

**VSI – Website Content:** <http://www.checkdiversionclassaction.com/>

**Header Content:**

- r Case name: *Solberg et al. v. Victim Services, Inc., et al.*
- r Site Name: Check Diversion Class Action
- r Case No. 3:14 cv 05266 VC

**Footer Content:**

FOR MORE INFORMATION

Visit this website often to get the most up to date information.

Call 1 855 849 7023  
Mail Terrell Marshall Law Group, PLLC  
936 N. 34th Street, Suite 300  
Seattle, WA 98103

**Links in Header:**

- r HOME
- r Important Documents
- r Online Claim Form
- r FAQ
- r Class Counsel
- r Contact Us

**Home page:**

Title WELCOME TO THE CHECK DIVERSION CLASS ACTION WEBSITE

Content:

**If you received one or more letters about a check diversion program printed on California district attorney letterhead, you may get a payment from a class action settlement.**

*A federal court authorized this notice. This is not a solicitation from a lawyer. This is not an attempt to collect a debt.*

The Defendants operated a business called “Corrective Solutions,” which sent out letters that looked like [this \(link to Official Notice letter\)](#), allegedly as part of a “District Attorney Bad Check Restitution Program.” In the letter, check writers were told that to avoid the risk of prosecution, they could participate in a Program, where they would have to pay the check amount and various fees, and attend a Financial Accountability Class. Plaintiffs have alleged that the Defendants violated state and federal law. Defendants deny that they did anything wrong. The parties have now agreed to settle this dispute.

Defendants National Corrective Group Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Jonsson, and Karl Thomas Jonsson have agreed to establish a fund of

\$1,100,000. Members of the classes can submit a claim (link to claim form) for money from the fund. The fund will also be used to pay court-ordered settlement administration expenses, statutory damages, service awards, and attorneys' fees and costs.

Court-appointed lawyers for the classes will ask the Court for up to \$275,000 in attorneys' fees and \$135,000 in litigation costs.

The settlement resolves a lawsuit over whether Defendants National Corrective Group Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Jonsson, and Karl Thomas Jonsson violated the federal Fair Debt Collection Practices Act ("FDCPA") and the California Unfair Competition Law ("UCL") or constitutes negligent misrepresentation or fraudulent misrepresentation. Specifically, plaintiffs allege that Defendants violated federal and California law by collecting and attempting to collect fees that were not permitted by law. The Court has not decided who is right on this claim.

Plaintiffs also allege that Defendants violated the FDCPA and the UCL by (1) using district attorney letterhead, and otherwise giving the impression that they were the office of various California district attorneys; (2) using letters that falsely threatened check writers with prosecution if the check writers did not pay fees for the District Attorney Bad Check Restitution Program; and (3) sending collection letters that did not include disclosures and notices of consumer rights required by the Fair Debt Collection Practices Act. The Court decided in favor of the Defendants on these allegations.

Defendants deny any wrongdoing and deny all allegations made by plaintiffs. The two sides disagree on whether plaintiffs and the classes would have won at trial.

**YOUR LEGAL RIGHTS AND OPTIONS**

Option and Deadline	
<b>Submit Claim Form (DATE)</b>	The only way to get payment. If you submit a claim you give up the ability to sue Defendants based on the facts alleged in this action.
<b>Exclude Yourself (DATE)</b>	Get no payment. This is the only option that allows you to ever be part of another lawsuit against the Defendants about the legal claims in this case.
<b>Object (DATE)</b>	Write to the Court why you don't like the settlement.

**Options and Deadlines**

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**Go to a Hearing via Zoom  
(DATE)**

**Speak in Court about the Fairness of the Settlement.**

**Do Nothing**

**Get no money from the Settlement. Give up certain rights.**

**Key Dates page:**

- Preliminary Approval Granted
- Objection Deadline
- Exclusion Deadline
- Claim Form Deadline
- Final Approval Hearing

**Important Documents page:**

- Second Amended Complaint
- Proposed Class Notice
- Postcard Notice
- Website Notice
- Order Approving Notice and Setting Deadlines

**File a Claim/Online Claim Form page:** See Online Claim Form document.

**FAQ:**

**Basic Information**

1. Why did I get the postcard notice?

Defendants' records show that either (1) one or more of the Defendants sent you an initial collection demand between September 7, 2011 and May 7, 2015, and you subsequently paid one or more of the Defendants' money; or (2) one or more of the Defendants sent you a collection demand between December 7, 2013 and May 7, 2015, although you may not have paid any money.

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The Court directed the Settlement Administrator to send you the notice because you have the right to know about the proposed Settlement of the class action lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves it and after objections and appeals are resolved, an administrator appointed by the Court will make the payments that the settlement allows to class members who file claims. You will be informed of the progress of the settlement.

This website explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the Northern District of California. The lawsuit is known as Solberg et al. v. Victim Services, Inc., et al., Case Number 3:14-cv-05266-VC. The Judge assigned to the case is Judge Vince Chhabria.

## 2. What is this lawsuit about?

This lawsuit is about whether Defendants' use of letters on the letterhead of the California District attorney, and charging allegedly unlawful fees in connection with dishonored checks, violates the federal Fair Debt Collection Practices Act ("FDCPA") and the California Unfair Competition Law ("UCL") or constitutes negligent misrepresentation or fraudulent misrepresentation.

Specifically, Plaintiffs allege that Defendants violated federal and California law by: (1) collecting and attempting to collect fees that were not permitted by law; (2) using District Attorney letterhead, and otherwise giving the impression that they were the office of various California District Attorneys; (3) using letters that explicitly and implicitly falsely threatened check writers with prosecution if the check writers did not pay fees for the District Attorney Bad Check Restitution Program; and, (4) sending collection letters that did not include disclosures and notices of consumer rights required by the Fair Debt Collection Practices Act. Defendants deny all allegations made by Plaintiffs and have asserted various defenses to these claims.

## 3. Why is this class action?

In this class action, one or more people called "Class Representatives" in this lawsuit (Karen Solberg, Nancy Morin, and Narisha Bonakdar) sued on behalf of other people who have similar claims. All these people are the "Class" or "Class Members." The individuals who sued — and all the Class Members like them — are called the Plaintiffs. The companies and individuals they sued in this case (Victim Services, Inc., National Corrective Group, Inc., American Justice Solutions, Inc., Birch Grove Holdings, Inc., Mats Jonsson, and Karl Thomas Jonsson) are called the Defendants. One lawsuit resolves the issues for everyone in the Class — except for those people who choose to exclude themselves from the Class.

## 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendants. The Plaintiffs think they could have won damages based on the money people paid to Defendants as check diversion program fees. The Defendants think the Plaintiffs would not have won anything from trial. But there was no trial. Instead, both sides agreed to a Settlement. That way, they avoid the risks and cost of trial, and the people affected will get compensation. The Class Representative and the attorneys think the Settlement is best for all Class Members.

The U.S. District Court for the Northern District of California decided that this lawsuit can be a class action because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts.

### Who Is in the Settlement?

#### 5. How Do I Know If I Am Part of the Settlement?

The Court certified the following classes:

**UCL Class:** All persons in California to whom the defendants sent an initial collection demand in connection with a returned check at any time from September 1, 2011, to May 7, 2015, and who subsequently paid any fees to the defendants in response to that letter.

**FDCPA Class:** All persons in California to whom the defendants sent a collection demand in connection with a returned check from whom the defendants attempted to collect or collected money for checks written for personal, family, or household purposes, from December 1, 2013, to May 7, 2015.

You are part of the UCL class if you got a letter on a California district attorney letterhead from one or more of the Defendants regarding participation in the Bad Check Restitution Program between September 1, 2011 and May 7, 2015, and you paid any money to the Bad Check Restitution Program. You are part of the FDCPA class if, whether you paid money to Defendants or not, you were sent a letter on California district attorney letterhead from one of the Defendants regarding participation in the Bad Check Diversion Program from December 1, 2012 to May 7, 2015, and the dishonored check you allegedly wrote was for personal, family, or household purposes.

#### 6. I'm Not Sure If I Am Included.

If you are unsure whether you are included, you can get free help by calling Class Counsel at 1-855-234-9703.

### The Settlement Benefits—What You Get

#### 7. What Does the Settlement Provide?

Defendants have agreed to create a \$1,100,000 fund to be divided among all Class members who submit a valid claim form. The fund will also be used to make payments to Class Counsel, the Class Representatives, and the Settlement Administrator, subject to approval by the Court.

#### 8. How Much Will My Payment Be?

Your share of the fund will depend on whether you paid any fees to the Defendants and, if so, the amount you paid in fees to the Defendants, the number of valid claim forms that Class Members submit, and when the Defendants sent you collection letters. Here's how it works:

There are about 21,000 Class Members who paid check diversion program fees to the Defendants. The amount you get from the Settlement is based on the amount you paid in fees to the Defendants and the total number of people who paid any fees that submit claims. People who paid more in fees will get a larger award. The amount you paid in fees to the Defendants (this does not include any amounts you paid toward the face value of a dishonored check), is your total potential damages in the case. It is unlikely that you will get a payment for the full fees you paid to Defendants. Instead, the Settlement

administrator will add up the amount of fees paid by all Class Members who submit claims and then divide the amount you paid by the total amount paid to determine your percentage share of the fund.

There are about 29,000 Class Members who are within the FDCPA class based on the dates Defendants sent them collection letters. All FDCPA class members who file claims will receive an equal share of the \$20,000 of the fund that has been allocated for payment of FDCPA statutory damages. The amount is in addition to any award based on the check diversion program fees you paid to Defendants.

You must file a claim (link to claim form) by [DATE] to receive payment.

You can look up the amount you paid in fees to the Defendants by entering your Claim ID Number here:

### How You Get Payment—Submitting a Claim Form

#### 9. How can I get payment?

To qualify for payment, you must send submit a claim form (link to form). If you prefer to print the form and mail it to the administrator, click here (link to downloadable form). Complete the form and submit it online or mail it postmarked no later than [DATE].

#### 10. When would I get my payment?

The Court will hold a hearing on [DATE], to decide whether to approve the settlement. If the Court approves the settlement after that, there may be appeals. It's always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. If the date of the hearing changes or they are other updates about the status of final approval, this website will be updated with the most current information. Please be patient.

#### 11. What am I giving up to get payment or stay in the classes?

Unless you exclude yourself, you are staying in the classes, and that means that you can't sue, continue to sue, or be part of any other lawsuit against National Corrective Group, Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Onsson, or Karl Thomas Onsson, about the legal issues in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you submit a claim form or do exclude yourself, you are agreeing to the release of claims in the Settlement Agreement (link), which describes exactly the legal claims that you give up if you get settlement benefits.

### Excluding Yourself From the Settlement

If you don't want payment from this settlement, but you want to keep the right to sue or continue to sue National Corrective Group, Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Onsson, or Karl Thomas Onsson, on your own, about the legal issues in this case, then you must take steps to get out. This is called excluding yourself—or is sometimes referred to as opting out of the settlement class.

#### 12. How do I get out of the settlement?

To exclude yourself from the settlement, you must send a written letter to the Settlement Administrator at the address provided below. Your opt-out request must include your name and address and should

state that you do not want to be a Class Member. Opt-out requests must be postmarked on or before the Opt-out deadline: [REDACTED].

Opt-out requests may be mailed to:

[REDACTED]  
ADMINISTRATOR NAME

[REDACTED]  
STREET ADDRESS

[REDACTED]  
CITY, STATE ZIP

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You cannot exclude yourself on the phone, by fax, or by email. If you ask to be excluded, you will not get any payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in the lawsuit. You may be able to sue (or continue to sue) Defendants in the future.

13. If I don't exclude myself, can I sue the Defendants for the same things later?

No. Unless you exclude yourself, you give up any right to sue National Corrective Group, Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Onsson, or Karl Thomas Jonsson for the claims that this settlement resolves. If you already have a lawsuit relating to Defendants' check diversion program, you should speak to your lawyer in that case immediately. You must exclude yourself from this class to continue your own lawsuit. The exclusion deadline is [REDACTED], 2021.

14. If I exclude myself, can I get money from this settlement?

No. If you exclude yourself, do not send in a claim form to ask for any money. But, you may sue, continue to sue, or be part of a different lawsuit against National Corrective Group, Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Onsson, or Karl Thomas Onsson.

**The Lawyers Representing You**

15. Do I have a lawyer in this lawsuit?

The Court decided that the law firms Terrell Marshall Law Group PLLC, Law Office of Paul Arons in Washington State, Gupta Wessler PLLC in Washington D.C., and Michael Ram of Morgan & Morgan in California are qualified to represent you and all Class Members. These law firms are referred to as "Class Counsel."

16. How will the lawyers be paid?

Class counsel will ask the Court to approve payment of up to \$275,000 (25% of the fund) in attorneys' fees and up to \$135,000 in expenses and payment of up to \$3,000 each to Karen Solberg, Nancy Morin, and Narisha Bonakdar for their services as Class Representatives. The fees would pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. The Court may award less than these amounts. The amounts the Court awards will be deducted from the settlement fund.

Class Counsel's motion for payment of attorneys' fees, expenses, and service awards will be posted on this website not later than [DATE].

**Objecting to the Settlement**

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

17. How do I tell the Court that I don't like the settlement?

You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a different settlement; the Court can only approve or reject the settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed settlement should be in writing. If you file a timely written objection, you may, but are not required to, appear at the final approval hearing, either in person or through your own attorney. The Court may allow you to appear at the final approval hearing if you substantially comply with the written objection requirements or you explain why you did not submit your objection in writing. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers should (a) clearly identify the case name and number (*Solberg v. Victim Services, Inc.*, Case Number: 14-cv-05266-VC), (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, [insert appropriate Court location here], or by filing them in person at any location of the United States District Court for the Northern District of California, and (c) be filed or postmarked on or before \_\_\_\_\_.

18. What is 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 class. Excluding yourself from the settlement 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.

19. When and where will the Court hold the hearing on the fairness of the settlement?

The Court will hold the final approval hearing at 2 p.m. on August 5, 2021 via Zoom video conference. Directions for appearing via Zoom are available here: <https://www.cand.uscourts.gov/judges/chhabria vince/vc/>. The purpose of this hearing is for the Court to determine whether the settlement is fair, reasonable, adequate, and in the best interest of the class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed settlement, including those related to the amount requested by Class Counsel or attorneys' fees and expenses and the service awards and damages payments to the class representatives. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

**Note:** The date and time of the fairness hearing are subject to change by Court order. Any changes will be posted on this website. If the hearing is to be held in person rather than via video conference, that information will be added to this website.

20. Do I have to come to the hearing?



No. Class Counsel will answer any questions the Court may have. You are welcome to come to the hearing at your own expense. If you send an objection you don't have to come to the Court to talk about it. As long as your written objection was filed on time, and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to.

#### 21. May I speak at the hearing?

You may ask the Court to speak at the hearing. To do so, you should send a letter saying that it is your "Notice of Intention to Appear" in *Solberg v. Victim Services, Inc.*, Case Number 3:14-cv-05266-VC." Be sure to include your name, address, telephone number, that you are a Class Member, and your signature. If you are represented by your own attorney, the attorney must file a notice of appearance with the Court no later than ten (10) days before the Final Approval Hearing. Your Notice of Intention to Appear should be received at the address in Question 16, no later than ten (10) days before the hearing date, XXXXX, 2021. If you appear at the hearing, the Court may allow you to speak even if you have not filed a notice of intention to appear.

#### If You Do Nothing

#### 22. What happens if I do nothing at all?

To participate in this Settlement and get any payment, you must submit a claim form (link). If you do nothing, you'll get no money from this Settlement. But, unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against National Corrective Group, Inc., Victim Services, Inc., American Justice Solution, Inc., Birch Grove Holdings, Inc., Mats Jonsson, or Karl Thomas Jonsson about the legal issues in this case.

#### Getting More Information

#### 23. Are there more details about the Settlement?

This website summarizes the proposed Settlement. More details are in the Settlement Agreement. You may review the Settlement Agreement [here](#). You can also get a copy of the Settlement Agreement by writing to the Settlement Administrator at the address below.

#### Class Counsel page:

**IMPORTANT:** Before contacting Class Counsel, please review the FAQ (link) page for answers to many basic questions.

For more information, you may speak to one of the lawyers by calling 1-855-849-7023, or by writing to the lawyers at the following address:

Terrell Marshall Law Group, PLLC  
936 N. 34th Street, Suite 300  
Seattle, WA 98103  
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#### Contact Us page:

**IMPORTANT:** Before contacting the Settlement Administrator, please review the FAQ page for answers to many basic questions.

Mailing Address

Settlement Name

c/o ND Legal Administration

P.O. Box TBD

Seattle, WA 98111

Email

info@TBD.Domain.Com

Telephone

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**Note:** For security purposes, all address updates must be made in writing. To update your address, please email the Settlement Administrator using the email address above or update your address via mail. Please include the case name, Solberg v. Victim Services, Inc., and your old mailing address for verification purposes.

#### Email Us Form

To contact the Administrator via email, please complete the form below and we will respond to your request at the email address provided.

Includes fields for:

Name

Address, A, B, C

Telephone

Email Address

Reason for Contact - Change Address; Other Questions

Questions/Comments