

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK
NOTICE OF FINAL APPROVAL OF CLASS ACTION,
SETTLEMENT AND CLAIM FILING PROCESS.

If you are African American and/or Black and you were a Financial Services Representative employed by or affiliated with Metropolitan Life Insurance Company (“MetLife”) or New England Life Insurance Company (“NELICO”) between May 15, 2011 and July 1, 2016, a class action settlement will affect your rights.

A federal court has authorized this notice. This is not a solicitation from a lawyer.

- The Settlement provides a fund of \$32,500,000 for a class of African American and/or Black Financial Services Representatives to resolve claims of race, color, national origin, and ethnicity discrimination, harassment and retaliation against MetLife.
- To qualify to receive a monetary award, you must be African American and/or Black and you must have been employed by and/or affiliated with MetLife or NELICO as a Financial Services Representative in the United States at any time from May 15, 2011 through July 1, 2016.
- You are receiving this notice because your personnel records reflect that you self-identified as being of “Two or More Races (Not Hispanic or Latino).” If one of your races is African American and you meet the bolded Settlement Class definition above, you may act to be included as a member of the Settlement Class and to participate in the Settlement.
- If you are a Settlement Class Member, your legal rights are affected whether you act or not. Read this Notice carefully. For additional information, contact Class Counsel or the Claims Administrator listed below, or go to <http://www.CreightonSettlement.com>.

Your Legal Rights in this Settlement:	
Last day to submit a Verification Form and a Claim Form seeking a monetary award from the Settlement Fund:	August 28, 2017

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.

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1. Purpose Of This Notice

The purpose of this notice is to inform you about the steps necessary to seek a share of the Settlement Fund.

2. Background: About The Lawsuit

Plaintiff Marcus Creighton filed a representative charge of racial discrimination with the Equal Employment Opportunity Commission on February 11, 2015. On May 15, 2015, he filed a Class Action Complaint alleging

that MetLife discriminated on the basis of race against African American and/or Black Financial Services Representatives (“FSRs”) with respect to compensation and various other practices such as account transfers and teaming. Mr. Creighton brought class claims under federal anti-discrimination laws and later amended his complaint to include six additional Plaintiffs: Constance Green, Don Roman, Danielle Sydnor, Darryl Fyall, Charles Swindell and Vernon Hobbs. Together these individuals are called “Named Plaintiffs” because they brought the lawsuit seeking to represent a group (or “class”) of similarly situated African American and/or Black FSRs. The Amended Complaint describes all the claims and can be found at <http://www.CreightonSettlement.com> or <http://www.classactionmetlife.com>. The lawsuit is known as *Creighton, et al. v. Metropolitan Life Insurance Company*, Case No. 15-cv-08321-WHP (S.D.N.Y.).

MetLife denied and continues to deny all of the allegations and claims asserted in this lawsuit, including alleged liability under federal anti-discrimination laws, and denies that the Named Plaintiffs or Settlement Class Members are entitled to any relief. The Court has not made and will not make any determination on the merits of this matter or decide who is right and who is wrong. By entering into the proposed Settlement, MetLife does not admit any wrongdoing. The Settlement resolves claims of race, color, national origin, or ethnicity discrimination, harassment, and retaliation in compensation and other terms and conditions of employment, including claims brought or that could have been brought in the lawsuit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, and 42 U.S.C. § 1981, as well as state and local anti-discrimination laws.

The Court has reviewed the Settlement and has approved it as being fair, adequate, and reasonable. The Court has authorized the Claims Administrator to distribute this Notice regarding the Settlement, and the settlement process described below will begin.

3. Settlement Class Definition

You are a member of the Settlement Class affected by the Settlement if you fit within this definition:

All African American and/or Black Financial Services Representatives who were employed by and/or affiliated with MetLife, or affiliated with NELICO (collectively referred to as “MetLife”), at any time between May 15, 2011 and July 1, 2016.

If you received this notice in a mailing addressed to you, then MetLife’s records show that you may be a Settlement Class Member, *i.e.*, that you may fit the definition above.

4. Summary Of Settlement Terms

MetLife has agreed to create a Settlement Fund in the total amount of \$32,500,000, which includes payments to Settlement Class Members, Service Awards to the Named Plaintiffs, Class Counsel’s attorneys’ fees and litigation expenses, taxes (including the employer’s share of taxes or contributions such as federal and state unemployment taxes, FICA, FUTA, SUTA, and Medicare) and the costs of administering the Settlement Fund, including the costs of notifying the Settlement Class.

5. How To Proceed

If you are a Settlement Class Member and want to participate in the Settlement, you must fill out and mail or upload the attached Verification Form by August 28, 2017, affirming under oath and under penalty of perjury that you meet the Settlement Class definition and therefore are a Settlement Class Member. If you do not fill out and mail the attached Verification Form, you will not be eligible to receive money from the Settlement Fund. The Claims Administrator address is:

Creighton v. MetLife Settlement Claims Administrator

P.O. Box 43480

Providence, RI 02940-3480

1-866-680-6128

CreightonSettlement@kccllc.com

www.CreightonSettlement.com

6. Release

Unless they timely opted out, all Settlement Class Members will release MetLife from all claims of race, color, national origin, and ethnicity discrimination, harassment and retaliation in employment from September 4, 2009 until March 30, 2017, even if they do not submit a Claim Form for a monetary award. To “release” a claim means that you cannot sue MetLife for any of the claims covered by the release.

7. How Will My Settlement Award Be Calculated?

Each Settlement Class Member who has not opted out of the Settlement may be eligible for a monetary award from the Settlement Fund.

In order to receive a monetary award, you must fill out and submit a Verification Form, attached to this notice, a Claim Form, and IRS Forms W-4 and W-9. Settlement Class Members can choose to submit either (1) a Simple Claim Form, in order to get an Expedited Monetary Award, or (2) a Detailed Claim Form, if they want the option of an individualized assessment of their race discrimination claims.

All Claim Forms, accompanying IRS Forms W-4 and W-9, and any supporting documents must be received by the Claims Administrator or filed electronically by August 28, 2017.

The Simple Claim Form is short and requires limited information. If you submit the Simple Claim Form by the Claims Submission Deadline, August 28, 2017, you will receive an Expedited Monetary Award check within 45 days after the Claims Submission Deadline. The Expedited Monetary Award will be based on objective factors that include: MetLife Length of Service (“LOS”), period of employment as a Settlement Class Member within the Class Period, and “lateral” status. You will not receive an individualized assessment of your claim.

The Detailed Claim Form is longer and requires more information about your claims and employment at MetLife. If you submit a Detailed Claim Form, you will receive an Election Form along with a notice of the amount of the Expedited Monetary Award. You must then elect whether to accept the Expedited Monetary Award or proceed to an individualized assessment of your legal claims by one or more qualified Neutrals. If you return the Election Form and elect to accept the Expedited Monetary Award, you will receive a check within 21 days of returning the Election Form. If you reject the Expedited Monetary Award and elect an individual assessment, you will have an opportunity to meet with the Neutral(s) for up to 75 minutes, via internet teleconference or in person at the Chicago offices of Class Counsel, in order to present aspects of your claims and answer questions from the Neutral(s). The Neutral(s) will then assess your claim and recommend a monetary award based on all available information and the individual facts and circumstances of your claim. There is no guarantee as to the amount of this monetary award. You may receive more or less than the Expedited Monetary Award, or you may receive no award, depending on your claim and losses.

Class Counsel will be available to assist Settlement Class Members in the claims resolution process and will ensure an attorney will be present at all Neutral Interviews. You may also retain your own attorney to assist you in this process, at your own expense. If you file the Detailed Claim Form and elect an individualized assessment, the Neutral(s) may consider any attorneys’ fees you incurred in deciding what monetary award, if any, is appropriate.

All monetary awards will be reviewed and approved by a Special Master appointed by the Court to make sure they are fair and consistent. You will not have a right to challenge the allocation and distribution of the Settlement Fund determined by the claims resolution process and approved by the Special Master. All monetary awards are final, binding and non-appealable.

8. Are There Tax Consequences For Any Money I Might Get?

Yes, any award you receive from the Settlement Fund will have tax consequences for you. The Special Master will be responsible for allocating any monetary payments appropriately between different types of damages (*e.g.*, wages, interest, emotional distress). The Claims Administrator will be responsible for withholding, remitting and reporting each Claimant’s share of payroll tax withholding from the Settlement Fund, and for paying MetLife’s

share of taxes and costs, including FICA, FUTA, SUTA, and Medicare, from the Settlement Fund. Class Counsel are not tax advisors and cannot give you advice on any tax matters. Class Counsel urge you to consult your tax advisor for answers to any questions you may have about the tax implications of any potential award.

9. The Lawyers Representing The Class

Settlement Class Members are represented in this litigation by Class Counsel:

Linda D. Friedman
Suzanne E. Bish
George S. Robot
STOWELL & FRIEDMAN, LTD.
303 W. Madison, Suite 2600
Chicago, IL 60606
(312) 431-0888
lfriedman@sfltd.com
sbish@sfltd.com
grobot@sfltd.com

Class Counsel will continue to represent Settlement Class Members in connection with implementation of the Settlement at no cost to Settlement Class Members. Although it is not necessary, you may, if you wish, retain your own attorney at your own expense.

How Will The Lawyers Be Paid?

If you are a Settlement Class Member and receive an award from the Settlement Fund, you will not owe any fees or expenses to the lawyers who have represented you as part of the Class. To compensate Class Counsel for their services and to reimburse them for the litigation expenses they incurred in this case, the Court has awarded attorneys' fees and expenses to be paid from the Settlement Fund. If you hire your own attorney, however, you will have to pay him or her at your own expense. Note that the Neutral(s) may consider any attorneys' fees you incurred in recommending the amount of your monetary award.

10. Terms And Payments Specific To The Named Plaintiffs

Settlement Class Members have also been represented in this litigation by Named Plaintiffs Marcus Creighton, Constance Green, Don Roman, Danielle Sydnor, Darryl Fyall, Charles Swindell, and Vernon Hobbs. The Named Plaintiffs may participate in the Settlement claims process just like any other Settlement Class Member. In addition, the Court has granted service awards of \$75,000 to Marcus Creighton, and \$50,000 to each of the remaining Named Plaintiffs. This recognizes the benefits the Named Plaintiffs achieved for the class, the risks they faced in bringing the case, and the time they spent pursuing it.

11. Getting More Information

If you have further questions or still are not sure whether you are included in the Settlement Class, you can get free help at <http://www.CreightonSettlement.com>, or by calling the Claims Administrator at 1-866-680-6128, or by calling or writing to Class Counsel in this case at the contact number/address listed in paragraph 9.

This notice contains only a summary of the terms of the Settlement. For further information, the complete terms of the Settlement Agreement and numerous other documents connected with the Settlement are available for review and/or downloading at <http://www.CreightonSettlement.com>.

Again, the important deadline is:

Last day to submit a Claim Form seeking a monetary award from the Settlement Fund:	August 28, 2017
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PLEASE DO NOT CALL OR CONTACT THE COURT, THE OFFICE OF THE CLERK OF COURT, OR METLIFE WITH QUESTIONS REGARDING THIS NOTICE.