

CIRCUIT COURT OF COOK COUNTY, ILLINOIS
McCormick, et al. v. Adtalem Global Education, Inc., et al.,
Case No. 2018-CH-04872

If You Saw DeVry University’s Advertisements About Their Graduates’ Employment and Salary Outcomes and Subsequently Enrolled in a DeVry University or Keller Graduate School Education Program, You May Be Entitled to a Payment From a Class Action Settlement.

A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement has been reached in a class action lawsuit claiming that Defendants Adtalem Global Education Group Inc. and DeVry University, Inc. (collectively, “DeVry”) fraudulently advertised that 90% of their graduates were employed in their fields of study within six months of graduation (the “90% Placement Claim”), and that, on average, DeVry graduates earned 15% more income one year after graduation than graduates of other institutions (the “Higher Income Claim”). Plaintiffs claim that students relied on these misrepresentations to enroll and pay more than they otherwise would have. DeVry denies that the advertisements were fraudulent or misleading, or that it violated any law, but has agreed to the Settlement to avoid the risk and expense associated with continuing the case.
- You are included in the Settlement if you are a person in the United States who purchased or otherwise paid for any part of a DeVry or Keller education program between January 1, 2008 and December 15, 2016. You must have also seen the 90% Placement Claim and/or Higher Income Claim (or substantially similar claims) and enrolled based on these claims.
- Persons included in the Settlement will be eligible receive a *pro rata* (meaning equal) share of the \$44,950,000 Settlement Fund (after first deducting graduate payments, costs to administer the Settlement, attorneys’ fees and costs, and an award to the Plaintiffs) based on the number of credits that you paid for. Settlement Class Members that graduated from DeVry but did not obtain a job in their field of study will be eligible for an *additional* payment of \$500 if they obtained an associate’s degree, \$1,000 if they obtained a bachelor’s degree, or \$500 if they obtained a master’s degree. DeVry has also agreed to provide certain career counseling services, and will write to request deletion of any negative credit events from Settlement Class Members’ credit reports that it reported from January 1, 2008 to December 15, 2016.
- Read this Notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	This is the only way to receive a payment.
EXCLUDE YOURSELF	You will receive no benefits from the Settlement, but you will retain any rights you currently have to sue DeVry about the claims in this case.

OBJECT	Write to the Court explaining why you don't like the Settlement.
GO TO THE HEARING	Ask to speak in Court about your opinion of the Settlement.
DO NOTHING	You won't get a Settlement payment, but may be eligible for career counseling, and the deletion of any negative credit events from your credit report that DeVry reported.

Your rights and options—**and the deadlines to exercise them**—are explained in this Notice.

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Michael T. Mullen of the Circuit Court of Cook County, Illinois, is overseeing this case. The case is called *McCormick, et al. v. Adtalem Global Education, Inc.*, Case No. 2018-CH-04872. The individuals that have filed suit, Plaintiffs Dave McCormick, T'Lani Robinson, Scott Swindell, Dennis Magana, David Torosyan, and Robby Brown are called the Plaintiffs or Settlement Class Representatives. The Defendants are Adtalem Global Education Inc., formerly known as DeVry Education Group, Inc., and DeVry University, Inc.

2. What is a class action?

In a class action, one or more people or entities called Settlement Class Representatives (in this case, Dave McCormick, T'Lani Robinson, Scott Swindell, Dennis Magana, David Torosyan, and Robby Brown) sue on behalf of a group or a "class" of people or entities that have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the class.

3. What is this lawsuit about?

This lawsuit claims that DeVry fraudulently advertised that 90% of their graduates had jobs in their fields of study within six months of graduation (the "90% Placement Claim"), and that, on average, DeVry graduates earned 15% more income one year after graduation than graduates of other institutions (the "Higher Income Claim"). Plaintiffs claim that students relied on these misrepresentations to enroll and pay more than they otherwise would have. DeVry denies that the advertisements were fraudulent or misleading, or that it violated any law. The Court has not determined who is right. Rather, the Parties have agreed to settle the lawsuit to avoid the risk and expense associated with ongoing litigation.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or DeVry should win this case. Instead, both sides agreed to a Settlement. That way, they avoid the risk and expense associated with ongoing litigation, and Class Members will get compensation sooner rather than, if at all, after the completion of a trial and any appeals.

WHO'S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits the following description are members of the **Settlement Class**:

Persons in the United States who purchased or otherwise paid for any part of a DeVry or Keller education program between January 1, 2008 and December 15, 2016.

Persons in the Settlement Class must have also seen DeVry's 90% Placement Claim and/or Higher Income Claim (or substantially similar claims) and enrolled based on these claims.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: If the Settlement is approved by the Court, DeVry will establish a \$44,950,000 Settlement Fund. If you are entitled to relief, you may submit a Claim Form to receive a pro rata (meaning equal) share of the Settlement Fund (after first deducting graduate payments, costs to administer the Settlement, attorneys' fees and costs, and an award to the Plaintiffs) based on the number of credits that you paid for. If you graduated from DeVry but did not obtain a job in your field of study, you will be entitled to an *additional* payment of \$500 if you obtained an associate's degree, \$1,000 if you obtained a bachelor's degree, or \$500 if you obtained a master's degree. If you previously received settlement payments or debt forgiveness from DeVry settlements or through the government, those amounts will be deducted from any payment that you may otherwise be entitled to under this Settlement.

Career Counseling: If you are a Settlement Class Member that graduated from DeVry but did not obtain a job in your field of study within six months of graduation, DeVry will make available to you career counseling services. You need not submit a Claim Form to obtain this benefit.

Deletion of Negative Credit Events: DeVry will also request that all major U.S. credit agencies remove any negative credit events on your credit report that DeVry reported from January 1, 2008 to December 15, 2016 in connection with loans it issued to you

or amounts you might owe to DeVry. You need not submit a Claim Form to obtain this benefit.

A detailed description of the Settlement benefits can be found in the Settlement Agreement. A copy of the Settlement Agreement is available for review and download in the “Documents” section of the Settlement Website, www.devryuniversitysettlement.com.

7. How much will my payment be?

If you are member of the Settlement Class you may submit a Claim Form to receive a portion of the Settlement Fund remaining after graduate payments, costs to administer the Settlement, attorneys’ fees and costs, and any service awards to the Settlement Class Representatives are paid. Each Settlement Class Member who submits a valid claim will receive a proportionate share of the Settlement Fund remaining after these deductions based on the number of credits that they paid for. The amount that Settlement Class Members will be reimbursed per credit hour will depend on how many Settlement Class Members submit valid claims, and how many credit hours are associated with those claims.

In addition, Settlement Class Members that have graduated, but have not received a job within their field of study within six months after graduation, are eligible to receive an additional \$500 “graduate payment” if they graduated with an associate’s degree, an additional \$1,000 “graduate payment” if they graduated with a bachelor’s degree, or an additional \$500 “graduate payment” if they graduated with a master’s degree.

8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **October 7, 2020**. If the Court approves the Settlement and there are no appeals of the Court’s approval, eligible Settlement Class Members whose claims were approved by the Settlement Administrator will receive their payment within 90 days of the Final Approval Hearing (*see* Question 21) in the form of a check, and all checks will expire and become void 90 days after they are issued.

HOW TO GET BENEFITS

9. How do I get a payment?

If you are a Settlement Class Member and you want to get a payment, you must complete and submit a Claim Form by **September 7, 2020**. You may have received a Claim Form in the mail as a postcard attached to a summary of the postcard Notice. To submit a Claim Form online or to request a paper copy, go to www.devryuniversitysettlement.com or call toll free **1-833-913-4211**.

We encourage you to submit your Claim Form online. Not only is it easier and more secure, but it is completely free and takes only minutes!

10. How do I get career counseling services?

As long as you are a Settlement Class Member who has graduated from DeVry and did not obtain a job in your field of study within six months after graduation, you are eligible to receive career counseling services from DeVry for a period of three years following the Court's approval of the Settlement. You do not need to submit a Claim Form to take advantage of this aspect of the Settlement. However, if you exclude yourself from the Settlement, you will not be able to receive career counseling services.

11. How do I get negative credit events reported by DeVry off of my credit report?

As long as you are a Settlement Class Member and remain in the Settlement (i.e., do not exclude yourself), DeVry will request that any negative credit events it reported between January 1, 2008 and December 15, 2016 related to your DeVry-issued loans or other money you might owe DeVry will be deleted. However, if you exclude yourself, DeVry will not request the deletion of any such negative credit events.

REMAINING IN THE SETTLEMENT

12. What am I giving up if I stay in the Class?

If the Settlement becomes final, you will give up your right to sue DeVry for the claims being resolved by this Settlement related to the 90% Placement Claim and/or the Higher Income Claims. The specific claims you are giving up against DeVry are described in Section 3 of the Settlement Agreement. Unless you exclude yourself (*see* Question 16), you are “releasing” these claims against DeVry, regardless of whether you submit a Claim Form or not. The Settlement Agreement is available in the “Documents” section of the Settlement Website.

Even if you submit a Claim Form or otherwise participate in the Settlement, you will **NOT** be giving up your ability to pursue debt forgiveness via Borrower Defense to Repayment claims based on the 90% Placement Claim or Higher Income Claim. You will still be able to pursue such debt-forgiveness claims even if you participate in this Settlement.

The Settlement Agreement describes the Released Claims in detail, so please read it carefully. If you have any questions you can talk to the lawyers listed in Question 14 for free or you can, of course, talk to your own lawyer at your own expense.

13. What happens if I do nothing at all?

If you do nothing and the Settlement is approved, you will remain in the Settlement Class, but will not receive a Settlement payment. You may still be eligible for career counseling services, and for the deletion of any DeVry-reported negative credit events. As a Settlement Class Member, you won't be able to start a lawsuit or be part of any other lawsuit against DeVry for the claims being resolved by this Settlement.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

The Court has appointed Jay Edelson, Benjamin H. Richman, and Michael W. Ovca of Edelson PC and Robert L. Teel of The Law Office of Robert L. Teel to be the attorneys representing the Settlement Class. They are called "Settlement Class Counsel." They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for any time you spend talking with these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

15. How will the lawyers be paid?

DeVry has agreed that Settlement Class Counsel are entitled to reasonable attorneys' fees and costs in an amount to be determined by the Court. Under the Settlement Agreement, any attorneys' fees and costs awarded by the Court will be paid out of the Settlement Fund.

Settlement Class Counsel will file their motion for attorney's fees, costs and service awards to the Settlement Class Representatives no later than **August 7, 2020** and a copy of the motion will be available on the Settlement Website in the "Documents" section.

DeVry has agreed that the Settlement Class Representatives are entitled to a reasonable incentive award in an amount to be determined by the Court. This will be paid from the Settlement Fund for their services in helping to bring and settle this case.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must mail, email, or otherwise deliver a letter (or request for exclusion) stating that you want to be excluded from the Settlement in *McCormick, et al. v. Adtalem Global Education, Inc., et al.*, Case No. 2018-CH-04872 to the Settlement Administrator (via mail or email to the addresses provided below) postmarked or emailed no later than **August 24, 2020**. Your request for

exclusion must also include your name, your telephone number, your address, and a statement that you wish to be excluded from the proposed Settlement Class. Your request for exclusion must be physically and personally signed by you, the person requesting exclusion. You may only request exclusion if you are a Settlement Class Member (i.e. person in the United States that purchased or otherwise paid for any part of a DeVry or Keller education program between January 1, 2008 and December 15, 2016). Your letter or exclusion request must be postmarked or emailed no later than **August 24, 2020** to:

McCormick v. DeVry University
c/o Settlement Administrator
P.O. Box 7237
Philadelphia, PA 19101-7237
or
info@devryuniversitysettlement.com

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

No. If you do not exclude yourself from the Settlement and it is ultimately approved by the Court, you will give up any right to sue DeVry for the claims being resolved by this Settlement. Your ability to pursue debt forgiveness via Borrower Defense to Repayment claims based on the 90% Placement Claim or Higher Income Claim will **NOT** be affected by the Settlement. You will still be able to pursue such debt-forgiveness claims even if you don't exclude yourself from this Settlement.

18. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you will not receive any benefits or payments under the Settlement, but you will retain your ability to sue DeVry for the claims the Settlement releases.

OBJECTING TO THE SETTLEMENT

19. How do I object to the Settlement?

If you're a Settlement Class Member, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *McCormick, et al. v. Adtalem Global Education, Inc., et al.*, Case No. 2018-CH-04872 and identify all your reasons for your objections (including any citations to law or other information and supporting evidence) and attach any materials you rely on for your objections. If you have a lawyer, they must file an appearance. Your letter or brief must also include your name, your telephone number, your address, the basis upon which you claim to be a Settlement Class Member (*i.e.* that you are a person in the United States that purchased or otherwise paid for any part of a DeVry or Keller education program between January 1, 2008 and December 15, 2016), the name and contact information of any and all

attorneys representing, advising, or in any way assisting you in connection with your objection, and your signature. You must also mail or hand deliver a copy of your letter or brief to Settlement Class Counsel and DeVry’s Counsel listed below. You cannot object if you exclude yourself from the Settlement.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question 23), you must say so in your letter or brief, and you must file the objection with the Court and mail a copy to these three different places postmarked no later than **August 24, 2020**:

Court	Settlement Class Counsel	DeVry’s Counsel
Hon. Michael T. Mullen Courtroom 2510 Daley Center 50 West Washington Street Chicago, Illinois 60602	Benjamin H. Richman EDELSON PC 350 North LaSalle Street 14th Floor Chicago, Illinois 60654	Patricia Palacios STEPTOE & JOHNSON LLP 1330 Connecticut Ave. NW Washington, DC 20007

20. What’s the difference between objecting and excluding myself from the Settlement?

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

THE COURT’S FINAL APPROVAL HEARING

21. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at **1:30 p.m. on October 7, 2020** in Courtroom 2510, Daley Center, 50 West Washington Street, Chicago, Illinois 60602. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Settlement Class Counsel’s request for attorneys’ fees and expenses; and to consider the request for an incentive award to the Settlement Class Representatives. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time, so it is a good idea to check **www.devryuniversitysettlement.com** or call 1-866-354-3015 to confirm the date and time of the hearing. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date and/or time of such Final Approval Hearing.

22. Do I have to come to the hearing?

No. Settlement Class Counsel will answer any questions the Court may have. But, you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection or comment on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

23. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the final hearing to determine the Settlement's fairness. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your "Notice of Intent to Appear in the Circuit Court of Cook County, 50 West Washington Street, Chicago, Illinois." It must include your name, address, telephone number and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court and postmarked no later than **August 24, 2020** and be sent to the addresses listed in Question 19.

GETTING MORE INFORMATION

24. Where do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement and at **www.devryuniversitysettlement.com**. You can get a copy of the Settlement Agreement at **www.devryuniversitysettlement.com**. You may also write via mail with questions to McCormick v. DeVry University, c/o Settlement Administrator, P.O. Box 7237, Philadelphia, PA 19101-7237 or via email to *info@devryuniversitysettlement.com*. You can also call the Settlement Administrator at 1-833-913-4211 or Settlement Class Counsel at 1-866-354-3015, if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information on the Settlement Website.