

If you rented an ECI apartment in Georgia at any time between May 19, 1997 and June 30, 2018 and did not receive a refund of some or all of your security deposit, you may be entitled to a payment from a class action settlement.

Relevant ECI properties include: Bentley Manor (The Columns at Bentley Manor); Concepts 21—Delk Apartments (The Columns at Bentley Manor); Concepts 21 – Hillandale; Concepts 21 – Roswell; Concepts 21—Six Flags; Concepts 21—The Corners (The Columns at Peachtree Corners); Sussex Club; The Columns at Club Drive; The Columns at Paxton Lane; Canlen Walk; The Columns at Sweetwater Creek; The Columns at Hiram; The Columns at Chicopee; The Columns at Lake Ridge; The Columns at River Parkway; The Columns at Pilgrim Mill; The Columns at Oakwood; The Columns at Akers Mill; Fairways at Jennings Mill; The Columns at Independence; The Columns at White Oak; The Columns at Killian Hill; The Columns at Coldbrook Station; Cliftwood; and Chatsworth Apartments.

A state court authorized this Notice. This is not an advertisement or a solicitation from a lawyer.

- This Notice informs you of a proposed Settlement in a class action lawsuit alleging that ECI Group, Inc., ECI Management, LLC, and DeKalb-Lake Ridge, LLC (together “Defendants”) withheld all or a portion of tenants’ security deposits without providing a list of alleged damages to the premises within three business days of termination of the occupancy. The Settlement resolves litigation over whether Defendants violated the Georgia Security Deposit Statute. Defendants deny that they did anything wrong or unlawful.
- You may be eligible to participate in the proposed Settlement, if it is finally approved, if you rented an ECI apartment in Georgia any time between May 19, 1997 and June 30, 2018, provided a security deposit with the rental, vacated the apartment between May 19, 1997 and June 30, 2018, and did not receive a refund of some or all of your security deposit within one month of lease termination due, in part or whole, to alleged damage to the premises (“Settlement Class Members”).
- Defendants have agreed to make up to \$2,400,000 available to the class. After deducting Court-approved attorneys’ fees, costs, and expenses, and the Class Representative service award, the remainder will be available to pay Settlement Class Members.
- Your legal rights are affected regardless of whether you act or do not act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY MARCH 1, 2021	If you did not receive your full security deposit between May 19, 1997 and June 30, 2018, <u>you must submit a Claim Form</u> to be eligible for payment from this Settlement.
EXCLUDE YOURSELF BY MARCH 1, 2021	If you wish to be part of any other lawsuit against the Defendants for the legal claims made in this lawsuit or released by the Settlement, you must exclude yourself from the Settlement Class. If you exclude yourself, you will not be eligible for payment from this Settlement.
OBJECT TO THE SETTLEMENT BY MARCH 1, 2021	Write to the Court with reasons why the Settlement is unfair or improper. Your objections must be filed electronically with the Court as discussed further below.
APPEAR AT THE FAIRNESS HEARING	You may ask the Court for permission for you or your attorney to speak about your objection at the Fairness Hearing.
DO NOTHING	If you did not receive your full security deposit between May 19, 1997 and June 30, 2018, and you do nothing, you will not be paid by this Settlement and you will give up certain legal rights.

- These rights and options—and the deadlines to exercise them—are explained in this Notice. For complete details, view the Settlement Agreement, available at www.georgiaapartmentclassaction.com, or call 1-844-926-1527. The Court in charge of this case still has to decide whether to approve the Settlement. If the Court denies final approval, the Settlement will be null and void and the litigation will continue with the Defendants.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	PAGE 3
1. Why is this Notice being provided?	
2. What is this lawsuit about?	
3. What is a class action?	
4. Why is there a Settlement?	
WHO IS INCLUDED IN THE SETTLEMENT?	PAGE 3
5. How do I know if I am part of the Settlement?	
6. Are there exceptions to being included in the Settlement?	
7. I am still not sure if I am included.	
THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY	PAGE 4
8. What does the Settlement provide?	
9. How much will my payment be?	
HOW TO GET A SETTLEMENT PAYMENT—SUBMITTING A CLAIM FORM	PAGE 4
10. How do I get a payment?	
11. When will I get my payment?	
12. What am I giving up to get a payment or stay in the Settlement?	
13. What are the Released Claims?	
EXCLUDING YOURSELF FROM THE SETTLEMENT	PAGE 5
14. How do I get out of the Settlement?	
15. If I exclude myself, can I still get a payment from the Settlement?	
16. If I do not exclude myself, can I sue the Defendants for the same thing later?	
THE LAWYER REPRESENTING YOU	PAGE 5
17. Do I have a lawyer in this case?	
18. How will Class Counsel be paid?	
OBJECTING TO THE SETTLEMENT	PAGE 5
19. How do I tell the Court that I do not like the Settlement?	
20. What is the difference between objecting to and excluding myself from the Settlement?	
THE COURT’S FAIRNESS HEARING	PAGE 6
21. When and where will the Court decide whether to approve the Settlement?	
22. Do I have to come to the Fairness Hearing?	
23. May I speak at the Fairness Hearing?	
IF YOU DO NOTHING	PAGE 6
24. What happens if I do nothing?	
GETTING MORE INFORMATION	PAGE 6
25. Are more details about the Settlement available?	
26. How do I get more information?	

BASIC INFORMATION

1. Why is this Notice being provided?

The Court directed that this Notice be provided because you have a right to know about the proposed Settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant final approval to the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will make the payments that the Settlement allows. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of this case is the State Court of DeKalb County, Georgia. The case is known as *Roberson v. ECI Group, Inc.*, No. 17A64506. The person who filed the lawsuit is called Plaintiff. The companies she sued, ECI Group, Inc., ECI Management, LLC, and DeKalb-Lake Ridge, LLC, are called Defendants.

2. What is this lawsuit about?

The lawsuit claims that the Defendants kept security deposits from residential tenants without providing a comprehensive list of alleged damage to the premises within three business days of occupancy termination explaining why some or all of the security deposit was being withheld.

Defendants have denied and continue to deny all of the claims made in the lawsuit.

3. What is a class action?

In a class action, one or more people called Class Representatives (in this case, Nichon Roberson) sue on behalf of people who have similar claims. Together, all these people are called a Class or Class Members. One court resolves the issues for all Class Members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff or the Defendants. Instead, the Plaintiff and the Defendants negotiated a Settlement that allows them to avoid the risks and cost of lengthy and uncertain litigation and the uncertainty of a trial and appeals. It also allows Settlement Class Members to be compensated without further delay. The Class Representative and her attorney think the Settlement is best for all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

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

You are included in the Settlement as a Settlement Class Member if:

- 1) You had an apartment rental agreement for an ECI apartment in Georgia any time between May 19, 1997 and June 30, 2018; and
- 2) You provided a security deposit with that apartment rental; and
- 3) You left that apartment between May 19, 1997 and June 30, 2018; and
- 4) You did not receive all or part of your security deposit within one month of termination due, in part or whole, to alleged physical damage to the apartment.

Relevant ECI apartment complexes include the following apartment properties located in the State of Georgia: Bentley Manor (The Columns at Bentley Manor); Concepts 21—Delk Apartments (The Columns at Bentley Manor); Concepts 21 – Hillandale; Concepts 21 – Roswell; Concepts 21—Six Flags; Concepts 21—The Corners (The Columns at Peachtree Corners); Sussex Club; The Columns at Club Drive; The Columns at Paxton Lane; Canlen Walk; The Columns at Sweetwater Creek; The Columns at Hiram; The Columns at Chicopee; The Columns at Lake Ridge; The Columns at River Parkway; The Columns at Pilgrim Mill; The Columns at Oakwood; The Columns at Akers Mill; Fairways at Jennings Mill; The Columns at Independence; The Columns at White Oak; The Columns at Killian Hill; The Columns at Coldbrook Station; Cliftwood; and Chatsworth Apartments.

6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement are: (1) people who filed a bankruptcy proceeding before Final Approval; (2) individuals who properly opt out of the Settlement Class; and (3) the Defendants and each of their affiliates, shareholders, subsidiaries, predecessors, successors, and assigns, as well as each of those entities' past or present owners, investors, directors, officers, employees, partners, members, principals, agents, underwriters, insurers, co-insurers, re-insurers, indemnitors, shareholders, attorneys, accountants or auditors, banks or investment banks, associates, personal or legal representatives, consultants, vendors, contractors, volunteers, performers, co-marketers, licensors, concessionaires, franchisors, and assigns.

7. I am still not sure if I am included.

If you are still not sure whether you are included, you can call 1-844-926-1527 or visit www.georgiaapartmentclassaction.com for more information; or, you can complete and submit a Claim Form to see if you qualify for a payment.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

Defendants have agreed to make up to \$2,400,000 available to the Class. After deducting Court-approved attorneys' fees, costs, and expenses, and the Class Representative service award, the remainder will be available to pay Settlement Class Members. Defendants have also agreed to a mutual release of claims against Class Members, as described in the Comprehensive Settlement Agreement and as described in below in "What are the Released Claims."

9. How much will my payment be?

The aggregate amount of money to be made available to the Class—including the total amount all Class Members could receive through the claims-made process, attorneys' fees, costs, and expenses, and Class Representative service award for which the ECI Defendants shall be responsible to pay—is capped at \$2,400,000 (two million, four hundred thousand dollars). The amount any individual Class Member may receive will be capped at the total amount of their security deposit. For example, if a Class Member's security deposit was \$50, the most the Class Member could receive is \$50 and, as consideration for this settlement, the Class Member would have no right to receive trebling.

NOTE: If more than one Settlement Class Member was listed as a tenant on the lease, the Settlement payment will be issued jointly to all tenants.

HOW TO GET A SETTLEMENT PAYMENT—SUBMITTING A CLAIM FORM

10. How do I get a payment?

If you moved out of your apartment between May 19, 1997 and June 30, 2018, **you must complete and submit a Claim Form** postmarked by March 1, 2021. Claim Forms are available and may be filed online at www.georgiaapartmentclassaction.com. Claim Forms are also available by calling 1-844-926-1527 or by writing to *Roberson v. ECI Group* Settlement Administrator, P.O. Box 43501, Providence, RI 02940-3501.

11. When will I get my payment?

The Court will hold a Fairness Hearing on May 20, 2021 to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether any appeals can be resolved favorably, and resolving them can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed. Depending on the number of claims submitted, and whether any appeals are filed, the Settlement Administrator *could* distribute payments as early as 20 days after the Settlement is approved and becomes final. Please be patient.

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

Unless you exclude yourself from the Settlement, you will release certain legal claims as they relate to the Defendants. This means that you will no longer be able to sue, continue to sue, or be part of any other lawsuit against the Defendants about the claims made in this lawsuit and released by the Settlement Agreement. You will be legally bound by all of the Court's orders, as well as the Released Claims, below.

13. What are the Released Claims?

If the Settlement is approved, Roberson and the Class members, including their heirs, trustees, executors, administrators, principals, beneficiaries, assigns, and successors will be bound by the Final Judgment and conclusively deemed to have fully released, acquitted, and forever discharged any and all known or unknown claims, causes of action, or suits of whatever kind or nature arising from the acts alleged in the Action, whether at law, in equity, or under any statute or regulation, against the ECI Defendants and all of their past and present officers, directors, agents, attorneys, employees, stockholders, divisions, parent companies, holding companies, affiliated companies, and subsidiaries, and all of their successors, assigns, and legal representatives of any of the entities and/or persons listed in these paragraphs. The claims released in this paragraph do not include any claim for enforcement of the Comprehensive Settlement Agreement or the Final Judgment. Similarly, the claims released in this paragraph do not include claims against ECI unrelated to alleged damage to the apartment premises.

If the Settlement is approved, the ECI Defendants, including their heirs, trustees, executors, administrators, principals, beneficiaries, assigns, and successors will be bound by the Final Judgment and conclusively deemed to have fully released, acquitted, and forever discharged any and all known or unknown claims, causes of action, or suits of whatever kind or nature arising from the acts alleged in the Action, whether at law, in equity, or under any statute or regulation, against Roberson and the Class members and all of their past and present officers, directors, agents, attorneys, employees, stockholders, divisions, parent companies, holding companies, affiliated companies, and subsidiaries, and all of their successors, assigns, and legal representatives of any of the entities and/or persons listed in

these paragraphs. For additional clarity, this means that the counterclaims against Roberson in this action are released. The claims released in this paragraph do not include any claim for enforcement of the Comprehensive Settlement Agreement or the Final Judgment. Similarly, the claims released in this paragraph do not include claims against Class Members unrelated to alleged damage to apartment premises, such as outstanding rent, and therefore will not impact ECI's ability to collect amounts for those claims.

EXCLUDING YOURSELF FROM THE SETTLEMENT

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a letter by mail stating (1) your name, (2) your address, and (3) that you want to be excluded from the *Roberson v. ECI Group* Settlement. You must mail your exclusion request postmarked no later than March 1, 2021 to:

Roberson v. ECI Group
Settlement Administrator
P.O. Box 43501
Providence, RI 02940-3501

15. If I exclude myself, can I still get a payment from the Settlement?

No. If you exclude yourself from the Settlement, you will no longer be eligible to receive a Settlement payment.

16. If I do not exclude myself, can I sue the Defendants for the same thing later?

No. If you stay in the Settlement (*i.e.*, do nothing or do not exclude yourself from the Settlement), you give up any right to separately sue the Defendants for the claims made in this lawsuit and released by the Settlement Agreement.

THE LAWYER REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed Naveen Ramachandrapa of Bondurant Mixson & Elmore LLP as "Class Counsel" to represent you and other Settlement Class Members. You will not be charged by Class Counsel for his work in this lawsuit and Settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

18. How will Class Counsel be paid?

If the Settlement is approved and becomes final, Class Counsel will ask the Court to award up to \$600,000 (25% of the Settlement Fund) in attorneys' fees and expenses and a \$12,500 service award to the Class Representative. If approved, these amounts will be deducted from the Settlement Fund before making payments to Settlement Class Members.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

19. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve the Settlement. The Court will consider your views before making a decision. To object, you must electronically file with the Court and serve on Class Counsel and Counsel for Defendants a written notice stating that you object to the Settlement in *Roberson v. ECI Group, Inc.*, No. 17A64506.

Your objection must include:

- 1) The case name and number (*Roberson v. ECI Group, Inc.*, No. 17A64506);
- 2) Your name, address, telephone number, and e-mail address;
- 3) The reason(s) why you object to the Settlement;
- 4) A statement indicating whether you or your attorney plan to appear at the Fairness Hearing; and
- 5) Your signature or the signature of your attorney.

Your objection must be electronically filed with the Clerk of the Court for the State Court of DeKalb County, Georgia, 556 N. McDonough Street, Decatur, Georgia 30030 by March 1, 2021. Electronic filing ("E-filing") of objections can be accomplished in one of two ways. First, you may E-file your objection free of charge by visiting the public access terminal in the State Court Clerk's Office at the DeKalb County Courthouse, 556 N. McDonough Street, Second Floor Administrative Tower, Decatur, Georgia 30030. Second, you may register as a user and E-file your objection via the following website: www.odysseyefilega.com. Instructions and other support for E-filing on this website is available at that site. Additional information about E-filing in the State Court of DeKalb County may be found on the Court's website at www.dekalbstatecourt.net/state-court/electronic-filing.

You must also mail copies of your objection to Class Counsel and Counsel for Defendants postmarked no later than **March 1, 2021**, at the addresses below.

<i>Class Counsel:</i> Naveen Ramachandrapa Bondurant Mixson & Elmore LLP 1201 West Peachtree Street NW Suite 3900 Atlanta, GA 30309	<i>Counsel for Defendants:</i> David Carpenter Alston & Bird LLP 1201 West Peachtree Street NW Suite 4900 Atlanta, GA 30309
---	---

20. What is the difference between objecting to and excluding myself from the Settlement?

Objecting is telling the Court that you do not like something about the proposed Settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this Settlement. If you exclude yourself from the Settlement, you have no basis to object or file a claim (if applicable) because the Settlement no longer applies to you.

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend, and you may ask to speak, but you do not have to.

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

The Court will hold a Fairness Hearing on May 20, 2021, at the DeKalb County State Court, 556 N. McDonough Street, Decatur, Georgia 30030. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will consider any properly-filed written objections and may also listen to people who have asked to speak at the hearing (*see* Question 19). The Court will also decide whether to approve Class Counsel's fees and expenses as well as the Class Representative's service award.

22. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to appear at your own expense. If you file an objection, you do not have to appear to talk about it. You may also hire your own lawyer to appear, at your own expense, but you are not required to do so.

23. May I speak at the Fairness Hearing?

Yes, you may ask the Court for permission to speak at the Fairness Hearing. To do so, you must follow the instructions provided in Question 19 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

24. What happens if I do nothing?

If you do nothing, and the Court approves the Settlement, you will be bound by the Settlement Agreement and the Class Released Claims. This means that, while you will receive the benefit of the mutual release, you will not receive any monetary payment under the Settlement.

GETTING MORE INFORMATION

25. Are more details about the Settlement available?

Yes. This Notice summarizes the proposed Settlement. More details are available in the Settlement Agreement and First Amended Class Action Complaint, which are available at www.georgiaapartmentclassaction.com or by writing to *Roberson v. ECI Group* Settlement Administrator, P.O. Box 43501, Providence, RI 02940-3501.

26. How do I get more information?

Go to www.georgiaapartmentclassaction.com, call 1-844-926-1527, or write to *Roberson v. ECI Group* Settlement Administrator, P.O. Box 43501, Providence, RI 02940-3501.

Please do not call the Court or the Clerk of the Court for additional information.

They cannot answer any questions regarding the Settlement or the lawsuit.

DATED: October 1, 2020

BY ORDER OF THE COURT
STATE COURT OF DEKALB COUNTY, GEORGIA