

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

Notice of Proposed Class Action Settlement

*Williams v. PillPack LLC*  
Case No. 3:19-cv-05282-DGE

**If a prerecorded or artificial voice call promoting PillPack’s services as part of the PillPack Performance Media campaign was placed to your cellular telephone between March 13, 2018 and June 16, 2019, and the call was transferred to a PillPack call center, you may be entitled to a payment from a class action settlement.**

Class counsel estimates that payments could be between \$600 and \$1,500. This is only an estimate, the final amount may be more or less depending on the number of claims filed. You must complete a Claim Form to get a payment.

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

- A settlement has been proposed to end a class action lawsuit against PillPack LLC (“PillPack” or “Defendant”), known as *Williams v. PillPack LLC*, Case No. 3:19-cv-05282-DGE (W.D. Wash.) (the “Lawsuit”) for violations of the Telephone Consumer Protection Act (TCPA). The Lawsuit alleges that telemarketers placed prerecorded telephone calls to cellular telephones as part of a PillPack Performance Media campaign, and that those calls were transferred to a PillPack call center. The Plaintiff, Aaron Williams, alleges that PillPack did not have prior express written consent to place the calls.
- Defendant denies any wrongdoing. Defendant claims it has abided by all state and federal laws, and that the Lawsuit is not well grounded in law or fact. As part of the proposed settlement, Defendant does not admit to any wrongdoing, maintains its compliance with the law, and continues to deny the allegations against it.
- The parties in the Lawsuit have agreed to resolve the lawsuit with a \$6,500,000 settlement to resolve the claims of a Settlement Class defined as follows:

Persons or entities in the United States who between March 13, 2018, and June 16, 2019, received a non-emergency telephone call promoting goods and services on behalf of PillPack, LLC as part of the PillPack Performance Media campaign:

(i) to a cellular telephone number through the use of an artificial or prerecorded voice; and

(ii) Performance Media or its agents live transferred the call to a PillPack call center on the DNIS 866-298-0058; and

(iii) Performance Media or its agents did not obtain the cellular telephone number through Rewardzoneusa.com, Nationalconsumercenter.com, finddreamjobs.com, instantplaysweepstakes.com, startacareertoday.com, samplesandsavings.com, sweepstakesaday.com, surveyvoices.com, or financedoneright.com between June 19, 2017, and May 3, 2019, before the date(s) of the call(s).

The Settlement Class does not include Defendant, any entity that has a controlling interest in Defendant, and Defendant’s current or former directors, officers, counsel, and their immediate families. The Settlement Class also does not include any person who validly requests exclusion from the Settlement Class, or Melvin Tyson, who validly requested exclusion from the certified class.

- The Court has scheduled a Final Approval Hearing for **April 18, 2025**. If the settlement is approved and becomes final, you will be issued a payment if (i) you are a member of the Settlement Class; and (ii) you file a valid Claim Form before **January 20, 2025**. Even if you do not file a Claim Form, your rights will be affected if you are a member of the Settlement Class and you do not exclude yourself from the settlement. Read below or call 1-855-654-0837 for more information.

**Questions? Go to [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com) or call 1-855-654-0837**

## YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:

|   |   |
|---|---|
| <b>FILE A CLAIM<br/>BY JANUARY 20, 2025</b>                 | <p><b>This is the only option that allows you to get a payment.</b></p> <p>If you are a member of the Settlement Class, you have a right to complete a Claim Form to share in the settlement proceeds paid by PillPack to settle the Lawsuit. A Claim Form can be (a) completed and submitted electronically on the website, or (b) printed, completed, and submitted by mail.</p> <p>If your Claim Form is approved and the settlement is approved by the Court and becomes final, you give up your right to bring your own lawsuit about the issues in this Lawsuit</p> |
| <b>DO NOTHING</b>   | <p><b>Stay in this lawsuit. Get no payment. Give up certain rights.</b></p> <p>By doing nothing, you will not get a payment from the settlement. But, you give up any rights to sue PillPack separately about the same legal claims in this lawsuit.</p>  |
| <b>ASK TO BE EXCLUDED<br/>BY JANUARY 20, 2025</b>           | <p><b>Get out of this lawsuit. Get no payment. Keep rights.</b></p> <p>If you ask to be excluded, you will not get a payment from the settlement, but, you keep any rights you may have to sue PillPack separately about the same legal claims in this lawsuit.</p>   |
| <b>OBJECT TO THE<br/>SETTLEMENT<br/>BY JANUARY 20, 2025</b> | <p><b>Tell the Court why you disagree with the settlement.</b></p> <p>If you do not exclude yourself from the settlement, you may object to or comment about the settlement and/or the request for attorneys' fees, costs, and/or service award to the Class Representative who brought this Lawsuit. If you want to get a Claimant Award from the settlement, you also have to complete a Claim Form.</p>  |

## BASIC INFORMATION

### 1. Why did I get this notice?

Records indicate that you may have received a prerecorded or artificial voice call as part of the PillPack Performance Media campaign and that call was transferred to a PillPack call center. This notice explains that the Court has granted preliminary approval of a settlement that may affect you. You have legal rights and options that you may exercise before the Court decides whether to approve the settlement. To get a payment from the settlement, you must complete a Claim Form by **January 20, 2025**. Judge David G. Estudillo of the United States District Court for the Western District of Washington is overseeing this class action. The lawsuit is known as *Williams v. PillPack, LLC*, No. 3:19-05282-DGE (W.D. Wash.) (the "Lawsuit").

### 2. What is this lawsuit about?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All of these people are a class, or class members. One court resolves the issues for all class members, except those who exclude themselves from the class.

Here, the Class Representative alleges that PillPack is liable for TCPA violations caused by its agents making prerecorded or artificial voice telemarketing calls to cellular telephones and then live transferring those calls to a PillPack call center. The Class Representative alleges that class members did not give permission to receive these calls.

The Court certified a Class that includes:

Persons or entities in the United States who between March 13, 2018, and June 16, 2019, received a non-emergency telephone call promoting goods and services on behalf of PillPack, LLC as part of the PillPack Performance Media campaign:

- (i) to a cellular telephone number through the use of an artificial or prerecorded voice; and

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- (ii) Performance Media or its agents live transferred the call to a PillPack call center on the DNIS 866-298-0058; and
- (iii) Performance Media or its agents did not obtain the cellular telephone number through Rewardzoneusa.com, Nationalconsumercenter.com, finddreamjobs.com, instantplaysweepstakes.com, startacareertoday.com, samplesandsavings.com, sweepstakesaday.com, surveyvoices.com, or financedoneright.com between June 19, 2017, and May 3, 2019, before the date(s) of the call(s).

Defendant PillPack denies any wrongdoing and believes it has fully complied with the law. Defendant has asserted many defenses it believes would be successful at trial. In agreeing to settle, Defendant maintains that it complied with the law and does not admit any wrongdoing. The settlement is not an admission of wrongdoing. The Court has not decided whether PillPack did anything wrong. If the Court approves the settlement, there will be no trial about the claims in the lawsuit.

### **3. What is a class action and who is involved?**

In a class action, one or more people, called class representatives (in this case, Aaron Williams), sue on behalf of people who have similar claims. These people together are called a class, or class members. The class representative who sued, and all class members like him, are called Plaintiffs. The company he sued (in this case, PillPack LLC) is called the Defendant. One court resolves the issues for everyone in the class except for those people who choose to exclude themselves from the class.

### **4. Why is this lawsuit a class action?**

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- (a) Questions of law or fact common to the members of the classes predominate over any questions affecting only individual members; and
- (b) A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

### **5. What has happened in the lawsuit?**

The Plaintiff filed his complaint. PillPack filed an answer that denies Plaintiff's allegations. The Court granted class certification. The Parties subsequently agreed to a settlement and the Court has granted preliminary approval of the proposed settlement.

## **WHO IS IN THE SETTLEMENT CLASS**

### **6. Am I part of the Settlement Class?**

You are a member of the Settlement Class if you (1) received a prerecorded voice call as part of the PillPack Performance Media campaign between March 13, 2018, and June 16, 2019; (2) Performance Media or its agents live transferred the call to a PillPack call center on the DNIS 866-298-0058; and (3) Performance Media or its agents did not obtain the cellular telephone number through Rewardzoneusa.com, Nationalconsumercenter.com, finddreamjobs.com, instantplaysweepstakes.com, startacareertoday.com, samplesandsavings.com, sweepstakesaday.com, Surveyvoices.com, or Financedoneright.com between June 19, 2017, and May 3, 2019, before the date(s) of the call(s).

If you received a notice of this settlement via email or email, that means records indicate that you might be part of the Settlement Class.

The Settlement Class does not include PillPack, any entity that has a controlling interest in PillPack, and PillPack's current or former directors, officers, counsel, and their immediate families.

The Settlement Class also does not include any person who validly requests exclusion from the Settlement Class, or Melvin Tyson, who validly requested exclusion from the certified class.

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## THE PROPOSED SETTLEMENT

### 7. What are the terms and benefits of the Settlement?

The complete terms of the settlement are found in the Settlement Agreement. This notice only provides a summary.

If the settlement is approved and becomes final, PillPack will pay \$6.5 million (\$6,500,000) into a Settlement Fund. This money will be used to: (1) make Claimant Awards to Settlement Class Members who complete a valid Claim Form, (2) pay the costs of distributing notice and settlement payments to Settlement Class Members and other costs of administering the settlement; and (3) pay court-awarded attorneys' fees and litigation expenses of the attorneys appointed by the Court to represent the Class ("Class Counsel") and any service award granted to the Class Representative.

**Class Counsel estimate that payments could be between \$600 and \$1,500. This is only an estimate, the final amount may be more or less depending on the number of claims that are made. You must complete a Claim Form to get a payment.**

### 8. What claims will be released by the Settlement?

If you stay in the Settlement Class you will be giving up any and all claims against PillPack or related entities for prerecorded voice calls about PillPack made from March 13, 2018, to June 16, 2019.

Specifically, the settlement will release any and all claims, rights (including rights to restitution or reimbursement), demands, actions, causes of action, suits, liens, damages, attorneys' fees, obligations, contracts, liabilities, agreements, costs, expenses or losses of any nature, whether known or unknown, direct or indirect, matured or unmatured, contingent or absolute, existing or potential, suspected or unsuspected, equitable or legal, and whether under federal statutory law, federal common law or federal regulation, or the statutes, constitutions, regulations, ordinances, common law, or any other law of any and all states or their subdivisions, parishes or municipalities that arise out of or relate in any way to prerecorded voice message calls placed as part of the PillPack Performance Media Campaign (collectively, "Claims"), that have been, or could have been, brought in the Action, as well as any Claims arising out of the same nucleus of operative facts as any of the claims asserted in the Action.

The full Settlement Agreement is available on the Settlement Website at [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com).

### 9. How are Claimant Award payments calculated?

If the settlement is approved and becomes final, Settlement Class Members who complete and submit a valid Claim Form will be issued a payment. Settlement Class Members' payment amounts will be shared equally among all Settlement Class Members who submit valid Claim Forms, after the Court-ordered deduction of settlement costs, attorneys' fees, expenses, and any service award granted to the Class Representative. Class Counsel estimate that payments could range between \$600 and \$1,500 per claimant, although the actual amount could be higher or lower depending on how many valid Claim Forms are received.

If you are a Settlement Class Member, *to receive a payment you need to complete and submit a Claim Form by January 20, 2025*. The Claim Form allows Settlement Class Members to elect the method by which to receive payments including paper checks or electronic payment.

For any payments that are uncashed or deemed undeliverable by the Settlement Administrator, the funds will be distributed by one or both of the following means: (1) a pro rata second distribution to those Settlement Class Members who cashed/received their initial payments (if there are sufficient residual funds to justify the administrative costs of such distribution); and/or (2) distribution to the Legal Foundation of Washington.

## YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Settlement Class, whether to make a claim for a payment, whether to object to the settlement, or whether to exclude yourself from the Settlement Class.

**Questions? Go to [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com) or call 1-855-654-0837**

## 10. How do I get a payment?

Complete a Claim Form by **January 20, 2025**. This is the only way to get a payment from the settlement. The Claim Form requires you to confirm that you were the owner or regular user of a phone number in the calling date during the date of the calls and that, to the best of your knowledge and belief, you did not provide prior written consent to receive the prerecorded call(s). The Claim Form allows Settlement Class Members to elect the method by which to receive payments including paper checks or electronic payment.

Once completed, the Claim Form can be submitted electronically on the settlement website or printed and mailed to the following address:

PillPack Settlement Administrator  
P.O. Box 5563  
Portland, OR 97228-5563

Mailed Claim Forms must be postmarked by **January 20, 2025**. Each Settlement Class Member is entitled to submit only one Claim Form, regardless of the number of calls they received. If you submit a Claim Form through the Settlement Website, please do not submit a duplicate Claim Form by mail, and vice versa. Duplicate claim forms will be rejected.

## 11. What happens if I do nothing at all?

By doing nothing, you are staying in the Settlement Class, but you are giving up the ability to get a payment from the settlement. To get a payment you must complete a claim form by **January 20, 2025**. By doing nothing or completing a Claim Form, you are choosing to stay in the Settlement Class and if the settlement becomes final, you give up any rights to sue the Defendant separately about the same issues in this Lawsuit. See Question 8.

By staying in the Settlement Class, you may object to or comment on the settlement and/or or to Class Counsel's request for attorneys' fees, litigation expenses, and service awards. You do not need to object or comment in order to receive a payment.

## 12. How do I object or comment?

If you are a Settlement Class Member, and have not excluded yourself from the settlement, you can comment on or object to the settlement, request for attorneys' fees, costs and/or service award for the Class Representative. The motion for attorneys' fees, costs and a service award, and all supporting materials, will be filed with the Court and posted online at [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com) by November 21, 2024. To object or comment, you must send a written objection/comment including the following:

- (a) the name and case number of this Lawsuit (*Williams v. PillPack LLC*, No. 3:19-cv-05282-DGE (W.D. Wash.));
- (b) your full name, mailing address, and telephone number;
- (c) all objections and the basis for any such objections stated with specificity, including a statement as to whether the objection applies only to the objector, to a specific subset of the class, or to the entire class, and an explanation of the basis for your contention that you are a Settlement Class Member, including the cellular telephone numbers on which you received a call you assert was part of the PillPack Performance Media campaign;
- (d) if you are represented by counsel, the name and telephone number of any attorney representing you in this matter, or any attorney who may be entitled to compensation for any reason related to the objection, whether counsel intends to submit a request for fees, and all factual and legal support for that request;
- (e) a statement of whether or not you intend to appear at the Final Approval Hearing, and if so, the identity of all counsel representing you who will appear at the Final Approval Hearing (who must enter a written Notice of Appearance of Counsel with the Clerk of the Court);
- (f) the identity of any witnesses you may call to testify;

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(g) a listing of all exhibits you intend to introduce into evidence at the Final Approval Hearing, as well as true and correct copies of such exhibits.

Your comment or objection must be postmarked no later than **January 20, 2025**, and mailed to the following address:

PillPack Settlement Administrator  
P.O. Box 5563  
Portland, OR 97228-5563

### 13. How do I ask to be excluded from the Settlement Class?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

- The case name and number (*Williams v PillPack LLC*, No. 3:19-cv-05282-DGE);
- Your name, address, and telephone number; and
- A clear statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in *Williams v PillPack LLC*, No. 3:19-cv-05282-DGE.”
- Your signature and the date.

The exclusion request must be sent to the Settlement Administrator at the following address postmarked by **January 20, 2025**:

Williams v PillPack Settlement Administrator  
P.O. Box 5563  
Portland, OR 97228-5563

You cannot exclude yourself by telephone or by email, and you cannot opt out on behalf of anyone else.

You have the right to exclude yourself if for any reason you do not wish to be part of the Settlement Class. If you are already pursuing claims against PillPack for violations of telemarketing laws, or plan to pursue such claims, you should talk to your lawyer in that matter. You should exclude yourself from the Settlement Class if you wish to separately make claims against PillPack based on telemarketing. If you exclude yourself from the Settlement Class—which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class—you will not get a payment from the Settlement.

## THE LAWYERS REPRESENTING YOU

### 14. Do I have a lawyer in this case?

The Court has appointed Terrell Marshall Law Group PLLC, Smith & Dietrich Law Offices PLLC, and Paronich Law PC to represent you and all Settlement Class Members. These lawyers are called Class Counsel. They are experienced in handling similar cases. More information about the law firms, their practices, and their lawyers’ experience is available at [www.terrellmarshall.com](http://www.terrellmarshall.com), [www.smithdietrich.com](http://www.smithdietrich.com), and [www.paronichlaw.com](http://www.paronichlaw.com).

### 15. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to hire them on your own. For example, you can ask a lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you. If you hire a lawyer to speak for you or to appear in Court, your lawyer should file a Notice of Appearance with the Court.

### 16. How will the lawyers be paid?

Class Counsel (lawyers from Terrell Marshall Law Group, Paronich Law, and Smith & Deitrich Law Offices) will ask the Court to approve payment of legal fees of \$2,166,450, which is one third (33.33%) of the \$6,500,000 settlement fund, and costs of \$347,000 from the settlement. They will also request a Service Award of \$20,000 for Aaron Williams.

**Questions? Go to [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com) or call 1-855-654-0837**

## THE COURT'S FINAL APPROVAL HEARING

### 17. When and where will the Court decide whether to approve the settlement?

The Court will hold a Final Approval Hearing at **9 a.m. on April 18, 2025**, in Courtroom B of the United States District Court for the Western District of Washington in Tacoma, 1717 Pacific Avenue, Tacoma, WA 98402. The hearing may be moved to a different date or time, or the Court may order that the hearing be held telephonically or by videoconference, without additional notice. Please check the Settlement Website for updates or changes.

At the Final Approval Hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will also consider the request for attorneys' fees, costs, and a service award. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

### 18. Do I have to come to the hearing?

No. You do not have to attend or participate in the hearing to receive a payment. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it, but you can at your own expense. So long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

### 19. May I speak at the hearing?

If you are a Settlement Class Member and have not opted out of the settlement, you may ask the Court for permission to speak at the Final Approval Hearing. You cannot speak at the hearing if you exclude yourself from the Settlement Class.

## GETTING MORE INFORMATION

### 20. Are there more details available?

If you have questions that are not answered in this notice, you can speak to Class Counsel by calling 1-855-349-7023 toll-free or by writing to Terrell Marshall Law Group PLLC, 936 N 34th Street, Suite 300, Seattle, WA 98103. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov).

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT WITH QUESTIONS ABOUT THE ACTION**

**Questions? Go to [www.PillPackTCPAClassAction.com](http://www.PillPackTCPAClassAction.com) or call 1-855-654-0837**