

**You have received this letter because your vehicle was adjusted to be a total loss by Mutual of Enumclaw and you may be able to get a payment from this class action settlement for underpayment of your total loss claim.**

**The Pierce County (Tacoma) Washington Superior Court authorized this Notice.  
This is not a solicitation from a lawyer.**

- Subject to Court Approval, the Settlement will provide up to \$2,549,290.17 (less legal fees and costs) to pay claims from those who properly submit Claim Forms by September 9, 2019.
- The Settlement affects the rights of Mutual of Enumclaw (“MOE”) insureds whose vehicles were totaled, with the loss paid by MOE using valuations from Autosource which contained a deduction for “typical negotiation,” and who meet certain other requirements (set forth below).

<b>Your legal rights and options in this Settlement:</b>	
<b>Submit a Claim Form</b>	This is the only way to get a payment. The Claim Form is enclosed with this Notice.
<b>Comment (including Object)</b>	Write to the Court about what you think about the Settlement.
<b>Go to the Final Settlement Hearing</b>	If you would like, you may ask to speak in Court about the fairness of the Settlement. You do not need to do this to receive a payment.
<b>Do nothing</b>	Get no payment.

**1. Why did I get this letter?**

You have received this letter (called a “Notice”), and the enclosed **Blue Claim Form**, (or multiple claim forms if you had multiple qualifying accidents), because the records of Mutual of Enumclaw (“MOE”) show that you were a Washington insured of MOE who received payment under your MOE policy to total your insured vehicle on accidents occurring between September 1, 2011, and March 15, 2019, and meet certain other requirements (set forth in Section 5, below).

The class action suit has been pending in Superior Court, since September 1, 2017. It has now been resolved for up to \$2,549,290.17. If the Settlement is approved, you may be eligible for benefits that will be provided as part of the proposed Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. If you wish to receive money from or comment upon (including object to the Settlement), you must do so following the procedures described below. If you do nothing, you will be bound by any final judgment.

The Court in charge of the case is the Pierce County Superior Court for the State of Washington, and the case is known as *Steinore v. Mutual of Enumclaw Insurance Co.*, Case No. 17-2-10884-2. The person who brought this class action lawsuit, called the “Plaintiff,” has sued Mutual of Enumclaw Insurance Company on behalf of certain of its policyholders with “total loss” claims.

**2. What is this lawsuit about?**

In the lawsuit, Plaintiff claims that in settling total losses using valuation reports prepared using Audatex’s *Autosource* system, MOE improperly took deductions for “typical negotiation” which were not factually supported, nor reasonable, nor allowed by Washington Administrative Code § 284-30-391. Plaintiff alleges that the use of the “typical negotiation” discount resulted in the underpayment of total loss claims to MOE insureds who received total loss payments based upon the Autosource valuations, which was a breach of MOE’s insurance contract and unfair business practice. MOE denies that it did anything wrong by using historical sales data to account for the difference between a vehicle’s advertised price and actual negotiated sale price, and denies that its use of a “typical negotiation” discount violated Washington Law.

**QUESTIONS? CALL 1-253-302-5955 (CLASS COUNSEL), OR VISIT  
WWW.STEINORECLASSSETTLEMENT.COM**

### 3. Why is this a class action?

In a class action, a person called the Class Representative sues on behalf of people who have similar claims. All of these people are part of a “Class.” One court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Class. Pierce County Superior Court Judge Susan K. Serko is presiding over this class action.

### 4. Why is there a settlement?

Class Certification of this matter was set for March 1, 2019. Prior to further proceedings, both sides agreed to a settlement, which, if approved, brings the litigation to an end. That way, Plaintiff and MOE avoid the cost, delay, and uncertainty of moving forward in litigation to trial and possible appeals, and the Settlement Class Members will get payments. The Class Representative and his attorneys think the Settlement is best for the Settlement Class Members.

You may be eligible to receive money from this Settlement, if you submit a Valid Claim Form.

### 5. How do I know if I am part of the Settlement Class?

You are a member of the Settlement Class if you are an MOE insured under a Washington policy issued in Washington State who was paid for the total loss of your own vehicle(s) under one of your MOE First Party Coverages (Comprehensive, Collision, and UIM) and received a total loss valuation from MOE based upon an “Autosource” estimate.

You are not a part of the Settlement Class if (a) the MOE Autosource estimate did not take a “typical negotiation” discount, (b) your date of loss was outside the Class Period, or (c) you are an MOE employee.

### 6. How much will my payment be?

Each Settlement Class Member’s payment will depend on the Autosource total loss value paid by MOE. Here is how it works. Each Settlement Class Member is entitled to submit a claim. For Settlement Class Members who qualify for a payment, because their total loss was settled based upon an Autosource valuation which took a “typical negotiation” discount (and not upon a negotiated value reached based upon evidence you submitted to MOE) that payment will be calculated by multiplying the as paid MOE Autosource valuation by approximately 3.5%. Not everyone who receives this Notice will be eligible for payment. You can only receive a payment if you submit a Valid Claim Form according to the requirements set forth in Section 7, below.

### 7. How can I receive a payment?

To qualify for payment, you must be an eligible Settlement Class Member (see Section 5, above) and submit a Valid Claim Form. The Valid Claim Form (the single **Blue** page) is enclosed with this Notice. Read the instructions carefully, either fill it out online by **September 9, 2019**, or fill out the form, sign it, and submit it by mail postmarked by **September 9, 2019**.

### 8. When would I get my payment?

The Court will hold a hearing on August 9, 2019, to decide whether to approve the Settlement. If the Court approves the Settlement, and there are no appeals, we estimate that initial checks will be mailed by **February 27, 2020**. You will get your payment after all appeals have been concluded and the Settlement is approved with no further appeals possible.

We will provide regular updates of the status of the Settlement to all people who submit Claim Forms at [www.SteinoreClassSettlement.com](http://www.SteinoreClassSettlement.com). Please be patient.

**QUESTIONS? CALL 1-253-302-5955 (CLASS COUNSEL), OR VISIT  
WWW.STEINORECLASSSETTLEMENT.COM**

## 9. What am I giving up to get a payment or stay in the Settlement Class?

Unless you opt out of the Settlement Class, you are in the Settlement Class, which means that you cannot sue, continue to sue, or be part of any other lawsuit against MOE about the factual and legal issues in this case. It also means that all of the Court's orders in this case will apply to you and legally bind you.

## The Lawyers Representing You

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

The following attorneys represent you, Plaintiff, and the other Settlement Class Members:

Stephen M. Hansen  
Law Offices of Stephen M. Hansen, P.S.  
1821 Dock Street, Suite 103  
Tacoma, WA 98402  
info@stephenmhansenlaw.com  
1-253-302-5955

Scott P. Nealey  
Law Office of Scott P. Nealey  
71 Stevenson Street, Suite 400  
San Francisco, CA 94105  
snealey@nealeylaw.com  
1-415-231-5311

These lawyers are working together on your behalf and can be reached via the above e-mails and telephone numbers.

These lawyers are called "Plaintiffs' Counsel" or "Class Counsel." You will not be charged for these lawyers' work in securing the Settlement benefits for you and the other Settlement Class Members. You owe nothing if you participate in the Settlement; their fees are to be determined separately by the Court. If you want to be represented by your own lawyer, you may hire one at your own expense.

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

Class Counsel will ask the Court for attorneys' fees and expenses of up to \$688,308 and out-of-pocket costs of up to \$11,426, according to the terms of the Stipulation of Settlement. Class Counsel has worked continuously on this case but have not received any money for that work. The attorneys' fees and costs, as awarded by the Court, shall be paid from the Settlement Fund available to the Settlement Class Members in this Settlement. In addition, Class Counsel will apply to the Court for a service award of up to \$10,000 for Mr. Steinore. This service award is being requested in recognition of the time, effort, and risk incurred by the Class Representative in securing this Settlement for you and the other Settlement Class Members.

### 12. If I want to, how can I tell the Court that I like or do not like the Settlement?

If you are a Settlement Class Member, you can—but need not—comment on the Settlement. You can give reasons why you think the Court should or should not approve it. The Court will consider your views. To comment or object you must send a letter with your comment to the two lawyers listed below, postmarked by **July 25, 2019**. Be sure to include your name, address, telephone number, your signature, and the reasons for your comment on (or objection to) the Settlement. Mail the comment to both lawyers listed below:

Class Counsel  
Stephen M. Hansen  
Law Offices of Stephen M. Hansen, P.S.  
1821 Dock Street, Suite 103  
Tacoma, WA 98402

Counsel for MOE  
Steven Caplow  
Davis Wright Tremaine LLP  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104

Any objections that are not timely served on both counsels will not be considered by the Court.

### 13. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Settlement Hearing at **1:30 p.m. on August 9, 2019**, at the Pierce County Superior Court Courthouse (Department 14), 930 Tacoma Ave., Tacoma, WA 98402. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Serko will listen to anyone at the Final Settlement Hearing who asked to speak, and if objections were timely served, will consider them. The Court will also decide how much to pay Class Counsel. The Final Settlement Hearing may be postponed without further notice to the Settlement Class.

### 14. Do I have to come to the Final Settlement Hearing?

No. Class Counsel will answer questions Judge Serko may have. However, you are welcome to come at your own expense. If you send a comment (including an objection), you do not have to come to Court to talk about it. As long as you mailed it on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

### 15. May I speak at the Final Settlement Hearing?

You may ask the Court for permission to speak at the Final Settlement Hearing. To do so, you must send a letter to both lawyers listed in Section 12, above, saying that it is your “Notice of Intention to Appear at the Final Settlement Hearing in *Steinore v. Mutual of Enumclaw Ins. Co.*” You must include your name, address, telephone number, and signature. Your Notice of Intention to Appear must be postmarked by **July 25, 2019**.

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

If you do nothing, you will get no money from this Settlement. If you are a Settlement Class Member, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against MOE about the legal issues in this case ever again.

## Getting More Information

### 17. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Stipulation of Settlement. You can view and print a copy of the Stipulation of Settlement and other information about the lawsuit by visiting [www.SteinoreClassSettlement.com](http://www.SteinoreClassSettlement.com), where you will find answers to common questions about the Settlement, and other information to help you determine whether you are eligible for a payment. The website will also have instructions for filling out your Valid Claim Form online.

**Please do not call the Court, the Court clerk’s office, or MOE to inquire about this Settlement. They will be unable to help you.**

By order of the Pierce County Superior Court for the State of Washington.

Dated: May 14, 2019

/s/

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Judge Susan K. Serko