

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

**IF YOU ARE A FORMER ITT STUDENT WHO HAD A PEAKS STUDENT
LOAN, A CLASS ACTION MAY AFFECT YOUR RIGHTS.**

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

- In this lawsuit, *Aliff et al. v. Vervent, Inc., et al.*, Case No. 3:20-cv-00697 (S.D. Cal.), Plaintiffs claim that Defendants Vervent, Inc. (formerly “First Associates Loan Servicing, LLC”); Activate Financial, LLC; and certain individuals improperly collected money from former ITT students on “PEAKS” loans, which were deemed invalid in September 2020 and were canceled.
- This is a class action, and the Class includes all PEAKS loan borrowers who made a payment during the period on or after April 10, 2016. The Class also includes all PEAKS loan borrowers who made a payment on or after April 10, 2019, after receiving a letter or email from Activate Financial.
- The Court has not decided whether Defendants have done anything wrong. Defendants deny all liability. There is no money or other benefits available now, and there is no guarantee that there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights for the possibility of receiving certain benefits.</p> <p>By doing nothing, you keep the possibility of getting money or benefits that may come from the lawsuit. However, you give up any rights to sue Defendants separately about the same legal claims in this lawsuit and will instead be bound by the result of this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this lawsuit. Get no benefits from it. Keep your rights.</p> <p>If you ask to be excluded and money or benefits are later awarded, you will not share in those monies or benefits. However, you keep any rights to sue Defendants separately about the same legal claims in this lawsuit.</p>

- Your options are explained in this notice. To ask to be excluded, you must act before **April 28, 2023**.
- Plaintiffs must prove their claims against Defendants at a trial. The trial is scheduled to begin on June 5, 2023. If money or benefits become available from Defendants, you will be notified.

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BASIC INFORMATION

1. Why should I read this notice?

If you are a former ITT student who made a payment on a “PEAKS” (“Program for Education Access and Knowledge”) loan on or after April 10, 2016, you are part of the Class. This notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options you may exercise before the Court holds a trial. The trial is scheduled to begin on June 5, 2023. The trial is to decide whether the allegations made against Defendants are true. The trial will be held in the United States District Court, Southern District of California, in Courtroom 13A, located at 333 W. Broadway, San Diego, CA 92101. The lawsuit is known as *Aliff et al. v. Vervent, Inc., et al.*, Case No. 3:20-cv-00697 (S.D. Cal.). (It is also referred to in some court documents as *Turrey et al. v. Vervent, Inc., et al.*)

2. What is this lawsuit about?

The lawsuit claims Defendants Vervent (formerly “First Associates Loan Servicing, LLC”); Activate Financial, LLC; and certain individuals improperly collected money from former ITT students on PEAKS loans. The PEAKS loans were deemed invalid in September 2020, and no one owes money on the loans going forward. The lawsuit seeks refunds for the money former students paid on or after April 10, 2016, plus other damages and interest.

3. What is a class action, and who is involved?

In a class action lawsuit, one or more people called “class representatives” sue on behalf of other people who have similar claims. The people together are a “class” or “class members.” The people who sue—and all the class members like them—are called the “plaintiffs.” The companies and individuals the plaintiffs sue are called the “defendants.” One court resolves the issues for everyone in the class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move toward a trial because it meets the standards for class certification. Specifically, the Court found that:

- The Class is ascertainable.
- There are factual and legal questions that are common to each of the members of the Class.
- The Class Representatives' claims are typical of the claims of the rest of the Class.
- The Class Representatives and the lawyers representing the Class will fairly and adequately represent the Class's interests.
- The common legal questions and facts predominate over questions that affect only individuals.
- This class action will be more efficient than having many individual lawsuits.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

The lawsuit claims Defendants improperly collected money from former ITT students on PEAKS loans. The lawsuit seeks refunds for the money former students paid on or after April 10, 2016.

You can read Plaintiffs' Class Action Complaint and the Order Granting Plaintiffs' Motion for Class Certification at PEAKSStudentLoanClaims.com or BHOLaw.com.

6. How do Defendants answer the allegations?

Defendants have denied all liability.

7. Has the Court decided who is right?

The Court has not decided whether Plaintiffs or Defendants are correct. By establishing the Class and issuing this notice, the Court is not suggesting that Plaintiffs will win or lose this case. Plaintiffs must prove their claims at trial.

8. What are Plaintiffs asking for?

Plaintiffs are seeking damages in the amount of money former students paid on or after April 10, 2016, plus other damages and interest. Plaintiffs will also seek attorneys' fees and costs incurred in connection with the prosecution of this action.

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether PEAKS loan borrowers are entitled to money or other benefits. There is no guarantee that money or benefits will be obtained. If they are, you will be notified about how to receive money or other benefits from the lawsuit.

WHO IS IN THE CLASS

10. Am I part of the Class?

The Class includes all PEAKS loan borrowers who made a payment on their PEAKS loan on or after April 10, 2016. The Class also includes all PEAKS loan borrowers who made a payment after April 10, 2019, after receiving a letter or email from Activate Financial.

11. Are any PEAKS loan borrowers not included in the Class?

If you did not make a payment on your PEAKS loan within the listed time periods, you are **NOT** a Class Member.

12. I'm still unsure if I am included.

If you are still not sure whether you are included, you can get free help at BHOLaw.com or PEAKSStudentLoanClaims.com or by calling or writing to the lawyers in this case at the phone numbers or address listed in Question 22, below.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

13. What happens if I do nothing at all?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing, you are staying in the Class. If you stay in and Plaintiffs win, you will be notified about how to receive money or other benefits from the lawsuit. Keep in mind that if you do nothing now, regardless of whether Plaintiffs win or lose the trial, you will not be able to sue or continue to sue Defendants as part of any other lawsuit about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the orders the Court issues and judgments the Court makes in this class action.

14. Why might I ask to be excluded?

If you already have your own lawsuit against Defendants regarding your PEAKS loan and want to continue with it, you need to ask to be excluded from the Class. Alternatively, you may not agree with the allegations raised by Plaintiffs, or you may have some other reason that you do not wish to be part of this lawsuit. If you exclude yourself from the Class—which is sometimes called “opting out” of a class—you will not get any money or benefits from this lawsuit, even if Plaintiffs obtain them as a result of the trial. However, you may then be able to sue or continue to sue Defendants regarding your PEAKS loan. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against Defendants regarding your PEAKS loan after you exclude yourself, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Defendants regarding your PEAKS loan, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

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

To ask to be excluded, you must submit an Exclusion Request online at PEAKSStudentLoanClaims.com or in the form of a letter sent by mail, stating that you want to be excluded from *Aliff v. Vervent, Inc.*, Case No. 3:20-cv-00697. Be sure to include your name and address, and sign the letter. Exclusion Requests submitted via mail must be postmarked by April 28, 2023, and mailed to *Aliff v. Vervent*, P.O. Box 2288, Portland, OR 97208-2288.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court decided Blood Hurst & O'Reardon, LLP (San Diego, CA); Langer Grogan & Diver, PC (Philadelphia, PA); and Law Office of Paul Arons (Friday Harbor, WA) are qualified to represent all Class Members as Class Counsel. These law firms are experienced in handling similar class action cases. More information about Class Counsel is available at BHOLaw.com, LangerGrogan.com, and AronsConsumerLaw.com.

17. Should I get my own lawyer?

If you do not exclude yourself from the Class, you do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want someone other than Class Counsel to speak for you, you can hire your own lawyer to appear in Court for you.

18. How will the lawyers be paid?

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

THE TRIAL

19. How and when will the Court decide who is right?

Class Counsel will have to prove Plaintiffs' allegations at a trial, which is currently scheduled to begin on June 5, 2023. The trial will take place in the United States District Court, Southern District of California, Courtroom 13A – Judge Dana M. Sabraw, located at 333 W. Broadway, San Diego, CA 92101. During the trial, a jury and the Judge will hear all of the evidence to help them reach a decision about whether Plaintiffs or Defendants are right about the allegations in the lawsuit. There is no guarantee that Plaintiffs will win or that they will get any money for all or some members of the Class.

20. Do I have to come to the trial?

You do not need to attend the trial, but you are welcome to. Class Counsel will present the case for Plaintiffs, and lawyers for Defendants will present on the company's behalf. You or your own lawyer are welcome to attend at your own expense.

21. Will I get money after the trial?

If Plaintiffs obtain money or benefits as a result of the lawsuit, you will be notified. We do not know how long this will take.

GETTING MORE INFORMATION

22. Are more details available?

Visit the websites PEAKSStudentLoanClaims.com and BHOLaw.com, where you will find the Court's Order Granting Plaintiffs' Motion for Class Certification and the Complaint. You may also speak to someone about the case by calling (619) 338-1100 or (215) 320-5660 or by writing to *Aliff v. Vervent*, P.O. Box 2288, Portland, OR 97208-2288.

PLEASE DO NOT CALL OR WRITE THE COURT FOR INFORMATION OR ADVICE.

DATED: March 30, 2023

BY ORDER OF THE UNITED STATES DISTRICT
COURT, SOUTHERN DISTRICT OF CALIFORNIA