

NOTICE OF CLASS ACTION

This Notice concerns a lawsuit entitled *Wilson, Jr., et al., v. Eagle National Bank, et al.*, Civil Action No.: 8:20-cv-01344-JRR, pending in the U.S. District Court for the District of Maryland (the “Lawsuit”). If you were a borrower or co-borrower on a residential mortgage loan from Eagle National Bank and/or Eagle Nationwide Mortgage Company (collectively “Eagle”) (including either an originated, brokered, or funded loan) that was closed by All Star Title, Inc. (“All Star”), between 1/1/09 and 12/31/11, you may be a borrower affected by the lawsuit.

A FEDERAL COURT AUTHORIZED THIS NOTICE. THIS IS NOT A LAWYER SOLICITATION.
PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

What is the Lawsuit about? The Plaintiffs in the lawsuit are John and Jackie Unthank and Sam Wilson, Jr. These Plaintiffs allege that ESSA Bancorp Inc. and ESSA Bank & Trust (collectively, the “ESSA” Defendants) are the successors in interest to Eagle National Bancorp Inc., Eagle National Bank and Eagle Nationwide Mortgage Company (collectively, the “Eagle Defendants”). Plaintiffs in the Lawsuit allege that between 1/1/09 and 12/31/11, All Star provided certain unlawful benefits to Eagle Defendants’ employees and/or agents in exchange for their agreement to refer borrowers to All Star for the settlement of their residential mortgage loans with the Eagle Defendants. Plaintiffs also allege that the Eagle Defendants and All Star entered price fixing agreements to charge borrowers unnecessarily high and fraudulent title and settlement services charges on loans and fraudulently concealed the alleged kickback scheme. Plaintiffs seek to recover money damages for each borrower affected by the Eagle Defendants’ alleged conduct pursuant to 12 U.S.C. §2607(d)(2) and 15 U.S.C. §15(a). The Eagle and ESSA Defendants deny the allegations in the Lawsuit, deny that Plaintiffs were overcharged for the services they received, and deny that they are or may be liable for any of the claims asserted or for the conduct of those employees and/or agents who allegedly accepted benefits from All Star. *The Court has not yet made any judgment or other determination of the liability of the Eagle or ESSA Defendants 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 class action for monetary relief and because All Star’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 loan originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1, between January 1, 2009, and December 31, 2011 (the “Eagle Class”). The Eagle Class included two subclasses. The Antitrust Subclass comprises of all members of the Eagle Class. The RESPA Subclass comprises 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) originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1, between January 1, 2009, and December 31, 2011. The Eagle Class and the Subclasses do not include any person who, during the period of January 1, 2009 through December 31, 2011, was an employee, officer, member and/or agent of Defendants Eagle National Bank, Eagle Nationwide Mortgage Company, Eagle National Bancorp Inc., ESSA Bank & Trust, Inc., ESSA Bancorp Inc., or All Star Title, Inc.; and any judicial officer who handles this case, and the immediate family members of such judicial officer(s).

You are receiving this Notice because you are believed to be a potential member of the Eagle 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 an Eagle Class Member, any claims against the Eagle or ESSA Defendants for monetary relief arising from the Eagle Defendants’ 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 JUNE 20, 2023	This is the only option that allows you to retain your rights to independently sue the Eagle or ESSA Defendants about the claims in this Lawsuit. In order to exclude yourself from the Eagle Class and Subclasses, you must follow the procedure described below and mail your Request for Exclusion to the Eagle Class Notice Administrator, the Casey Group.	The Exclusion Deadline for Requests for Exclusion to be mailed to the Notice Administrator: JUNE 20, 2023

These Rights and Options are explained in more detail below.

1. 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(s), will apply in like manner to every member of the class who does not timely elect to be excluded from the class.

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

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

All individuals in the United States who were borrowers on a loan originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1, between January 1, 2009, and December 31, 2011. Exempted from this class is any person who, during the period of January 1, 2009 through December 31, 2011, was an employee, officer, member and/or agent of Defendants Eagle National Bank, Eagle Nationwide Mortgage Company, Eagle National Bancorp Inc., ESSA Bank & Trust, Inc., ESSA Bancorp Inc., or All Star Title, Inc.; and any judicial officer who handles this case, and the immediate family members of such judicial officer(s).

The Antitrust Subclass is comprised of all members of the Eagle Class.

The RESPA 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) originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1, between January 1, 2009, and December 31, 2011.

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

You may go to www.AllStarEagleClassAction.com for more information about the lawsuit and to see certain court documents, including the Complaint, the Court's Order certifying the Eagle Class, 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 410-885-4038.

You may also contact Class Counsel with any questions at the email or phone numbers listed in Section 6, below.

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

The Eagle Class is represented by Class Representatives, who are Plaintiffs in the Lawsuit. The court-appointed Eagle Class and Subclasses Representatives are: John and Jackie Unthank and Sam Wilson, Jr.

The Court has also appointed Plaintiffs' Counsel to serve as Class Counsel for the Eagle Class and Subclasses. Class Counsel for the Eagle 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 6, 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.

4. What must Class Members do?

If you wish to remain a member of the Eagle Class, you do not have to do anything. By remaining an Eagle Class and Subclass member, any claims against the Eagle or ESSA Defendants for monetary relief arising from the Eagle Defendants' 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, through trial or settlement, will depend on the results of this lawsuit. If no recovery is obtained for the Eagle 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 Eagle Class and Subclasses, and the monetary relief to which you might be entitled. You should, therefore, collect and preserve documents related to your mortgage transaction(s) with the Eagle Defendants. 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 Eagle 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.

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

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

Eagle-All Star 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 Eagle 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 June 20, 2023.** A separate request for exclusion should be completed and timely mailed for each person or entity electing to be excluded from the Eagle Class and Subclasses. **Co-borrowers on a loan must both submit a valid, timely request for exclusion to be excluded from the Eagle Class.**

If you submit a timely and valid Request for Exclusion from the Eagle Class, you will not be a part of the Eagle 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 the Eagle or ESSA Defendants in an individual capacity.

6. What happens if Class Members request exclusion?

You will not share in any recovery that might be paid to Eagle 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 the Eagle or ESSA Defendants.

You may present any claims you have against the Eagle or ESSA Defendants related to the Eagle Defendants' conduct 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, Eagle – All Star Class Action Litigation, 600 Washington Avenue, Suite 200, Towson, MD 21204.

If you decide to remain a member of the Eagle Class and wish to communicate with Class Counsel as your attorneys 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, U.S. District Court for the District of Maryland, 6500 Cherrywood Lane, Suite 475A, Greenbelt, Maryland 20770.

Dated: May 3, 2023

By: Clerk of Court
United States District Court
For the District of Maryland
6500 Cherrywood Lane, Suite 475A
Greenbelt, Maryland 20770