

CALIFORNIA SUPERIOR COURT FOR THE COUNTY OF SAN MATEO

Aaron Van Fleet, et al. v. Trion Worlds, Inc.

No. CIV 535340

You may be entitled to benefits from a class action settlement if you either purchased supply crates in the ArcheAge Marketplace before October 22, 2018, or you purchased Patron status before the launch of the ArcheAge game and also purchased one or more items in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status.

A California court authorized this notice.

This is not a solicitation from a lawyer, and it is not a lawsuit against you.

- An insurer for Trion, the maker of ArcheAge, has agreed to establish a settlement fund of \$420,000 from which eligible players may make a claim for a cash payment. The fund will also be used to pay settlement administration expenses, court-awarded service awards, and court-awarded attorneys' fees and expenses.
- The settlement resolves a lawsuit over whether Trion violated California's Consumers Legal Remedies Act, False Advertising Law, and Unfair Competition law, or made negligent misrepresentations when it failed to provide a 10% discount on ArcheAge Marketplace purchases to U.S. players who bought patron status before the game's U.S. launch and when it sold supply crates in the ArcheAge Marketplace that gave U.S. players a chance to win virtual items of varying value.
- Trion does not admit to any wrongdoing and continues to deny the allegations that the players who brought this suit (the "Plaintiffs" or "Class Representatives") make in the complaint.
- The Court presiding over the case has issued an order preliminarily approving the settlement and directing notice of the settlement to the classes. The Court will decide whether the proposed settlement should be finally approved.
- Court-appointed lawyers for the class ("class counsel") will ask the Court for a payment of up to \$105,000 from the fund as attorneys' fees, which is equal to 25% of the fund, and \$18,500 in litigation expenses.
- The two sides disagree on whether Plaintiffs and the proposed classes would have won at trial.
- You must submit a claim to receive money from this settlement. If the settlement is approved by the Court, you will receive money if you submit a claim by March 13, 2020, unless you first opt out. The amount will depend on the amounts you spent in the ArcheAge marketplace while maintaining Patron status and the number of supply crates you bought, the number of claims submitted, and the amount of attorneys' fees, class representative payments, and administration costs approved by the Court.
- **Questions?** Read on, view the full Settlement Agreement at www.ArcheAgeSettlement.com, or call 1-844-799-7601 toll free.

Your Legal Rights and Options in This Lawsuit

<p>Submit a claim by March 13, 2020</p>	<p>Get money from the settlement. Give up certain rights.</p> <p>Submit a claim either online or by printing a claim form, completing it, and mailing it in. Only submit one claim, even if you made multiple purchases in the ArcheAge marketplace. By staying in the settlement and claiming money from it, you give up any rights to sue Trion separately about the same or similar legal claims.</p>
<p>Do nothing</p>	<p>Get nothing from the lawsuit. Give up certain rights.</p> <p>By doing nothing, you give up the possibility of getting money or benefits that come from the settlement and you give up any rights to sue Trion separately about the same or similar legal claims.</p>
<p>Exclude yourself by March 13, 2020.</p>	<p>Get out of this lawsuit. Get no benefits from it. Keep rights to sue.</p> <p>If you exclude yourself, you will not be eligible to receive any money or benefits that come from the settlement and you may not object. This is the only option that allows you to be part of any other lawsuit against Trion about the legal claims in this case.</p>
<p>Object by March 13, 2020.</p>	<p>Stay in this lawsuit. File a written objection to the settlement with the Court.</p> <p>If you disagree with any portion of the Settlement Agreement, you may mail a written objection to the Claims Administrator, which will be considered by the Court at the final approval hearing. If you file an objection, you may not exclude yourself from the settlement. If the settlement is approved, you will be bound by the Settlement Agreement and you give up rights to sue Trion separately about the same or similar legal claims in this lawsuit. If you also file a claim, then you will still be eligible to receive money from the settlement. You must submit a claim to get money.</p>
<p>Attend a hearing on April 17, 2020 at 3 p.m.</p>	<p>Attend the final approval hearing and ask the Court to speak.</p> <p>If you do not exclude yourself, you may ask to speak to the Court about the fairness of the settlement.</p>

1. What is this website about and why should I read it?

The purpose of this website is to let you know that a proposed settlement has been reached in the class action lawsuit entitled *Aaron Van Fleet, Paul Ovberg, and James Longfield v. Trion Worlds Inc.*, Case No. CIV 535340. Judge Marie S. Weiner of Department 2 of the California Superior Court for San Mateo County preliminarily approved the proposed settlement. You have legal rights and options that you may act on before the Court decides whether to grant final approval of the proposed settlement. Because your rights will be affected by this settlement, it is extremely important that you read the information on this website carefully.

2. Why did I get an email notice?

ArcheAge game records show that you either (1) purchased an ArcheAge Patron status subscription before the U.S. launch of the ArcheAge game, either individually or as part of a Founder's Pack, and purchased items in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status; or (2) purchased at least one supply crate in the ArcheAge Marketplace before October 22, 2018. This indicates that you are a member of the settlement classes.

3. What is this lawsuit about?

In a class action, one or more people, called "class representatives" (in this case Aaron Van Fleet, Paul Ovberg, and James Longfield), sue on behalf of people who have similar claims. All these people are a class or class members. One court resolves the issues for all class members, except those who exclude themselves from the class.

The class representatives challenged Trion's failure to provide an advertised 10% discount on Marketplace purchases to players who bought Patron status before the U.S. launch of the ArcheAge game. They also challenge Trion's sale of mystery item supply crates, which the class representatives allege are like a digital lottery. The class representatives allege that Trion's conduct violated the California Consumers Legal Remedies Act, False Advertising Law, and Unfair Competition Law. They also allege that Trion made misrepresentations to the proposed classes. Trion denies the Plaintiffs' claims.

The Court has provisionally certified the settlement classes for settlement purposes only. The settlement classes are defined as:

Discount Class: All persons in the United States who purchased an ArcheAge Patron status subscription before launch, either individually or as part of a Founder's Pack, and purchased items in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status.

Lottery Class: All persons in the United States who have purchased at least one supply crate in the ArcheAge Marketplace before October 22, 2018.

Excluded from the settlement classes are Trion, its legal representatives, officers, directors, assigns, and successors, and any entity in which Trion has a controlling interest. Also excluded is the judge to whom this case is assigned and any member of the judge's immediate family or court staff.

The Honorable Marie S. Weiner of the California Superior Court is in charge of this class action.

THE SETTLEMENT

4. Why is there a settlement?

The Court did not decide in favor of the classes or Trion. Instead, both sides agreed to a settlement. This avoids the cost of a trial, and the people affected will benefit from the settlement. Trion dissolved itself and sold all of its assets in October 2018. Given Trion's financial situation, Plaintiffs and their counsel believe the settlement is a fair outcome for the classes.

Trion has not admitted fault or that it violated any laws, but Trion and its attorneys agree that a settlement is in all parties' best interests.

WHO IS IN THE SETTLEMENT?

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

You are a member of the settlement classes if:

1. You are a U.S. player who purchased an ArcheAge Patron status subscription before launch, either individually or as part of a Founder's Pack, and purchased items in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status (the "Discount Class");

or

2. You are a U.S. player who purchased at least one supply crate in the ArcheAge Marketplace before October 22, 2018 (the "Lottery Class").

If you have questions about whether you are a part of the settlement classes, you may call 1-844-799-7601.

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the settlement provide?

The settlement requires Trion pay \$420,000 in Settlement Proceeds. The Settlement Proceeds will first be used to pay court-approved attorneys' fees and expenses, class representative service payments, and settlement administration costs. These amounts will total no more than \$200,800 and are subject to the Court's approval.

The remainder will be used to pay settlement awards to each class member who submits a valid claim. Payments to people in the Discount Class who file claims will be calculated as the amount that Discount Class Claimant spent on items (other than supply crates) in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status divided by the total amount all Discount Class Claimants spent on items (other than supply crates) in the ArcheAge Marketplace before October 22, 2018. Payments to people in the Lottery Class who file claims will be calculated based on the amount that Lottery Class Claimant spent on supply crates in the ArcheAge Marketplace before October 22, 2018, divided by the total amount all Lottery Class Claimants spent on supply crates in the ArcheAge Marketplace before

October 22, 2018. If you are a member of both settlement classes, you should submit only one claim form and you will receive a single settlement award payment.

7. Will I receive a payment and how much will it be?

To receive a payment, you must submit a valid claim by March 13, 2020. If you are a member of the Discount Class, your settlement award will be calculated based on the amount that you spent on items (other than supply crates) in the ArcheAge Marketplace before October 22, 2018, while maintaining Patron status divided by the total amount all Discount Class Claimants spent on items (other than supply crates) in the ArcheAge Marketplace before October 22, 2018. If you are a member of the Lottery Class, your settlement award will be calculated based on the amount that you spent on supply crates in the ArcheAge Marketplace before October 22, 2018, divided by the total amount all Lottery Class Claimants spent on supply crates in the ArcheAge Marketplace before October 22, 2018. Your award will be your pro rata share of the Settlement Proceeds based on the amounts spent by all class members who make claims.

If you have questions about whether you are entitled to a payment under the settlement, you may call 1-844-799-7601.

If you request to be excluded from the settlement, you will not receive any payment from the settlement.

HOW YOU GET A PAYMENT

8. How can I get a payment?

To get money from the settlement, you need to submit a claim online on or before **March 13, 2020**. You can also print a claim form and mail it. If you mail the form it must be post marked by **March 13, 2020**. Printed claim forms must be signed and dated. Online claims can be signed electronically. If you would like to request that a claim form be printed and mailed to you, please call 1-844-799-7601.

Your interest as a Class Member will be represented by the Plaintiffs and Class Counsel. You will be bound by any judgment arising from the settlement. If the settlement is approved, and you timely submit a valid claim, the Claims Administrator will send you a check or electronically deposit any money you're entitled to under the settlement.

If you change your email address or your address, you must submit a change of address form online or mail a notification of your new address to the Claims Administrator.

9. When will I get my payment?

The Court will hold a hearing on April 17, 2020 to decide whether to approve the settlement. If the hearing date changes, this website will be updated. If the Court approves the settlement, the parties will then have to wait up to 60 days to see whether there is an appeal. An appeal can take up to a year or more to resolve. In the event of an appeal, information about the appeal's progress will be posted on this website.

If there is no appeal, Class Counsel expect the payments to be sent out within sixty-five days of the Court's approval of the settlement.

10. What am I giving up to receive a benefit?

Unless you exclude yourself, you will be part of the settlement classes. That means you may not sue, continue to sue, or be part of any other lawsuit against Trion regarding claims that are the same or similar to the ones in this lawsuit. It also means that all of the Court's orders will apply to you and legally bind you.

The Settlement Agreement (available at www.ArcheAgeSettlement.com) describes the claims you are releasing (the "Released Claims") and against whom you are releasing claims (the "Released Parties") in detail, so read it carefully. To summarize, the Release of Claims includes claims that arise out of Trion's failure to provide promised discounts in the ArcheAge Marketplace and sale of supply crates in the ArcheAge Marketplace.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from this settlement, but you want to keep the right to sue or continue to sue Trion in a different case, then you must remove yourself from the settlement classes. This is called excluding yourself – or is sometimes referred to as "opting out" of the settlement.

11. How do I exclude myself from the settlement?

To exclude yourself from the settlement, you must send a written letter to the Claims Administrator at the address provided below or submit your request through this website. Your exclusion request must include your name, email address, and address, and must be postmarked or submitted online no later than March 13, 2020.

Exclusion requests may be mailed to:

Van Fleet v. Trion Worlds Settlement
c/o Postlethwaite & Netterville
PO Box 1429
Baton Rouge, LA 70821-1429

You cannot exclude yourself by phone or fax. 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) Trion in the future.

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

No. Unless you exclude yourself, you give up any right to sue Trion for the claims that this settlement resolves. If you already have a lawsuit against Trion relating to purchases in the ArcheAge Marketplace, or other in-game purchases, you should speak to your lawyer in that case immediately. You must exclude yourself from this Class to continue your own lawsuit. The opt-out deadline is March 13, 2020.

13. If I exclude myself, can I get anything from this settlement?

No. You will not receive any money if you exclude yourself.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

The Court has decided that Robins Kaplan LLP, Terrell Marshall Law Group PLLC, and FOCAL PLLC are qualified to represent you and all Class Members. Together, these lawyers are called "Class Counsel." More information about these law firms, their practices, and their experience is available at www.robinskaplan.com; www.terrellmarshall.com; and www.focallaw.com.

You will not be separately charged for these lawyers; they will be compensated for their time and reimbursed for their expenses out of the Settlement Proceeds in whatever amounts are approved by the Court. If you want your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Class Counsel will ask the Court to approve payment of up to \$123,500 to them for attorneys' fees and their out-of-pocket expenses. These payments will pay Class Counsel for investigating the facts, litigating the case, and negotiating the settlement. Class Counsel will also request service awards of \$2,000 each for the Class Representatives to compensate them for their time and effort. Class Counsel's complete request for fees, expenses, and incentive awards to the Class Representatives will be posted to this website by February 13, 2020. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

16. How do I object to the settlement?

If you are a member of the settlement classes and do not exclude yourself, you can object to the settlement if you don't like any part of it. You should give reasons why you think the Court should not approve it. The Court will consider your views. The Court cannot change the terms of the settlement. The Court can only approve or deny the settlement.

To object, you must mail a written letter to the Claims Administrator at the address provided below. The letter must include:

- (1) the following case name and number: *Van Fleet v. Trion Worlds, Inc.*, No. CIV 535304;
- (2) your name;
- (3) the email address associated with your Trion Worlds or Glyph Account;
- (4) your current email address and mailing address;
- (5) your telephone number;
- (6) any reason why you think the Court should not approve the settlement; and
- (7) your signature and the date.

The objection must be postmarked no later than March 13, 2020. If the settlement is approved, you will still be eligible to receive a payment under the settlement.

Objections to the settlement must be mailed to:

Van Fleet v. Trion Worlds Settlement
c/o Postlethwaite & Netterville
PO Box 1429
Baton Rouge, LA 70821-1429

17. 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

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

The Court will hold a Final Approval Hearing at 3 p.m. on April 17, 2020 in Department 2 of the San Mateo County Superior Court, at 400 County Center, San Mateo, CA, 94063. 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

for 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.

19. 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 mailed 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.

20. May I speak at the hearing?

If you do not exclude yourself from the Class, you may ask the Court for permission to speak at the hearing concerning any part of the Settlement Agreement. If you make an objection (see Question 16 above) and intend to appear at the hearing, you should state your intention to do so in your objection. You may also send a letter saying that it is your "Notice of Intention to Appear" in *Van Fleet v. Trion Worlds, Inc.*, Case No. CIV 535304. 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 at the address in Question 16, no later than 10 days before the hearing date, April 1, 2020. You cannot speak at the hearing if you exclude yourself.

IF YOU DO NOTHING

21. What happens if I do nothing at all?

If you do nothing, you will be a member of the settlement classes, but you will not receive any money from the settlement.

GETTING MORE INFORMATION

22. Are there more details about the settlement?

This Notice summarizes the proposed settlement. More details are in the Settlement Agreement. You may review the Settlement Agreement at www.ArcheAgeSettlement.com. You can also get a copy of the Settlement Agreement by writing to the Class Administrator at the address below.

23. How do I get more information?

First review all the information on this website. If you still have questions, you can call 1-844-799-7601 toll free; write to the Van Fleet v. Trion Worlds Settlement, c/o Postlethwaite & Netterville, PO Box 1429, Baton Rouge, LA 70821-1429.

24. What is the contact information for the Class Administrator?

Van Fleet v. Trion Worlds Settlement
c/o Postlethwaite & Netterville
PO Box 1429
Baton Rouge, LA 70821-1429

1-844-799-7601
claims@ArcheAgeSettlement.com

PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR TRION WITH QUESTIONS ABOUT THE SETTLEMENT.