

NOTICE OF WASTE PRO CLASS ACTION SETTLEMENT

Vision Construction ENT, Inc. v. Waste Pro of Florida, Inc., et al.
Circuit Court of the First Judicial Circuit
Escambia County, Florida
Case No.: 2015 CA 000596

This is **NOT** an attempt to collect anything from you.
This is **NOT** a notice of a lawsuit against you.
You may benefit from reading this notice.

If you are or were a customer of WASTE PRO OF FLORIDA, INC. and paid an Environmental Fee between April 7, 2011 and May 14, 2020, you could receive compensation from a class action settlement.

A Court authorized this notice. This is not a solicitation from a lawyer.

- A class has been certified in a class action lawsuit brought by the plaintiff, Vision Construction ENT, Inc. (now known as Seaglade Properties, Inc.) against Waste Pro FL and Waste Pro USA, Inc. (“Waste Pro”) concerning allegations that Waste Pro improperly charged “environmental fees” or “environmental recovery fees” or similarly named fees (the “Environmental Fees”) to some of Waste Pro FL’s customers. Plaintiff in this class action seeks approval of a class-wide settlement.
- This settlement was reached after over seven (7) years of litigation, which included the review of hundreds of thousands of documents and the depositions of approximately forty-one (41) witnesses. Multiple law firms have expended thousands of hours of attorney time pursuing this case for the Plaintiff and Class, including defending against summary judgment, seeking class certification during a three-day hearing at the trial court level, and successfully defending the appeal of the order on certification to Florida’s First District Court of Appeal.
- **Your legal rights are affected whether you act or don’t act. The deadlines to exercise these rights are explained in this notice. Read carefully:**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

SUBMIT A CLAIM FORM

The only way to get an account credit in the amount of up to 100% of the Environmental Fees you paid between April 7, 2011 and May 14, 2020 and/or monetary payment (in the form of a check or electronic payment in the amount of up to 88% of the Environmental Fee you paid) from the settlement is to timely submit a valid claim form and send via U.S. Mail or complete and upload electronically. The deadline to submit a claim form is November 7, 2022.

OBJECT	Write to the Court about why you don't like the settlement. The deadline to object to the settlement is August 25, 2022.
OPT OUT (only if you were not sent the Initial Notice in May 2020)	Write to the Settlement Administrator and Attorneys about why you do not wish to be a part of this Class or Class Settlement if you were not sent the Initial Notice in May 2020. The only Class Members eligible to opt out are those who were not sent the Initial Notice of the Class's certification. The deadline to opt out of the Class and Class Settlement is August 25, 2022.
DO NOTHING	If you do nothing, you will <u>not</u> receive an account credit or payment. But you still will give up your right to sue Waste Pro about the legal claims in this case. To receive an account credit and/or payment, you must submit a claim form.

BASIC INFORMATION

1. Why did I get this notice?

You may be or may have been a customer of Waste Pro FL who paid Environmental Fees.

The case has been settled, and the Court has ordered that you be sent this Notice because you have a right to know your options before the Court decides whether to approve the settlement. If the Court approves it, an administrator appointed by the Court will issue account credits and/or make settlement payments in the manner set forth in the Settlement Agreement to everyone who timely submits a valid and complete claim.

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 the case is the Circuit Court for Escambia County, Florida.

2. What is a class action?

In a class action, one or more plaintiffs, called "Class Representatives" (in this case, the Plaintiff Vision Construction ENT, Inc., now known as Seaglade Properties, Inc.), sue on behalf of all people, companies and entities that have similar claims. All these other people and companies are "Class Members." One court resolves the issues for all Class Members, except those who have timely and properly excluded themselves from the class.

3. What is the Class Claim in this lawsuit?

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

The Class Claim certified by the Court is a claim that Waste Pro deceptively and unfairly charged and collected an “Environmental Fee” or “Environmental Recovery Fee” in violation of the Florida Deceptive and Unfair Trade Practices Act. Waste Pro denies that it did anything wrong, and the Court has not found that Waste Pro did anything wrong. This settlement is entered solely to resolve disputed and contested claims.

The Class Action Complaint has more information about the lawsuit and is available to view online at www.WasteProclassaction.com.

4. Why is there a settlement?

The Court did not decide in favor of either side. Instead, both sides agreed to a compromise settlement to avoid the cost and risk of a trial and a possible appeal. The settlement also ensures that the class members affected will get substantial compensation and relief. In return, Waste Pro gets a general release of all claims against them regarding the Environmental Fees at issue that were made or could have been made in the lawsuit. The Class Representative and Class Counsel believe the settlement is in the best interests of everyone affected.

WHO IS IN THE SETTLEMENT?

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

The Court has certified the following Class:

All persons and entities who reside in Florida who paid, directly or indirectly, Waste Pro USA, Inc. and/or Waste Pro of Florida, Inc. an “Environmental Fee” (or other similarly named fees) from April 7, 2011 to May 14, 2020.

Members of the class include those customers in Waste Pro of Florida’s front-end load, roll-off, and residential lines of business.

Excluded from the Class are those customers in Waste Pro of Florida’s municipal, landfill, and transfer station lines of business, members of the judiciary, entities currently in bankruptcy, entities whose obligations have been discharged in bankruptcy, and governmental entities. Further excluded from each class are those customers who executed a valid, binding arbitration agreement, but such customers are only excluded for the time period that such arbitration agreement was in effect.

Also excluded from the class are those customers who timely requested exclusion from the Class.

If you received notice of the settlement by email or postcard, then the parties believe that you are a member of the Class based upon Waste Pro’s records.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

6. What if I'm still not sure if I am included?

If you still are not sure whether you are included in the settlement as a Class Member, you can get additional information at www.WasteProclassaction.com or obtain free assistance by calling the settlement administrator appointed by the Court at 1-800-513-1506 or emailing the settlement administrator at info@wasteproclassaction.com.

THE SETTLEMENT BENEFITS — WHAT YOU CAN GET

7. What does the settlement provide?

The settlement is for a total of up to (but not to exceed) \$10,000,000.00, from which Waste Pro will provide compensation to Class Members who submit timely and valid claims. The \$10,000,000.00 amount is not reduced by a class representative incentive award or any court-awarded attorneys' fees or expense reimbursement.

8. What can I get from the settlement?

Class Members who are current customers and submit a complete, valid and timely Claim Form will receive an account credit in the amount of up to the total Environmental Fees they paid on all currently open accounts whose account numbers are listed on the Claim Form during the Class Period of April 7, 2011 to May 14, 2020, which amount will be pro-rated to a lesser sum if the amount in timely and valid claims exceeds \$10,000,000. This account credit will be provided in equal monthly intervals not to exceed 18 months. If a current customer submits a valid and timely Claim Form and ceases using Waste Pro FL for services on an account(s), all remaining amounts due on that account(s) will be paid out in cash (with the balance outstanding reduced by 12%) less any indebtedness owed on the accounts at the time the customer ceased using Waste Pro FL for such service, which amount will be pro-rated to a lesser sum if the amount in timely and valid claims exceeds \$10,000,000.

Class Members who are former customers and submit a complete, valid and timely Claim Form will receive one cash payment in the amount of 88% of the total Environmental Fees they paid on all closed accounts listed on the Claim Form during the Class Period of April 7, 2011 to May 14, 2020, less any indebtedness owed on the accounts at the time the customer ceased using Waste Pro FL for such service, which amount will be pro-rated to a lesser sum if the amount in timely and valid claims exceeds \$10,000,000. If a customer who has submitted a valid and timely claim, for example, is a current Front End Load customer and a former Roll Off customer, the Fees paid on the Front End Load account shall be in the form of an account credit as set out above, but the fees paid on Roll Off accounts shall be refunded in the amount of 88% of such fees paid as set out above.

If the total dollar amount of timely submitted and valid claims exceeds \$10,000,000, then the amount due to Class Members who submitted timely and valid claims will be adjusted *pro rata* to reduce the total amount of claims to \$10,000,000; in no event will Waste Pro pay more than \$10,000,000 in claims.

HOW YOU GET ACCOUNT CREDIT AND/OR PAYMENT —

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

SUBMITTING A CLAIM FORM

9. How can I get an account credit and/or payment?

To qualify for an account credit or payment, you must submit a claim form by November 7, 2022. You can submit the claim form in two ways: First, you can access the claim form at www.WasteProclassaction.com, download it, fill it out completely and upload the claim per the instruction on the website. Second, you may choose to mail your claim form by downloading it online, printing it, filling it out completely and returning it to the Settlement Administrator by U.S. Mail to Waste Pro Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 173057, Milwaukee, WI 53217.

To receive additional copies of the Claim Form or to receive instructions on submitting a paper claim form, please contact the settlement administrator at 1-800-513-1506, visit www.WasteProclassaction.com, or email the settlement administrator at info@wasteaproclassaction.com. The Claim Form requires, in addition to your name and address, that you list all the account numbers on which you may have paid the Environmental Fee(s). If you are a Front End Load or residential customer, you likely will have only one account number. However, if you used Roll-offs on more than one occasion, you may have multiple account numbers. If you do not know all your account numbers, you should call the Settlement Administrator at 1-800-513-1506 for assistance, or email the settlement administrator at info@wasteaproclassaction.com.

For Class Members who are eligible to receive a monetary payment, settlement funds will be sent to you by check unless you choose to receive them digitally. Instead of receiving a check, you may choose to have your settlement funds digitally sent to you. To receive your settlement funds digitally, you must provide a current, valid email address and mobile phone number with your claim form submission. If the email address or mobile phone number you include with your claim form submission becomes invalid for any reason, it is your responsibility to update the Settlement Administrator with accurate contact information in order to receive your payment. When you receive the email and/or mobile phone text notifying you of your Settlement payment, you will be provided with several digital payment options such as PayPal, an electronic Visa gift card or Amazon to receive your settlement payment.

10. How many claim forms should I submit if I have multiple locations?

Submit only one Claim Form, even if you had multiple locations serviced by Waste Pro, but make sure to include all account numbers on the Claim Form.

11. Do I need to submit any documents or information with the Claim Form?

You do not need to submit any documentation with your Claim Form. The Claim Form is simple to complete and tells you exactly what information you need to submit. Make sure you follow all instructions on the Claim Form. If you cannot locate all your account numbers or if you need any other assistance completing the Claim Form or need any instructions regarding the claim form, please call or write the Settlement Administrator at 1-800-513-1506 or Waste Pro Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 173057, Milwaukee, WI 53217 or email info@wasteaproclassaction.com.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

12. When would I get my payment?

The Court will hold a final fairness hearing on September 8, 2022 at 1 p.m. Central time to decide whether to finally approve the settlement. If the Court approves the settlement after that, and if anyone filed an objection, there could be appeals. If there are any appeals, these appeals could delay payment of claims, possibly for more than a year. Updates will be provided online at www.WasteProclassaction.com.

13. What claims are being released by Class members?

Because you are a member of the Class, you cannot sue, continue to sue, or be part of any other lawsuit against Waste Pro and/or any of their agents, employees, attorneys, officers, directors, predecessors, successors, representatives, insurers, assignees, administrators, parents, subsidiaries, and/or affiliates and other parties set forth in the Settlement Agreement (the “Released Parties”) regarding the claims in this lawsuit. It also means that all the Court’s orders will legally bind you. Specifically, you will release all matters arising out of or relating to Plaintiff’s claims as alleged, or which could have been alleged regarding or relating to the Environmental Fee, including, but not limited to, any and all claims for any and all causes of action, claims for damages, equitable, legal and administrative relief, interests, penalties, fees, costs, demands, losses, liabilities, or rights, whether based on federal, state, or local laws, statutes, or ordinances, regulations, contracts, common law, or any other source, known or unknown, whether or not concealed or hidden, that Plaintiff and the Class have against Waste Pro regarding, arising out of, or in any way related to the Environmental Fees, including, without limitation, claims for breach of contract, claims for injunctive or declaratory relief, and claims for violation of any state or federal statutes, including the Florida Deceptive and Unfair Trade Practices Act, rules, or regulations, including, without limitation, any common law or statutory claims for unlawful, unconscionable, unfair, deceptive, or fraudulent business practices arising out of, based upon, or related to the Environmental Fees at issue that were alleged or could have been alleged in the Litigation, including, without limitation, those arising from the implementation, maintenance, calculation, assessment, modification, and/or charging and collecting of the Environmental Fees.

IF YOU DO NOTHING

14. What happens if I do nothing at all?

If you do nothing, you’ll get no account credit or money from the settlement but you will still release all claims against the Released Parties about the legal issues in this case, as discussed above.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

The Court has appointed attorneys Robert G. Methvin, Jr. and J. Matthew Stephens from the law firm of Methvin, Terrell, Yancey, Stephens & Miller, P.C., Birmingham, Alabama as lead counsel (“Lead Class Counsel”) and Phil Hall of the law firm of Phil Hall, P.A. as class counsel, to represent you and other Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense, but you are not required to do so.

16. How will the lawyers be paid?

Under the terms of the settlement, the lawyers can ask the Court for an award of attorneys’ fees up to \$4,425,000.00 and reimbursement of litigation expenses up to \$300,000.00. This award is to compensate and reimburse the multiple law firms that have litigated this case for over seven (7) years, expending thousands of hours of attorney time pursuing this case in Florida for the Plaintiff and Class. This work included defending against summary judgment, seeking class certification during a three-day hearing at the trial court level, and successfully defending the appeal of the order on certification to Florida’s First District Court of Appeal. The lawyers may also seek payment of an incentive award up to \$25,000.00 for the Class Representative to compensate it for its time and effort in bringing this lawsuit. The Class Representative in this matter twice testified in depositions spanning two days, testified at the class certification hearing before the trial court, and further spent numerous hours gathering documents and staying informed about the litigation.

Any award of attorneys’ fees, litigation expenses, and class representative incentive payment will NOT be paid out of the money and credits available to Class Members who submit valid and timely claims. Likewise, the costs to administer the settlement and to provide notice to the class will NOT be paid out of these funds. Therefore, payments for attorneys’ fees, expenses, class incentive award and settlement administration costs will NOT reduce the amount of the compensation available to Class members who submit timely, complete and valid claims.

OPTING OUT OF THE CLASS ACTION IF YOU WERE NOT SENT THE INITIAL NOTICE

17. How do I “opt out” of or exclude myself from the Class Action?

Initial Notice of the Court’s certification of this Class Action was originally sent to Class Members in May of 2020. Some Class Members (less than 5% of the Class) were not sent this Initial Notice. **If you were not sent the Initial Notice of the Class’s certification**, you have an opportunity to exclude yourself from or “opt-out” of the Class and the Class Settlement. As such, if you were not sent the Initial Notice and do not wish to participate in this Class Action or Class Settlement, you should write to the Settlement Administrator, Class Counsel, and Defendants’ Counsel stating an intention to “opt out” of or exclude yourself from the Class. Written notice must be provided to ALL the following:

J. Matthew Stephens, Esq.
ATTN: Waste Pro Settlement Objection
Methvin, Terrell, Yancey, Stephens & Miller, P.C.
2201 Arlington Avenue South
Birmingham, AL 35205

Julie Brady, Esq.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

ATTN: Waste Pro Settlement Objection
Baker & Hostetler, LLP
200 South Orange Avenue
Suite 2300
Orlando, FL 32801

Waste Pro Class Action Settlement
c/o A.B. Data, Ltd.
P.O. Box 173057
Milwaukee, WI 53217

This written notice must be received by the Settlement Administrator, Class Counsel, and Defendants' Counsel **not later than August 25, 2022, which is fourteen (14) days prior to the date set for the Final Fairness Hearing.**

Any attempt to opt out by notice to the Clerk of the Court, the Court, or any person other than the Settlement Administrator, Class Counsel, and Defendants' Counsel shall be of no effect. Any attempt to opt out that is not received by the Settlement Administrator, Class Counsel, and Defendants' Counsel within the deadlines set forth in the agreement shall be of no effect. Furthermore, any objector who was not sent the Initial Notice and who timely submits an objection as set forth below but does not file written notice of opting-out shall not be considered to have complied with the terms of the opt-out procedure and shall be bound by the Settlement Agreement if approved by the Court. The Settlement Administrator will check all opt-out requests received against the mailing list (or other such record) of Class Members to whom the Initial Notice was sent. If the records reflect that you or any other Class Member submitting an opt-out request in response to the Settlement Notice was sent the Initial Notice, then the attempt to opt-out as to the Settlement will be of no effect and the opt-out request will be deemed invalid.

OBJECTING TO THE SETTLEMENT

18. How do I object to the Court if I don't like the settlement?

If you're a Class Member, you may object to any part of the settlement you don't like, and the Court will consider your views. You must submit any objection in writing and must provide evidence of your membership in the Class. The procedures for submitting written objections are set out below. **A written objection (and any support for it) must be filed with the Clerk of Court and received no later than the 25th day of August, 2022 (the "Objection Deadline") by all the following:**

Circuit Court Clerk
Escambia County, Florida
Attn: Waste Pro Settlement
190 West Government Street
Suite 140
Pensacola, FL 32502

Julie Brady, Esq.
ATTN: Waste Pro Settlement
Baker & Hostetler, LLP
200 South Orange Avenue
Suite 2300
Orlando, FL 32801

J. Matthew Stephens
Attn: Waste Pro Settlement
METHVIN, TERRELL, YANCEY,
STEPHENS & MILLER, P.C.
2201 Arlington Avenue South
Birmingham, Alabama 35205

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

If you hire an attorney in connection with making an objection, that attorney must file with the Court and serve on the counsel identified above a notice of appearance. **The notice of appearance must be filed with the Court and received by the three addressees above no later than the Objection Deadline.** If you do hire your own attorney, you will be responsible for payment of all fees and expenses that the attorney incurs on your behalf.

If you want to object, you must file your objection in writing to the Court. Your objection **must** include:

- (a) a caption or title that identifies it as “Objection to Class Settlement in “*Vision Construction ENT, Inc. v. Waste Pro of Florida, Inc., et al.* (Case No.: 2015 CA 000596)”;
- (b) your full name, signature, title, home and/or business addresses, home and/or business telephone numbers, or other information sufficient to identify the Class Member;
- (c) a notice of intention to appear, either in person or through an attorney, with the name, address, and telephone number of the attorney, if any, who will appear;
- (d) certification that you are a member of the Class;
- (e) a statement of each objection(s) asserted;
- (f) a detailed description of the basis and facts underlying and supporting each objection;
- (g) a detailed description of the legal authorities, if any, underlying and supporting each objection;
- (h) copies of exhibits and/or affidavits, if any, you may offer during the hearing;
- (i) a list of all witnesses, if any, you may call to testify at the hearing, along with a summary of each witness's anticipated testimony;
- (j) the signature, full name, firm name, and business address of all attorneys who have a financial interest in the objection;
- (k) your account number(s) for your accounts with Waste Pro; and
- (l) disclosure of any other class action settlements to which you or any or your agents or representatives, successors or predecessors have objected, including disclosing the number of times you have objected to a class action settlement within the preceding five years, the caption of each case, the counsel representing you in each prior objection, and a copy of any orders related to any prior objections.

If you make a written objection to the settlement as set out above, you may request to speak - either in person or through an attorney hired at your own expense - at the Final Fairness Hearing the Court has set to consider whether to give final approval to the Settlement. You are not required to attend the hearing.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

Lack of attendance at the Final Fairness Hearing will not prevent the Court from considering your objection. If you (or your attorney) intend to speak at the Final Fairness Hearing, you must file with the Court and serve on the parties identified above a notice of intent to appear, and your attorney (if you hire one) must file a notice of appearance with the Clerk of Court. Again, the notice of intent to appear must be filed with the Court, and received by the parties above, no later than the Objection Deadline.

If you do not file an objection as described above, you will be deemed to have waived any and all objections to the settlement, to have consented to the Court's certification of and jurisdiction over the Class, and to have released the claims as defined in the Settlement Agreement (which is available online at www.WasteProclassaction.com).

THE COURT'S FAIRNESS HEARING

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

The Court will hold a Final Fairness Hearing at 1 p.m. Central time on September 8, 2022 at the Escambia County Courthouse, 190 West Government Street, 140 Pensacola, FL 32502. (Please note that the court room has not yet been assigned but will be posted on www.WasteProclassaction.com once available). At this hearing, the Court will consider whether the settlement is fair, reasonable and adequate. **You are not required to attend the hearing but may do so if you wish.** If there are objections that have been submitted in writing in advance of the hearing, the Court will consider them. The Court will listen to people who have made a prior written request to speak at the hearing. The Court will also decide whether to pay Class Counsel the amount they are requesting for attorneys' fees and expenses, as well as pay the class representative incentive awards. After the hearing, the Court will decide whether to approve the settlement.

OBTAINING ADDITIONAL INFORMATION

20. Are there more details about the settlement?

This Notice is just a summary, and you are entitled, if you wish, to read the entire Settlement Agreement. The Settlement Agreement and some other documents filed in this lawsuit can be found online at www.WasteProclassaction.com.

21. How do I get more information?

You can call or write to the Settlement Administrator at 1-800-513-1506 or Waste Pro Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 173057, Milwaukee, WI 53217 or info@wasteproclassaction.com. You can also visit the website at www.WasteProclassaction.com, where you will find answers to some common questions. If you cannot locate any or all your account numbers, you may also contact the Settlement Administrator at 1-800-513-1506.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com

Please **do not** contact the Court or Clerk of Court with any questions regarding this case.

QUESTIONS? CALL 1-800-513-1506 or VISIT www.WasteProclassaction.com