

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT for the NORTHERN DISTRICT OF OHIO

**Attention: Did You Have a Ticket to the 2016 NFL Pro Football Hall of Fame Game Between the Green Bay Packers and Indianapolis Colts? If so, you may be part of a class action settlement:**

*Treviso v. Pro Football Hall of Fame*, Case No. 5:17-cv-00472 (N.D. Ohio) (the “Action”)

IMPORTANT

PLEASE READ THIS NOTICE CAREFULLY

THIS NOTICE RELATES TO THE PENDENCY OF A CLASS ACTION LAWSUIT AND, IF YOU ARE A SETTLEMENT CLASS MEMBER, CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS TO OBJECT TO THE SETTLEMENT

*A federal court has authorized this notice. This is not an advertisement. You are not being sued or restrained.*

This notice is to inform you of a proposed settlement of a class action lawsuit in the United States District Court for the Northern District of Ohio, that includes all persons who paid for and/or acquired tickets to the 2016 NFL Pro Football Hall of Fame Game in Canton, Ohio (the “Game”), which was cancelled. The class action excludes all persons who accepted reimbursement from the Pro Football Hall of Fame (the “Hall of Fame” or the “Defendant”) by submitting completed copies of “The 2016 Pro Football Hall of Fame Game Reimbursement Election Form” to the Hall of Fame. **If you sold, gifted or otherwise transferred your tickets to other persons, please share this notice with such persons so that they are aware of the contents of this notice.**

### YOUR LEGAL RIGHTS\* AND OPTIONS IN THIS SETTLEMENT\*\*

<b>SUBMIT A CLAIM</b>	The only way to get a payment. Submit your claim by mail or online submission no later than <b>October 9, 2023</b> .
<b>EXCLUDE YOURSELF</b>	Get no payment, but retain your ability to file your own separate lawsuit. This is the only option that allows you to retain a possible claim against Defendant concerning the cancellation of the Game or the issues being settled now. You must exclude yourself from the Settlement Class no later than <b>October 9, 2023</b> .
<b>COMMENT OR OBJECT TO THE PROPOSED SETTLEMENT</b>	Write to the Court no later than <b>October 9, 2023</b> about why you do, or do not, like the proposed Settlement.
<b>ATTEND A HEARING ON NOVEMBER 17, 2023 AT 2:00 P.M. EST</b>	Ask to speak to the Court about the proposed Settlement at the Final Approval Hearing.
<b>DO NOTHING</b>	Get no payment. You will not retain a possible claim against Defendant concerning the cancellation of the Game or the issues being settled now.

*\*These rights, options, and the deadlines to exercise them are explained in this notice.*

*\*\*The Court overseeing this case still has to decide whether to approve the Settlement.*

### BASIC INFORMATION

#### 1. What is this notice and why should I read it?

This notice is to inform you of a proposed Settlement of a class action lawsuit entitled *Treviso, et al. v. National Football Museum, Inc. dba Pro Football Hall of Fame*, No. 5:17-cv-00472, brought on behalf of the Settlement Class, and pending in the United States District Court for the Northern District of Ohio. The Court has granted preliminary approval of the Settlement and has set a Final Approval Hearing (also referred to as the “Fairness Hearing”) to take place on **Friday, November 17, 2023 at 2:00 p.m. EST** in the East Chambers, Room 328, of the Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, Ohio 44114, to determine if the Settlement is fair, reasonable, and adequate. **Note:** This date and time are subject to change by Court Order and may change without further notice to the Class.

This notice describes the proposed Settlement. Your rights and options – **and the deadlines to exercise them** – are explained in this notice. If you are a Settlement Class Member, your legal rights are affected regardless of whether you act.

## 2. What is this lawsuit about?

This lawsuit arises out of the Game scheduled to take place between the Green Bay Packers and Indianapolis Colts on August 7, 2016, in Canton, Ohio. On that day, after the Game was scheduled to begin, Defendant cancelled the Game due to field conditions. Plaintiff filed suit on behalf of ticketholders who were denied the chance to watch the Game. Plaintiff claims that Defendant breached contracts with ticketholders. Defendant denies wrongdoing and makes no admission of liability by agreeing to the proposed Settlement described in this Notice. Nonetheless, the parties have found it desirable that the Action be fully and finally settled in the manner and upon the terms and conditions described in this Notice.

## 3. Why is this a class action?

In a class action, one or more people called “Class Representatives” (in this case, Carmelo Treviso) sue on behalf of themselves and other people who have similar legal claims. This group of people is called the “Class,” and the people in this Class are called “Class Members.” One court resolves one or more of the issues in this case for all Class Members, except for those who exclude themselves from the Class.

The parties have agreed to this proposed Settlement, subject to certain limitations described in this Notice. The Court has preliminarily approved this proposed Settlement and will hold a hearing to decide whether it should be finally approved. (See Section 10 below). United States District Judge Christopher A. Boyko is in charge of this class action. This proposed Settlement will not become effective unless it is finally approved.

## 4. Who is a member of the class covered by the proposed Settlement?

You are included in the Settlement if you:

- Paid for, or acquired, tickets to the 2016 NFL Pro Football Hall of Fame Game
- Have **not** accepted reimbursement from the Pro Football Hall of Fame by submitting completed copies of “The 2016 Pro Football Hall of Fame Game Reimbursement Election Form.”

You do not need to do anything to become part of the Class, *but you must complete and deliver to the Claims Administrator the Claim Form in order to be eligible to receive any benefit from the Settlement.*

Excluded from the Class are all persons who accepted reimbursement from the Hall of Fame by submitting completed copies of “The 2016 Pro Football Hall of Fame Game Reimbursement Election Form” to the Hall of Fame.

If you do not exclude yourself from the Class (as explained below), you will be a Settlement Class Member, and you will be bound by all proceedings, orders, and judgments entered in connection with the proposed Settlement, including the release and dismissal with prejudice described below.

The Court has appointed the following lawyers as Class Counsel to represent the Settlement Class for purposes of the proposed Settlement:

Ahmed Ibrahim  
AI Law, PLC  
4695 MacArthur Court, Suite 1100  
Newport Beach, CA 92660  
Ph: (949) 266-1240

Romney Cullers  
The Becker Law Firm  
1111 Superior Avenue East, Suite 400  
Cleveland, Ohio 44114  
Ph: (800) 826-2433

## 5. What are the monetary benefits I could be entitled to under the Settlement?

Settlement Class Members who submit a timely and valid Claim Form are eligible for reimbursement of certain expenses related to their ticket purchase and attending the Game, which may include certain travel expenses. These Settlement Class Members are given one of two (2) options: (i) making a claim based on

the submission of documented expenses (Option A); or (ii) making a claim based on the submission of expenses that are not supported by documentation (Option B).

#### Documented Expenses – Option A

Settlement Class Members who submit a timely and valid Claim Form may be eligible for reimbursement of the following expenses:

- (i) The actual amount spent by the Settlement Class Member to purchase one or more ticket(s) to the Game, including processing, shipping and handling, and pre-sale reservation fees, up to a maximum of \$250.00 per ticket.
- (ii) The actual amount spent by the Settlement Class Member on airfare, train fare, or bus fare, up to a maximum of \$600.00 per person.
- (iii) The actual amount spent by the Settlement Class Member for hotel or other lodging costs for the Game, incurred for room, internet, parking and tax for no more than two (2) nights up to a maximum of \$289.00 per night per room or unit.
- (iv) The actual amount spent by the Settlement Class Member for ground transportation to and from an airport in Cleveland, Canton, or nearby areas to be transported to Canton, up to a maximum of \$100.00 per person. Applicable ground transportation includes rental car expenses, taxis, ride share (Uber, Lyft), shuttle buses, vans, and private car services.
- (v) For Settlement Class Members who drove to Canton to attend the Game in their own vehicle, the roundtrip mileage reimbursement rate of \$0.54, based on the 2016 rate approved by the Internal Revenue Service. Mileage shall be based on the mileage from the Settlement Class Member's residence to Tom Benson Stadium in Canton, Ohio, as computed by Google Maps.
- (vi) The actual amount spent by the Settlement Class Member for parking at the Game, up to a maximum of \$50.00 per vehicle.

To receive reimbursement under this Option A, the timely and valid Claim Form must be accompanied by documentation sufficient to prove that the Settlement Class Member actually spent funds for one or more of the items described above. **Examples of such documentation include, but is not limited to, invoices, receipts, bills, e-mail purchase or order confirmations, credit card statements, bank statements, and screen shots of purchase confirmations.**

#### Undocumented Expenses – Option B

Under Option B, Settlement Class Members who submit a timely and valid Claim Form, and who do not have possession of documentation to show their expenses to attend the Game, may still be eligible for reimbursement of the following expenses:

- (i) The face value price of the Settlement Class Member's Game ticket, plus processing and shipping and handling fees and pre-sale reservations fees paid directly to Defendant.
- (ii) An additional fixed amount of \$300.00 for the Settlement Class Member.

To receive reimbursement under this Option B, the timely and valid Claim Form must be accompanied by written, photographic, or other documented proof that the Settlement Class Member purchased or acquired one or more tickets to the Game. **Examples of such documentation include, but is not limited to, a copy or photograph of the ticket, an e-mail confirmation of a ticket purchase or receipt of a ticket, or a photograph**

of the Settlement Class Member inside the stadium for the Game. These examples are provided for illustrative purposes and is not an exhaustive list of all types of documentation that may satisfy the requirements in this paragraph.

**Note:** Settlement Class Members under both Option A and Option B are not entitled to receive compensation for food and beverage, entertainment, souvenirs, gifts, lost earnings, vacation time, or emotional distress.

**Note:** Should the total claims exceed the Net Settlement Amount (as defined in the Settlement Agreement itself) paid to Settlement Class Members, then payments to eligible Settlement Class Members will be reduced on a proportionately equal basis so it does not exceed the maximum amount available for distribution.

#### **6. How can I make a claim and get a payment?**

To obtain a payment, you must complete and submit a Claim Form. A Claim Form is enclosed with this Notice. You can submit a Claim Form with the necessary documentation online by visiting the Settlement website at [www.2016HallOfFameGameClassAction.com](http://www.2016HallOfFameGameClassAction.com). You can also submit a completed Claim Form with the necessary documentation by mail. For a Claim to be timely, the completed Claim Form must be submitted online no later than 11:59 p.m. Pacific Time on October 9, 2023, or if submitted by regular mail, postmarked no later than October 9, 2023 and mailed to:

*Treviso v. National Football Museum, Inc. dba Pro Football Hall of Fame Settlement Administrator*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

If your Claim is approved, you may elect to receive your payment via paper check or electronic means, such as Paypal, Venmo, or Zelle.

**Important:** If you do not submit your Claim Form on time with appropriate supporting documentation, you will be deemed to have waived your right to receive any payment from the Settlement.

*The Claim Form must be signed (either physically or by electronic means).* By signing your Claim Form, you will be confirming that the information you submit is true and accurate.

#### **7. How are attorneys' fees and reimbursement of expenses handled?**

Since the Action began in August 2016, two law firms have devoted substantial resources and expenditures in addressing the issues raised by the lawsuit purely on a contingent basis, and these two law firms have received no compensation for their services or reimbursement for their expenses. As part of the proposed Settlement, subject to Court approval, Class Counsel will apply for attorneys' fees not to exceed \$187,500.00, costs not to exceed \$100,000.00, and class notice and claims administration costs not to exceed \$100,000.00, which Defendant has agreed to pay. In addition, application will be made for an incentive award in the amount of \$5,000.00 for the named plaintiff (called the "Settlement Class Representative") in the Action. This is to recognize his initiative and effort in pursuing the matter on behalf of the Settlement Class. Amounts approved by the Court for Class Counsels' attorneys' fees, costs, class notice and claims administration costs, and the payment to the Settlement Class Representative will be paid by Defendant out of the total \$750,000.00 settlement amount and may affect the net Settlement amount available for distribution to the Settlement Class Members.

#### **8. What happens if the Court approves the proposed Settlement?**

If the Court approves the proposed Settlement, it will enter a judgment dismissing the Action with prejudice, and releasing all related legal claims against Defendant and parties related to them. This means that Settlement Class Members will be forever barred from bringing, continuing, or being part of any other lawsuit based on their attendance of the Game, the cancellation of the Game, and any of the allegations in

the Action. If you are a Settlement Class Member and do not want to be barred from bringing, continuing, or being part of such a lawsuit, you must exclude yourself from the Class and the proposed Settlement.

The release applicable to Settlement Class Members if the Settlement is approved includes the following:

“All Releasing Settlement Class Members hereby release and discharge the National Football Museum, Inc. doing business as Pro Football Hall of Fame, the National Football League and each of its thirty-two member clubs (including, but not limited to Green Bay Packers, Inc., and Indianapolis Colts, Inc.), and each of those entities respective affiliates, parents, subsidiaries, and each of their officers, directors, agents, shareholders, attorneys, employees, agents, contractors, sponsors, licensees, representatives and all of their successors, assigns and heirs and/or administrators and executors (collectively the “Released Parties”), from and against any and all claims, demands, allegations, liabilities, actions, damages, costs (including attorneys’ fees) and causes of action, of whatever kind or nature, whether known or unknown, suspected or unsuspected, contingent or fixed, that have been, could have been, and/or may in the future be asserted by, or on behalf of, all Releasing Settlement Class Members in any legal proceeding arising out of or relating in any way to the cancellation of the 2016 Pro Football Hall of Fame Game (“Released Claims”). Claims that fall within the definition of Released Claims include all of those asserted in any lawsuit that has been, or may be, filed relating to the cancellation of the 2016 Pro Football Hall of Fame Game, including but not limited to those asserted in this litigation.”

### 9. What are my options and deadlines?

If you are a Class Member, you have the following options:

- (a) **Participate by making a claim.** To participate in the proposed Settlement, you must complete and submit a Claim Form, with supporting documentation, as described above. You do not need to do anything else to participate. If you submit a valid claim, with supporting documentation, on time, and if the Court approves the proposed Settlement, and the judgment becomes final, then payment by check or electronic means selected by you will be sent to you upon appropriate verification by the Claims Administrator.
- (b) **Request to be excluded.** If you wish to exclude yourself from the Settlement, you must submit a Request to Opt-Out online at [www.2016HallOfFameGameClassAction.com](http://www.2016HallOfFameGameClassAction.com) or by mail no later than October 9, 2023, stating:
  - Your name, address, telephone number, and email address; and
  - That you wish to be excluded from the Settlement in the Action *Carmelo Treviso, et al. v. National Football Museum Inc., dba Pro Football Hall of Fame*, Case No. 5:17-cv-00472

If you choose to mail your Request to Opt-Out, you must mail your Request to Opt-Out (form available at [www.2016HallOfFameGameClassAction.com](http://www.2016HallOfFameGameClassAction.com)) postmarked no later than October 9, 2023 to *Treviso v. National Football Museum, Inc. dba Pro Football Hall of Fame Settlement Administrator* c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606. All Requests to Opt-Out, whether using the form on the Settlement Website or by written correspondence, must be signed and dated and be submitted individually. If you submit a valid exclusion request on time, you cannot obtain a payment under the proposed Settlement. You will not be bound by the final judgment, and you will not be giving up any claims that you might have against Defendant.

Requests for exclusion that do not comply with any of the foregoing requirements will not be accepted.

If you do not properly exclude yourself, all of your claims relating to the proposed Settlement will be released and you will be barred from bringing or becoming a part of a lawsuit about those claims. You will be barred

even if you do not submit a claim under the proposed Settlement. In other words, if you do nothing at all, your claims will be released, and you will not receive any compensation under the proposed Settlement.

- (c) **Comment or Object.** If you are a Class Member, and do not exclude yourself, you may comment on or object to the proposed Settlement. Objecting is not the same as excluding yourself. If you object and the proposed Settlement is approved, you will still be bound by the final judgment and your claims will be released.

You must submit your written comment or objection as follows:

- On the first page, please include prominent reference to *Carmelo Treviso, et al. v. National Football Museum Inc., dba Pro Football Hall of Fame*, Case No. 5:17-cv-00472.

Your objection or comment must include:

- Your full name and address;
- That you paid for and/or acquired a ticket to the cancelled Game;
- A brief explanation of your comment or basis for objection (including why you believe the Settlement is not in the best interests of the Settlement Class Members);
- Any papers or documents that you would like to submit to support your comment or objection; and
- Your signature.

If you wish to speak at the Fairness Hearing (described below), you must also state in your objection or comment that you intend to appear and speak at the hearing. If you do not include this statement, you will not be entitled to speak at the hearing.

You must file your objection or comment with the Court on or before October 9, 2023. In addition, your objection or comment must be mailed to the Clerk of Court at the address listed below, with copies also mailed to the Claims Administrator and, at least, *one* of the Class Counsel. They must be mailed and postmarked no later than October 9, 2023. The mailing addresses for the Clerk of the Court, Class Counsel and the Claims Administrator are as follows:

**Clerk of Court**  
Carl B. Stokes United States  
Courthouse  
801 West Superior Avenue  
Cleveland, Ohio 44113

**Class Counsel**  
Ahmed Ibrahim  
AI Law, PLC  
4695 MacArthur Court  
Suite 1100  
Newport Beach, CA 92660

**Class Counsel**  
Romney Cullers  
The Becker Law Firm  
111 Superior Avenue East  
Suite 400  
Cleveland, Ohio 44114

**Claims Administrator**

**Treviso v. National Football Museum, Inc. dba Pro Football Hall of Fame Settlement Administrator**  
**c/o CPT Group, Inc.**  
**50 Corporate Park**  
**Irvine, CA 92606**

E-mailed or online submissions of your objection or comment are insufficient. They must be mailed in accordance with the instructions above.

## 10. When is the Fairness Hearing?

On Friday, November 17, 2023 at 2:00 p.m. EST a hearing will be held in the East Chambers, Room 328, of the Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, Ohio 44114. The purpose of the hearing is for the Court to decide whether the proposed Settlement is fair, reasonable and adequate and should be approved. The Court will also decide whether a final judgment should be entered dismissing this Action, and the amount of attorneys' fees, reimbursement of litigation and class notice/claims administration expenses, and incentive award to the Settlement Class Representative. This hearing may be postponed without further notice.

Your attendance is not required, even if you properly mailed a written objection or comment. If you or your personal attorney still want to attend the hearing, you are welcome to do so at your expense. To speak at the hearing, you or your personal attorney must file with the Court a paper that is called a "Notice of Appearance." The Notice of Appearance must state: (1) the name and number of the lawsuit: *Carmelo Treviso, et al. v. National Football Museum Inc., dba Pro Football Hall of Fame*, Case No. 5:17-cv-00472; (2) that you wish to appear and speak at the Fairness Hearing; and (3) your name, address, telephone number and signature. Your Notice of Appearance must be entered on or before November 7, 2023.

The Notice of Appearance must be filed with the Court at the following address:

Clerk of Court  
Carl B. Stokes United States Courthouse  
801 West Superior Avenue  
Cleveland, Ohio 44113

## 11. How do I get more information?

You can get more information at the Settlement website at [www.2016HallOfFameGameClassAction.com](http://www.2016HallOfFameGameClassAction.com). You can also view the Settlement Agreement and related legal papers, and download a Claim Form on this website.

You can also get more information by calling the Claims Administrator toll free at **1-888-440-1255**; sending an e-mail to **2016HallofFameGame@cptgroup.com** or by sending a written inquiry to Class Counsel at their addresses listed above.

If you think you may be a member of the Class, but did not receive this notice by mail or e-mail, please contact the Claims Administrator using one of the contact methods above or contact Class Counsel to provide a current address and e-mail address.

**If you sold, gifted or otherwise transferred your tickets to other persons, please share this notice with such persons so that they are aware of the contents of this notice.**

PLEASE DO NOT CONTACT THE COURT, THE PRO FOOTBALL HALL OF FAME, THE NATIONAL FOOTBALL LEAGUE, THE GREEN BAY PACKERS, THE INDIANAPOLIS COLTS, OR ANY OTHER NFL FRANCHISE ABOUT THIS LAWSUIT.

Dated: August 8, 2023

The Honorable Christopher A. Boyko

United States District Judge