

Burns v. TD Bank, N.A.  
Settlement Administrator  
PO Box 5826  
Portland, OR 97228-5826

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**Important Notice About  
Class Action Settlement**

You are receiving this Notice because you may be entitled to benefits from a proposed class action settlement. This Notice explains what the class action is about, what the settlement will be, and how your rights may be affected. More information about the settlement and the settlement agreement are available at [www.TDBankAPSNFeeClassAction.com](http://www.TDBankAPSNFeeClassAction.com).

*A federal court authorized this Notice.  
This is not a solicitation from a lawyer.*

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**What is the Settlement about?** A Settlement has been reached in a class action lawsuit challenging TD Bank, N.A.'s ("TD Bank") practice of assessing Overdraft Fees on transactions that were authorized at a time when the Account's Available Balance was positive but later paid by TD Bank when the Account's Available Balance was insufficient to cover the transaction ("APSN Fee"). The lawsuit contends, among other things, that TD Bank's assessment of such fees in these circumstances was not authorized by the terms of the Personal Deposit Account Agreement. TD Bank disputes that contention and denies that it engaged in any wrongdoing. The Court has not decided which side is right. Full information regarding the Settlement can be found at [TDBankAPSNFeeClassAction.com](http://TDBankAPSNFeeClassAction.com).

**Why am I being contacted?** TD Bank's records show that the person to whom this notice is addressed is a member of the Settlement Class. The Settlement Class includes all current and former holders of a TD Bank personal checking account who, between June 27, 2019 and September 30, 2022 ("Class Period"), were assessed an APSN Fee by the Bank.

**What are the Settlement terms?** TD Bank agreed to provide \$21,975,000 to the Settlement Class, which includes money for (a) payments to Class members, (b) attorneys' fees and expenses, (c) settlement administration costs, and (d) service awards to the named plaintiffs. TD has also agreed to provide \$10,250,000.00 in the form of reductions to the outstanding balances of Participating Class Members who were charged APSN Fees and whose accounts were closed with amounts owed to TD Bank.

**How do I get my Settlement payout?** Once the Court approves the Settlement, if you are a current customer of TD Bank you will automatically receive an account credit. If you are a former customer you will be paid via check.

**What are my other options?** If you do not want to be bound by the Settlement, you may exclude yourself by **September 14, 2024**. If you do not exclude yourself, you will release your claims against TD Bank. Alternatively, you may object to the Settlement by **September 14, 2024**. The Long Form Notice available at the Settlement website, listed below, explains how to exclude yourself or object. The Court will hold a hearing on **October 10, 2024**, to consider whether to approve the Settlement and to consider a request by counsel for the Settlement Class for attorneys' fees and expenses and service awards of up to \$5,000 for each of the named plaintiffs who brought this case on behalf of the Settlement Class. Details about the hearing are in the Long Form Notice. You may appear at the hearing, but you are not required to do so. You may hire your own attorney, at your own expense, to appear for you at the hearing.

**Questions?** If you have questions, please visit [www.TDBankAPSNFeeClassAction.com](http://www.TDBankAPSNFeeClassAction.com). You may also write with questions to Burns v TD Bank Settlement Administrator, PO Box 5826, Portland, OR 97228-5826, or call the toll-free number at 888-695-6078. **Please do not contact TD Bank or the Court for information.**