

## **SHORT FORM NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION**

**YOU ARE A MEMBER OF THE FOLLOWING SETTLEMENT CLASS OF WASHINGTON HEALTH CARE PROVIDERS IN THE CASE OF *FOLWEILER V. PROGRESSIVE INS. CO.* IN KING COUNTY SUPERIOR COURT IN SEATTLE:**

All Washington health care providers who billed Progressive for services provided to Progressive insureds under the insured's Personal Injury Protection ("PIP") coverage during the period from June 1, 2011 to December 31, 2013 ("Class Period") and were paid less than the amount billed based on a Code 41 or x41 reduction ("Class Members").

This is a short form notice about the settlement. More information is at [www.WAPIPpayments.com](http://www.WAPIPpayments.com).

### **HOW DO I GET MY BENEFITS UNDER THE SETTLEMENT?**

To claim your benefits, you just fill out and send in the attached Claim Form by email to the email address on the Claim Form or by mail to the physical address shown on the form by no later than December 5, 2016. You may also file your claim online at [www.WAPIPpayments.com](http://www.WAPIPpayments.com). You will get: (1) 165% of the amount of reductions made to your bills by Progressive based on a code 41 or "geographic area" reduction from June 1, 2011 to December 31, 2013, and (2) \$25.

### **HOW DO I EXCLUDE MYSELF FROM THE SETTLEMENT IF I WANT?**

If you do not want benefits under the settlement or you want to pursue your claim on your own and not as part of the settlement, then you have to exclude yourself from the settlement class. To exclude yourself you have to send a written request, signed by you, dated and saying you want to be excluded from the *Folweiler v. Progressive Ins. Co.* case to the Claims Administrator at *Folweiler Chiropractic v. Progressive Max Insurance Co.*, c/o GCG, P.O. Box 9349, Dublin, OH 43017-4249, postmarked no later than September 26, 2016.

If you want benefits, do not exclude yourself.

### **HOW DO I OBJECT TO THE TERMS OF THE SETTLEMENT IF I WANT?**

If you want to object to the terms of the settlement, you have to send your objection in writing, signed and dated, with your name, address and phone number, and stating that you are objecting to the settlement terms in *Folweiler v. Progressive*. You must give the reason or reasons for your objection. Your objection must be mailed to Class Counsel at the following address, postmarked by September 26, 2016:

Breskin Johnson & Townsend, PLLC  
1000 2nd Avenue, Suite 3670  
Seattle, WA 98104  
Phone: (206) 652-8660

If you file an objection, you can also appear at the final fairness hearing that the judge in the case will conduct on November 4, 2016 at 9:00 a.m. at the King County Superior Courthouse, room number E-762, Third & Cherry, Seattle, Washington, 98104. You are not required to appear if you do not want to appear at the hearing.

### **RELEASE OF CLAIMS**

If you remain a member of the class and do not exclude yourself, then your claims for reductions made by Progressive based on a code 41 or "geographic area" reduction for the period June 1, 2011 to December 31, 2013 will be released and you will not be able to separately sue Progressive for those reductions – but only those reductions – in a separate lawsuit.

This settlement and the release only apply to the above described claims and only for the time period stated. If you have other claims against Progressive they are not affected by the settlement.