

This is a notice of a lawsuit settlement, not a lawsuit against you.

**IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT**

FUN SERVICES OF KANSAS CITY, INC., a)	
Kansas corporation, individually and as the)	
representative of a class of similarly-situated)	Case No. 09 CV 02674
persons,)	Div. 4
)	Pursuant to Chapter 60
Plaintiff,)	
v.)	
)	
STREETGLOW, INC.,)	
)	
Defendant.)	

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT
WITH ATTACHED CLAIM FORM**

TO: All persons to whom Streetglow, Inc. sent advertising facsimiles during the period February 2, 2006 to May 24, 2006 (the "Settlement Class").

The Court ordered us to send you this Notice because your fax number was identified in records obtained during this litigation and you appear to be a member of the Settlement Class defined above.

A. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff filed this class action lawsuit against Streetglow, Inc. ("Streetglow"), alleging that it had violated the federal Telephone Consumer Protection Act ("TCPA") by faxing unsolicited advertisements. Streetglow denied Plaintiff's allegations and raised defenses to Plaintiff's claims. A Class was certified, after which the parties engaged in a lengthy mediation that resulted in a settlement. The parties have agreed to settle all claims about advertising faxes Streetglow sent by fax during the period February 2, 2006 to May 24, 2006, and all claims about insurance relating to those faxes. This notice informs you of your rights as a member of the Settlement Class.

B. WHAT IS THE PROPOSED SETTLEMENT?

Without waiving any of their arguments about coverage, Streetglow's insurers have made a settlement fund of \$5,000,000 available to settle this case. If the Court grants final approval to the settlement, each member of the Settlement Class who submits a valid Claim Form (attached) will receive a payment from the settlement fund of up to \$500 for each fax Streetglow sent to him (as reflected in a database compiled by Plaintiff's attorneys) with a maximum of \$1,500.00.

The Court has granted preliminary approval to the proposed settlement, and certified the Settlement Class defined above, subject to a final fairness hearing that will occur on June 3, 2010, at 11:30 a. m., in Division 4 in the Johnson County Courthouse, 100 N. Kansas, Olathe, KS 66061.

C. WHAT ARE YOUR FOUR OPTIONS?

1. Submit a Claim Form (attached) to be mailed a check: You must submit a Claim Form within thirty (30) days to be mailed a check for your share of the settlement fund.

2. Do nothing: You will be bound by the judgment and, if the Court approves the settlement, you will release your claims. You will not receive any money if you do not submit a Claim Form.

3. Opt out of the settlement: You have the right to exclude yourself from both the class action and the settlement by filing a written request for exclusion with the Clerk of the Johnson County District Court, Johnson County Courthouse, 100 N. Kansas Avenue, Olathe, KS 66061-3273. Your request for exclusion must be postmarked on or before May 10, 2010, and it must list your name, fax number, street address, and the name and number of this case. You must also serve copies of the request for exclusion on the following attorneys, postmarked by the same date:

For Plaintiff and the Class:

Phillip A. Bock
BOCK & HATCH, LLC
134 N. La Salle Street, Suite 1000
Chicago, IL 60602

For Streetglow:

John Schultz
FRANKE SCHULTZ & MULLEN, P.C.
8900 Ward Parkway
Kansas City, MO 64114

4. Object to the settlement: If you wish to object to the settlement rather than excluding yourself or filing a claim form, you must file a written objection with the Clerk of the Johnson County District Court, Johnson County Courthouse, 100 N. Kansas Ave., Olathe, KS 66061-3273. Your objection must be postmarked by May 10, 2010, and must refer to the name and number of this case. You must also serve copies of your objection on the lawyers identified in paragraph 3 above, postmarked by the same date. Your objection must include your name, fax number, and street address, along with a statement of the reasons why you believe the Court should find that the proposed settlement is not in the best interests of the Settlement Class. It is not sufficient to simply state that you object; you must state your reasons. Any memorandum in support of your objection must be filed with the Court, and postmarked and served on the lawyers identified in paragraph 3 above, by May 24, 2010. Additionally, if you want the Court to consider your objection, then you must also appear at the final approval hearing in Division 4 on June 3, 2010, at 11:30 a.m. **YOU ARE NOT REQUIRED TO ATTEND THIS HEARING UNLESS YOU OBJECT TO THE SETTLEMENT.**

D. WILL THE COURT APPROVE THE SETTLEMENT?

The Court will hold a final fairness hearing on June 3, 2010, at 11:30 a.m., in Division 4 in the Johnson County Courthouse, 100 N. Kansas Ave., Olathe, KS 66061. At that hearing, the Court will hear any timely and properly-filed objections and arguments about the settlement. You are **not** required to attend this hearing unless you plan to object to the settlement. The fairness hearing may be continued to a future date without further notice.

E. WHO REPRESENTS THE CLASS IN THIS LITIGATION?

Plaintiff is the class representative. Plaintiff's attorneys have been appointed Class Counsel. Class Counsel is attorneys Rex A. Sharp, Max G. Margulis, Brian J. Wanca, and Phillip A. Bock. They have litigated on behalf of the class against Streetglow and its insurers on a contingency basis. As part of the settlement, Class Counsel will request that the Court award Plaintiff an incentive award of \$10,000 for serving as the class representative and ask the Court to award Class Counsel attorneys' fees equal to one-third of the settlement fund net of reasonable out of pocket litigation expenses paid from the settlement fund. You will not have to pay any money to Class Counsel.

F. FOR MORE INFORMATION:

If you have questions about this Notice or about the settlement, write to the Claims Administrator at CAC Services Group, 1551 Southcross Dr. W, Burnsville, Minnesota 55306. Include the case number, your name, your telephone number, your fax number, and your current street address on any correspondence. Please do not contact the Clerk of the Court or Streetglow, because they cannot answer your questions.

BY ORDER OF THE COURT