

**IN STATE OF SOUTH CAROLINA
COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT**

If you are a real estate agent or other person who paid annual dues and charges levied by Consolidated Multiple Listing Service, Inc. ("CMLS") as of December 9, 2005, and at anytime between December 9, 2005 and December 31, 2009, please click on the link below.

**A class action lawsuit may affect your rights. You have a choice to make now!
This notice is time sensitive! If you do not wish to receive the benefits of the settlement of this lawsuit or wish to be excluded from the Class, you must take action before April 15, 2011!**

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

WHAT THIS ACTION IS ABOUT

A Class Action Lawsuit was filed on behalf of all real estate agents who have paid dues and fees to CMLS alleging, among other things, that CMLS engaged in a civil conspiracy to overcharge its real estate agent and other customers in order to make allegedly improper monetary distributions to CMLS' member companies. **CMLS has denied all of the allegations in the lawsuit and has denied any wrongdoing.**

On November 1, 2011, the Court allowed the lawsuit to proceed as a class action on behalf of all real estate agents or other persons who paid annual dues and charges levied by CMLS as of December 9, 2005, and at anytime between December 9, 2005 and December 31, 2009 (the "Class").

The Class does not include CMLS, its Board of Trustees, Directors and Officers, CMLS' member organizations and their owners and shareholders, and any person who received a portion of annual refunds of dues and expenses declared by CMLS Board of Directors and disbursed by CMLS to its member organizations.

Though CMLS continues to deny any and all liability to the Class and though the Class continues to believe that its claims are viable, the Parties have negotiated a Settlement of the Lawsuit and the Class' Claims, and the Parties intend to see judicial approval of that settlement.

This notice explains the general terms of the settlement and informs you of your legal rights and obligations.

THE PROPOSED SETTLEMENT

The Parties have agreed to the following general terms that must be finally approved by the Court before they will take effect. If the Court finally approves the Settlement and you qualify as a Class Member, you will be eligible for the following benefits:

Credit Against Future Dues and Charges. At the time of CMLS' next quarterly billing cycle following Final Judicial Approval of this Settlement by the Court, CMLS shall deliver to the members of the Class by mailing to each Class Member's last known address as reflected in CMLS' business records a credit against future dues and charges in the form of a Voucher that will be described more particularly below.

Voucher, Voucher Value and Redemption by the Class Members. The Voucher(s) sent by CMLS to each Class Member shall be worth \$100.000 for each year the Class Member paid dues and charges to CMLS from 2005 through 2009 up to a maximum value of \$400.00. The Voucher(s) shall not be transferable among the Class Members or to any other individual or entity. The Voucher(s) shall be redeemable by each class

member on a \$25.00 per quarter basis. The Voucher(s) shall expire sixteen (16) quarters after issuance. By way of example only, a class member who paid dues and charges to CMLS from 2005 through 2009 will be eligible to receive a voucher worth \$400.00. In contrast, a class member who only paid dues and charges to CMLS in 2007 will receive a voucher worth \$100.00. Class Members must submit their Voucher(s) with the payment of their quarterly CMLS invoice for each quarter they desire and are eligible to receive the \$25.00 credit against their CMLS dues and charges.

Attorneys' Fee Amount. Within ten (10) days of the Final Judicial Approval of this Settlement by the Court and approval by the Court of Class Counsel's Attorneys' Fee Petition, a single, one-time payment of \$287,500.00 shall be paid by or on behalf of CMLS to Class Counsel in the form of a check made payable as directed by Class Counsel to The Law Offices of Richard A. Harpootlian, P.A. The Class Representative will likely receive, if approved by the Court, \$5,000.00 from this amount to compensate her for her services as Class Representative.

Injunctive Relief. CMLS agrees that it has discontinued its practice of making monetary payments to its member companies, and agrees that it will not resume that practice in the future.

CMLS' agreement to provide the benefits described above are made in exchange for the full, final, complete, and comprehensive release of CMLS from any and all claims held by all Class Members arising out of, involving or in any way connected to the allegations made in Ms. Black's lawsuit in addition to the final dismissal *with prejudice* of the lawsuit.

HOW TO RECEIVE YOUR SETTLEMENT BENEFITS

If you want to receive the Settlement Benefits outlined above, then **DO NOTHING!** Await final Court approval of the Settlement, and if the Settlement is approved, you will receive your Voucher from CMLS. If the Court finally approves the Settlement and you do not receive your Voucher from CMLS at the time of CMLS' mailing of its August 1, 2011 invoice, contact CMLS via telephone and inquire as to the status of your Voucher.

HOW TO REQUEST EXCLUSION FROM THE SETTLEMENT AND THE CLASS

If you do not want to receive the Settlement Benefits outlined above and you do not want to be part of the Class, check the "I wish to be excluded" Box on this Notice form, sign and date this form where indicated, and send it to CMLS on or before **April 15, 2011**. CMLS **must actually receive** your request to be excluded via hand-delivery, United States Mail, overnight or other commercial delivery service, facsimile transmission, or electronic mail on or before **April 15, 2011**.

FAIRNESS HEARING AND COURT APPROVAL OF THE SETTLEMENT AGREEMENT

The Court will hold a hearing to consider whether the Settlement described in this Notice should be finally approved on **April 19, 2011 at 10:00 AM in Courtroom 2A of the Richland County Courthouse**. The Court will consider the fairness, reasonableness, and adequacy of the proposed settlement at that time.

Any Class Member that has not sent CMLS his or her notice of intent to be excluded from the settlement in the manner set forth above may appear at the Fairness Hearing in person or by counsel and may be heard, to the extent permitted by the Court, either in support or in opposition to the fairness, reasonableness, and adequacy of the settlement, provided, however, that such person does the following:

- (a) Provides a written Notice to the Clerk of Court indicating that he or she intends to be heard at the Fairness Hearing and indicating the basis for such person's appearance along with a statement that indicates why the person is opposing or supporting the settlement; and

(b) Provides a copy of such written Notice and other briefs, documentation or other materials supplied to the Court to Class Counsel and to counsel for CMLS. Counsel for the parties who much be served with all such documentation are as follows:

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Class Counsel

In order to be heard at the Fairness Hearing and for his or her materials to be considered, the Class Member must submit the materials to the Clerk of Court and to counsel for the Parties in such a manner that they are **actually received** on or before **April 15, 2011**.

HOW TO LEARN MORE ABOUT THE SETTLEMENT AND THE LAWSUIT

If you want to learn more about the settlement and the lawsuit, including how the settlement might affect your legal rights, please contact Class Counsel, whose names and contact information appear above.

If you wish to be excluded from the Class, please check the box below, sign, and date this page, and return this page to CMLS no later than April 15, 2011. If you have received a postcard notice and have requested exclusion through returning that postcard, you do not need to repeat that process here.

I wish to be excluded.

Signature

Date

Handwritten Name:_____