

SECOND AMENDED NOTICE OF CLASS ACTION

This Notice concerns a lawsuit entitled *Brian McPeake, et al. v. Universal Mortgage and Finance, Inc.*, Civil Action No. C-03-CV-21-001935, pending in the Circuit Court of Baltimore County, Maryland (the “Lawsuit”). If you were a borrower or co-borrower on a residential mortgage loan from Universal Mortgage and Finance, Inc. (“Universal Mortgage”) (including either an originated, brokered, or funded loan) that was closed by All Star Title, Inc. (“All Star”), Genuine Title, LLC (“Genuine Title”), Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC (collectively “Competitive Title”) between 1/1/10 and 06/30/18, you may be a borrower affected by the lawsuit.

THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND AUTHORIZED THIS NOTICE.

THIS IS NOT A SOLICITATION FROM A LAWYER.

PLEASE READ THIS NOTICE CAREFULLY AS IT AFFECTS YOUR LEGAL RIGHTS

What is the Lawsuit about? The Plaintiffs in the Lawsuit allege that between 1/1/10 and 06/30/18, All Star, Genuine Title, and Competitive Title (the “Participating Title Companies”) paid kickbacks to Universal Mortgage employees and/or agents in exchange for their agreement to refer Universal Mortgage loans to the Participating Title Companies for title and settlement services. Plaintiffs allege that Universal Mortgage received and accepted kickbacks in the form of more than \$174,000 in monetary payments and other unlawful benefits. Plaintiffs seek to recover money damages for each borrower affected by Universal Mortgage’s alleged conduct pursuant to 12 U.S.C. §2607(d)(2). Universal Mortgage denies the allegations in the Lawsuit and denies that it is or may be liable for any of the claims asserted. *The Court has not yet made any judgment or other determination of the liability of Universal Mortgage in the Lawsuit.*

Why did I get this Notice? You received this Notice because the Court has ruled that the Lawsuit may be maintained as a claim for monetary relief on behalf of the Class and because Universal Mortgage’s records show that you are a potential member of the Class described below. This Notice is intended to generally describe the nature of the Lawsuit and your legal rights and obligations.

Who is part of the Class? The Class includes all individuals in the United States who were borrowers on a mortgage loan obtained from Universal Mortgage & Finance Inc. for which All Star Title, Genuine Title, Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1 or Closing Disclosure, between January 1, 2010 and June 30, 2018. The All Star Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which All Star Title, Inc., provided a settlement service, as identified in Section 1100 on the HUD-1 between January 1, 2010, and December 31, 2011. The Genuine Title Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which Genuine Title, LLC, provided a settlement service, as identified in Section 1100 on the HUD-1 between January 1, 2012, and May 30, 2014. The Competitive Title Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC provided a settlement service, as identified in Section 1100 on the HUD-1, or Closing Disclosure, between January 1, 2014, and June 30, 2018. The Class and Subclasses do not include any person who, during the period of January 1, 2010 and June 30, 2018, was an employee, officer, member and/or agent of Universal Mortgage and Finance, Inc., All Star Title, Inc., Genuine Title, LLC, Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC.

You are receiving this Notice because you are believed to be a potential member of the Class and at least one Subclass.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CLASS ACTION		
IF YOU WISH TO REMAIN A CLASS MEMBER	You are not required to do anything at this time. If you choose to remain a Class Member, any claims against Universal Mortgage for monetary relief arising from Universal Mortgage’s conduct as alleged by the Plaintiffs will be determined in this case and cannot be presented in any other lawsuit.	
IF YOU WISH TO BE EXCLUDED FROM THE CLASS, YOU MUST MAIL A REQUEST FOR EXCLUSION NO LATER THAN FEBRUARY 15, 2024	This is the only option that allows you to retain your rights to independently sue Universal Mortgage about the claims in this Lawsuit. In order to exclude yourself from the Class and Subclasses, you must follow the procedure described below and mail your Request for Exclusion to the Universal Mortgage Class Notice Administrator, the Casey Group.	The Exclusion Deadline for Requests for Exclusion to be mailed to the Notice Administrator: FEBRUARY 15, 2024

These Rights and Options are explained in more detail below.

1. What is this lawsuit about?

The Plaintiffs in the Lawsuit allege that between 1/1/10 and 06/30/18, All Star, Genuine Title, and Competitive Title paid kickbacks to Universal Mortgage employees and/or agents in exchange for their agreement to refer Universal Mortgage loans to All Star, Genuine Title, and Competitive Title for title and settlement services. Plaintiffs allege that Universal Mortgage received and accepted kickbacks in the form of more than \$174,000 in monetary payments and other unlawful benefits. Plaintiffs seek to recover money damages for each borrower affected by Universal Mortgage’s alleged conduct pursuant to 12 U.S.C. §2607(d)(2). Universal Mortgage filed an Amended Answer to the Complaint in which it denies the allegations in the Lawsuit and denies that it is or may be liable for any of the claims asserted. *The Court has not yet made any judgment or other determination of the liability of Universal Mortgage in the Lawsuit.*

You may go to www.UniversalMortgageClassAction.com for more information about the lawsuit and to see certain court documents, including the Complaint, Defendant’s Amended Answer, the Court’s Order certifying the Universal Mortgage Class and Title Company Subclasses, a copy of this court approved Class Notice, and the Request for Exclusion form. You may also contact the Notice Administrator, the Casey Group, with questions at 410-988-2360.

You may also contact Class Counsel with any questions at the email or phone numbers listed in Section 7, below.

2. What is a class action?

In a class action lawsuit, one or more people called Plaintiffs sue on behalf of others who may have similar claims. For a case to proceed as a class action, a court must certify a class. That is what has happened in this case. This ruling by the Court of a class action does not mean that any monetary relief will be obtained for the class members because these are contested issues that have not been decided. Rather, the ruling means that the final outcome of this lawsuit, whether favorable to Plaintiffs or Defendant, will apply in like manner to every member of the class who do not timely elect to be excluded from the class.

3. How do I know if I am part of the Class and/or Subclasses?

The Court has decided that everyone who fits this description is a Class Member:

All individuals in the United States who were borrowers on a mortgage loan obtained from Universal Mortgage & Finance Inc. for which All Star Title, Genuine Title, Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR

Title Management, LLC provided a settlement service, as identified in Section 1100 on the borrower's HUD-1 or Closing Disclosure, between January 1, 2010 and June 30, 2018.

The All Star Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which All Star Title, Inc., provided a settlement service, as identified in Section 1100 on the HUD-1 between January 1, 2010, and December 31, 2011.

The Genuine Title Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which Genuine Title, LLC, provided a settlement service, as identified in Section 1100 on the HUD-1 between January 1, 2012, and May 30, 2014.

The Competitive Title Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) brokered or originated by Universal Mortgage & Finance Inc. for which Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC provided a settlement service, as identified in Section 1100 on the HUD-1, or Closing Disclosure, between January 1, 2014, and June 30, 2018.

Exempted from the Class and Subclasses is any person who, during the period of January 1, 2010 and June 30, 2018, was an employee, officer, member and/or agent of Universal Mortgage and Finance, Inc., All Star Title, Inc., Genuine Title, LLC, Competitive Title Agency, Inc., Competitive Title of Florida, Inc., Competitive Title of New Jersey, Inc., Competitive Title of West Virginia, Inc., Competitive Settlement Agency, Inc., MBR Title Agency, LLC, and/or MBR Title Management, LLC.

If your name appears on this Notice, then certain loan records indicate that you are likely a member of the Class and one or more Subclasses.

4. Who represents the Class and Subclasses in the Lawsuit?

The Class is represented by Class Representatives, who are Plaintiffs in the Lawsuit. The court-appointed Class and Subclasses Representatives are: Brian McPeake, Elmer and Nichole Romero, and George and Judy Younce.

The Court has also appointed Plaintiffs' Counsel to serve as Class Counsel for the Class and Subclasses. Class Counsel for the Class and Subclasses are: Michael Paul Smith and Melissa L. English of the law firm, Smith, Gildea & Schmidt, LLC, and Timothy F. Maloney and Veronica B. Nannis of the law firm, Joseph, Greenwald & Laake, P.A. Class Counsel may be contacted using the information identified in Section 7, below.

If you desire, you may also appear by your own attorney at your own expense. You may also seek to intervene individually and may advise the Court if at any time you consider that you are not being fairly and adequately represented by Plaintiffs and Class Counsel.

5. What must Class Members do?

If you wish to remain a member of the class, you do not have to do anything. By remaining a Class and Subclass member, any claims against Universal Mortgage for monetary relief arising from Universal Mortgage's conduct as alleged by the Plaintiffs will be determined in this case and cannot be presented in any other lawsuit. Your participation in any recovery, which may be obtained from Universal Mortgage through trial or settlement, will depend on the results of this lawsuit. If no recovery is obtained for the Class and Subclasses, you will be bound by that result also.

You may be required as a condition of participation in any recovery through settlement or trial to present evidence respecting your membership in the Class and Subclasses, and the monetary relief to which you are entitled. You should, therefore, collect and preserve documents related to your mortgage transaction with Universal Mortgage. If you have evidence you believe would be helpful to Counsel, you may communicate with Class Counsel regarding that evidence.

You will be entitled to notice of any ruling reducing the size of the Class and Subclasses in which you are a member and also to notice of, and an opportunity to be heard respecting, any proposed settlement or dismissal of the class claims. For this reason, as well as to participate in any recovery, you are requested to notify Class Counsel of any corrections or changes in your name or address.

6. How do Class Members exclude themselves from the Class and Subclasses?

Any member of the Class and/or Subclasses shall have the right to opt-out or exclude themselves from the Class and Subclasses by sending a written Request for Exclusion from the Class to the Notice Administrator at the following address:

Universal Mortgage – RESPA Class Action Litigation, The Casey Group Ltd, PO Box 201, Lightfoot, VA 23090-0201

An Exclusion Request has been included with this Notice. **To be excluded from the Class and Subclasses, the Class Member must complete this Exclusion Request, sign the Exclusion Request, and mail the Exclusion Request to the Notice Administrator no later than the Exclusion Deadline of February 15, 2024.** A separate request for exclusion should be completed and timely mailed for each person or entity electing to be excluded from the Class and Subclasses. **Co-borrowers on a loan must both submit a valid, timely request for exclusion to be excluded from the Class.**

If you submit a timely and valid Request for Exclusion from the Class, you will not be a part of the Class (or Subclass), will not be eligible to participate in the Lawsuit, will not be bound by any result obtained from this Lawsuit whether or not obtained in favor of Plaintiffs, and will not be precluded from legally pursuing Universal Mortgage in an individual capacity.

7. What happens if Class Members request exclusion?

You will not share in any recovery that might be paid to Class and Subclass members as a result of trial or settlement of this lawsuit.

You will not be bound by any decision in this lawsuit favorable to Universal Mortgage.

You may present any claims you have against Universal Mortgage related to Universal Mortgage by filing your own lawsuit, or you may seek to intervene in this lawsuit.

If you have questions concerning the Lawsuit, including any corrections or changes of name or address, **you should not contact the Court**, but should contact, in writing, Class Counsel at:

Class Counsel, Universal Mortgage – RESPA Class Action Litigation, 600 Washington Avenue, Suite 200, Towson, MD 21204.

If you decide to remain a member of the Class and wish to communicate with Class Counsel as your attorney in this litigation, you may do so by writing or calling the following:

Michael Paul Smith, Esq.
Melissa L. English, Esq.
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
Email: mpsmith@sgs-law.com
Email: menglish@sgs-law.com

Timothy F. Maloney, Esq.
Veronica B. Nannis, Esq.
Joseph, Greenwald & Laake, P.A.
6404 Ivy Lane, Suite 400
Greenbelt, MD 20770
(301) 220-2200
Email: tmaloney@jgllaw.com
Email: vnannis@jgllaw.com

You may of course, seek the advice and guidance of your own attorney if you desire and at your own expense. The pleadings and other records in this litigation may be examined and copied at any time during regular office hours at the office of the clerk, Circuit Court for Baltimore County, Maryland, County Courts Building, 401 Bosley Avenue, 2nd Floor, Towson, Maryland 21204.

Dated: October 13, 2023

By: Clerk of Court
Circuit Court for Baltimore County
County Courts Building
401 Bosley Avenue, 2nd Floor
Towson, Maryland 21204