

ATTENTION:

If you received a prepaid debit card when released from custody in the state of Washington, this notice provides important information about your rights.

A court authorized this notice. This is not a solicitation from a lawyer.

- Individuals taken into custody have their cash taken from them, which is held for them until they are released. Some prisoners also have money added to their account during detention. These funds are required to be returned when a person is released from custody. Some detention facilities in the state of Washington, however, require persons being released to receive these funds through a prepaid debit card (“release card”) that may have limitations and charge various fees. This lawsuit alleges it is illegal to require people released from custody to accept release cards to receive back money they are owed. Defendants contend they did not require individuals released from correctional facilities to accept and use the release cards, and that any fees were assessed legally and as provided for in the agreements handed out with the release cards.
- Plaintiffs in the lawsuit are two released individuals who received release cards for the return of their money. Defendants assessed various fees from the Plaintiffs’ accounts through the release card.
- Defendants are Keefe Commissary Network LLC (also known as Access Corrections), Rapid Investments, Inc. (also known as Rapid Financial Solutions), and Cache Valley Bank (collectively, “Defendants”).
- The Court certified the lawsuit as a class action on behalf of people who, upon release from detention facilities in the state of Washington at any time after October 20, 2013, were not offered an alternative to a release card for the return of their money upon release. You are receiving this notice because you may be a member of the Class who could be entitled to benefit from any recovery or settlement obtained in the lawsuit or be bound by any decision finding that the Defendants are not liable under the claims brought in the lawsuit.
- No decision has been made regarding whether the Defendants are liable in this lawsuit or whether there is any money or other benefits available to members of the Class. There is no money available now, and no guarantee there will be. However, you must decide now whether you want to participate in this class action lawsuit. If you wish to be excluded from this lawsuit you must submit a request by **April 25, 2022**, as described in Paragraph 6 below. Please carefully review this notice, and the choices provided to you as it affects your legal rights:

YOUR LEGAL RIGHTS IN THIS LAWSUIT	
If you do nothing.	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you may be eligible to receive money or benefits from a trial or a settlement, but you give up any rights to sue Defendants separately for the same claims in this lawsuit. You are also bound by any adverse decision by the Court.
You may ask to be excluded.	Get out of this lawsuit. Get no benefits from it. Keep rights. If you ask to be excluded you will not participate in any money or benefits obtained in this lawsuit, but you may bring claims against Defendants elsewhere for the same legal claims.

Questions? Call 1-855-604-1646 or visit www.PrisonReleaseCardClassAction.com

FREQUENTLY ASKED QUESTIONS

1. Why did I get this notice?

You are receiving this notice because you were identified by Defendants as a person who may have received a release card during the time period covered by this case. The Court directed that this notice be sent to advise you and other potential class members of your rights and options that you may exercise before decisions are made on the merits of the claims that may affect your rights.

You are not a Class Member simply because you received this notice. Only individuals who fit the following definition are in the class:

All persons who, at any time since October 20, 2013, were: (1) taken into custody at a jail, correctional facility, detainment center, or any other law enforcement facility located in the State of Washington, (2) entitled to the return of money either confiscated from them or remaining in their inmate accounts when they were released from the facility, and (3) issued a prepaid debit card from Keefe Commissary Network, LLC, Rapid Investments, Inc., and/or Cache Valley Bank that was subject to fees, charges, and restrictions, and (4) not offered an alternative method for the return of their money.

In addition, if you received a release card from Keefe Commissary Network, LLC, Rapid Investments, Inc., and/or Cache Valley Bank *outside* the State of Washington at any time since October 20, 2016, then you may be a member of a similar national class. You can get a copy of the national class notice at www.PrisonReleaseCardClassAction.com. You can be a member of both this and the national class.

2. What is this lawsuit about?

Plaintiffs are two individuals who were provided release cards that charged fees in order to receive the money that had been held for them when they were in custody in a detention facility. They allege that the Electronic Fund Transfer Act prohibits the issuance of an activated release card to a person who has not requested such a card. They allege that issuance of an activated card is only allowed after full disclosure of the applicable terms and conditions of the card. They also allege that the fees charged for the card are illegal under the Electronic Fund Transfer Act. Second, they allege that the Defendants' conduct is unfair or deceptive and violates Washington's Consumer Protection Act. Third, they allege that the fees charged constitute an unconstitutional taking under the U.S. Constitution. Fourth, they allege that the Defendants' fees constitute conversion of their money. Fifth, they allege that the Defendants' have been unjustly enriched by taking money out of the cards as fees. Defendants deny those claims and allege that their conduct was lawful.

3. Why is this lawsuit a class action?

This lawsuit was filed as a class action because thousands of persons in addition to the Plaintiffs received money owed to them through Defendants' release cards. The two Plaintiffs agreed to serve as Class Representatives on behalf of those persons.

The Court decided that this lawsuit can be a class action because: (1) there are thousands of individuals who were given release cards upon being released from a correctional institution; (2) there are legal questions and facts that are common to each of them; (3) the claims of the two Class Representatives are typical of the claims of the rest of the class; (4) the Class Representatives and the

lawyers representing the Class will fairly and adequately represent the Class's interests; and (5) a class action will be more efficient than having many individual lawsuits.

More information and background regarding this lawsuit are available in the Court's Order Certifying the Class, which is available at www.PrisonReleaseCardClassAction.com.

4. What is being sought in the lawsuit?

The lawsuit seeks actual and statutory damages under the Electronic Funds Transfer Act, the Washington Consumer Protection Act, the Takings Clause, in addition to common law claims for conversion and unjust enrichment, as well as reasonable attorney's fees and costs. This would include the return of all money taken by Defendants as fees on the release cards issued to Class members, as well as statutory damages permitted by certain statutes.

5. What are my rights and options?

♦ **You may do nothing at all.**

By doing nothing you remain in the Class and may be eligible to obtain money or benefits from a judgment or settlement. Should the Court find in favor of the Defendants in a trial or otherwise, you would not be able to obtain recovery on those claims in any other lawsuit. Also, if you do nothing now, you will not be able to sue, or continue to sue, Defendants in any other proceeding for the legal claims that are the subject of this lawsuit even if no decision on the merits has been made in this lawsuit.

♦ **You may ask to be excluded.**

If you want to file your own case against Defendants, or continue one you already have begun, you need to exclude yourself from the Class. If you exclude yourself from the Class—sometimes called “opting-out” of the Class—you won't get any money or benefits from this lawsuit. However, you may then be able to sue or continue to pursue Defendants for violations of the Electronic Funds Transfer Act that occurred on or after October 20, 2016 and sue or continue to sue Defendants for other claims that occurred on or after October 20, 2013. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action. If you bring your own claims against Defendants after you exclude yourself, you will have to hire and pay your own lawyer for that effort, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own proceeding against Defendants, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations or other restrictions.

6. How do I ask the Court to exclude me from the Class?

To exclude yourself from this case, you must mail an “Exclusion Request” in the form of a letter stating that you want to be excluded from *Reichert v. Keefe*. Be sure to include your name and address and sign the letter. You must mail your Exclusion Request postmarked by **April 25, 2022**, to: *Reichert v. Keefe* Washington Exclusion Request, P.O. Box 4394, Portland, OR 97208-4394. You may also get an Exclusion Request form at the website, www.PrisonReleaseCardClassAction.com. Please note that if you exclude yourself now you will not be permitted to re-enter the class at a later time, even if money is made available after trial or settlement.

7. Who represents me in this case?

If you do not exclude yourself from the class, you will be represented by the law firm of Sirianni Youtz Spoonemore Hamburger PLLC. The Court determined that they are qualified to represent you

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and other Class Members as “Class Counsel.” They are experienced in handling similar cases. More information about this law firm, their practices, and their lawyers’ experience is available at www.PrisonReleaseCardClassAction.com. If Class Counsel obtains money or benefits for the Class, they may ask the Court for fees and expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsels’ request, the fees and expenses will be either deducted from any money obtained for the Class or paid separately by Defendants.

You may hire your own lawyer if you wish. However, you are not required to hire your own lawyer because Class Counsel is working on your behalf. Should you want your own lawyer to appear in court for you instead of Class Counsel, you will need to retain and pay that lawyer yourself.

8. What happens next?

The Honorable Benjamin H. Settle of the United States District Court for the Western District of Washington at Tacoma is presiding over this class action. The lawsuit is known as *Reichert, et al. v. Keefe Commissary Network, et al.*, Civil Action No. C17-5848-BJS.

Unless the case is resolved by a settlement or otherwise, Class Counsel will have to prove that the Defendants are liable at trial. Trial is scheduled to begin on June 7, 2022. During the trial, a jury or the judge will hear evidence and arguments to help them decide whether the Class or Defendants are right about the claims in the lawsuit. There is no guarantee that Class will prevail and receive any money. Class Counsel will present the case for the Class. You do not need to attend the trial to be eligible for any money or other benefits that are obtained on behalf of the class.

9. Where can I get more information?

For information about your rights related to the lawsuit, you may refer to the information at www.PrisonReleaseCardClassAction.com, call 1-855-604-1646, or to write *Reichert v. Keefe* Administrator, P.O. Box 4394, Portland, OR 97208-4394.

Do not call or write to the Court, or to the Clerk of the Court. Please address all inquiries and writings to the Class Counsel as set forth above.