

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

Micah Bellamy, et al. v. Government Employees Insurance Company, et al.,
Case No. 6:17-CV-891-PGB-LRH

IMPORTANT CLASS ACTION NOTICE

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

PLEASE READ THIS NOTICE CAREFULLY

You may be a member of a class action (a “Class Member”) against Government Employees Insurance Company, GEICO General Insurance Company, and GEICO Indemnity Company (together “GEICO Defendants”) if: (1) you were a Florida resident and insured by Government Employees Insurance Company or GEICO General Insurance Company and submitted a physical damage claim with respect to a covered owned (i.e., not leased) vehicle during the period May 17, 2012 through April 4, 2019 that resulted in a total loss claim payment; or (2) you were a Florida resident and insured by GEICO Indemnity Company and submitted a physical damage claim with respect to a covered owned (i.e., not leased) vehicle during the period October 10, 2012 through April 4, 2019 that resulted in a total loss claim payment. If you submitted a covered total loss claim against a GEICO Defendant in the above stated periods and your total loss vehicle was a leased vehicle, you are not part of the Class. If your total loss claim payment included title transfer and license plate transfer fees, you may not be part of the class. You received this Notice because the GEICO Defendants’ records indicate you may be a member of the Class.

In other words, you may be a member of the Class if you had a Florida Personal Automobile Policy insured by GEICO Defendants that covered an owned (i.e., not leased) vehicle, and you submitted a physical damage claim to one of the GEICO Defendants with respect to your non-leased vehicle, and your vehicle was determined to be a total loss and one of the GEICO Defendants settled the claim as a total loss.

IF YOU ARE A CLASS MEMBER, THIS LEGAL PROCEEDING MAY AFFECT YOUR RIGHTS.

HELP IS AVAILABLE TO ASSIST YOUR UNDERSTANDING OF THIS NOTICE.

Call **1-888-652-3399** toll-free for more information.

What is This Notice and Why is it Important?

This legal notice has been sent to you by Order of the United States District Court for the Middle District of Florida (referred to as the “District Court”). The purpose of this notice is to:

1. Notify you that you may be a member of the Class (defined below);
2. Notify you that, for Class Members, the District Court decided certain claims may proceed on a class-wide basis; and
3. Explain to you what this legal action is about, how this legal action may affect your rights, and explain what steps you can take to either stay in the case or exclude yourself.

What is a Class Action?

A class action is a lawsuit in which one or more individuals bring claims on behalf of other persons or entities. These similarly-situated persons or entities are referred to as a “Class” or “Class Members.” In a class action, the District Court resolves certain issues, legal claims, and/or defenses for all Class Members in a single action, except for those persons or entities who ask in writing to be excluded from the Class. (See pp. 3-4 for more information about excluding yourself from the Class.)

What is this Class Action About?

Plaintiffs allege that the GEICO Defendants breached their contracts (insurance policies) by failing to pay them, and other Florida insureds who submitted physical damage claims for their totaled owned (i.e., not leased) vehicles during the class period and which resulted in a total loss claim payment, the actual cash value (which Plaintiffs allege includes title transfer fees and license plate transfer fees) of their non-leased vehicles.

This class action seeks to recover the amounts in title transfer fees and license plate transfer fees that the GEICO Defendants allegedly withheld from settlement payments for physical damage claims for covered owned (i.e., not leased) vehicles. This class action does not include total loss claims made against the GEICO Defendants for vehicles that were leased vehicles at the time of their total loss.

The GEICO Defendants deny all allegations of wrongdoing and liability and have asserted numerous defenses to the claims involved in this class action. Among other things, the GEICO Defendants contend that title transfer fees and license plate transfer fees are not required to be paid as part of an owned (i.e., not leased) total loss claim settlement under its auto insurance policies or Florida statutes or law.

The District Court determined that these claims are appropriate for class-wide adjudication in a single action. Detailed information about the Class is provided below.

Has the District Court decided Who is Right?

The District Court has granted Summary Judgment in favor of the Plaintiffs on their breach of contract claims, holding that the policies of insurance required GEICO Defendants to pay title fees and license plate transfer fees on first-party total loss claims. GEICO Defendants have the right to appeal the grant of Summary Judgment. GEICO Defendants deny these claims have any merit and assert that title fees and license plate transfer fees are not owed on total loss claims, and assert they properly paid all claims. The Order granting Summary Judgement is found at this website: www.BellamyTotalLossClassAction.com.

What Do I Need to Do Now?

You must make a decision now about whether or not to exclude yourself from this class action certified by the District Court.

How Do I Know If I Am a Class Member?

You may be a member of a class action (a "Class Member") against Government Employees Insurance Company, GEICO General Insurance Company, and GEICO Indemnity Company (together "GEICO Defendants") if: (1) you were a Florida resident and were insured by Government Employees Insurance Company or GEICO General Insurance Company and submitted a physical damage claim with respect to a covered owned (i.e., not leased) vehicle during the period May 17, 2012 through April 4, 2019 that resulted in a total loss claim payment; or (2) you were a Florida resident and insured by GEICO Indemnity Company and submitted a physical damage claim of a covered owned (i.e., not leased) vehicle during the period October 10, 2012 through April 4, 2019 that resulted in a total loss claim payment. If you submitted a covered total loss claim against a GEICO Defendant in the above stated periods and your total loss vehicle was a leased vehicle, you are not part of the Class. If your total loss claim payment included title transfer and license plate transfer fees, you may not be part of the class. You received this Notice because the GEICO Defendants' records indicate you may be a member of the Class.

In other words, you may be a member of the Class if you had a Florida Personal Automobile Policy insured by GEICO Defendants that covered an owned (i.e., not leased) vehicle, and you submitted a physical damage claim to one of the GEICO Defendants with respect to your owned (i.e., not leased) vehicle, and your vehicle was determined to be a total loss and one of the GEICO Defendants settled the claim as a total loss.

The following individuals are members of the Class:

All Florida residents insured for PPA [private passenger auto] physical damage coverage by [GEICO] who suffered a first-party loss of a covered owned (i.e., not leased) vehicle at any time during the five (5) years prior to the filing of this lawsuit through the date of class certification, whose claims were adjusted by a Defendant as a total loss claim, whose claims resulted in payment by a Defendant of a covered claim, and who were not paid title fees and/or license plate transfer fees.

If I Am a Class Member, What Are My Options?

If you are a Class Member, you have a right to stay in the case as a Class Member, or you can choose to be excluded from the case. You have to decide this question very soon.

Option 1. Do Nothing Now. Stay in the Case.

You have the right to stay in the case as a Class Member and await the outcome of the case. You do not need to do anything if you wish to remain in this case. It will cost you nothing. If you decide to stay in the case as a Class Member, you will be bound by all orders, judgments, and decisions of the District Court. At the end of the case, you may receive a monetary settlement or other benefits as may be awarded, or you may receive nothing if the GEICO Defendants prevail. You do not need to do anything to keep open the possibility of getting money from the lawsuit.

If you stay in the case, the Plaintiffs will pursue the claims on your behalf. You cannot, however, recover or try your claims twice; so, by participating in the class action, you give up any right to individually sue any of the GEICO Defendants about the same legal claims in this lawsuit. There is no guarantee that Plaintiffs will be successful with their claims on appeal. If the Class is awarded money, you will be notified about how to apply for your share.

The District Court has appointed Micah Bellamy, Anthony Cook, Wilson Santos, Maurice Jones, Anthony Lorenti, and Ashley Barrett (collectively, “Plaintiffs”) to be the representatives of the Class. The District Court has also appointed the following lawyers as Class Counsel for those Class Members that decide to stay in the case:

<p>Edmund Normand, Esq. Normand Law PLLC 3165 McCrory Place, Suite 175 Orlando, FL 32803 Telephone: (407) 603-6031 Facsimile: (888) 974-2175 EdNormand.com</p> <p>Christopher J. Lynch Christopher J. Lynch, P.A. 6915 Red Road, Suite 208 Coral Gables, Florida 33143 Telephone: (305) 443-6200 Facsimile: (305) 443-6204 HunterLynchlaw.com</p>	<p>Bradley W. Pratt, Esq. Pratt Clay, LLC 4401 Northside Parkway, Suite 520 Atlanta, Georgia 30327 Telephone: (404) 949-8118 Facsimile: (404) 949-8159 PrattClay.com</p> <p>Christopher B. Hall Hall & Lampros, LLP 400 Galleria Parkway, Suite 1150 Atlanta, Georgia 30339 Telephone: (404) 876-8100 Facsimile: (404) 876-3477 HallandLampros.com</p> <p>Tracy L. Markham Southern Atlantic Law Group, PLLC 2800 N 5th Street, Suite 302 St. Augustine, Florida 32084 Phone: (904) 794 7005 Facsimile: (904) 794 7007 southernatlanticlaw.com</p>
---	--

These lawyers are experienced in handling class action lawsuits, including actions on behalf of insured policy holders. More information about Class Counsel is available on their websites above.

Counsel will seek attorneys’ fees and out-of-pocket costs (such as the cost of hiring experts), subject to approval by the District Court. If the District Court grants Class Counsel’s request, the attorneys’ fees and costs will come either from money obtained for the Class and/or will be paid separately by the GEICO Defendants. If you are awarded money damages, the amount you receive may or may not be reduced to pay class counsel fees and/or costs. You will not be personally responsible for any fees, costs or expenses incurred by Class Counsel relating to the prosecution of this case.

Please keep in mind that if you do nothing now and stay in the lawsuit, you will give up your rights to sue any of the GEICO Defendants separately in another lawsuit about legal claims that are part of this case (described above), and your rights to recover in other cases involving any of the GEICO Defendants may be impacted. You also would forego your right to pursue claims based on alternative legal theories in favor of the theory being pursued in this case. You waive your right to bring a separate lawsuit if you do not exclude yourself from this case. If you stay in the case, you will be legally bound by all of the Orders that the District Court issues in this case, including final judgment.

Option 2. Hire Your Own Lawyer and Enter an Appearance in the Lawsuit.

If you would like to remain a Class Member, but do not want to be represented by Class Counsel listed above, you have the right to enter an appearance in this case through your own lawyer at your own expense. To do this, you must file a Notice of Appearance with the Clerk of the District Court, located at United States District Court, Middle District of Florida, 401 West Central Boulevard, Orlando, FL 32801. You will be responsible for all legal fees and costs associated with your own lawyer. If you do not enter an appearance or exclude yourself, your interests in this lawsuit will be represented by the Plaintiffs and Class Counsel listed above at no charge to you.

Option 3. Exclude yourself from the Case.

You have the right to not be part of this lawsuit by excluding yourself or “opting out” of the Class. If you wish to exclude yourself, you must do so on or before September 5, 2019 as described below. You do not need to hire your own lawyer to request exclusion from the Class. If you exclude yourself from the Class, you give up your right to receive any money or other benefits awarded in this case, if any, and you will not be bound by any judgments or orders of the District Court, whether favorable or unfavorable. However, you will keep your right to sue any of the GEICO Defendants separately in another lawsuit if you choose to pursue one.

IMPORTANT: Regardless of whether you stay in the lawsuit or exclude yourself from the Class, your contractual rights under your insurance policy with any of the GEICO Defendants will not be affected.

How Do I Exclude Myself from the Class?

To exclude yourself from this lawsuit and/or preserve your right to bring a separate case, you must make a request to be excluded in writing and mail, with sufficient postage prepaid, to:

Bellamy v. Geico Case Administrator
c/o KCC Class Action Services
P.O. Box 404151
Louisville, KY 40233-4151

All requests for exclusion must be postmarked on or before September 5, 2019.

Your request for exclusion must contain all of the following:

1. The name of the lawsuit;
2. Your full name;
3. Your current address;
4. A clear statement that you wish to be excluded from the Class, such as: "I request exclusion from the Class"; and
5. Your signature.

Class Counsel will file your request for exclusion with the District Court. If you are signing on behalf of a Class Member as a legal representative (such as an estate, trust or incompetent person), please include your full name, contact information, and the basis for your authority.

IF YOU DO NOT EXCLUDE YOURSELF FROM THE CLASS BY THE POSTMARK DEADLINE OF SEPTEMBER 5, 2019, YOU WILL REMAIN PART OF THE CLASS AND WILL BE BOUND BY THE ORDERS OF THE DISTRICT COURT IN THIS LAWSUIT, INCLUDING FINAL JUDGMENT, WHETHER OR NOT IT IS FAVORABLE TO PLAINTIFFS AND THE CLASS. IF YOU DO NOT WISH TO BE BOUND BY THE DECISIONS IN THIS CASE, YOU MUST REQUEST EXCLUSION FROM THE CLASS ACTION.

How Do I Find Out More About This Lawsuit?

If you have any questions about the lawsuit or any matter raised in this notice, please call toll-free at **1-888-652-3399** or go to www.BellamyTotalLossClassAction.com.

This www.BellamyTotalLossClassAction.com website provides:

1. A form that you may use (but are not required to use) to exclude yourself from the class action;
2. A copy of the complaints filed by Plaintiffs;
3. A copy of the Court's Class Certification Order; and
4. A copy of the Order granting Summary Judgement.
5. Other general information about the class action.

You also may contact class counsel, whose contact information and websites are provided above.

Complete copies of the documents filed in this lawsuit that are not under seal may be examined and copied at any time at the United States District Court, Middle District of Florida, 401 West Central Boulevard, Orlando, FL 32801.

PLEASE DO NOT TELEPHONE OR CONTACT THE DISTRICT COURT OR THE CLERK OF THE DISTRICT COURT REGARDING THIS NOTICE.

IT IS SO ORDERED, HON. PAUL G. BYRON, U.S. DISTRICT COURT JUDGE

DATED: APRIL 9, 2019