Aaland v. One Planet Settlement.*, c/o JND Legal Administration, P.O. Box 91414, Seattle, WA 98111.

***Please do not call the Court or the Clerk of the Court for additional information.  
They cannot answer any questions regarding the Settlement or the Action.***