

*Toth v. Northwest Savings Bank*  
c/o Gilardi & Co. LLC  
P.O. Box 808061  
Petaluma CA 94975-8061

## LEGAL NOTICE

**If You Paid Overdraft Fees to  
Northwest Savings Bank**

**You May be Eligible for a Payment  
from a Class Action Settlement.**

A Settlement has been reached in a class action lawsuit claiming that Northwest Savings Bank improperly posted Debit Card Transactions from highest to lowest dollar amounts to increase the number of overdraft fees charged to Account holders. Northwest Savings Bank maintains there was nothing wrong about the posting process used. The Court has not decided which side is right.

See other side for details

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Presorted  
First-Class Mail  
US Postage  
**PAID**  
Gilardi & Co

**Who's included?** Northwest Savings Bank's records show you are a member of the Settlement Class. The Settlement Class includes anyone in Pennsylvania who was charged one or more overdraft fees as a result of Northwest Savings Bank's practice of posting Debit Card Transactions from highest to lowest dollar amount ("High-to-Low-Posting") between May 7, 2006 and June 30, 2011.

**What is High-to-Low Posting?** High-to-Low Posting refers to the practice of ordering a customer's debit card transactions that the bank posts each day in the order of highest to lowest in dollar amount. For example, hypothetically, suppose that a customer's balance at the beginning of a day was \$211 and the customer enters into four debit card transactions in the following order: (1) parking meter - \$3; (2) breakfast - \$4; (3) Target - \$17; and (4) The Gap - \$197. Plaintiff contends that if the transactions were posted in either the order they were entered into (i.e., chronologically) or in the order of lowest-to-highest dollar amount, only the fourth transaction would result in an overdraft fee. Under High-to-Low Posting, the \$197 transaction would be posted first, and the other three transactions would be posted in highest-to-lowest dollar amount (i.e., \$17, \$4, and \$3), resulting in three overdraft fees.

**What Are the Settlement Terms?** Northwest Savings Bank has agreed to establish a Settlement Fund of \$2.35 million. Settlement Class Members will receive payments based on the "additional" overdraft fees they were charged under High-to-Low Posting. Assuming the Court awards the requested attorneys' fees and expenses in the amount of \$775,000, as well as an incentive award to the class representative in the amount of \$3,000, Settlement Class Members will receive approximately \$7 per each \$25 additional overdraft fee charged, and \$8.60 per each \$31 additional overdraft fee charged. Some Settlement Class Members were charged more than one additional overdraft fee under High-to-Low Posting. **The average total payment per each Settlement Class Member is expected to be approximately \$44, however, your total payment may be lower or higher than this approximate average and will depend on the number of additional overdraft fees you were charged. Once the court approves the Settlement, you will automatically receive a check or Account credit in the amount of your settlement payment.**

**Your Other Options.** If you do not want to be bound by the Settlement, you must exclude yourself by **March 19, 2015**. If you do not exclude yourself, you will release your claims against Northwest Savings Bank. You may object to the Settlement by **March 19, 2015**. The Detailed Notice available at the website explains how to exclude yourself or object. The Court will hold a hearing on **April 7, 2015**, to consider whether to approve the Settlement and a request for attorneys' fees up to 30% of the Settlement Fund.

**[www.NWSavingsoverdraftsettlement.com](http://www.NWSavingsoverdraftsettlement.com) or 1-888-286-8916**