

NOTICE OF PENDENCY OF CLASS ACTION

If you are a student who was enrolled at the University of South Florida who paid Fees for services, facilities, resources, activities, and/or events that were not provided during the Spring 2020 through Spring 2021 academic semesters due to the COVID campus closures, a class action may affect your rights.

A Florida circuit court authorized this notice.

This is not a solicitation from a lawyer.

You are not being sued.

Para más Información Sobre Este Pleito, Visite <https://moskowitz-law.com/usf>

- There is a class action lawsuit entitled ***Moore v. The University of South Florida Board of Trustees, Case No.: 21-CA-2445 (Division L)***, pending in Circuit Court in Hillsborough County, Florida.
- The Plaintiff alleges that the University of South Florida (“USF”) breached a contract when it charged and refused to refund fees she and other students paid for on-campus services that USF did not provide to any student during the Spring, Summer, and Fall 2020 academic semesters, and Spring 2021 academic semester, due to the closure of its campuses in response to the COVID-19 pandemic. Based on these allegations, Plaintiff asserts claims on behalf of herself and other USF students against USF for breach of contract.
- The Court has not decided whether USF did anything wrong. There is no money available now, nor is there any guarantee that there will be. However, your legal rights are affected, and you have a choice to make now.
- The Court certified a Class to include: “All students enrolled at the University of South Florida who paid Fees for services, facilities, resources, activities, and/or events that were not provided to students during the Spring 2020, Summer 2020, Fall 2020, and Spring 2021 academic semesters.”

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights for the possibility of receiving money.</p> <p>By doing nothing, you keep the possibility of getting money that may come from a trial or settlement of this case. But, you give up any rights to sue USF separately about the same legal claims in this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this lawsuit. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded from this lawsuit and money are later awarded, you will not share in those monies. But, you keep any rights to sue USF separately about the same legal claims in this lawsuit.</p>

- Your options are explained in this Notice. To ask to be excluded, you must act before [90 days from the mailing date]_____, ___, 2023.
- Any questions? Read on and visit <https://moskowitz-law.com/usf>

What This Notice Contains

BASIC INFORMATION..... PAGE 3

1. Why did I get this notice?
2. What is this lawsuit about?
3. What is a class action and who is involved?
4. Why is this lawsuit a class action?

THE CLAIMS IN THE LAWSUIT..... PAGE 4

5. What does the lawsuit complain about?
6. How do USF answer the allegations?
7. Has the Court decided who is right?
8. What is the Plaintiff asking for?
9. Is there any money available now?

WHO IS IN THE CLASS?..... PAGE 5

10. Am I part of the Class?
11. Which students are included?

12. I'm still unsure if I am included.

YOUR RIGHTS AND OPTIONS..... PAGE 5

13. What happens if I do nothing?

14. Why would I ask to be excluded?

15. How do I ask the Court to exclude me from the Class?

THE LAWYERS REPRESENTING YOU..... PAGE 6

16. Do I have a lawyer in this case?

17. Should I get my own lawyer?

18. How will the lawyers be paid?

THE TRIAL.....PAGE 7

19. How and when will the Court decide who is right?

20. Do I have to come to the trial?

21. Will I get money after the trial?

GETTING MORE INFORMATION.....PAGE 7

22. Are more details available?

BASIC INFORMATION

1. Why did I get this Notice?

If you are a student who was enrolled at the University of South Florida who paid Fees for services, facilities, resources, activities, and/or events that were not provided during the Spring 2020, Summer 2020, Fall 2020, and Spring 2021 academic semesters, a class action may affect your rights.

This notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the allegations being made against USF, on your behalf, are correct. The Honorable Darren D. Farfante of the Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida is overseeing this class action. The lawsuit is known as *Moore v. The University of South Florida Board of Trustees, Case No.: 21-CA-2445 (Division L)*.

2. What is this lawsuit about?

The lawsuit claims the USF breached a contract when it charged and refused to refund fees Plaintiff and other students paid for on-campus services that USF did not provide to any student during the Spring, Summer, and Fall 2020 academic semesters, and Spring 2021 academic semester, due to

the closure of its campuses in response to the COVID-19 pandemic. The lawsuit seeks to recover damages for economic losses sustained as a result of USF alleged conduct.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people, called “Class Representatives,” sue on behalf of other people who have similar claims. In this case, ValerieMarie Moore is the Class Representative. The people together are a “Class” or “Class Members.” The people who sue—and all the Class Members like them—are called the “Plaintiff” or “Plaintiffs.” The school that Plaintiff sued is called the “Defendant,” which in this case is USF. One court resolves the issues for everyone in the Class—except for those students that choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court has decided that this lawsuit can be certified as a class action because it meets the requirements of Florida Rule of Civil Procedure 1.220, which governs class actions in Florida courts. This is not in any way a determination that the Plaintiff’s claims have any merit.

More information about why the Court is allowing this lawsuit to be a class action is in the Court’s Order on the Plaintiff’s Motion for Class Certification, which is available at <https://moskowitz-law.com/usf>.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

The lawsuit claims that USF breached a contract when it charged and refused to refund fees Plaintiff and other students paid for on-campus services that USF did not provide to any student during the Spring, Summer, and Fall 2020 academic semesters, and Spring 2021 academic semester, due to the closure of its campuses in response to the COVID-19 pandemic. The lawsuit seeks to recover damages for economic losses sustained as a result of USF’s alleged conduct, which Plaintiff contends USF breached its contracts with students. You can read the Plaintiff’s Amended Class Action Complaint and other court documents at <https://moskowitz-law.com/usf>.

6. How does USF answer the allegations?

USF denies that it did anything wrong, and denies it breached any agreement (express or implied) with any student. USF have also asserted various affirmative defenses. USF’S Answer to the Amended Complaint is available at <https://moskowitz-law.com/usf>.

7. Has the Court decided who is right?

The Court has not decided whether the Plaintiff or USF are correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiff will win or lose this case. To prevail, the Plaintiff must prove her claims at a trial. (See “The Trial” below on page _.)

8. What is the Plaintiff asking for?

The Plaintiff is seeking to recover from USF the economic losses she and all class members sustained as a result of USF’s alleged breach of contract. The Plaintiff will also seek attorneys’ fees and costs incurred in connection with the prosecution of this action.

9. Is there any money available now?

No money is available now because the Court has not yet decided whether USF did anything wrong. There is no guarantee that money ever will be obtained. If they are, you will be notified about how to ask for a share.

WHO IS IN THE CLASS?

You need to decide whether you are affected by this lawsuit.

10. Am I part of the Class?

The Court ruled that all students enrolled at the University of South Florida who paid Fees for services, facilities, resources, activities, and/or events that were not provided to students during the Spring 2020, Summer 2020, Fall 2020, and Spring 2021 academic semesters are in the Class.

11. Which Students are included?

All students within the class definition are included.

12. I am still not sure if I am included.

If you are still not sure whether you are included, you can get free help at <https://moskowitz-law.com/usf>.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or to ask to be excluded before the trial, and you have to decide this now.

13. What happens if I do nothing at all?

You don’t have to do anything now if you want to keep the possibility of getting money from this lawsuit. By doing nothing, you are staying in the Class. If you stay in the Class and the Plaintiff

obtains money, either as a result of the trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing now, regardless of whether the Plaintiff wins or loses the trial, you will not be able to sue, or continue to sue, USF—as part of any other lawsuit—about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the Orders, rulings, and judgments the Court issues or renders in this class action.

14. Why would I ask to be excluded?

If you have already brought a lawsuit against USF regarding the same subject matter of this litigation and want to continue with it, you must ask to be excluded from the Class. You may also ask to be excluded if you do not agree with the allegations raised by the Plaintiff and do not wish to be part of this lawsuit. If you exclude yourself from the Class—which also means to remove yourself from the Class or “opt-out” of the Class—you will not get any money that may be obtained by Plaintiff in this lawsuit as a result of the trial or from any settlement (which may or may not be reached). However, you may then be able to sue or continue to sue any of the USF regarding the same conduct alleged by the Plaintiff in this case. If you exclude yourself, you will not be legally bound by the Court’s Order, rulings, or judgments in this class action.

If you start your own lawsuit against USF regarding the same conduct after you exclude yourself, you may have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you decide to exclude yourself from the Class so that you can start or continue your own lawsuit against USF regarding the same conduct alleged in this case, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations and immunity legislation passed by the Florida legislature.

15. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you can visit <https://moskowitz-law.com/usf>. Or you can send an “Exclusion Request” in the form of a letter sent by mail, stating that you want to be excluded from *Moore v. The University of South Florida Board of Trustees*, P.O. Box _____, postmarked by ___[90 days from the mailing date], , 2023, that says you want to be excluded from the *Moore v. The University of South Florida Board of Trustees*, class action. Include your name, address, and telephone number.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court has decided that The Moskowitz Law Firm, PLLC, of Coconut Grove, Florida, is qualified to represent you and all Class Members in this lawsuit. This firm is called “Class Counsel.” The Moskowitz Law Firm is experienced in handling similar class action cases. More information about Class Counsel, their practices, and their lawyers’ experience is available at www.moskowitz-law.com.

17. Should I get my own lawyer?

If you decide to stay in the Class (i.e., not to opt-out), you do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you may to pay that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

18. How will the lawyers be paid?

If Class Counsel recover money for the Class, they may ask the Court for fees and expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses may be deducted from any money obtained for the Class or be paid separately by USF.

19. How and when will the Court decide who is right?

As long as the case is not resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiff's allegations at a trial. When the trial is set to commence, information about the date and location of the trial will be published on <https://moskowitz-law.com/usf>. During the trial, a Jury will hear all of the evidence to help them reach a decision about whether the Plaintiff or USF are right about the allegations in this lawsuit. There is no guarantee that the Plaintiff will win, or that she will get any money for the Class.

THE TRIAL

20. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff, and USF will present its defenses. You and/or your own lawyer are welcome to attend the trial at your own expense.

21. Will I get money after the trial?

If the Plaintiff obtains money as a result of the trial or a settlement, you will be notified about how to participate. If Plaintiff does not prevail, you will not be offered the opportunity to participate in any recovery.

GETTING MORE INFORMATION

22. Are more details available?

Visit the website, <https://moskowitz-law.com/usf> where you will find the Court's Order on the Plaintiff's Motion for Class Certification, the Amended Complaint that the Plaintiff submitted, USF's Answer to that Complaint, as well as an Exclusion Request form. You may also speak to

someone about the case by writing to: *Moore v. The University of South Florida Board of Trustees*, _____.

PLEASE DO NOT CALL OR WRITE THE COURT FOR INFORMATION OR ADVICE.

DATED: [MAILING DATE]__, 2023