

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

If you had unpaid User Earnings and/or Referral Earnings in your Newsvine account as of February 6, 2013, please read this notice carefully. You could be entitled to payment under a proposed class action settlement.

*The Superior Court of the State of Washington in and for King County authorized this Notice.
 This is not a solicitation from a lawyer.*

- A Registered User of the Newsvine.com website sued Newsvine, Inc. claiming that it violated Washington law by failing to make advertising revenue and referral earning payments to certain users of the Newsvine.com website in accordance with the Newsvine user agreement. The lawsuit was filed as a class action. Newsvine denies all of the allegations of wrongdoing against it. In agreeing to settle, Newsvine does not admit any wrongdoing. However, in the interest of avoiding further expense and burdensome, protracted litigation, the parties in the lawsuit have reached a proposed settlement (the “Settlement”).
- The Court has certified the lawsuit as a class action for settlement purposes. The certified class includes all persons who are or were registered users of the Newsvine website (i) whose accounts were not terminated by Newsvine or deleted by the user before November 1, 2012, (ii) who visited the Newsvine site while logged in at least once after November 1, 2011, and (iii) who had unpaid advertising revenue-sharing earnings in their Newsvine accounts as of February 6, 2013.
- The proposed Settlement provides for payments to each eligible Class Member submitting a valid Claim Form by **October 29, 2014** (an “Eligible Claimant”). The criteria for a valid Claim Form are described below.
- Your legal rights are affected whether you act or don’t act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM FORM TO OBTAIN THE BENEFITS OF SETTLEMENT	The only way to get a payment under the Settlement is to submit a valid Claim Form as described below. The benefits of the Settlement are outlined in Section # 8 of this notice.
EXCLUDE YOURSELF	You have the right to ask to be excluded from the Settlement. If you do so, you will not be entitled to any payment under the Settlement, but you may pursue your own lawsuit against Newsvine if you so choose. This is further explained in Sections #12-15 below.
OBJECT	You have the right to tell the Court if you have an objection to the Settlement. You can do this only if you don’t exclude yourself. This is further explained in Sections #18-19 below.
GO TO THE HEARING	You have the right to ask to speak in Court about the fairness of the Settlement. You can do this only if you don’t exclude yourself and if you submit a written objection to the Settlement with the Court before the date of the hearing regarding final approval of the Settlement. This is further explained in Section #22 below.
DO NOTHING	If you do nothing, you will receive <u>no</u> payment and will give up your rights to assert any claims with respect to the issues raised in this case against Newsvine.

- This Notice explains these rights and options—**and the deadlines to exercise them.**
- The Court must decide whether to approve the Settlement as part of the process described in this Notice. Payments will be made only if the Court approves the Settlement.

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

Table of Contents

	Page
Basic Information.....	3
1. Why did I get a Notice?.....	3
2. What is the lawsuit about?	3
3. Why is there a settlement?.....	3
Who Is in the Settlement?.....	3
4. How do I know if I am part of the settlement?.....	3
5. Who is not included in the Class?	3
6. I'm still not sure if I am included.....	3
The Settlement Benefits—What You Get.....	4
7. What does the settlement provide?.....	4
8. What can I get from the settlement?.....	4
How You Get Payment If You Are Eligible—Submitting a Claim Form	4
9. How can I get payment?.....	4
10. When would I get my payment?.....	4
11. What am I giving up if I remain in the Class?.....	5
Excluding Yourself from the Settlement	5
12. How do I get out of the settlement?	5
13. What is the effect if I exclude myself from this settlement?	5
14. If I don't exclude myself, can I sue Defendant for the same thing later?.....	6
15. If I exclude myself, can I get a payment from this settlement?.....	6
The Lawyers Representing You.....	6
16. Do I have a lawyer in the case?.....	6
17. How will the lawyers be paid?	6
Objecting to the Settlement	6
18. How do I tell the Court if I don't like the settlement?.....	6
19. What's the difference between objecting and excluding myself from this settlement?	7
The Court's Fairness Hearing.....	7
20. When and where will the Court decide whether to approve the settlement?	7
21. Do I have to come to the hearing?.....	7
22. May I speak at the hearing?.....	7
If You Do Nothing	7
23. What happens if I do nothing at all?.....	7
Getting More Information.....	7
24. Are there more details about the settlement?	7
25. How do I get more information?	8

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

Basic Information

1. Why did I get a Notice?

You received a notice by email if Newsvine's records show that you are a potential Class Member and if its records included the email address to which the notice was sent. The email notice referred you to an informational web site which included this more detailed Notice.

The Court ordered that a Notice be sent to you because you have a right to know about a proposed Settlement of the class action against Newsvine and about your options, before the Court decides whether to approve the Settlement. If the Court approves the Settlement, Newsvine or an administrator appointed by the court will distribute the payments that the Settlement allows.

This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. Please read this Notice carefully.

The Superior Court of the State of Washington in and for King County has jurisdiction over this proposed Settlement. The person who sued is called the Plaintiff, and the company she sued, Newsvine, Inc., is called the Defendant.

2. What is the lawsuit about?

A class action is a lawsuit in which the claims and rights of many people are decided in a single court proceeding. A representative plaintiff, also known as "class representative," asserts a claim on behalf of a group of similarly situated people.

In this case, Representative Plaintiff filed a proposed class action lawsuit against Newsvine on May 24, 2013. The case is titled *Wilkes v. Newsvine, Inc.*, No. 13-2-20979-9 SEA (the "Action"). In the Action, Representative Plaintiff claimed that Newsvine, Inc. failed to make advertising revenue and referral earnings payments to certain users of the Newsvine.com website in accordance with the Newsvine user agreement. Newsvine denies all allegations of wrongdoing. The Settlement is not an admission of wrongdoing.

3. Why is there a settlement?

The Court did not decide in favor of Plaintiff or Newsvine. Instead, both sides agreed to a Settlement. The Settlement is the result of arm's-length negotiations between Plaintiff and Defendants. Both sides agree that in light of the risks and expenses of continued litigation, this Settlement is fair and appropriate under the circumstances. That way, they avoid the cost of a trial, and Settlement benefits go to the Class Members.

Who Is in the Settlement?

To see if you may qualify for payment, you first have to determine whether you are a Class Member.

4. How do I know if I am part of the settlement?

For settlement purposes, the King County Superior Court has decided that everyone who fits the following description is a Class Member: All persons who are or were registered users of the Newsvine website (i) whose accounts were not terminated by Newsvine or deleted by the user before November 1, 2012, (ii) who visited the Newsvine site while logged in at least once after November 1, 2011, and (iii) who had unpaid advertising revenue-sharing earnings in their Newsvine accounts as of February 6, 2013.

5. Who is not included in the Class?

The Class does *not* include Newsvine, any entity that has a controlling interest in Newsvine, and Newsvine's current or former directors, officers, counsel, and their immediate families. The Plaintiff Settlement Class also does not include any persons who validly request exclusion from the Class.

6. I'm still not sure if I am included.

If you are still not sure whether you are included, you can fill out and return the Claim Form described in Section #9.

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

The Settlement Benefits—What You Get

7. What does the settlement provide?

Newsvine will make payments to each eligible class member who submits a valid claim form by **October 29, 2014** (an “Eligible Claimant”), which claim form meets the requirements for payment under any of the categories described in Section #8 below.

8. What can I get from the settlement?

Newsvine will provide payments to each Eligible Claimant as follows:

- Earnings Accrued Between July 4, 2012 and December 31, 2012 (the “180-Day Period”). Eligible Claimants who were Active Users of the Newsvine website and had accrued more than \$10 (ten dollars) in unpaid User Earnings and/or Referral Earnings (as those terms were defined in the Newsvine User agreement in effect on December 31, 2012) as of December 31, 2012 will receive full payment of such unpaid earnings accrued between July 4, 2012 and December 31, 2012 (the “180-Day Period”).
- Earnings Not Accrued During 180-Day Period. Eligible Claimants who were Active Users of the Newsvine website and had accrued more than \$10 in unpaid User Earnings and/or Referral Earnings as of December 31, 2012 will receive payments of 50 percent of such unpaid earnings accrued before the 180-Day Period.
- Additional Payment. Each Eligible Claimant will receive a pro rata share of an additional \$5,000 (five thousand dollars) sum set aside by Newsvine as an approximation of any unpaid User Earnings and/or Referral Earnings attributable to Active Users that may have accrued between January 1, 2013 and February 6, 2013.

For the avoidance of doubt, no user of the Newsvine website who had accrued \$10 (ten dollars) or less in unpaid User Earnings and Referral Earnings as of December 31, 2012 will be entitled to payment under the Settlement.

How You Get Payment If You Are Eligible—Submitting a Claim Form

9. How can I get payment if I am eligible?

To qualify for payment, you must send in a Claim Form. A Claim Form is available on the Settlement website www.UserEarningsClassAction.com. Read the instructions carefully, fill out the Claim Form (answering all questions truthfully), and submit it over the Internet no later than **October 29, 2014**, or print out a hard copy of the Claim Form, fill it out (answering all questions truthfully), sign it, and mail it to the Settlement Administrator at *Newsvine Litigation*, Settlement Administrator, c/o Heffler Claims Group, 1515 Market Street, Suite 1700, Philadelphia, PA 19102 with a postmark no later than **October 29, 2014**.

10. When would I get my payment?

The Court will hold a hearing on **November 21, 2014**, to decide whether to approve the Settlement. If the Court approves the Settlement after that, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. It also takes time for the Claim Forms to be processed. Please be patient.

The proposed Settlement contemplates distributing payments to Eligible Claimants ninety (90) days from the date the Settlement becomes final and not subject to appeal.

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

11. What am I giving up if I remain in the Class?

Unless you exclude yourself, you stay in the Class, and that means that you can't sue, continue to sue, or be part of any other lawsuit against Newsvine about the legal issues in this case. If the Settlement is approved and becomes final and not subject to appeal, then you and all Class Members release all "Released Claims" against all "Released Parties."

"Released Claims" means any and all claims, rights (including rights to restitution or reimbursement), demands, actions, causes of action, suits, liens, damages, attorneys' fees, obligations, contracts, liabilities, agreements, costs, expenses or losses of any nature, whether known or unknown, direct or indirect, matured or unmatured, contingent or absolute, existing or potential, suspected or unsuspected, equitable or legal, and whether under federal statutory law, federal common law or federal regulation, or the statutes, constitutions, regulations, ordinances, common law, or any other law of any and all states or their subdivisions, parishes or municipalities that arise out of or relate in any way to advertising revenue-sharing by Newsvine or any right that users of the Newsvine website may have to be compensated by Newsvine as a result of the content they post on the Newsvine website, that have been, or could have been, brought in the Action, as well as any claims arising out of the same nucleus of operative facts as any of the claims asserted in the Action. In addition, with respect to Representative Plaintiff only, "Released Claims" includes all claims arising, or that could arise in the future, out of any conduct or omissions occurring to the date of Preliminary Approval that might be attributable to Newsvine.

"Released Parties" means Newsvine, and its affiliates, parents, direct and indirect subsidiaries, agents, insurers, and any company or companies under common control with any of them, and each of its or their respective predecessors, successors, past and present officers, directors, employees, agents, servants, accountants, attorneys, advisors, shareholders, insurers, representatives, partners, vendors, issuers, and assigns, or anyone acting on their behalf.

Excluding Yourself from the Settlement

If you don't want payment from this Settlement, and you want to keep any right you may have to sue or continue to sue Newsvine or other Released Parties on your own about the Released Claims, then you must take steps to remove yourself from the Class. This is called excluding yourself and is sometimes referred to as "opting out" of the Class.

12. How do I get out of the settlement?

To exclude yourself from the Settlement, you must send a signed letter by mail stating that you want to "exclude yourself" or "opt out of" the Newsvine Settlement. Please be sure to include your name, address, telephone number, and your signature. You must mail your exclusion or opt out request postmarked no later than **October 1, 2014**, to:

Newsvine Litigation
Settlement Administrator
c/o Heffler Claims Group
1515 Market Street, Suite 1700
Philadelphia, PA 19102

You can't exclude yourself on the phone or by fax or email.

13. What is the effect if I exclude myself from this settlement?

If you ask to be excluded, you will not get any payment from this Settlement. Also you cannot object to the Settlement. You will not be legally bound by anything that happens in the Action. You may be able to sue (or continue to sue) Newsvine in the future about the legal issues in this case.

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

14. If I don't exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up your right to sue Newsvine and the other Released Parties for the claims that this Settlement resolves. You must exclude yourself from *this* Class to pursue your own lawsuit. Remember, your exclusion request must be postmarked on or before **October 1, 2014**.

15. If I exclude myself, can I get a payment from this settlement?

No. If you exclude yourself, do not send in a Claim Form to ask for any payment. You may exercise any right you may have to sue, continue to sue, or be part of a different lawsuit against Newsvine and the other Released Parties.

The Lawyers Representing You

16. Do I have a lawyer in the case?

The Court appointed the law firms of Terrell Marshall Daudt & Willie, Schroeter Goldmark & Bender, and Kurzon LLP to represent the Class. These lawyers are called Class Counsel. You will not be charged for these lawyers. The Court will determine the amount of Class Counsel's fees and expenses, which Newsvine will pay as part of the Settlement.

17. How will the lawyers be paid?

Class Counsel will request from the Court an award of attorneys' fees and expenses and for a service award for the Representative Plaintiff. The total amount sought for attorneys' fees, costs, and expenses will not exceed \$20,000. The amount sought as a service award for the Representative Plaintiff will not exceed \$500. If approved by the Court, Newsvine will pay Class Counsel's fees and expenses and the service award. *You have the right to object to the requested fees and expenses and awards.*

Class Counsel will file their application for attorneys' fees and reimbursement of expenses and for the service award to the Representative Plaintiff, by no later than **July 1, 2014**. These papers will also be posted on the Settlement website (www.UserEarningsClassAction.com).

Objecting to the Settlement

You can tell the Court that you don't agree with the settlement or some part of it.

18. How do I tell the Court if I don't like the settlement?

If you believe the proposed Settlement is unfair or inadequate, you may object to the Settlement, either personally or through an attorney (at your own expense), by filing a written objection with the Court and mailing a copy of your written objection to Class Counsel and Defense Counsel at the addresses listed below.

All objections must be signed and must include your name, address, telephone number, and the name of the Action, *Wilkes v. Newsvine, Inc.*, No. 13-2-20979-9 SEA. All objections must be filed with the Court and postmarked to Class Counsel and Defense Counsel no later than **October 1, 2014**. If you submit a timely objection, you may appear at your own expense at the Fairness Hearing, either personally or through an attorney. Your objection should clearly explain why you object to the proposed Settlement and must state whether you intend to appear at the Final Approval Hearing, either personally or through an attorney.

Court	Class Counsel	Defense Counsel
Clerk of the Court Washington Superior Court 516 Third Avenue Seattle, WA 98104	Erika L. Nusser Terrell Marshall Daudt & Willie PLLC 936 North 34 th Street Suite 300 Seattle, Washington 98103-8869	Kenneth E. Payson Davis Wright Tremaine LLP 1201 Third Avenue, Suite 2200 Seattle, Washington 98101-3045

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

19. What's the difference between objecting and excluding?

Objecting is simply telling the Court that you don't like something about the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

The Court's Fairness Hearing

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you don't have to.

20. When and where will the Court decide whether to approve the settlement?

The Court will hold a Fairness Hearing at **9:00 a.m.** on *Friday, November 21, 2014*, at **Washington Superior Court, 516 Third Ave, Room W928, Seattle, Washington**. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. The Court may also consider Class Counsel's application for attorneys' fees and reimbursement of expenses and for the service award to the Representative Plaintiff. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

21. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have. You are welcome to come at your own expense. If you send an objection, you don't have to come to Court and talk about it. As long as your written objection is received on time, the Court will consider it.

22. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear" in "*Wilkes v. Newsvine, Inc.*, No. 13-2-20979-9 SEA." Be sure to include your name, address, telephone number, that you are a Class Member, and your signature. Your Notice of Intention to Appear must be received by the Clerk of the Court, Class Counsel, and Defense Counsel, at the three addresses in Section #18, no later than **October 1, 2014**. You cannot speak at the hearing if you exclude yourself.

If You Do Nothing

23. What happens if I do nothing at all?

If you do nothing, you will not receive a payment; you must complete a valid Claim Form to receive a payment under the Settlement. If you do not exclude yourself from the Class, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Newsvine or the Released Parties about the legal issues in this case, ever again.

Getting More Information

24. Are there more details about the settlement?

This Notice summarizes the proposed Settlement. More details appear in the Settlement Agreement and Release of Claims (the "Agreement"). Copies of the Agreement and the pleadings and other documents relating to the case are available at the Settlement website, www.UserEarningsClassAction.com. These documents are also on file at the Superior Court of the State of Washington in and for King County and may be examined and copied at any time during regular office hours at 9:00 a.m. to 4:30 p.m.

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM

25. How do I get more information?

You can visit the Settlement website at www.UserEarningsClassAction.com, where you will find the Claim Form and other information, including a copy of the Settlement Agreement. You may also write to: *Newsvine Litigation*, Settlement Administrator, c/o Heffler Claims Group, 1515 Market Street, Suite 1700, Philadelphia, PA 19102. **You should not direct questions to the Court.**

Dated: July 1, 2014

By Order of the Court
CLERK OF THE COURT

QUESTIONS? VISIT WWW.USEREARNINGSCLASSACTION.COM