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**Attorneys for Plaintiff**

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| <p>RISA ROSS, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BERKSHIRE ABSTRACT &amp; TITLE AGENCY, INC.</p> <p style="text-align: center;">Defendant.</p> | <p>SUPERIOR COURT OF NEW JERSEY<br/>LAW DIVISION<br/>PASSAIC COUNTY</p> <p>DOCKET NUMBER: PAS-L-60-15</p> |
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**LEGAL NOTICE**  
**YOU MAY BE ENTITLED TO A REFUND IF YOU WERE CHARGED A MORTGAGE RECORDING FEE AND/ OR MORTGAGE DISCHARGE FEE BY BERKSHIRE ABSTRACT & TITLE AGENCY, LLC BETWEEN JANUARY 6, 2009 AND NOVEMBER 17, 2015.**

**WHAT IS THIS NOTICE ABOUT?** A lawsuit encaptioned Risa Ross v. Berkshire Abstract & Title Agency, Inc. (“Berkshire”), Docket No. PAS-L-60-15 was filed in the Superior Court of New Jersey, Passaic County on behalf of all persons who were charged a mortgage recording fee and/or mortgage discharge fee by Berkshire in New Jersey between January 6, 2009 and November 17, 2015. The complaint alleges that Berkshire had a uniform policy of improperly charging consumers to whom it provided real estate settlement services to in New Jersey in exchange for fees for recording mortgages (“Mortgage Recording Fees”) and recording mortgage discharge documents (“Mortgage Discharge Fees”) in excess of the amounts allowed by New Jersey law. Berkshire denies any wrongdoing and denies the claims and allegations asserted by Plaintiff and maintains that any overcharges that may have occurred were unintentional errors and non-systematic occurrences. The court has not ruled on the merits of the Plaintiff’s or the Class’ claims and has made no determination of violations or liability against Berkshire. The parties nevertheless have agreed to settle the lawsuit.

**WHY SHOULD I READ THIS NOTICE?** You may be a member of the Class. This is a class action lawsuit that the parties have proposed to settle. If the proposed settlement is approved by the Court, your legal rights may be affected. This notice describes what the lawsuit is about, explains the terms of the proposed settlement, tells you who would be covered and what legal claims would

be resolved by the settlement if the Court approves it, and explains how individuals can obtain benefits under the settlement.

**AM I COVERED BY THIS CLASS ACTION LAWSUIT AND THE PROPOSED SETTLEMENT?** You can determine if you are a Class member by reviewing your closing documents, and specifically your HUD-1 Form (commonly referred to as a settlement sheet) at Lines 1200 and 1201 to see if you were charged a Mortgage Recording Fee and/or Mortgage Discharge Fee and the amounts of those fees. If you were charged a Mortgage Recording Fee and/or Mortgage Discharge Fee by Berkshire in New Jersey between January 6, 2009 and November 17, 2015 you are a Class member. If you have any questions regarding whether you are a Class member, you can contact Class counsel at 856-797-9951 or send an e-mail to Class counsel at [sdennittis@denittislaw.com](mailto:sdennittis@denittislaw.com). You can also obtain more information about the settlement by visiting Class counsel's website [www.denittislaw.com](http://www.denittislaw.com).

**WHAT ARE THE TERMS OF THE SETTLEMENT?** Berkshire has agreed to create a procedure whereby for each class member who submits a claim Berkshire (with appropriate monitoring from Plaintiff's counsel) will review and re-calculate the charge that should have been made for recording the claimant's mortgage and mortgage discharge. If this process reveals you were charged more per page than is allowed under N.J.S.A. 22A:4-4.1, the amount of such an overcharge will be refunded to you. Berkshire has also agreed to pay up to \$28,000 to class counsel in attorney's fees and litigation expenses, subject to court approval. Any attorney's fees and litigation costs awarded will be paid separately by Berkshire and such fees and expenses will not come out of your refund or the refunds paid to the other class members. The proposed settlement is intended to settle all claims against Berkshire that arise in any way from the Defendants' conduct in the transactions which are the subject of this lawsuit. By participating in this Settlement, each class member is releasing all such claims.

The foregoing is a summary of the basic settlement terms. The full settlement is set forth in a Settlement Agreement that can be viewed at "[www.denittislaw.com](http://www.denittislaw.com)", or by contacting Class Counsel as set forth under the heading below "HOW DO I GET MORE INFORMATION."

**WHAT ARE MY RIGHTS?** If you are a member of the Class and wish to participate in the settlement, you need to complete and submit a claim form on or before **February 18, 2016**.

If you are a member of the Class and you do NOT want to remain part of the Class, you must exclude yourself ("opt-out"). To opt-out, you must mail a written request, postage pre-paid, to Class counsel at DeNittis Osefchen, P.C., 5 Greentree Centre, 525 Route 73 North, Suite 410, Marlton, NJ 08053, and Defendant's Counsel, Alan H. Rubin, Esquire, Berkshire Abstract & Title Agency, LLC, 141 Ayers Court, Suite 1B, Teaneck, NJ 07666. The request must be post-marked on or before **December 26, 2015**, and contain: the name of the lawsuit; your full name, current address and phone number; your signature; and a specific statement of your intention to exclude yourself from the Settlement Class and any judgment entered pursuant to the proposed Settlement. If you do not opt-out as instructed above, you will be automatically included and bound by any

determination of the Court, whether favorable or not, and any claim of yours will be ended by judgment.

You may also file a motion with the Court for permission to intervene in this lawsuit if you wish. You do not have to intervene. If you do not intervene in this case or exclude yourself from the class, your interests will be represented by class counsel.

You may object to the proposed settlement if you wish. Any objection to the settlement must be sent to the addresses listed above and postmarked no later than **December 26, 2015**. Any objection should contain the name of this lawsuit; your full name, current address and telephone number; your signature; proof of your membership in the Class; and the specific reason(s) for your objection.

On **January 15, 2016, at 1:30pm**, the Superior Court of New Jersey, Law Division, Passaic County, the Honorable Randal C. Chiocca, J.S.C., Courtroom 200, Passaic County Courthouse, 71 Hamilton Street, Paterson, NJ 07505, will hold a public hearing to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved. Class members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval. Class members who object to the proposed settlement are not required to attend the settlement hearing. If you want to be heard orally in opposition to the settlement, either personally or through counsel, you must indicate your intention to appear at the hearing in your written objection.

**HOW DO I GET MORE INFORMATION?** Claim forms and further information about the settlement can be obtained by visiting the following website address: [www.denittislaw.com](http://www.denittislaw.com), contacting Class counsel at 856-797-9951, or emailing Class counsel at [sdennittis@denittislaw.com](mailto:sdennittis@denittislaw.com).

**PLEASE DO NOT WRITE OR TELEPHONE THE COURT, DEFENDANT OR ANY OF THEIR AGENTS FOR INFORMATION ABOUT THE PROPOSED SETTLEMENT OR THIS LAWSUIT.**

Dated: November 23, 2015