



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

MOTION TO...
May 12, 2025 17:33

By: ANDREW SHAMIS 0100846

Confirmation Nbr. 3493063

RYAN CHAMBERS

CV 22 958771

vs.

Judge: JOAN SYNENBERG

FARMERS INSURANCE OF COLUMBUS, INC.

Pages Filed: 29

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

RYAN CHAMBERS, individually and on behalf of all others similarly situated,)	
)	Case No.: CV-22-958771
)	
Plaintiff,)	Judge: Joan Synenberg
)	
v.)	
)	
FARMERS INSURANCE OF COLUMBUS, INC.,)	
)	
Defendant.)	
)	

MOTION TO APPROVE PROPOSED NOTICE PLAN FOR CERTIFIED CLASS

Pursuant to the Court's Order dated January 23, 2024 and Ohio Civil Rule 23(C)(2)(b), Plaintiff hereby requests the Court approve the following plan for disseminating class notice to the certified Class:

I. LEGAL STANDARDS

Ohio Civil Rule 23(C)(2)(b) sets forth the requirements for notifying members of classes certified under Ohio Civil Rule 23(b)(3):

For any class certified under Rule 23(b)(3), the court shall direct to class members the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall clearly and concisely state in plain, easily understood language:

- (i) The nature of the action;
- (ii) The definition of the class certified;
- (iii) The class claims, issues, or defenses;
- (iv) That a class member may enter an appearance through an attorney if the member so desires;
- (v) That the court will exclude from the class any member who requests exclusion;
- (vi) The time and manner for requesting exclusion; and

(vii) The binding effect of a class judgment on members under Civ.R. 23(C)(3).

Ohio Civ. R. 23(C)(2)(b).

Finally, subject to the requirement that notice be the best “practicable,” the Court has “complete discretion as to how the notice should be given.” 7B Charles A. Wright et al., Federal Practice and Procedure §1797.6 at 200 (3d ed. 2005); *see also Simer v. Rios*, 661 F.2d 655, 686 (7th Cir. 1981) (“The type of notice to be given is a matter left to the discretion of the district court, ‘subject only to the broad reasonableness standards imposed by due process.’” (quoting *Grunin v. Int’l House of Pancakes*, 513 F.2d 114, 121 (8th Cir. 1975))).¹

II. PROPOSED NOTICE PLAN

A. NOTICE DESIGN

Plaintiff proposes that a Short Form Notice in the form attached hereto as Exhibit 1 be sent by electronic mail to potential Class Members for whom Defendant possesses a valid email address (the “Email Notice”). For potential Class Members for whom Defendant does not possess a valid email address or where the Email Notice is returned as undeliverable, Plaintiff proposes to send the postcard notice attached hereto as Exhibit 2 by first-class mail (the “Postcard Notice”). Similar notice programs were recently approved in *Volino, et al. v. Progressive Casualty Insurance Co., et al.*, Case No. 1:21-cv-06243-LGS, ECF No. 227 (S.D.N.Y. May 1, 2023), *Brown v. Progressive Mountain Insurance Co.*, No. 3:21-cv-00175-TCB, ECF Nos. 113–14 (N.D. Ga.), and *Chadwick v. State Farm Mutual Automobile Insurance Co.*, No. 4:21-cv-1161-DPM, ECF No. 128 (E.D. Ark. June 5, 2024), cases challenging actual cash value payments by other insurers.

¹ “Since [Ohio Civ. R. 23] is identical to Fed.R.Civ.P. 23, with the exception of Civ.R. 23(F) which is not involved in the discussion here, federal authority is an appropriate aid to interpretation of the Ohio rule.” *Marks v. C.P. Chem. Co., Inc.*, 31 Ohio St.3d 200, 201, 31 Ohio B. 398, 509 N.E.2d 1249 (1987).

Plaintiff proposes to use class action administrator Verita Global, LLC (“Verita”), which has experience administering class actions in a wide range of cases and in thousands of cases. Exhibit 3 (Declaration of Monica Murray Regarding Proposed Class Certification Notice Program (“Murray Decl.”) at ¶¶ 1–2).

Courts routinely approve direct, individual notice provided via email. *See, e.g., Volino*, Case No. 1:21-cv-06243-LGS (S.D.N.Y. May 1, 2023), slip op. (approving class notice by email to Progressive insureds); *Brown*, No. 3:21-cv-00175-TCB, ECF Nos. 114 (same); *Pollard v. Remington Arms Co., LLC*, 896 F.3d 900, 905–06 (8th Cir. 2018) (affirming sufficiency of notice program that included email notice); *Knox v. John Varvatos Enters.*, 282 F. Supp. 3d 644, 667 (S.D.N.Y. 2017) (“Notice of class actions by email have now become commonplace.”); *Morgan v. Public Storage*, 301 F. Supp. 3d 1237, 1261 (S.D. Fla. 2016) (“The email notice provided to more than 90% of the Class members in this lawsuit was the best practicable notice and was reasonably calculated to apprise them of their rights. Courts consistently approve notice programs where notice is provided primarily through email because email is an inexpensive and appropriate means of delivering notice to class members.”); *In re Tiktok, Inc., Consumer Priv. Litig.*, 617 F. Supp. 3d 904, 929 (N.D. Ill. 2022) (“[T]he combination of direct email notice and in-App notice more than satisfies Rule 23’s requirements.”).

Courts also routinely find that postcard notice is a valid method for providing notice under Rule 23, especially when combined with other notice formats such as email notice and/or a case specific website. *See Volino*, Case No. 1:21-cv-06243-LGS (S.D.N.Y. May 8, 2023) (approving a postcard notice where email addresses were not available and email notices were returned as undeliverable); *Brown*, No. 3:21-cv-00175-TCB, ECF Nos. 114 (same); *Pollard, LLC*, 896 F.3d at 905–06 (approving notice program that included email notice, postcards, radio, and digital media);

James v. JPMorgan Chase Bank, N.A., No. 8:15-CV-2424-T-23JSS, 2016 WL 6908118, at *2 (M.D. Fla. Nov. 22, 2016) (approving a postcard settlement notice that references a phone hotline and website with more information); *Perez v. Asurion Corp.*, 501 F. Supp. 2d 1360, 1375 (S.D. Fla. 2007) (approving a postcard notice that references a phone hotline and website with more information).

Here, Plaintiff proposes Email Notice with a Postcard Notice for any emails that are undeliverable to help ensure that members of the Class receive individual notice. *See Volino*, Case No. 1:21-cv-06243-LGS (S.D.N.Y. May 1, 2023) (approving class notice by email notice and by postcard notice where the email notice was returned as undeliverable); *Brown*, No. 3:21-cv-00175-TCB, ECF No. 114; *Puddu v. 6d Global Techs.*, 15-cv-8061 (AJN), 2021 U.S. Dist. LEXIS 90819 (S.D.N.Y. May 12, 2021) (ordering notice primarily via email, with first-class notice provided to class members only if no email address is available). In addition, the notice program will consist of a toll-free helpline and an informational website, as discussed more fully below.

Counsel for Plaintiff and counsel for Defendant have conferred, and Defendant does not object to the form of the Notices proposed by Plaintiff attached hereto.

B. NOTICE PROCEDURES

Defendant will provide Plaintiff a spreadsheet reflecting: the named insured's last known address and email address for first-party total loss claims on a policy of insurance issued by Defendant, Farmers Insurance of Columbus, Inc., where the insured received compensation for total loss of a covered vehicle between January 26, 2020, and January 23, 2024.

For each potential Class Member for which Defendant's data reflects an email address, Verita will send the Email Notice via email utilizing best practices to ensure the email is not caught in spam filters. Exh. 3 at ¶¶ 3–5. For each potential Class Member for which Defendant's data does

not reflect an email address or for which the Email Notice is returned as undeliverable, Verita will send the Postcard Notice via first-class mail to the physical address provided by Defendant. *Id.* at ¶ 6. For those potential Class Members to whom Postcard Notice will be sent, Verita will process the addresses through the U.S. Postal Service's National Change of Address (NCOA) database to obtain the most current mailing addresses for those potential Class Members. The NCOA database provides updated addresses for anyone who has filed a change of address notice with the U.S. Postal Service within the last four years. *Id.* at ¶¶ 7–8. Notices returned with a forwarding address from the U.S. Postal Service will be remailed to the new address. *Id.* ¶ 8. For other returned mailings, the administrator will run the name and address one time through a single commercial database (*e.g.*, Accurint) chosen by the administrator, and should the commercial database show a more current address, the administrator shall re-mail the returned Postcard Notice to the more current address. *Id.* ¶ 8.

C. TOLL-FREE HELPLINE

Prior to sending Notice to potential Class Members, Verita will establish a toll-free helpline to assist potential Class Members seeking information about the case. Exh. 3 at ¶ 10. Plaintiff and Defendant will confer and agree on any scripts that are to be provided via the toll-free helpline. Potential Class Members can receive information directly from the helpline and can leave a message requesting a live-call-back. *See generally Belanger v. RoundPoint Mortg. Servicing Corp.*, 2018 U.S. Dist. LEXIS 177676, at *10–11 (S.D. Fla. Sep. 28, 2018) (approving Notice plan with IVR phone line and not live operators); *T.K. v. Bytedance Tech. Co., Ltd.*, No. 19-CV-7915, 2022 U.S. Dist. LEXIS 65322, at *19–*20 (N.D. Ill. Mar. 25, 2022) (finding notice program that included toll-free hotline adequate).

D. INFORMATIONAL WEBSITE

Prior to the Notice mailing, Verita will coordinate and integrate into the Email Notice and Postcard Notice a URL for an informational website. Exh. 3 at ¶ 9. Plaintiff and Defendant will confer and agree on the URL name. The website will (1) provide potential Class Members with the Longform Notice in the form attached as Exhibit 4 (the “Long Form Notice”); (2) will have a link for an opt-out form to be completed and mailed by the potential Class Member; and (3) will provide a link to the operative Complaint, the Court’s Opinion and Order granting Plaintiff’s Motion for Class Certification, and the Opinion of the Court of Appeals of Ohio affirming in part and reversing in part the class certification Order. *Id.* The proposed opt-out form is attached as Exhibit 5. The form is not mandatory, meaning that potential Class Members can opt-out by email or mail and so long as they provide their name, date, address, and written, scanned, or electronic signature. Plaintiff and Defendant will confer and agree on any materials that are posted to the informational website.

E. TIMING

Plaintiff has requested, and Defendant has begun assimilating the list of potential Class Members, as described above. Plaintiff proposes that the opt-out deadline be set for forty-five (45) days after the date Notice is sent for members of the Class to opt-out. *See Stuart v. State Farm Fire & Cas. Co.*, 332 F.R.D. 293, (W.D. Ark. 2019) (“Class members must be given a ‘reasonable time’ to opt out, with courts usually establishing ‘a period of thirty to sixty days (or longer if appropriate) following mailing or publication of notice.’” (quoting Manual for Complex Litigation § 21.321 (4th ed. 2019))); *see also Greco v. Ginn Dev. Co., LLC*, 635 F. App’x 628, 634 (11th Cir. 2015) (approving 45-day deadline following Notice within which to opt-out and noting that 30-60 days is the norm); *Volino*, Case No. 1:21-cv-06243-LGS (S.D.N.Y. May 1, 2023); *Gembarski v.*

Partssource, Inc., No. 2013 CV 0001, 2016 Ohio Misc. LEXIS 20053, ¶ 7 (Ohio Ct. Common Pleas Portage Cty. Nov. 14, 2016) (approving thirty-day period for opt-out requests).

Accordingly, Plaintiff requests that the Court approve the proposed notice plan and the proposed notice documents, and Order that Notice be disseminated no later than thirty (30) days after the Defendant furnishes the list of class members with contact information to Plaintiff's counsel.

F. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court approve the proposed notice plan and direct notice be issued to the certified Class no later than thirty (30) days after Defendant furnishes the list of class members with contact information to Plaintiff's counsel.

Dated: May 12, 2025

/s/Andrew Shamis
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Counsel for Plaintiff and the Certified Class

CERTIFICATE OF SERVICE

I certify that I caused the foregoing to be served through the Court's electronic filing system, which will send notifications of this filing to all counsel of record.

/s/Andrew Shamis

Exhibit 1

If you do not want emails about this matter, please unsubscribe [_____].

NOTICE OF PENDENCY OF CLASS ACTION: You have received this notice because your vehicle was insured by Farmers Insurance of Columbus, Inc. (“Farmers”), and you submitted a physical damage claim with respect to your insured vehicle between January 26, 2020, and January 23, 2024, and your rights may be affected by a class action lawsuit pending in the Ohio Court of Common Pleas for Cuyahoga County, Ohio.

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

This notice explains important rights you may have. Please read it carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Remain a Member of the Certified Class	<p>Do nothing. Stay in the lawsuit. Await the outcome.</p> <p>If you wish to remain a member of the certified Class, you are not required to do anything at this time. By doing nothing, you are choosing to stay in the Class. You will be permitted to share in any recovery that may result from this class action, but you will give up your rights to sue Farmers in a separate lawsuit for any claims made in this action.</p>
Ask to be Excluded from the Certified Class	<p>Get out of this lawsuit. Keep your rights to sue Defendant in a separate lawsuit.</p> <p>If you do not wish to participate in the class action, you <u>must</u> send an email or letter requesting to be excluded no later than [date]. If you exclude yourself from this lawsuit, you will not be entitled to any recovery that may result from this class action, but you will be free to pursue any claim you may have against Farmers on your own or as part of a different lawsuit (but you should consult with a lawyer to determine whether those claims are timely).</p>

These rights and options are further explained below.

What is a Class Action and who is involved? In a class action, one or more people called “Class Representatives” file a lawsuit on behalf of other people who have similar claims. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way.

What is this Class Action about? This Class Action alleges that Farmers Insurance of Columbus, Inc. (“Farmers”) breached its auto insurance policies by failing to include sales tax in claim payments to insureds who sustained first-party total loss claims. Farmers denies any fault, wrongdoing or liability. Farmers denies that it paid any insured less than they were owed and denies that it breached the insurance policy.

Why did I get this notice? Farmers’ records show that during the time period between January 26, 2020, and January 23, 2024, you (a) were an Ohio resident and policyholder with Farmers who made a claim for physical damage to a motor vehicle, (b) received compensation from Farmers for the total loss of your vehicle, and (c) your total loss payment may not have included state and local sales tax calculated on your vehicle. This notice

explains that the Court has allowed, or “certified,” the lawsuit described above as a class action and describes Class members’ legal rights and options in the lawsuit.

What has happened in the Class Action so far? On January 26, 2022, this class action lawsuit was filed against Farmers in the Court of Common Pleas in Cuyahoga County, Ohio. Plaintiff’s Class Action asserts a claim for breach of contract. Defendant sought to dismiss the Class Action and has also moved for summary judgment. The Court denied the motion to dismiss but has not ruled on the motion for summary judgment. After briefing on Plaintiff’s motion for class certification and a hearing, the Court granted the motion on January 23, 2024. Farmers appealed the class certification ruling and, on January 2, 2025, the Court of Appeals of Ohio for the Eighth Appellate District affirmed the trial court’s grant of class certification, and reversed in part only to require the trial court to clarify the class definition includes only total loss claims.

The Court’s Class Certification Order. As amended post-appeal, the Court’s January 3, 2024, order certified a Class including “All Ohio insureds under a policy issued by Defendant Farmers Insurance of Columbus, Inc., covering a vehicle with private-passenger auto physical damage coverage for comprehensive or collision loss, who, within two years prior to the filing of this lawsuit through the date of the certification Order, submitted a first-party property damage claim determined by Farmers to constitute a covered total-loss claim and where the total loss payment did not include state and local sales tax calculated on the vehicle’s value.” The Court’s order can be viewed at [\[link\]](#).

What type of recovery is the Class Representative seeking? The Class Representative seeks to recover money to compensate members of the Class for the alleged non-payment of their total loss claims, as well as pre- and post-judgment interest, costs, and attorneys’ fees allowable by law. The Class Representative is only challenging the alleged non-payment of sales tax in the adjustment of total loss claims. The Class Representative is not contesting or challenging any other aspect of the valuation process. If you wish to challenge an aspect of the valuation process other than the failure to pay sales tax, you should opt out of the Class and separately file your own claim.

Is there any money available now? No money or benefits are available now because the Court has not yet decided whether Defendant did anything wrong, and the two sides have not settled the case. There is no guarantee that any money or benefits will be obtained. If they are, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate.

Your options as a Member of the Certified Class. As a potential member of the certified Class, you have a choice to (a) remain a member of the Class, or (b) request exclusion from the Class.

- a) **If you wish to remain a potential member of the certified Class, you are not required to do anything at this time.** By remaining a class member, you are agreeing that the claims against Farmers will be determined on a class wide basis. As a member of the Class, you will be bound by the outcome of this lawsuit. If the lawsuit results in a judgment favorable to the Class, you would be entitled to share in the benefits of that judgment. If the lawsuit results in a judgment favorable to Farmers, you will be bound by that judgment and would receive nothing.
- b) **If you do not wish to participate in this Class Action, you can request exclusion from the Class.** If you choose to be excluded, you will (1) not share in the benefits, if any, that members of the Class may be entitled to as a result of trial of this lawsuit; and (2) not be bound by any decision in this lawsuit favorable to Farmers. If you request exclusion, you will have the right to pursue

individually, at your own expense, any claim you may have against Farmers. To request exclusion, you must send an email or written notification entitled “Request for Exclusion” to the following:

[insert Administrator’s information]

To be valid, your “Request for Exclusion” must be sent by [date], and must include your name, current address, and your signature. If your Request for Exclusion is not sent by [date], it will be invalid and you will be included as a member of the Class automatically and be bound by any final judgment.

As a Member of the Certified Class, do I have a lawyer representing my interests in the lawsuit? Yes. The law firms of Shamis & Gentile, P.A. (“SG Law”), Edelsberg Law (“Edelsberg”), and Jacobson Phillips PLLC (“Jacobson Phillips”), collectively referred to as Class Counsel, represent you and other members of the certified Class. If you have any questions for Class Counsel, you may direct those to:

- Andrew Shamis, SG Law, at 14 NE 1st Ave STE 705, Miami, FL 33132, or by visiting <https://shamisgentile.com>, or
- Scott Edelsberg at 20900 NE 30th Ave., #417, Aventura, FL 33180, or by visiting <https://edelsberglaw.com/>, or
- Joshua Jacobson and Jacob Phillips, Jacobson Phillips, at 2277 Lee Rd., Ste. B, Winter Park, FL 32789, or by visiting www.jacobsonphillips.com.

Should I get my own lawyer? You do not need to hire your own lawyer. However, you are free to hire your own lawyer, at your own expense, and enter an appearance in this action through your lawyer if you so desire.

How do I get more information? This notice contains only a summary of the Class Action and proceedings to date. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at the office of the Clerk of the Court for the Court of Common Pleas for Cuyahoga County, Ohio, at 1200 Ontario Street, Cleveland, OH 44113. Additional information is also available at the website maintained for this Class Action, [link], or by contacting Class Counsel at the address provided above.

PLEASE DO NOT CONTACT THE COURT, THE CLERK’S OFFICE, DEFENDANT, YOUR FARMERS AGENT, OR DEFENDANT’S COUNSEL TO ASK QUESTIONS ABOUT THIS CLASS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE CLASS ACTION.

Exhibit 2

**COURT ORDERED CLASS
ACTION NOTICE**

*Ryan Chambers v.
Farmers Insurance cf
Columbus, Inc.,
Case No. CV-22-958771*

Opt Out Deadline: [Date]

*Chambers v. Farmers Insurance cf
Columbus, Inc.*
c/o [Notice Administrator]
[Address]



Postal Service: Please do not mark barcode

LIST ID
[First][Last]
[Address1]
[Address2]
[City], [State], [Zip Code]



This Notice is to inform you of the pendency of the Class Action and to advise you of your rights as a potential class member. The Court's order, including the full definition of the certified Class, can be viewed at [\[link\]](#).

What is this Class Action About? This Class Action alleges that Farmers Insurance of Columbus, Inc. ("Farmers") breached its auto insurance policies by failing to include sales tax in claim payments to insureds who sustained first-party total loss claims. Farmers denies any fault, wrongdoing or liability. Farmers denies that it paid any insured less than they were owed and denies that it breached the insurance policy.

What are My Options? Farmer's records indicate you may be a Class Member. As a potential member of the Class, you have two options: (1) **If you wish to remain a potential member of the Class, you are not required to do anything at this time.** By remaining a class member, you are agreeing that the claims against Farmers will be determined on a class wide basis. As a member of the Class, you will be bound by the outcome of this lawsuit whether the judgment is favorable to the Class or to Farmers, and you won't be able to sue Farmers for the claims at issue in this case, or

(2) **If you do not wish to participate in this class action, you can request exclusion from the Class.** If you choose to be excluded, you will not get any money or benefits from this lawsuit, but you will not be bound by any orders or judgment in this case. If you request exclusion, you will have

the right to pursue individually, at your own expense, any claim you may have against Farmers. To be valid, your request for exclusion must be sent by [date].

Who Represents Me? The law firms of Shamis & Gentile, P.A., Edelsberg Law, and Jacobson Phillips PLLC, collectively referred to as Class Counsel, represent you and other members of the certified Class. You do not have to pay Class Counsel to participate. Instead, if they recover money for the Class, the lawyers may ask the Court for an award of fees or expenses. You may hire your own lawyer to appear in Court for you, but you do not have to.

How Do I Get More Information? For more information, you may go to [link], or you may contact the Administrator at [toll free number] or Class Counsel at www.shamisgentile.com, www.edelsberglaw.com, or www.jacobsonphillips.com.

Exhibit 3

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

RYAN CHAMBERS, individually and)
on behalf of all others similarly situated,)

Plaintiff,)

vs.)

FARMERS INSURANCE OF)
COLUMBUS, INC.,)

Defendant.)

Case No.: CV-22-958771

**DECLARATION OF MONICA MURRAY REGARDING
PROPOSED CLASS CERTIFICATION NOTICE PLAN**

I, MONICA MURRAY, declare as follows:

1. My name is Monica Murray. I am a Case Manager with Class Action Services for Verita Global, LLC (“Verita”) f/k/a KCC Class Action Services, LLC or KCC, a firm that specializes in comprehensive class action services, including legal notification, email and postal mailing campaign implementation, website design, call center support, class member data management, claims processing, check and voucher disbursements, tax reporting, fund escrow and reporting, and other related services critical to the effective administration of certified class noticing. With more than 30 years of industry experience, Verita has developed efficient, secure, and cost-effective methods to effectively manage the voluminous data and mailings associated with the noticing, claims processing and disbursement requirements of these matters to ensure the orderly and fair treatment of class members and all parties in interest.

2. As an industry leader, Verita has been retained to administer more than 10,000 class actions and distributed payments totaling well over a trillion dollars in assets. Our experience includes many of the largest and most complex administrations of both private litigation and of actions brought by state and federal government regulators.

NOTICE PLAN

Individual Notice via Email and U.S. Mail

3. Verita will be provided with a list containing the name, last known address, and email address (where applicable) for all Class Members included in the litigation (the “Class List”).

4. Verita will send a direct individual notice via email (“Email Notice”) to every Class Member for whom an email address exists on the Class List. The Email Notice content will be included in the body of the email, rather than as an attachment, to avoid spam filters and improve deliverability. The email will contain a link to the case website.

5. The email delivery will be attempted three times to maximize the probability that the Class Members will receive it. The email campaign will return data regarding the number of emails successfully delivered and email bounce backs.

6. Verita will send a single postcard notice (“Short-Form Notice”) via the United States Postal Service (USPS) to all Class Members whose Email Notice is known not to have been delivered or for which an email address is not available on the Class List.

7. Prior to mailing, all mailing addresses will be checked against the National Change of Address (NCOA)¹ database maintained by the United States Postal Service (USPS). In addition, the addresses will be certified via the Coding Accuracy Support System (CASS)² to ensure the quality of the zip code and verified through Delivery Point Validation (DPV)³ to verify the accuracy of the addresses.

¹ The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person’s name and last known address.

² Coding Accuracy Support System is a certification system used by the USPS to ensure the quality of ZIP+4 coding systems.

³ Records that are ZIP+4 coded are then sent through Delivery Point Validation to verify the address and identify Commercial Mail Receiving Agencies. DPV verifies the accuracy of addresses and reports exactly what is wrong with incorrect addresses.

8. The return address on the Short-Form Notices will be a post office box that Verita will maintain for this case. The USPS will automatically forward Short-Form Notices with an available forwarding address order that has not expired (“Postal Forwards”). Short-Form Notices returned as undeliverable will be re-mailed to any new address available through USPS information, for example, to the address provided by the USPS on returned pieces for which the automatic forwarding order has expired, or to better addresses that may be found using a third-party lookup service. Short-Form Notices will be promptly re-mailed upon successfully locating better addresses.

Response Mechanism

9. Verita will establish and maintain a case-specific website to allow Class Members to obtain additional information about the litigation. For example, Class Members will be able to view, download, and/or print the operative Class Action Complaint, Motion for Class Certification, the Court’s Class Certification Order, Motion for Approval of Class Certification Notice Plan, the Court’s Order Granting the Motion for Approval of Class Certification Notice Plan, Short-Form Notice, Long-Form Notice and Opt-Out form approved by the Court, as well as any other relevant documents. Class Members will also be able to review a list of frequently asked questions and answers, and important dates and deadlines.

10. A toll-free telephone number will also be established to allow Class Members to seek assistance from a live operator during regular business hours. Class Members will also be able to request to receive a Long-Form Notice and Opt-Out form via mail or request a call back if a live operator is unavailable.

11. A post office box will be established to allow Class Members to correspond with Verita, as well as submit opt-out forms.

Opt-Out Forms

12. Verita will process all opt out forms received.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 9, 2025 at Los Angeles, California.

Monica Murray

MONICA MURRAY

Exhibit 4

NOTICE OF PENDENCY OF CLASS ACTION

You have received this notice because your vehicle was insured by Farmers Insurance of Columbus, Inc. (“Farmers”), and you submitted a physical damage claim with respect to your insured vehicle between January 26, 2020, and January 23, 2024, and your rights may be affected by a class action lawsuit pending in the Ohio Court of Common Pleas for Cuyahoga County, Ohio.

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

This notice explains important rights you may have. Please read it carefully.

- On January 23, 2024, a lawsuit styled *Ryan Chambers v. Farmers Insurance of Columbus, Inc.*, Case No. CV-22-958771 (the “Class Action”), which is pending in the Court of Common Pleas for Cuyahoga County, Ohio (the “Court”), was certified as a class action.
- This notice explains what the class action is about, the Class that was certified, and Class members’ legal rights and options.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Remain a Member of the Certified Class	<p>Do nothing. Stay in the lawsuit. Await the outcome.</p> <p>If you wish to remain a member of the certified Class, you are not required to do anything at this time. By doing nothing, you are choosing to stay in the Class. You will be permitted to share in any recovery that may result from this class action, but you will give up your rights to sue Farmers in a separate lawsuit for any claims made in this action.</p>
Ask to be Excluded from the Certified Class	<p>Get out of this lawsuit. Keep your rights to sue Defendant in a separate lawsuit.</p> <p>If you do not wish to participate in the class action, you <u>must</u> send an email or letter requesting to be excluded by no later than [date]. If you exclude yourself from this lawsuit, you will not be entitled to any recovery that may result from this class action, but you will be free to pursue any claim you may have against Farmers on your own or as part of a different lawsuit (but you should consult with a lawyer to determine whether those claims are timely).</p>

- If you do nothing and if money or benefits are obtained from Farmers, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate. However, there is no guarantee that any money or benefits will be obtained.
- To be excluded, you must act before [date].
- Any questions? Read on or call _____.

BASIC INFORMATION

1. What is a class action and who is involved?

In a class action, one or more people called “Class Representatives” file a lawsuit on behalf of other people who have similar claims. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way.

2. What is this Class Action against Farmers about?

This Class Action alleges that Farmers Insurance of Columbus, Inc. (“Farmers”) breached its auto insurance policies by failing to include sales tax in claim payments to insureds who sustained first-party total loss claims. Farmers denies any fault, wrongdoing or liability. Farmers denies that it paid any insured less than they were owed and denies that it breached the insurance policy.

3. Why did I get this notice?

Farmers’ records show that during the time period between January 26, 2020, and January 23, 2024, you (a) were an Ohio resident and policyholder with Farmers who made a claim for physical damage to a motor vehicle, (b) received compensation from Farmers for the total loss of your vehicle, and (c) your total loss payment may not have included state and local sales tax calculated on your vehicle. This notice explains that the Court has allowed, or “certified,” the lawsuit described above as a class action and describes Class members’ legal rights and options in the lawsuit.

4. Why is this notice being provided?

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THE CLAIMS IN THE LAWSUIT

5. What has happened in the Class Action so far?

On January 26, 2022, this class action lawsuit was filed against Farmers in the Court of Common Pleas in Cuyahoga County, Ohio. Plaintiff's Class Action asserts a claim for breach of contract. Defendant sought to dismiss the Class Action and has also moved for summary judgment. The Court denied the motion to dismiss but has not ruled on the motion for summary judgment. After briefing on Plaintiff's motion for class certification and a hearing, the Court granted the motion on January 23, 2024. Farmers appealed the class certification ruling and, on January 2, 2025, the Court of Appeals of Ohio for the Eighth Appellate District affirmed the trial court's grant of class certification, and reversed in part only to require the trial court to clarify the class definition includes only total loss claims.

6. The Court's Class Certification Order.

As amended post-appeal, the Court's January 3, 2024, order certified a Class including "All Ohio insureds under a policy issued by Defendant Farmers Insurance of Columbus, Inc., covering a vehicle with private-passenger auto physical damage coverage for comprehensive or collision loss, who, within two years prior to the filing of this lawsuit through the date of the certification Order, submitted a first-party property damage claim determined by Farmers to constitute a covered total-loss claim and where the total loss payment did not include the full amount of state and local sales tax calculated on the vehicle's value." The Court's order can be viewed at [\[link\]](#).

7. What type of recovery is the Class Representative seeking?

The Class Representative seeks to recover money to compensate members of the Class for the alleged non-payment of their total loss claims, as well as pre- and post-judgment interest, costs, and attorneys' fees allowable by law. The Class Representative is only challenging the alleged non-payment of sales tax in the adjustment of total loss claims. The Class Representative is not contesting or challenging any other aspect of the valuation process. If you wish to challenge an aspect of the valuation process other than the failure to pay sales tax, you should opt out of the Class and separately file your own claim.

8. Is there money available now?

No money or benefits are available now because the Court has not yet decided whether Farmers did anything wrong, and the two sides have not settled the case. There is no guarantee that any money or benefits will be obtained. If they are, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate.

CLASS MEMBERS' RIGHTS AND OPTIONS

If you are a Member of the Certified Class, you have to decide whether to remain a Class Member or ask to be excluded by [date].

9. What happens if I am a Class Member and I do nothing?

If you wish to remain a potential member of the certified Class, you are not required to do anything at this time. By remaining a class member, you are agreeing that the claims against Farmers will be determined on a class wide basis. As a member of the Class, you will be bound by the outcome of this lawsuit. If the lawsuit results in a judgment favorable to the Class, you would be entitled to share in the benefits of that judgment. If the outcome is favorable to Farmers, your rights will be determined by the decision rendered in this lawsuit, and you may receive nothing.

10. If I am a Class Member, how do I ask the Court to exclude me?

If you do not wish to participate in this Class Action, you can request exclusion from the Class. If you choose to be excluded, you will (1) not share in the benefits, if any, that members of the Class may be entitled to as a result of trial of this lawsuit; and (2) not be bound by any decision in this lawsuit favorable to Farmers. If you request exclusion, you will have the right to pursue individually, at your own expense, any claim you may have against Farmers. To request exclusion, you must send an email or written notification entitled "Request for Exclusion" to the following:

[insert Administrator's information]

To be valid, your "Request for Exclusion" must be sent by [date], and must include your name, current address, and your signature. If your Request for Exclusion is not postmarked by [date], it will be invalid and you will be included as a member of the Class automatically and be bound by any final judgment.

THE LAWYERS REPRESENTING ME

11. Do Class Members have a lawyer in this case?

Yes. The law firms of Shamis & Gentile, P.A. ("SG Law"), Edelsberg Law ("Edelsberg"), and Jacobson Phillips PLLC ("Jacobson Phillips"), collectively referred to as Class Counsel, represent you and other members of the certified Class. If you have any questions for Class Counsel, you may direct those to:

- SG Law at 14 NE 1st Ave STE 705, Miami, FL 33132, or by visiting <https://shamisgentile.com>, or
- Edelsberg at 20900 NE 30th Ave., #417, Aventura, FL 33180, or by visiting <https://edelsberglaw.com/>, or

- Jacobson Phillips at 2277 Lee Rd., Ste. B, Winter Park, FL 32789, or by visiting www.jacobsonphillips.com.

12. If I am a Class Member, should I get my own lawyer?

You do not need to hire your own lawyer. However, you are free to hire your own lawyer, at your own expense, and enter an appearance in this action through your lawyer if you so desire.

13. How will the lawyers get paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. If the Court grants Class Counsel's request, Class Counsel's fees and expenses would either be deducted from any money obtained for the Class or paid separately by Farmers.

OTHER PROCEEDINGS

14. Have any other proceedings been scheduled?

No hearing or other proceeding has been scheduled at this time.

15. Do Class Members have to attend any proceedings?

If there are any court hearings, Class Members do not need to attend them. The Class Representative and Class Counsel will present the case for the Class. You or your own lawyer are welcome to come at your own expense.

GETTING MORE INFORMATION

16. Are more details available?

This notice contains only a summary of the Class Action and proceedings to date. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at the office of the Clerk of the Court for the Court of Common Pleas for Cuyahoga County, Ohio, at 1200 Ontario Street, Cleveland, OH 44113. Additional information is also available at the website maintained for this Class Action, [link], or by contacting Class Counsel at the address provided above.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANT, YOUR FARMERS AGENT, OR DEFENDANT'S COUNSEL TO ASK QUESTIONS ABOUT THIS CLASS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE CLASS ACTION.

Exhibit 5

REQUEST FOR EXCLUSION (OPT-OUT) FORM

COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

Chambers v. Farmers Insurance of Columbus, Inc.
Case No. CV-22-958771

IF YOU WANT TO BE INCLUDED IN THIS CLASS ACTION LAWSUIT,
DO NOT FILL OUT THIS FORM.

IF YOU DO NOT WANT TO BE INCLUDED IN THE CLASS ACTION
LAWSUIT, YOU MUST OPT OUT. YOU MAY DO SO BY EMAILING OR MAILING THE CLASS
ADMINISTRATOR THAT YOU WANT TO OPT OUT. YOU MUST INCLUDE THE CASE NAME, DATE, YOUR
PRINTED NAME, ADDRESS, AND YOUR PRINTED, SCANNED, OR ELECTRONIC SIGNATURE IN YOUR EMAIL
OR MAIL. YOU MUST SEND YOUR EMAIL OR MAIL NO LATER THAN __. IT MUST BE EMAILED OR MAILED
TO:

[INSERT CLASS ADMINISTRATOR]

You are not required to use this form so long as you email or mail [insert class administrator] that you want
to be excluded from the class action with the Case Name, Date, Your Printed Name, and Your Written,
Scanned, or Electronic Signature.

I wish to be ***excluded*** from the certified Class and ***not*** participate in the class action lawsuit captioned
Chambers v. Farmers Insurance of Columbus, Inc.

Dated (REQUIRED): _____

(Signature) REQUIRED

(Typed or Printed Name) REQUIRED

(Address) REQUIRED

(City, State, Zip Code) REQUIRED