

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
 NOTICE OF FINAL APPROVAL OF CLASS ACTION SETTLEMENT
 AND CLAIM FILING PROCESS**

**** YOU ARE ELIGIBLE TO RECEIVE A MONETARY AWARD ****
MOST CLASS MEMBERS LIKELY WILL RECEIVE THOUSANDS OF DOLLARS.
YOU MUST TAKE ACTION BY APRIL 1, 2024 TO RECEIVE ANY MONEY.

If you are African American, Black, and/or Hispanic and were employed by the Consumer Financial Protection Bureau (“CFPB” or “Bureau”) at any time between February 13, 2011 and April 19, 2022, and served during that time in a non-supervisory position(s) that was (1) assigned to the Bureau’s Office of Consumer Response, (2) in pay bands identified by the Bureau as 4, 4A, 4B, 40, 41, 5, 5A, 5B, 5C, 51, 52, 53, 6, 6A, or 60, and (3) classified by the Bureau as falling within occupational job series code 301 (except that serving in the following positions does not qualify you for class membership: Consumer Response Implementation Manager (position description #110090), Consumer Response Manager (Quality Control) (position description #111410), Policy Analyst (position description #110210), or Consumer Response Analyst (position description #110770)), a class action settlement will affect your rights.

A federal Court has authorized this Notice. This is not a solicitation from a lawyer.

- On January 18, 2024, Judge Beryl A. Howell of the U.S. District Court for the District of Columbia granted final approval of a proposed class action Settlement in the lawsuit *Jones v. Chopra*, Civil Action No. 18-cv-2132.
- The purpose of this Notice is to inform you about this lawsuit, the certification of the Class, and the steps you need to take to seek a share in the distribution of the Settlement Fund.
- The Settlement provides a Settlement Fund of \$6 million for a Class of 85 African American, Black, and/or Hispanic CFPB employees to resolve claims of race discrimination and retaliation against the Bureau.

| Your Right to Participate in the Monetary Settlement | |
|---|--|
| Type of Award | Deadlines |
| Time in Pay Band Award | <p><u>Deadline</u> for Claims Administrator to receive your tax forms (by mail or by online submission): April 1, 2024</p> <p>You are eligible for a Time in Pay Band Award, which is calculated based on how long you worked in a particular pay band between February 13, 2011, and December 31, 2022, while meeting the criteria of the Class.</p> |
| Discretionary Award | <p><u>Deadline</u> for Claims Administrator to receive your Claim Form (by mail or by online submission): April 1, 2024</p> <p>You are eligible to receive an additional Discretionary Award. To receive this award, you must submit a Claim Form.</p> |

Your rights and options—**and the deadlines to exercise them**—are explained in this Notice.

What This Notice Contains

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1. Purpose of This Notice

The purpose of this Notice is to inform you about the steps necessary to seek a share of the Settlement Funds.

2. Background: About the Lawsuit

In 2014, Plaintiffs Carzanna Jones and Heynard Paz-Chow retained Class Counsel to represent them with respect to their claims of race discrimination in employment against the Consumer Financial Protection Bureau. On July 25, 2014, Paz-Chow filed an Equal Employment Opportunity (“EEO”) administrative complaint alleging discrimination and retaliation with the Bureau’s Office of Civil Rights. On November 12, 2014, Jones filed an EEO administrative complaint alleging discrimination and retaliation with the Bureau’s Office of Civil Rights, also alleging systemic discrimination against herself and other similarly situated employees. On September 13, 2018, Jones and Paz-Chow filed a complaint (the “Complaint”) in the Court to initiate a putative class action on behalf of themselves and others similarly situated against the Defendants pursuant to 42 U.S.C. § 2000 *et seq.*, among other claims. This Complaint alleged, among other things, that Black/African Americans and Hispanics employed as Consumer Response Specialists were subjected to and harmed by the Bureau’s agency-wide discriminatory and retaliatory policies and practices, including paying the Named Plaintiffs lower wages than non-minority employees because of their race or color, and discrimination in other terms and conditions of their employment. On December 6, 2018, the Complaint was amended, with leave of Court. The amended complaint describes Plaintiffs’ claims and can be found at www.CFPBClassSettlement.com. The lawsuit is known as *Jones, et al. v. Chopra et al.*, Civil Action No. 18-cv-2132.

The Bureau denied and continues to deny all of the allegations and claims asserted in this lawsuit, including alleged liability under federal, state, or local anti-discrimination laws, and denies that the Named Plaintiffs or Class Members are entitled to any relief. The Court has not made, and will not make, any determination on the merits of this matter or decide who is right

and who is wrong. By entering into the Settlement, the Bureau has not admitted any wrongdoing. The Settlement resolves claims of race and color discrimination, harassment, and retaliation in terms and conditions of employment, including claims brought or that could have been brought in the lawsuit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, as well as state and local anti-discrimination laws.

The Court has reviewed the Settlement and has approved it as being fair, adequate, and reasonable. The Court has authorized the Claims Administrator to distribute this Notice regarding the Settlement, and the settlement process described below will now begin.

3. Class Definition

You are a member of the Class affected by the Settlement if you fit within this definition:

Black, African American, and/or Hispanic employees of the Bureau who, at any time between February 13, 2011 and April 19, 2022, served in a non-supervisory position(s) that was assigned to the Bureau's Office of Consumer Response, that was in pay bands identified by the Bureau as 4, 4A, 4B, 40, 41, 5, 5A, 5B, 5C, 51, 52, 53, 6, 6A, or 60, and that was classified by the Bureau as falling within occupational job series code 301 (except that service in any of the following positions does not make an individual eligible to be a member of the class: Consumer Response Implementation Manager (associated with position description number 110090), Consumer Response Manager (Quality Control) (associated with position description number 111410), Policy Analyst (associated with position description number 110210), or Consumer Response Analyst (associated with position description number 110770)).

If you received this Notice in a mailing addressed to you, then the Bureau's records show that you are a Class Member, *i.e.*, that you fit the definition above.

4. Summary of Settlement Terms

The Bureau has agreed to create a Settlement Fund in the total amount of \$6 million. The Settlement Fund will cover payments to Class Members, service awards to the Named Plaintiffs, Class Counsel's attorneys' fees and costs, employer payroll taxes, and the costs of administering the Settlement Fund.

The Bureau has also agreed to provide training and information on the rules for making a complaint of discrimination through the National Treasury Employees Union or through the Equal Employment Opportunity process.

5. Release

As the Court granted final approval of the Settlement, all Class Members who did not opt out of the Settlement (*i.e.* Settlement Class Members) have released the Bureau from all employment-related claims of race and color discrimination, harassment, and retaliation that relate to each Settlement Class Member's employment in a position that qualifies for Class membership. To "release" a claim means that you cannot sue the Bureau or related parties for any of the claims covered by the release.

6. How do I Apply to Receive an Award from the Fund?

Each Settlement Class Member who has not opted out is eligible for a Monetary Award from the Settlement Fund. There are two types of Monetary Awards, and you are eligible for both. The Monetary Awards are called the Time in Pay Band Award and the Discretionary Award. To receive either award, you must take the steps described below by **April 1, 2024**.

Time in Pay Band Award

To receive a Time in Pay Band Award, you must fill out and submit to the Claims Administrator IRS Form W-4 and W-9 by **April 1, 2024**. You can access and submit these forms online at www.CFPBClassSettlement.com or by mail at the address listed on the Claim Form. These forms are included in this packet and are also available online at www.CFPBClassSettlement.com.

The Time in Pay Band Award is calculated based on how long you worked in a particular pay band between February 13, 2011 and December 31, 2022 while meeting the criteria of the Class, meaning that you (1) were assigned to the Bureau’s Office of Consumer Response, (2) worked in a non-supervisory position in the 301 job series, (3) were in a pay band identified by the Bureau as 4, 4A, 40, 41, 5, 5A, 5B, 5C, 51, 52, 53, 6, 6A, or 60, **and** (4) were not employed as a Consumer Response Implementation Manager (associated with position description number 110090), a Consumer Response Manager (Quality Control) (associated with position description number 111410), a Policy Analyst (associated with position description number 110210), or a Consumer Response Analyst (associated with position description number 110770).

The Time in Pay Band Award will be calculated based on the following formula:

| Payment Per Year in Which Settlement Class Member Met Class Definition | Pay Band |
|---|-----------------------------|
| \$5,250 | Pay Bands 4A, 4B, 40, or 41 |
| \$4,500 | Pay Band 5A or 51 |
| \$4,000 | Pay Band 5B or 52 |
| \$1,500 | Pay Band 5C or 53 |
| \$500 | Pay Band 6 or 60 |

A Special Master appointed by the Court will determine your Time in Pay Band Award. If after the Special Master determines your Time in Pay Band Award you believe the amount of your Time in Pay Band Award is incorrect, you may submit a request for correction and any supporting documentation. The Special Master will review these materials and issue an additional Time in Pay Band Award if necessary. Aside from this opportunity to submit a request for correction, all Time in Pay Band Awards are final, binding, and non-appealable and you will not have the right to challenge the Time in Pay Band Award approved by the Special Master.

Discretionary Award

To receive a Discretionary Award, you must fill out and submit to the Claims Administrator a Claim Form and IRS Form W-4 and W-9. Your Claim Form must be **received** by the Claims Administrator **April 1, 2024**. You can submit these forms online at www.CFPBClassSettlement.com or by mail at the address listed on the Claim Form. The Claim Form and tax forms are included in this packet, and they are also available online at www.CFPBClassSettlement.com.

A Claim Form must be completed in its entirety, including responding to questions seeking evidence of alleged (a) race discrimination, (b) retaliation, (c) financial losses, and (d) any emotional distress. To seek financial recovery for any period after your employment with the Bureau, you must submit documentary evidence of post-CFPB income and work history, including employment search history and other efforts to obtain employment. To seek financial recovery for alleged emotional distress, you must complete the section of the Claim Form regarding emotional distress and may submit any additional documentation you deem appropriate.

The Special Master appointed by the Court and/or a Neutral that works with the Special Master will assess your claim and determine a Discretionary Award based on all available information and the individual facts and circumstances of your Claim Form and all claims submitted by Settlement Class Members.

Class Counsel are available to assist you in the claims resolution process, including with the enclosed forms required to obtain a Monetary Award. You may contact them by phone at (312) 431-0888 or at the email addresses listed below.

You may also retain your own attorney to assist you in this process, at your own expense. Your Claim Form will remain strictly confidential and will be disclosed to only Class Counsel, the Special Master, and any Neutral evaluating your claim. Neither your Claim Form nor the contents thereof will be disclosed to the Bureau, nor will the fact that you submitted (or did not submit) a Claim Form.

All Discretionary Awards will be reviewed and approved by the Special Master appointed by the Court to make sure they are fair and consistent. You will not have a right to challenge the Discretionary Award approved by the Special Master. All Discretionary Awards are final, binding, and non-appealable.

7. Are There Tax Consequences for Any Money I Might Get?

Yes, any award you receive from the Settlement Fund will have tax consequences for you. The Special Master will be responsible for allocating any monetary payments appropriately between different types of income or monetary compensation (*e.g.*, wages or emotional distress). The Claims Administrator will withhold, remit, and report your share of payroll taxes from the Settlement Fund based on the W-4 form you fill out. Ultimately, you will be responsible for any and all individual taxes owed on any Monetary Award.

Class Counsel are not tax advisors and cannot give you advice on any tax matters. Class Counsel urge you to consult your tax advisor for answers to any questions you may have about the tax implications of any potential award. The Bureau makes and has made no representations as to the taxability of any portion of any award you receive from the Settlement Fund.

8. The Lawyers Representing You and the Class

As a Settlement Class Member, you are represented in this litigation by Class Counsel:

Linda D. Friedman
George S. Robot
Caitlin M. Kearney
Stowell & Friedman, Ltd.
303 W. Madison, Suite 2600
Chicago, IL 60606-3395
Telephone: (312) 431-0888
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ckearney@sfltd.com

Settlement Class Members will continue to be represented by Class Counsel in connection with implementation of the Settlement at no cost to members of the Settlement Class.

You may contact Class Counsel by phone or email for assistance with the claims resolution process, including with the enclosed forms required to obtain a Monetary Award.

9. Getting More Information

If you have further questions, you can get free help at www.CFPBClassSettlement.com, by calling the Claims Administrator at 1-888-262-9393, or by calling or writing to Class Counsel in this case at the contact number/address listed in section 8.

This Notice contains only a summary of the terms of the Settlement. For further information, the complete terms of the Settlement Agreement and numerous other documents connected with the Settlement are available for review and/or download at www.CFPBClassSettlement.com.

Again, the important deadlines are:

| Type of Award | Deadlines |
|------------------------|---|
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PLEASE DO NOT CALL OR CONTACT THE COURT, THE OFFICE OF THE CLERK OF COURT, OR THE CFPB WITH QUESTIONS REGARDING THIS NOTICE.