

COURT AUTHORIZED NOTICE OF CLASS  
ACTION AND PROPOSED SETTLEMENT

**OUR RECORDS  
INDICATE YOU WERE  
CHARGED AN  
INACTIVITY FEE ON  
YOUR MGM GIFT  
CARD AND ARE  
ENTITLED TO A  
PAYMENT FROM A  
CLASS ACTION  
SETTLEMENT.**

MGM Inactivity Fee Settlement  
Settlement Administrator  
P.O. Box 58608  
Philadelphia, PA 19102-8608



Postal Service: Please do not mark barcode

XXX—«ClaimID» «MailRec»

«First1» «Last1»

«C/O»

«Addr1» «Addr2»

«City», «St» «Zip» «Country»

By Order of the Court Dated: July 31, 2018

[Barcode]

Claim ID: \_\_\_\_\_

**MGM INACTIVITY FEE SETTLEMENT CLAIM FORM**

THIS CLAIM FORM MUST BE SUBMITTED, POSTMARKED BY **OCTOBER 29, 2018** AND MUST BE FULLY COMPLETED, BE SIGNED, AND MEET ALL CONDITIONS OF THE SETTLEMENT AGREEMENT.

Instructions: Fill out each section of this form and sign where indicated.

Name (First, M.I., Last): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email Address (optional): \_\_\_\_\_

Contact Phone #: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ (You may be contacted if further information is required.)

Class Member Verification: By submitting this claim form and checking the boxes below, I declare that I believe I am a member of the Settlement Class and that the following statements are true (each box must be checked to receive a payment):

I purchased a MGM Gift Card and was charged an inactivity fee after 12 months of non-use from the date presented on the MGM Gift Card and was a United States resident between October 24, 2010 and July 31, 2018.

All information provided on this Claim Form is true and correct to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: \_\_\_\_\_

The Settlement Administrator will review your Claim Form; if accepted you will be mailed a check for a *pro rata* (meaning equal) share of the Settlement Fund based on the number of times you were charged an inactivity fee. This process takes time, please be patient.

**Questions visit [www.giftcardclassaction.com](http://www.giftcardclassaction.com) or call 1-800-335-2852**

A Settlement has been reached in a class action lawsuit claiming that Defendants MGM Resorts International and Costco Wholesale Corporation charged customers monthly inactivity fees in violation of the federal Electronic Funds Transfer Act and Nevada and Washington state law. MGM and Costco deny they violated any law, but have agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the case.

**Am I a Class Member?** Our records indicate you may be a Class Member. Class Members are United States residents who from October 24, 2010 to July 31, 2018 were charged inactivity fees on their MGM Gift Cards.

**What Can I Get?** If the Settlement is approved by the Court, MGM and Costco will establish a Settlement Fund of \$150,000 to pay all valid claims submitted by the Class, together with notice and administration expenses, attorneys' fees and costs, and an incentive award. If you are entitled to relief, you may submit a Claim Form to receive a *pro rata* (meaning equal) share of the Settlement Fund.

**How Do I Get a Payment?** You must submit a timely and complete Claim Form **no later than October 29, 2018**. A Claim Form is attached to this Notice or you can file one online at [www.giftcardclassaction.com](http://www.giftcardclassaction.com). Payment will be distributed to you via check from the Settlement Administrator.

**What are My Other Options?** You may exclude yourself from the Class by sending a letter to the Settlement Administrator no later than **October 15, 2018**. If you exclude yourself, you cannot get a Settlement payment, but you keep any rights you may have to sue MGM and Costco over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed Settlement. Your written objection must be filed no later than **October 15, 2018**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at [www.giftcardclassaction.com](http://www.giftcardclassaction.com). If you file a claim or do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims against MGM and Costco relating to the alleged inactivity fees will be released.

**Who Represents Me?** The Court has appointed lawyers Rafey S. Balabanian and Eve-Lynn Rapp of Edelson PC to represent the Class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

**When Will the Court Consider the Proposed Settlement?** The Court will hold the Final Approval Hearing at 1:30 p.m. on November 9, 2018 in Courtroom 13106, United States District Court, 700 Stewart Street, Seattle, Washington. At that hearing, the Court will: hear any objections concerning the fairness of the Settlement; determine the fairness of the Settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representative an award from the Settlement Fund for their service in helping to bring and settle this case. MGM and Costco have agreed to pay Class Counsel reasonable attorneys' fees in an amount to be determined by the Court. Class Counsel will seek no more than 33 1/3% of the Settlement Fund, but the Court may award less than this amount. Class Counsel will file their motion for attorney's fees no later than October 1, 2018, and a copy of the motion will be available at [www.giftcardclassaction.com](http://www.giftcardclassaction.com).

**How Do I Get More Information?** For more information, including the full Notice, Claim Form and Settlement Agreement go to [www.giftcardclassaction.com](http://www.giftcardclassaction.com), contact the Settlement Administrator at 1-800-335-2852 or MGM Inactivity Fee Settlement Administrator, P.O. Box 58608, Philadelphia, PA 19102-8608 or call Class Counsel at 1-866-354-3015.

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c/o Settlement Administrator  
P.O. Box 58608  
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