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October 6, 2003

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Re: No. 8:00-1217-24; *Franklin E. Clark, on behalf of himself and all others similarly situated v. Experian Information Solutions, Inc.*; In the United States District Court for the District of South Carolina, Anderson Division

No.8:00-1218-24; *Franklin E. Clark, et al., on behalf of themselves and all others similarly situated v. Equifax Information Services, Inc.*; In the United States District Court for the District of South Carolina, Anderson Division

No. 8:00-1219-24; *Franklin E. Clark, on behalf of himself and all others similarly situated v. Transunion L.L.C.*; In the United States District Court for the District of South Carolina, Anderson Division

Dear Counsel:

In several recent conversations with Plaintiffs' counsel and others, I have heard that some of you believe or hope that Judge Currie will approve the settlement with language supporting the Equifax "fix." Respectfully, we disagree.

Although the Equifax "fix" may not be illegal, there is a critical distinction between legality and providing adequate consideration for a nationwide settlement which requires class members to surrender significant rights. The Court *expressly* "found the evidence *inadequate* as to how [the Equifax remedy] would be implemented and the degree to which

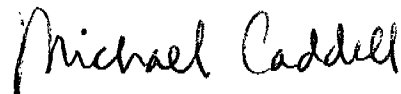
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it would *benefit* class members over current procedures.” Order, dated October 2, 2003, at 7. The Court also referred to the Experian and Transunion approach – which “omit[s] the reference to bankruptcy altogether” – as “clearly the preferred remedy of the Objectors.” *Id.* at 7, FN 11. Again, Judge Currie noted at the end of her order that the “*adequacy* of the fix proposed by Equifax ... has not been established.” *Id.* at 11.

Unless Defendants agree to implement and lock in for the term of the settlement (absent new federal legislation) the Experian/Transunion “fix” and omit any reference to other persons’ bankruptcies, Objectors will continue to object to the settlement, will present further expert testimony as to the *inadequacy* of the settlement, and will appeal any (unlikely) approval by Judge Currie. This is non-negotiable.

Best regards.

Sincerely,



Michael A. Caddell
LEAD COUNSEL FOR OBJECTORS

MAC/mrl

cc: Ms. Cynthia B. Chapman
Mr. John B. Scofield, Jr.
Objectors’ Counsel
Plaintiffs’ Counsel

MODE = MEMORY TRANSMISSION

START=OCT-06 17:40

END=OCT-06 18:30

FILE NO. -441

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START=OCT-07 09:43

END=OCT-07 09:58

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003	OK	⌘	12519900626	004/004	00:00:41

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