

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

Mike Spiegel, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	
v.)	No. 1:16-cv-1998-LJM-DKL
Ashwood Financial, Inc., a Indiana)	
corporation,)	
)	
Defendants.)	

NOTICE OF CLASS ACTION

To: All persons similarly situated in the State of Indiana from whom Ashwood attempted to collect a delinquent consumer debt, via the same form collection letter that Ashwood sent to Plaintiff Spiegel from July 26, 2015, to the present.

NOTICE IS HEREBY GIVEN THAT, by an order of the United States District Court for the Southern District of Indiana (the "Court"), dated February 2, 2017, it was determined that the lawsuit may proceed on behalf of a class of persons (the "Class") pursuant to Fed. R. Civ. P. 23(b)(3), which is defined as set forth above.

YOU HAVE NOT BEEN SUED IN THIS MATTER. This letter is a notice that you have been identified as a member of the Class. You have been identified from the records of Ashwood Financial, Inc. ("Ashwood"), as being a potential member of the class who received a collection letter similar to the letter Plaintiff received. If you received a collection letter from Defendant, similar to the letter Defendant sent to Plaintiff, your rights may be affected by this lawsuit. A copy of the letter at issue is attached.

This Notice is given to inform you about this lawsuit so that you may choose whether you wish to be a party or whether you wish to opt out.

NATURE OF THIS LAWSUIT

A. Summary of the Litigation

Plaintiff, Mike Spiegel, filed his Complaint – Class Action in this matter on July 26, 2016. This Complaint claimed that the form of Defendant Ashwood’s collection letter violated § 1692g(a)(4) and (5) and § 1692f of the Fair Debt Collection Practices Act (“FDCPA”), because, although a debt may be disputed orally, pursuant to § 1692g(a)(3), the letter failed to advise consumers that in order to obtain verification of the debt, or request the name of the original creditor, a dispute had to be made in writing. Plaintiff’s lawsuit seeks to obtain a finding that Defendant’s letter violates the FDCPA, and to recover statutory damages, costs and attorneys’ fees from Defendant. The lawsuit was filed on behalf of Mr. Spiegel and everyone else in Indiana who was sent the same collection letter, which is about 600

persons. This is known as a class action. On February 2, 2017, the Court ruled that this lawsuit may proceed as a class action.

Defendant Ashwood denies that its collection letter violates the FDCPA. Nothing in this Notice should deem to constitute an admission by Defendant Ashwood that it violated any law. In fact, Defendant denies that it has any liability to Plaintiff or the Class whatsoever, and further denies that any letter sent by Ashwood violated the FDCPA in any manner.

The description of Plaintiff's claims and Defendant's response is general and does not cover all of the claims and contentions of the parties. For a complete statement of all the contentions and proceedings in this case, you should consult the files relating to this lawsuit, which are available for your inspection at the Clerk of the United States District Court for the Southern District of Indiana, 46 E. Ohio Street, Room 105, Indianapolis, Indiana, 46204.

The class in this matter consists of about 627 persons in Indiana who received the same attached form collection letter. The damages that are being sought from Defendant is based upon being able to recover up to 1% of Defendant's net worth, up to a maximum of \$500,000. Here, Defendant claims that it has a negative net worth.

B. Certification of the Class

This Court has certified a class, pursuant to Fed. R. Civ. P. 23(b)(3), defined as set forth above, and has appointed Plaintiff, Mike Spiegel, as representative of the Class, and his attorneys, David J. Philipps and Mary E. Philipps of Philipps & Philipps, Ltd., and Steven J. Halbert, as Counsel for the Class.

C. Your Options

Do nothing and upon conclusion of the case, if there is a monetary recovery, you may be entitled to receive your portion of the recovery from any amount that is recovered in this matter. You should, however, let Plaintiff's Counsel know if this notice was sent to an old address or if your address changes. If the lawsuit is unsuccessful you will receive nothing. In either event you will be bound by whatever happens and may not be able to file your own lawsuit.

You have the right to hire your own attorney who may file their appearance in this matter on your behalf.

You have the right to bring your own individual action. However, there is no guarantee that a court will award you damages whether you file an individual action or remain a member of the class.

You also have the right to exclude yourself from the class action by sending a written request for exclusion to Class Counsel at the address listed below. The request for exclusion must be received by June 3, 2017, and must contain your name, address, and the name and number of this case. It is your responsibility to make sure that your request for

exclusion is timely delivered. If you exclude yourself from this action, then you are not bound by the orders of the court, nor would you be entitled to a portion of any recovery, if there is one.

Class Counsel:
David J. Philipps
Philipps & Philipps, Ltd.
9760 S. Roberts Road
Suite One
Palos Hills, Illinois 60465

Defendant's Counsel:
Karen Neiswinger
5335 N. Tacoma Avenue
Suite 12
P.O. Box 551099
Indianapolis, Indiana 46205

Questions concerning this class action litigation should be directed to Philipps & Philipps, Ltd., 9760 S. Roberts Road, Suite One, Palos Hills, Illinois 60465, (708) 974-2900.

**PLEASE DO NOT CALL, OR OTHERWISE CONTACT, THE JUDGE OR
THE COURT CLERK**

ENTER:
/s/ Judge Larry J. McKinney
JUDGE Larry J. McKinney,
United States District Court

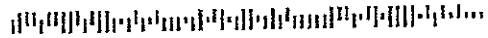
DATED: April 11, 2017

P.O. BOX 47707
INDIANAPOLIS IN 46247-0707
ADDRESS SERVICE REQUESTED



[Redacted]

[Redacted]
[Redacted] IN [Redacted]



ASHWOOD FINANCIAL
P.O. BOX 47707
INDIANAPOLIS IN 46247-0707

March 16, 2016

(800) 851-5736

Area Code ()	Home Phone --	Area Code ()	Work Phone --	Account No. : [Redacted]	Balance Due : \$ [Redacted]	Amt. Enclosed : \$ _____
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✕ Detach Upper Portion And Return With Payment ✕

***** IMPORTANT COLLECTION NOTICE *****

RE: [Redacted]

PRINCIPAL : \$ [Redacted]
INTEREST : \$ 0.00
COLLECTION FEES : \$ 0.00
BALANCE DUE : \$ [Redacted]

Dear [Redacted]

Your account(s) listed above have been assigned to us for collection. You may not have intentionally neglected this obligation, but it is past due and needs your prompt attention.

1. Remit Payment In Full To This Office. Make payment payable to Ashwood Financial and use the return envelope enclosed.
2. Make payment payable to Ashwood Financial and use the return envelope enclosed.
Pay your account by credit/debit card or check online at www.Ashwoodfinancial.com or by calling 1-800-851-5736.

Sincerely,

[Redacted Signature]

Account Representative
(800) 851-5736

The purpose of this communication is to collect the debt which is the subject of this letter. Any information obtained will be used for the purpose of collecting the debt. (1.1)

Unless within (30) days after receipt of the first communication from this office you dispute the validity of the debt or any portion thereof, it will be assumed to be valid. If you notify this office information within the thirty (30) day period after receipt of the first communication from this office that you dispute the debt or any portion thereof, this office will obtain verification of the debt and a copy of such verification, along with the creditor's name and address, will be mailed to you by this office. If you request information, within the thirty (30) day period, the name and address of the original creditor, if different from the current creditor, this office will provide you with the requested information. This is required under the Fair Debt Collection Practices Act.

PLEASE SEE REVERSE FOR ADDITIONAL CONSUMER RIGHTS