

# A class action settlement involving bodily injury claims under American Family auto and motorcycle policies will provide payments to those who qualify.

*Para una notificación en Español, llamar o visitar nuestro website.*

A settlement has been reached with American Family and its related companies (together called "American Family"), in a lawsuit against them. The settlement provides payments to people who submit valid claim forms, and you may be eligible.

The Circuit Court of Miller County, Arkansas will have a hearing to decide whether to give final approval to the settlement so that payments can be made. Those included may ask for a payment, exclude themselves from the settlement, object to it, or ask to speak at the hearing. For a detailed notice call 1-877-332-6267 or go to [www.AmFamsettlement.com](http://www.AmFamsettlement.com).

## WHAT'S THIS ABOUT?

The case involves computer programs called COLOSSUS, Claims Outcome Advisor (COA™), and InjuryIQ™ that were used as tools in evaluating some payments for bodily injuries under the uninsured or underinsured motorists ("UM/UIM") portions of auto and motorcycle policies. The lawsuit claims that American Family was among a group of insurers that used COLOSSUS, COA™, InjuryIQ™ or other software programs to underpay UM/UIM bodily injury claims, and that American Family conspired with the other insurers in the group. American Family denies these allegations and maintains that it acted properly and lawfully in all respects. A list of the American Family insurers is available below.

## WHO'S INCLUDED?

**American Family's records indicate you may be included in the settlement if you received this in the mail.** Subject to certain exceptions, the settlement includes everyone: (1) who submitted a bodily injury claim under the UM/UIM provisions of an American Family auto or motorcycle policy from April 1, 1996 through April 16, 2007; (2) who received a payment from American Family for the UM/UIM bodily injury claim during that time period; and (3) where the COLOSSUS software was consulted by American Family in the resolution of the UM/UIM bodily injury claim. See the detailed notice for any exceptions to Class membership.

The settlement includes these American Family insurers and their affiliated entities as listed in the detailed notice: American Family Insurance Company, American Family Mutual Insurance Company, American Standard Insurance Company of Ohio, and American Standard Insurance Company of Wisconsin.

## WHAT DOES THE SETTLEMENT PROVIDE?

Money is available for eligible people who were paid for UM/UIM bodily injury claims by American Family. Also, American Family has agreed not to use COLOSSUS or the computer programs COA™ and InjuryIQ™ to determine any portions of UM/UIM payments for five years, which is estimated for the purpose of this settlement to be valued at \$52,470,600.

A settlement agreement, available at the website or by calling toll free 1-877-332-6267, describes all of the details about the proposed settlement. The settlement does not mean that American Family did anything wrong, and the Court did not decide that American Family did anything wrong.

## HOW MUCH COULD YOU GET?

If you are an eligible Class member, your payment will be 13% of the amount of any money that you obtained under your UM/UIM claim for what is called "general damages." General damages are things like pain and suffering, impairment, disfigurement, or other similar losses. To determine payment amounts in the settlement, general damages have been set at 70% of the amount previously paid for your American Family UM/UIM bodily injury claim. Your payment may be less than 13% of the general damages if the total amount previously paid to you plus the amount you would get under the settlement would exceed the policy limit. If the total amount needed to pay valid claims exceeds \$52,470,600, your payment will be reduced and paid in proportion to all Class members' payments. See the website for more information about payments to Class members.

## HOW DO YOU ASK FOR A PAYMENT?

Complete the enclosed claim form and mail it postmarked by **September 10, 2007**, to the address on the form. You may also get a claim form by calling 1-877-332-6267 or going to [www.AmFamsettlement.com](http://www.AmFamsettlement.com).

## WHAT ARE YOUR OTHER OPTIONS?

If you don't want a payment from this settlement, and you don't want to be legally bound by it, you must exclude yourself by **July 27, 2007** or you won't be able to sue American Family about the claims in this case, ever again. If you ask to be excluded, you can't get a payment from this settlement. If you stay in the settlement, you may object to it by **July 27, 2007**. The detailed notice explains how to exclude yourself or object.

The Court will hold a hearing in this case (*Hunsucker v. American Standard Insurance Company of Wisconsin, et al.*, No. CV-2007-155-3) on **August 10, 2007**, to consider whether to approve the settlement, and a request by the lawyers representing Class members for attorneys' fees, costs and expenses, of \$27,500,000. The lawyers for the Class will also request that an amount be awarded to Anthony Hunsucker for serving as representative for the Class. This amount will be deducted from any fees awarded to the lawyers. American Family will separately pay the fees and expenses the Court orders. These payments will not reduce the amount of money available for Class members. You or your own lawyer may ask to appear and speak at the hearing, at your own cost, but you don't have to. If the settlement is approved, it will release American Family from liability for claims alleged in the case. The settlement agreement, at [www.AmFamsettlement.com](http://www.AmFamsettlement.com), explains this fully.

To learn more, call toll free, visit the website, or write to American Family Settlement, PO Box 6809, Portland, OR 97228-6809.

**1-877-332-6267**  
**[www.AmFamsettlement.com](http://www.AmFamsettlement.com)**