

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Loop Spine & Sports Center, Ltd. v. American College of Medical Quality, Inc., et al.

Case No. 22 CV 4198, Judge Georgia N. Alexakis

NOTICE OF PROPOSED SETTLEMENT

THIS IS NOT A SOLICITATION. THE SENDING OF THIS NOTICE BY FACSIMILE HAS BEEN APPROVED BY THE COURT.

I. THE LAWSUIT. Loop Spine & Sports Center, Ltd. ("Plaintiff") sued American College of Medical Quality, Inc. ("ACMQ"), Affinity Strategies, LLC ("Affinity") and Daniel J. McLaughlin ("McLaughlin") alleging it was sent an unsolicited fax advertisement. Plaintiff alleged that the fax it received, Exhibit A to the second amended complaint, violated the Telephone Consumer Protection Act, and common law (trespass to chattels and conversion). Defendants ACMQ, Affinity and McLaughlin deny these allegations. McLaughlin and ACMQ have agreed to settle to avoid the costs and uncertainties of litigation. As part of the proposed settlement, McLaughlin and ACMQ do not admit to any wrongdoing and continue to deny the claims and allegations against them by Plaintiff.

II. WHO IS INCLUDED: On May 20, 2025, the Court certified a class of: all persons with fax numbers, who on August 6-10, 2022 were sent faxes in the form of Exhibit A. You have been identified as a potential class member.

III. THE PROPOSED SETTLEMENT: United States Liability Insurance Company ("USLI") on behalf of ACMQ and McLaughlin agree to pay valid claims submitted by Class Members up to \$500.00 per unique fax number. Multiple subscribers and/or users of any unique facsimile number shall be limited to single recovery per unique fax number. The maximum payout to the Class is \$175,000.00. If the number of claims submitted by the Class Members x \$500.00 would exceed the maximum payout of \$175,000.00, then the value of the claims would be reduced pro rata so as to not exceed the maximum payment of \$175,000.00 to the Class. The total amount distributed to the class is the "Settlement Class Recovery". USLI, on behalf of ACMQ and McLaughlin, agrees to pay Plaintiff an incentive award in the amount not to exceed \$10,000.00, in addition to its recovery as a Class Member, subject to Court approval. USLI, on behalf of ACMQ and McLaughlin, agrees to pay Class Counsel's attorney's fees and costs in the amount not to exceed \$285,000.00, subject to Court approval. The amounts for attorney's fees and costs and the incentive award to Plaintiff, if awarded, are separate and in addition to the Settlement Class Recovery.

IV. WHO REPRESENTS YOU: The Court appointed Daniel A. Edelman, Dulijaza (Julie) Clark, and Heather Kolbus from Edelman, Combs, Lattuner, & Goodwin, LLC to represent the Class as Class Counsel. They will be compensated separately from the Settlement Class Recovery subject to Court approval, by USLI, on behalf of ACMQ and McLaughlin. You may review Class Counsel's fee petition, which will be filed with the Court and will be posted to the settlement website maintained by the Settlement Class Administrator, and which requests compensation as set forth in Section III, above.

V. YOUR LEGAL RIGHTS AND OPTIONS:

(1) Submit a Claim Form: You may complete and mail the attached Claim Form postmarked no later than **September 11, 2026**, to qualify for a payment. The Claim Form must be mailed to: Loop Spine & Sports Center v. ACMQ, c/o Settlement Class Administrator, PO Box 23369, Jacksonville, FL 32241. You may also submit a Claim Form online by going to the Settlement Website at ACMQFaxSettlement.com and following the directions or by fax to 877-430-1941.

Claim Forms mailed must be postmarked, faxed or submitted online by **September 11, 2026** to qualify for payment. The value of each individual settlement payment cannot be determined until after the deadline to submit a claim has passed and all claims have been verified, but will not exceed \$500.00.

(2) Exclude Yourself: If you do not wish to participate in the Settlement you may exclude yourself from it by **September 11, 2026**, by sending (via U.S. Mail) a letter to the Settlement Class Administrator, *Loop Spine & Sports Center, Ltd. v. ACMQ* Class Administrator, c/o Settlement Class Administrator, PO Box 23369, Jacksonville, FL 32241. The Notice of Exclusion must be in writing and state your full name or your company's name, address, the telephone and fax number to which you were sent the fax(es), and a signed statement that you wish to be excluded from the Class in the *Loop Spine & Sports Center v. ACMQ et al.* Litigation. The Notice of Exclusion must be postmarked no later than **September 11, 2026**. If you exclude yourself from the Settlement you will not receive a payment and you will not release any claims against ACMQ, McLaughlin or the Released Parties.

(3) Object. If you do not exclude yourself, you can file an objection, either on your own or through an attorney, explaining why you think the Court should not approve the settlement. The objection must contain your full name (or business name if the objector is an entity) and address; the fax number to which you were sent the fax(es); your signature; a statement of your objection to the Settlement Agreement; an explanation of the legal and factual basis for the objection; documentation, if any, to support your objection; the identity of all witnesses, if any, and a summary of such witnesses' proposed testimony who you may call to testify in support of your objection; describe and produce copies of all evidence you may offer at the final approval hearing; and a statement whether you or your counsel intends to appear at the final approval hearing. The objection must be filed by **September 11, 2026** with (1) the Clerk of the United States District Court, Northern District of Illinois, 219 S. Dearborn, Chicago, IL 60604; and sent to (2) the Settlement Class Administrator (see address above), (3) Edelman, Combs, Lattuner, & Goodwin, LLC (38932), 20 S. Clark St., Suite 1800, Chicago, IL 60603; (4) Ryan A. Danahey, Downey & Lenkov LLC, 30 N. LaSalle St., Ste. 3600, Chicago, IL 60602, and (5) Thomas C. Blatchley, Gordon Rees Scully Mansukhani, LLP, One Financial Plaza, 775 Main Street, Suite 1700, Hartford, CT 06103.

(4) Do Nothing. If you do nothing you will not receive a monetary recovery, but you will be bound by all the terms of the Settlement Agreement. That means you cannot sue, continue to sue, or be part of any other lawsuit against ACMQ, McLaughlin or the Released Parties regarding the Released Claims that are subject to the class settlement.

VI. WHAT AM I GIVING UP UNDER THE SETTLEMENT? If the settlement becomes final, you will be releasing ACMQ, McLaughlin and the Released Parties for the Released Claims, which includes, but is not limited to, claims you may have relating to your receipt of unsolicited advertising faxes during the Class Period and claims that were asserted or could have been asserted in the Litigation. The Released Claims are fully explained in the Settlement Agreement, available on the Settlement Website at ACMQFaxSettlement.com or Class Counsel's website at www.edcombs.com.

VII. FINAL APPROVAL HEARING: The Court has scheduled a Final Approval Hearing before Judge Alexakis on **October 22, 2026 AT 9:00 A.M.** in Courtroom 1719 of the United States District Court for the Northern District of Illinois at 219 S. Dearborn St., Chicago, IL 60604. You or your attorney may attend this hearing if you desire and request to address the Court regarding any matters relating to this Settlement. The purpose of the hearing is for the Court to determine whether the class settlement is fair, reasonable, adequate, and in the best interests of the class.

VIII. MORE INFORMATION: More information is available at www.edcombs.com and ACMQFaxSettlement.com. You may also inspect the pleadings and other papers that have been filed in the Loop Spine & Sports Center v. ACMQ et al. Litigation at the office of the Clerk of the Court, U.S. District Court for the Northern District of Illinois, 219 S. Dearborn St., 20th Floor, Chicago, IL 60604. If you have questions about this notice or the proposed settlement, you may contact Class Counsel. **THE COURT AND THE DEFENDANTS CANNOT PROVIDE INFORMATION.**

CLAIM FORM

LOOP SPINE & SPORTS CENTER, LTD. v. AMERICAN COLLEGE OF MEDICAL QUALITY, INC., et al.
No. 22 CV 4198 (N.D. Ill.)

TO RECEIVE A PAYMENT UNDER THIS SETTLEMENT AGREEMENT, THIS CLAIM FORM MUST BE SUBMITTED ONLINE, FAXED, OR POSTMARKED ON OR BEFORE September 11, 2026 TO THE FOLLOWING:

877-430-1941

Fax number

OR

ACMQFaxSettlement.com

Notice ID: ^Notice ID^

PIN: ^PIN^

OR

Loop Spine & Sports Center v. ACMQ
c/o Settlement Class Administrator
PO Box 23369
Jacksonville, FL 32241

IF YOU DO NOT SUBMIT A COMPLETED CLAIM FORM SUBMITTED ONLINE, FAXED OR POSTMARKED BY THE DATE INDICATED YOU WILL NOT BE ELIGIBLE TO RECEIVE A PAYMENT UNDER THIS SETTLEMENT. YOUR FAX NUMBER WILL BE CHECKED AGAINST RECORDS PRODUCED IN THIS CASE. THE VALUE OF EACH INDIVIDUAL SETTLEMENT PAYMENT CANNOT BE DETERMINED UNTIL THE DEADLINE TO SUBMIT A CLAIM HAS PASSED BUT WILL NOT EXCEED \$500.00 PER UNIQUE FAX NUMBER.

INSTRUCTIONS: You must provide all required information below and sign the claim form and submit online or mail the claim form.

Please print or type the following information:

NAME OF PERSON OR ENTITY THAT SUBSCRIBED TO THE FAX LINE DURING THE CLASS PERIOD, AUGUST 6-10, 2022 (a subscriber is the person or entity that maintained the account with the telecommunications company):

Company Name

[illegible]

Contact Name	Last
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First

[illegible]

Address

Line 1

Line 2

City/St/Zip

[illegible]**Day Time Phone (area code-number):**

Telephone

$$\begin{array}{|c|c|c|} \hline & & \\ \hline \end{array} - \begin{array}{|c|c|c|} \hline & & \\ \hline \end{array} - \begin{array}{|c|c|c|c|} \hline & & & \\ \hline \end{array}$$

Fax Number at which you received Exhibit A. (area code-number):

Fax

$$\begin{array}{|c|c|c|} \hline & & \\ \hline \end{array} - \begin{array}{|c|c|c|} \hline & & \\ \hline \end{array} - \begin{array}{|c|c|c|c|} \hline & & & \\ \hline \end{array}$$

Sign the Claim Form and submit it to the Class Settlement Class Administrator.

After you complete this Claim Form, sign it below and submit it:

By U.S. Mail, postmarked no later than <u>September 11, 2026</u>, at the following address: Loop Spine & Sports Center v. ACMQ c/o Settlement Class Administrator PO Box 23369 Jacksonville, FL 32241	By fax, sent by <u>September 11, 2026</u>: 877-430-1941	You may complete this Claim Form online by <u>September 11, 2026</u>, at the following URL: ACMQFaxSettlement.com Notice ID: ^NoticeID^ PIN: ^PIN^
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NOTE: Only one claim is permitted per fax number.

I affirm that the fax number provided above was in operation from August 6-10, 2022.

Signature: _____ Date: _____

Print name and title: _____

IT IS YOUR RESPONSIBILITY TO KEEP A CURRENT ADDRESS ON FILE WITH THE CLASS ADMINISTRATOR.
Administrative use only- Do not write below this line

934	<i>Docket</i>	<i>Postmark</i>	<i>Received</i>
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