

THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

JWG INCORPORATED, *et al.*,

Plaintiffs,

v.

CASE NO: 16-2011-CA-005641

DIVISION: CV-D

ADVANCED DISPOSAL SERVICES
JACKSONVILLE, L.L.C. *et al.*,

Defendants.

**If you are or were a customer of Advanced Disposal, you
could get a payment from a class action settlement.**

A Court authorized this notice. This is not a solicitation from a lawyer.

- Three plaintiffs have sued certain Advanced Disposal companies, including Advanced Disposal Services Jacksonville, LLC, Advanced Disposal Services, LLC and Advanced Disposal Services, Inc., together with their current, predecessor, and successor parents, subsidiaries, affiliates, purchasers, and related companies (collectively, “Advanced Disposal”), alleging that Advanced Disposal improperly charged its customers “fuel surcharges” and “environmental fees” and any substantively similar charges (regardless of term used when charged) (“Fees”).
- The Court has allowed the lawsuit to proceed as a class action on behalf of all customers in Florida who paid Advanced Disposal Services Jacksonville, LLC one or more of the “fuel surcharges” or “environmental fees” between July 12, 2007 to September 12, 2018.
- This settlement was reached after almost eight years of litigation and seven mediation sessions. The litigation included the review of hundreds of thousands of documents and the depositions of approximately fifteen witnesses. Two law firms have expended over 10,000 hours of attorney time pursuing this case for the plaintiffs. The two most recent mediation sessions which led to this settlement were overseen by Terrence M. White, Esq.
- **Your legal rights are affected whether you act or don’t act. The deadlines to exercise these rights are explained in this notice. Read carefully:**

QUESTIONS? CALL 1- 866-778-9472 OR VISIT WWW.ADVANCEDDISPOSALCLASSACTION.COM

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
DO NOTHING AND RECEIVE AN AUTOMATIC PAYMENT	You may be a part of the Class. If so, by taking no action, you will automatically receive a payment as explained below.
OBJECT	Write to the Court about why you don't like the settlement.

BASIC INFORMATION

1. Why did I get this notice?

You may have received solid waste disposal services from Advanced Disposal and paid one or more of the Fees.

The case has been settled, and the Court has ordered that you be sent this Notice because you have a right to know your options before the Court decides whether to approve the settlement. If the Court approves it, an administrator appointed by the Court will make settlement payments to all class members.

This Notice 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 Circuit Court for Duval County, Florida. The judge in this case is the Honorable Virginia B. Norton.

2. What is a class action?

In a class action, one or more plaintiffs, called "Class Representatives" (in this case, the Plaintiffs), sue on behalf of all people and companies that have similar claims. All these other people and companies are "Class Members." One court resolves the issues for all Class Members, except for those, if any, who already voluntarily excluded themselves from the class.

3. What is this lawsuit about?

The lawsuit claims that Advanced Disposal improperly charged and collected the Fees. According to Plaintiffs, by doing these things, Advanced Disposal violated the Florida Deceptive and Unfair Trade Practices Act ("FDUTPA"). Advanced Disposal denies that it did anything wrong, and the Court has not found that Advanced Disposal did anything wrong.

The Second Amended and Restated Class Action Complaint has more information about the lawsuit and is available online at www.advanceddisposalclassaction.com.

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The Court previously ordered that notice be issued to the class on September 12, 2018. During that notice period, class members were given the opportunity to opt-out of the class or remain in the class. The Parties' records indicate that you did not exclude yourself from the class and instead chose to remain in the class and participate in any future recovery.

4. Why is there a settlement?

The Court did not decide in favor of either side. Instead, both sides agreed to a compromise settlement to avoid the cost and risk of a trial and a possible appeal. The settlement also ensures that the class members affected will get compensation. In return, the Released Parties get a general release of all claims against them that were made or could have been made regarding the Fees at issue in the lawsuit. The Class Representatives and Class Counsel believe the settlement is in the best interests of everyone affected.

WHO IS IN THE SETTLEMENT

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

The Court has certified a class (the "Class" or "Settlement Class" or "Class Members") defined as:

All Florida persons and entities who paid fuel surcharges and environmental fees to Defendants at any time from July 12, 2007, through the date of the class notice, and who were not subject to a written agreement to arbitrate with the Defendants at the time they paid the fuel surcharges or environmental fees.

Excluded from this class are municipalities, landfills, and transfer station customers, any individual currently in bankruptcy, any individual or entity whose obligations have been discharged in bankruptcy, and any judicial officer who has presided over this case.

If you received written notice of the settlement by postcard or email, then the parties believe that you are a member of the Class based upon Advanced Disposal's records.

6. What if I only paid one of the fees?

You still are a class member even if you only paid one of the following fees between July 12, 2007 and September 12, 2018: "fuel surcharges" and "environmental fees," or a substantially similar charge identified differently.

7. What if I'm still not sure if I am included?

If you still are not sure whether you are included in the settlement as a Class Member, you can get additional information at **www.advanceddisposalclassaction.com** or obtain free assistance by calling the settlement administrator appointed by the Court at **1- 866-778-9472**.

QUESTIONS? CALL 1- 866-778-9472 OR VISIT WWW.ADVANCEDDISPOSALCLASSACTION.COM

THE SETTLEMENT BENEFITS — WHAT YOU CAN GET

8. What does the settlement provide?

Advanced Disposal is creating a Settlement Fund in the amount of \$6,000,000.00. Class Members will automatically receive their pro-rata share of the Settlement Fund, after any Court approved amounts for attorney's fees, class representative incentive awards, and reimbursed litigation expenses. **You do not have to take any action to receive your settlement payment, and the settlement payment will be sent to you upon Final Approval of the settlement.**

9. Do I need to submit any documents or information?

You do not need to submit any documentation or information to receive your settlement payment. If you need to update your address information for mailing of your settlement payment, please call or write the Settlement Administrator at **1-866-778-9472** or **JWG Inc. v. ADS, c/o A.B. Data, Ltd., P.O. Box 173004, Milwaukee, WI 53217.**

10. When would I get my payment?

The Court will hold a hearing on **October 24, 2019 at 8:00 a.m. (Eastern)** to decide whether to approve the settlement. If Judge Norton approves the settlement after that, and if any class member files an objection, there could be appeals. If there are any appeals, these appeals could delay payment of claims, possibly for more than a year. Updates, as necessary, will be provided online at www.advanceddisposalclassaction.com.

11. What claims are being released?

As a result of the Settlement, the Settlement Class is releasing its claims against Advanced Disposal. This means that you can't sue, continue to sue, or be part of any other lawsuit against Advanced Disposal and/or any of their agents, employees, attorneys, officers, directors, predecessors, successors, representatives, insurers, assignees, administrators, parents, subsidiaries, and/or affiliates (collectively, the "Released Parties") regarding the claims in this lawsuit. It also means that all of the Court's orders legally bind you. Specifically, you are releasing all matters arising out of or relating to Plaintiffs' claims as alleged, or which could have been alleged regarding or relating to the fees and surcharges in the lawsuit, including, but not limited to, any and all claims for any and all causes of action, claims for damages, equitable, legal and administrative relief, interests, penalties, fees, costs, demands, losses, liabilities, or rights, whether based on federal, state, or local laws, statutes, or ordinances, regulations, contracts, common law, or any other source, known or unknown, whether or not concealed or hidden, that Plaintiffs and the Settlement Class have against Advanced Disposal and/or the Released Parties described in Section 18 below regarding, arising out of, or in any way related to the Fees, including, without limitation, claims for breach of contract, claims for injunctive or declaratory relief, and claims for violation of any state or federal statutes, rules, or regulations, including, without limitation, any common law or statutory claims for unlawful, unconscionable, unfair, deceptive, or fraudulent business practices arising out of, based upon, or related to the facts, transactions, events, occurrences, acts, practices, or omissions that were alleged or could have been alleged in the Litigation, including, without limitation, those arising from the implementation, maintenance, calculation, assessment, modification, and/or charging and collecting of the Fees.

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IF YOU DO NOTHING

12. What happens if I do nothing at all?

If you do nothing, you will automatically receive money from the settlement and will release all claims against Advanced Disposal about the legal issues in this case, as discussed above.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

The Court has appointed attorneys from the law firms of Methvin, Terrell, Yancey, Stephens & Miller, P.C., Birmingham, Alabama and John Kalil, P.A., Jacksonville, Florida (“Class Counsel”), to represent you and other Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense, but you are not required to do so.

14. How will the lawyers be paid?

Under the terms of the settlement, the appointed lawyers can ask the Court for an award of attorneys’ fees and reimbursement of litigation expenses not to exceed \$4,000,000 based upon the lodestar methodology. Class Counsel will file their Motion for Attorneys’ Fees and Reimbursement of Litigation Expenses as well as Class Representative Incentive Awards on or before **September 26, 2019**. After filing the motion, it will be available for review at www.advanceddisposalclassaction.com. The attorneys’ fee award is to compensate the two law firms for the over ten thousand hours and eight years of litigation they spent pursuing the cases and the risk they took that no resolution would ever be reached. The appointed lawyers may also seek payments up to \$15,000.00 for each of the three (3) Class Representatives to compensate them for their time and effort in bringing these lawsuits.

OBJECTING TO THE SETTLEMENT

15. How do I object to the Court if I don’t like the settlement?

If you’re a Class Member, you may object to any part of the settlement you don’t like, and the Court will consider your views. You must submit any objection in writing and must provide evidence of your membership in the Class. The procedures for submitting written objections are set out below. **A written objection (and any support for it) must be filed with the Clerk of Court and received no later than October 10, 2019 (the “Objection Deadline”) by all of the following.**

Duval County Clerk of Courts
Attn: CIRCUIT CIVIL
DEPARTMENT
501 West Adams Street, Room
1209
Jacksonville, FL 32202

Bryan O. Balogh
Attn: JWG Settlement
Burr & Forman LLP
420 North 20th Street
Suite 3400
Birmingham, Alabama 32503

J. Matthew Stephens
Attn: JWG Settlement
Methvin, Terrell, Yancey,
Stephens & Miller, P.C.
2201 Arlington Avenue South
Birmingham, Alabama 35205

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If you hire an attorney in connection with making an objection, that attorney must file with the Court and serve on the counsel identified above a notice of appearance. **The notice of appearance must be filed with the Court and received by the three addressees above no later than the Objection Deadline.** If you do hire your own attorney, you will be responsible for payment of all fees and expenses that the attorney incurs on your behalf.

If you want to object, you must file your objection in writing to the Court. Your objection *must* include:

- (a) a caption or title that identifies it as “Objection to Class Settlement in *JWG, Inc., et al. v. Advanced Disposal Services Jacksonville, LLC, et al.*, Case No.: 16-2011-CA-005641;
- (b) your full name, title, current home or business address and current home or business telephone number and other information sufficient to identify your account with Advanced Disposal;
- (c) a notice of intention to appear, either in person or through an attorney, with the name, address and telephone number of the attorney, if any, who will appear;
- (d) certification that you are a Class Member;
- (e) a statement of each objection you assert;
- (f) a detailed description of the facts underlying each objection you assert;
- (g) a detailed description of the legal authorities, if any, supporting each objection you assert;
- (h) copies of exhibits and/or affidavits you may offer during the final approval hearing, if any;
- (i) a list of all witnesses you may call to testify at the final approval hearing, along with a summary of each witness’s anticipated testimony, if any; and
- (j) the signature, full name, firm name, and business address of all attorneys who have a financial interest in your objection.

If you make a written objection to the settlement as set out above, you may request to speak - either in person or through an attorney hired at your own expense - at the Final Fairness Hearing the Court has set to consider whether to give final approval to the Stipulation of Settlement Agreement. You are not required to attend the hearing. Lack of attendance at the Final Fairness Hearing will not prevent the Court from considering your objection. If you (or your attorney) intend to speak at the Final Fairness Hearing, you must file with the Court and serve on the parties identified above a notice of intent to appear, and your attorney (if you hire one) must file a notice of appearance with the Clerk of Court. Again, the notice of intent to appear must be filed with the Court, and received by the parties above, no later than the Objection Deadline.

If you do not file an objection as described above, you will be deemed to have waived any and all objections to the settlement, to have consented to the Court’s certification of and jurisdiction over the Class, and to have released the claims as defined in the Stipulation of Settlement Agreement (which is available online at www.advanceddisposalclassaction.com).

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THE COURT'S FAIRNESS HEARING

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

The Court will hold a Final Fairness Hearing at 8:00 a.m. (Eastern) on October 24, 2019 in Hearing Room 703, at the Duval County Courthouse, 501 W. Adams St., Jacksonville, Florida. At this hearing, the Court will consider whether the settlement is fair, reasonable and adequate. **You are not required to attend the hearing, but may do so if you wish.** If there are objections that have been submitted in writing in advance of the hearing, Judge Norton will consider them. Judge Norton will listen to people who have made a prior written request to speak at the hearing. Judge Norton will also decide whether to pay Class Counsel the amount they are requesting for attorneys' fees and reimbursement of litigation expenses, as well as class representative awards. After the hearing, the Court will decide whether to approve the settlement.

HOW DO I GET MORE INFORMATION?

17. Are there more details about the settlement?

This Notice is just a summary, and you are entitled, if you wish, to read the entire Stipulation of Settlement Agreement. The Stipulation of Settlement Agreement and some other documents filed in this lawsuit can be found online at www.advanceddisposalclassaction.com.

18. What claims are being released by the Settlement?

Class Members are releasing any and all claims for any and all causes of action, claims for damages, equitable, legal and administrative relief, interests, penalties, fees, costs, demands, losses, liabilities, or rights, whether based on federal, state, or local laws, statutes, or ordinances, regulations, contracts, common law, or any other source, known or unknown, whether or not concealed or hidden, that Plaintiffs and the Settlement Class have against Advanced Disposal and/or the Released Parties regarding, arising out of, or in any way related to the Fees, including, without limitation, claims for breach of contract, claims for injunctive or declaratory relief, and claims for violation of any state or federal statutes, rules, or regulations, including, without limitation, any common law or statutory claims for unlawful, unconscionable, unfair, deceptive, or fraudulent business practices arising out of, based upon, or related to the facts, transactions, events, occurrences, acts, practices, or omissions that were alleged or could have been alleged in the Litigation, including, without limitation, those arising from the implementation, maintenance, calculation, assessment, modification, and/or charging and collecting of the Fees. "Released Parties" include Defendants Advanced Disposal Services Jacksonville, LLC, Advanced Disposal Services, LLC, and Advanced Disposal Services, Inc.; Highstar Capital Holdings, LLC; and Highstar Capital, LP; and each and all of their respective predecessors, successors, successor parents, successor affiliates, successor employees, successor agents, purchasers, direct and indirect parents and subsidiaries, acquired companies, divisions, related or affiliated entities, and any entity in which any of them have a controlling interest, and for each and every above referenced entity, its respective past, present, and future directors, managers, shareholders, officers, employees, agents, attorneys, insurers, co-insurers, reinsurers, and each and all of their respective predecessors, assigns, and legal representatives.

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19. How do I get more information?

You can call or write to the Settlement Administrator at **1-866-778-9472** and **JWG Inc. v. ADS, c/o A.B. Data, Ltd., P.O. Box 173004, Milwaukee, WI 53217**. You can also visit the website at www.advanceddisposalclassaction.com, where you will find answers to some common questions.

Please **do not** contact the Court or Clerk of Court with any questions regarding this case.

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