

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

**PLEASE READ THIS NOTICE CAREFULLY.** If you were enrolled in any campus at the University of Colorado (“University”) in the Spring 2020 semester and were assessed tuition and/or fees by the University for the Spring 2020 semester, you may be eligible to receive a payment as part of a proposed Settlement of *Miles Levin, et al. v. Board of Regents of the University of Colorado*, Civil Action No. 2020CV31409 (the “Action”).

In this Action, Plaintiffs alleged the University breached a contract when it transitioned to remote learning in response to the COVID-19 pandemic. Plaintiffs also alleged that the University’s shift to remote learning gave rise to claims of unjust enrichment. Plaintiffs sought a refund of a portion of their tuition and fees for the Spring 2020 semester. The University denies all allegations of wrongdoing and there has been no finding of liability in any court. However, considering the interests of both the University and its students in prompt resolution of the matter, the University and Plaintiffs have agreed that the University will pay \$5,000,000 into a Settlement Fund to resolve the Action.

**Am I a Settlement Class Member?** If you were enrolled in courses at any of the University’s campuses during the Spring 2020 semester at least through the census date applicable at your campus, were assessed tuition and/or fees for the Spring 2020 semester, and were not enrolled for the Spring 2020 semester solely in a program that, at the beginning of the Spring 2020 semester, was intended to be delivered as an online program, then **you are part of the proposed Settlement Class (a “Settlement Class Member”). If you are a Settlement Class Member, you do not have to do anything to participate in and receive the benefits of the proposed Settlement.**

**How Do I Get a Payment?** The Settlement Administrator will send a payment distribution email to your last known email address on file with the University, wherein you will be provided with a number of digital payment options, such as PayPal, Venmo, or a digital debit card, to immediately receive your Settlement Payment. **A valid email address is required to receive digital payment. If the email address you have on file changes or becomes invalid for any reason, it is your responsibility to provide accurate contact information to the Settlement Administrator to receive a payment.** You will also have the option to request a paper check be mailed using the address information on file with the University or as provided by you. Electronic payments will be issued forty-five (45) days after the Effective Date, as defined in the proposed Settlement. The payment redemption period will end one hundred eighty (180) days after the Effective Date, as defined in the proposed Settlement. During the payment redemption period, the Settlement Administrator will also send paper checks to Settlement Class Members who either do not timely redeem their digital payment, or who request a paper check be mailed. The dates will also be posted on the Settlement Website at [www.cucovidsettlement.com](http://www.cucovidsettlement.com) when known, but it will be some time after the Final Approval Hearing currently scheduled for **July 19, 2023**.

By participating in the proposed Settlement, you release your right to bring any claim covered by the proposed Settlement, including bringing any claim related to the University’s transition to

remote learning in the Spring 2020 semester, or joining any other action against the University related to its transition to remote learning in the Spring 2020 semester.

**What Are My Other Options?** If you do not want to participate in this proposed Settlement—meaning you do not want to receive the Settlement Benefit, and you do not want to be bound by any judgment entered in this case—you may exclude yourself by mailing a signed opt-out request to the Settlement Administrator, which must be postmarked no later than **June 5, 2023**. If you instead want to object to this proposed Settlement because you think it is not fair, adequate, or reasonable, you may submit an objection, which also must be postmarked no later than **June 5, 2023**. Please follow the detailed instructions outlined in the Long Form Notice and the Settlement Agreement, which can both be found at [www.cucovidsettlement.com](http://www.cucovidsettlement.com), to properly opt out from, or object to, the proposed Settlement.

**What Happens Next?** The Court has preliminarily approved the proposed Settlement, but the distribution of payments will occur only if the Court grants final approval of the proposed Settlement. The Final Approval Hearing in this case is scheduled for **July 19, 2023**. At that hearing, the Court will consider whether to grant final approval of the proposed Settlement, and whether to approve payment from the Settlement Fund of awards to each Settlement Class Representative for their service in this litigation. The Court will also determine the amount of Class Counsel's requested attorneys' fees and litigation costs and Settlement Administrator costs, which will be paid by the University separately from the Settlement Fund. The Motion for Final Approval will be posted on the Settlement Website after **June 20, 2023**.

**You are encouraged to review the Long Form Notice.** To review the Long Form Notice, and other important documents including the Settlement Agreement, and obtain more information about the proposed Settlement, please visit [www.cucovidsettlement.com](http://www.cucovidsettlement.com).

You can contact the Settlement Administrator by calling toll-free 1-877-888-9251, or by emailing [info@cucovidsettlement.com](mailto:info@cucovidsettlement.com).