

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION

DEC - 9 2003

LARRY W. PROPES, CLERK  
U. S. DISTRICT COURT

FRANKLIN E. CLARK on behalf of  
himself and all others similarly situated,  
Plaintiffs,

v.

EXPERIAN INFORMATION  
SOLUTIONS, INC.,  
Defendant.

Civil Action No. 8:00-1217-24

FRANKLIN E. CLARK and  
LATANJALA DENISE MILLER, on  
behalf of themselves and all others  
similarly situated,  
Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES  
LLC, successor in interest to EQUIFAX  
CREDIT INFORMATION SERVICES,  
INC.,  
Defendant.

Civil Action No. 8:00-1218-24 \*

Original Document

Filed in 8:00-1217

FRANKLIN E. CLARK on behalf of  
himself and all others similarly situated,  
Plaintiffs,

v.

TRANS UNION L.L.C.,  
Defendants.

Civil Action No. 8:00-1219-24

NOTICE OF AGREEMENT TO AMEND MODIFIED STIPULATIONS

The parties have agreed to amend the Modified Stipulations previously filed in the above-styled cases, as specified below. The parties will await Court approval of the settlement and further direction from the Court as to how these amendments will be finally documented. The parties' agreement to amend as set forth herein is now binding, enforceable and finally agreed, to the same extent as and subject to the conditions and provisions of the Modified Stipulations. Where the name "Equifax" appears in the following, the names "TU" and "Experian" will be substituted in the respective agreements for those two defendants.

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1. The first line of Paragraph 20.c of the Modified Stipulations will be amended to read as follows:

Class Members seeking damages in excess of \$75,000 for an Event for Remedy, who have not elected to proceed under subparagraph a or b above,

2. To the end of the second sentence of Paragraph 20.a of the Modified Stipulations will be added the following:

; or (3) an adverse action letter that specifies as a reason for the adverse action that the Class Member's Credit Report referenced the bankruptcy of another, expressly including the "of another" aspect

3. To very end of Paragraph 20 of the Modified Stipulations will be added the following:

Such notice shall adequately identify the Class Member, specifically state that the Class Member is a member of the South Carolina FCRA Class and specifically state that the Class Member is giving notice of a violation of Paragraph 18 of the Stipulation of Settlement and shall be made by mail, e-mail or facsimile to an address, e-mail address or facsimile number that Equifax will file with the Court and that will be posted on Class Counsel's website or made by the Class Member obtaining a Consumer Disclosure and then calling the telephone number listed thereon, providing the access code shown thereon and giving such notice by telephone. Equifax may change the foregoing addresses and numbers if it determines such a change is necessary; Equifax will file such changes with the Court and notify Class Counsel of them for Class Counsel's website; Equifax will keep former addresses and numbers in effect for at least 7 days after filing and giving notice of the change. Equifax may, at its option, provide either an e-mail address or a facsimile number but not both or may provide both.

4. The first sentence of Paragraph 4 of the form that is Exhibit B to the Modified Stipulations will be amended as follows:

After [date to be inserted when determined]2004, the ~~Modification~~ Effective Date, a Credit Report for me was disseminated by you to someone, other than me, that contained on a Joint Account a reference to bankruptcy, but no bankruptcy was referenced in the public-records section of the Credit Report and it is not otherwise proper that bankruptcy should be reflected for me in violation of Paragraph 18.

5. To the beginning of Paragraph 5 of the form that is Exhibit B to the Modified Stipulations will be added the following:

I believe I am a Class Member, because either (a) I was included in the mailing of the class notice or (b), dD

6. The following sentence of Paragraph 20.b of the Modified Stipulations will be amended to read as follows:

This is a binding arbitration, subject to the rules and procedures specified by the arbitrator consistent herewith, which shall include the Class Member's deposition and production of the Class Member's relevant documents and production of Equifax's relevant documents pertaining to the Class Member and such other depositions and document discovery as either party may fairly need.

7. In the first sentence of Paragraph 20.b of the Modified Stipulations, the word "financial" will be changed to "economic"

8. The next to last sentence of Paragraph 23 of the Modified Stipulations will be amended to read as follows:

If a change by the United States Supreme Court, the Fourth Circuit or federal regulation is otherwise contended by Equifax to be a permission as specified in (a) above or if any case law or regulations are otherwise changed in a manner that Equifax contends to be a prohibition as specified in (b) above, then Equifax may seek a ruling from the Court, upon such notice to Class Counsel and the objectors' counsel as the Court may require, that Equifax is entitled to report in accordance with such change, and Equifax shall be entitled to report and conduct itself in accordance with the Court's ruling thereon.

Revision marks as used in the foregoing show changes to the Original Stipulations, not changes to the Modified Stipulations.

[Signatures appear on the following pages]

\* indicates admitted pro hac vice

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