

To all individuals and businesses that accept American Express cards: Notice of a class action settlement.

Si desea recibir esta notificación en español, llámenos o visite nuestra página web.

Notice of a class action settlement authorized by the U.S. District Court, Eastern District of New York.

This notice is authorized by the Court to inform you about an agreement to settle two class action lawsuits that may affect you. The cases - *In re American Express Anti-Steering Rules Antitrust Litigation (II)*, No. 11-MD-2221 and *Marcus Corp. v American Express Co. et al.*, 13-CV-07355 - are in the U.S. District for the Eastern District of New York. These cases allege that certain rules applicable to merchants that accept American Express cards violate antitrust laws and resulted in merchants paying excessive fees. The Court has not decided which side is right because the parties agreed to settle.

Who's included?

The settlement applies to a class comprised of all merchants that accept American Express cards at any location in the United States (including at a physical merchant location, online or via a mobile application) as of or after February 12, 2014, onward.

What are the Settlement terms?

The settlement will require American Express to change its rules to allow merchants who accept American Express cards to charge customers an extra fee or "surcharge" if they pay with an American Express credit or charge card under certain conditions including that any such surcharge apply to all credit and charge card transactions. **The specific rule changes and terms of the settlement are explained in detail in the court-approved, long-form notice ("Notice") and the Class Settlement Agreement, which are found at the case website (www.AmexMerchantSettlement.com).** You should review these documents carefully. Your legal rights are affected even if you do nothing. You can also obtain copies of the Notice and Class

Settlement Agreement by calling the toll-free number below.

You do not need to file a claim to receive the benefits of the rule changes provided for by the settlement. If you want to seek monetary damages related to American Express's existing merchant rules, you can pursue those claims consistent with the dispute resolution provisions contained in your card acceptance agreement. No money will be distributed to the class.

Your options.

You may object to the settlement by **June 6, 2014**. The Notice available at the case website explains how to object. Regardless of whether you object, if the settlement is finally approved, you will be bound by the Court's final judgment and the releases explained in the Class Settlement Agreement, which is available at the case website.

Court hearing about the Settlement.

The Court will hold a hearing on **September 17, 2014** to consider whether to approve the settlement and the request by the attorneys for the class for attorneys' fees, expenses, and service awards up to a maximum total of \$75 million. You do not need to appear at the hearing or hire your own attorney. But you can if you want to, at your own cost. The Court has appointed Friedman Law Group, LLP, Reinhardt, Wendorf & Blanchfield, and Patton Boggs LLP to represent the class.

Questions?

For more information about the settlement you should visit the website (www.AmexMerchantSettlement.com) or call 1-866-686-8694.