

**SUPERIOR COURT OF NEW JERSEY
CAMDEN COUNTY**

**EDWARD SKEEHAN, JEFFREY ESPINOSA, :
and MICHELLE DEL VECCHIO FRAMPTON :
on behalf of themselves and all others similarly :
situated :**

Plaintiffs,

v.

**WEICHERT SOUTH JERSEY INC. d/b/a :
WEICHERT REALTORS® :**

Defendant.

DOCKET NO.: L-3759-11

CLASS ACTION

LEGAL NOTICE

**YOU MAY BE ENTITLED TO A REFUND IF YOU WERE CHARGED AN
ADMINISTRATIVE FEE BY WEICHERT SOUTH JERSEY, INC. IN CONNECTION
WITH THE PURCHASE OF YOUR REAL ESTATE IN NEW JERSEY BETWEEN JULY
27, 2005 AND OCTOBER 31, 2010**

WHAT IS THIS NOTICE ABOUT? A lawsuit encaptioned Skeehan v. Wiechert South Jersey Inc. Docket No. -L-3759-11 was filed in the Superior Court of New Jersey, Camden County on behalf of all persons or entities who purchased residential real estate in New Jersey between July 27, 2005 and October 31, 2010, who in connection with that purchase were charged an Administrative Fee by Weichert South Jersey, Inc., sometimes known as Weichert Realtors®. (“Weichert”), where the purchase involved “a federally related mortgage loan” as set forth under the Real Estate Settlement Procedures Act (“RESPA”) (hereafter the “Class”). The plaintiffs claim that no separate services were provided for the Administrative Fee. Weichert denies all of the claims and allegations asserted by Plaintiffs and maintains that consumers have not been injured and are not entitled to any monetary damages or other forms of relief. The parties have agreed to settle the lawsuit without any admission of liability or wrongdoing by any party.

WHY SHOULD I READ THIS NOTICE? You may be a member of the Class. This is a class action lawsuit that the parties have proposed to settle. If the proposed settlement is approved by the Court, your legal rights may be affected. This notice describes what the lawsuit is about, explains the terms of the proposed settlement, tells you who would be covered and what legal claims would be resolved by the settlement if the Court approves it, and explains how individuals can obtain benefits under the settlement.

AM I COVERED BY THIS CLASS ACTION LAWSUIT AND THE PROPOSED SETTLEMENT? You can determine if you are a Class member by reviewing your closing documents, and specifically your HUD-1 Form (commonly referred to as a settlement sheet) at lines 700 – 704. If between July 27, 2005 to October 31, 2010, you paid an “Administrative Fee” to Weichert related to your purchase of residential property in New Jersey, you may be a Class member. If you have any questions regarding whether you are a Class member, you can contact Class counsel Stephen P. DeNittis at 856-797-9951 or via email at sdenittis@shabeldenittis.com. You can also obtain more information about the settlement by visiting Class counsel’s website at WWW.SHABELDENITTIS.COM.

WHAT ARE THE TERMS OF THE SETTLEMENT? Weichert has agreed to create a Common Fund of \$321,255 that will be used among other things to reimburse the part of Administrative Fees it collected from Class members who file valid claims. Under the proposed settlement, Class members who submit a valid claim form and documentation showing that they paid Weichert an Administrative Fee between July 27, 2005 and October 31, 2010 may be entitled to recover the amount of one-third of the Administrative Fee. If the number of claims filed results in the Common Fund being exhausted, Class Members will be reimbursed on a pro rata basis. Pursuant to the terms of the settlement, Class counsel also will apply to the Court for an award of reasonable attorneys’ fees and expenses and for an incentive award for the named Plaintiffs all to be paid from the Common Fund. The proposed settlement is intended to settle all claims against Defendants that arise from a Class member’s transaction in which an Administrative Fee was paid to Weichert and by participating in this Settlement each class member is releasing all such claims as further described in Section VIII of the Settlement Agreement. This includes any and all claims or causes of action that were, or could have been, asserted by the named Plaintiff or any member of the Class against Defendants based upon or related to the facts, conduct, omissions, transactions, occurrences or matters that were alleged or could have been alleged in the litigation.

WHAT ARE MY RIGHTS? If you are a member of the Class and wish to participate in the settlement, you need to complete and submit a claim form by mailing it to the address shown on the form and having it postmarked on or before **May 7, 2012**. If you are a member of the Class and you do NOT want to remain part of the Class, you must exclude yourself (“opt-out”). To opt-out, you must mail a written request, postage pre-paid, to Class counsel at Stephen P. DeNittis, Shabel & DeNittis, P.C., Five Greentree Centre, Suite 302, Route 73 N., Marlton New Jersey 08053 and Defendant’s Counsel, Jay N. Varon, Foley & Lardner, LLP, 3000 K. Street, N.W., Suite 500, Washington, DC 20007. The request must be post-marked on or before **February 10, 2012**, and contain: the name of the lawsuit; your full name, current address and

phone number; your signature; and a specific statement of your intention to exclude yourself from the Settlement Class and any judgment entered pursuant to the proposed Settlement. If you do not opt-out as instructed above, you will be automatically included and bound by any determination of the Court, whether favorable or not, and any claim of yours will be ended by judgment. You may also file a motion with the Court for permission to intervene in this lawsuit and/or object on or before **February 10, 2012**, a copy of which also must be served on Class counsel and Defendant's counsel at the above addresses by no later than **February 10, 2012**. Any objection must contain the name of this lawsuit; your full name, current address and telephone number; your signature; proof of your membership in the Class; the specific reason(s) for your objection; and any and all evidence and supporting papers (including, without limitation, all briefs, written evidence, and declarations) that you would like to the Court to consider. On **February 24, 2012, at 9:00 am.**, the Superior Court of New Jersey, Law Division, Camden County, the Honorable F.J. Fernandez-Vina, P.J.Civ. presiding, Camden County Courthouse, Hall of Justice, 101 South Fifth Street, Camden New Jersey 08103, will hold a public hearing to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved. Class members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval. Class members who object to the proposed settlement are not required to attend the settlement hearing. If you want to be heard orally in opposition to the settlement, either personally or through counsel, you must indicate your intention to appear at the hearing in your written objection or by filing other papers with the Court by **February 10, 2012, 2011** indicating your intention to appear.

HOW DO I GET MORE INFORMATION? Claim forms and further information about the settlement can be obtained by visiting the following website address: www.shabeldenittis.com, contacting Class counsel at 856-797-9951 or via email at sdenittis@shabeldenittis.com.

PLEASE DO NOT WRITE OR TELEPHONE THE COURT, DEFENDANT OR ANY OF THEIR AGENTS FOR INFORMATION ABOUT THE PROPOSED SETTLEMENT OR THIS LAWSUIT.

Dated: January 17, 2012

The Honorable F.J. Fernandez-Vina P.J.Civ.
