

Checchia v. Bank of America, N.A. Settlement
P.O. Box 2696
Portland, OR 97208-2696

Legal Notice

If you had a consumer checking and/or savings account with Bank of America, N.A., and paid certain Overdraft Fees or NSF Fees between May 19, 2017, and February 16, 2023, you may be entitled to payment from a class action settlement.

1 (888) 771-2047
NSFODFeeCheckSettlement.com

A settlement has been reached with Bank of America, N.A. (“BANA”) in a class action lawsuit about Non-Sufficient Funds Fees (“NSF Fees”) and Overdraft Fees (“OD Fees”) related to certain ACH and check transactions that were charged on accounts from **May 19, 2017, through February 16, 2023**.

Who is included? BANA records indicate that you are a “Settlement Class member” in this Settlement because you fit the following Settlement Class definition: All Accountholders of BANA consumer checking and/or savings accounts who, during the Class Period, paid and were not refunded a NSF Fee and/or OD Fee in connection with (a) an ACH entry on their Account that was submitted by the merchant or the merchant’s bank with a “REDEP CHECK” indicator; or (b) a physical check (not an ACH transaction) that was re-presented for payment after having initially been returned for non-sufficient funds and charged a NSF Fee within the preceding twenty-eight calendar days.

What does the Settlement provide? BANA will create a \$8,000,000 Settlement Fund. After deducting Attorneys’ Fees and Costs, a Service Award to the Class Representative, and the Settlement Administration Costs, the Net Settlement Fund will be divided pro rata among all Settlement Class Members.

What are my options? If you do nothing and the Settlement is approved by the Court and becomes final, you will automatically receive a Settlement Class Member Payment and your rights will be affected. If you do not want to be legally bound by the Settlement and receive a Settlement Class Member Payment, you must opt-out of the Settlement by **June 24, 2023**. Unless you opt-out, you will not be able to sue or continue to sue BANA for any claim made in this lawsuit or released by the Settlement Agreement. If you stay in the Settlement (and do not opt-out), you may object to it by **June 24, 2023**.

The Court’s Final Fairness Hearing. The Court will hold a Final Fairness Hearing on **July 24, 2023**. At this hearing, the Court will decide whether to approve: (1) the Settlement; (2) Class Counsel’s request for Attorneys’ Fees of up to 33% of the Settlement Fund and reimbursement of Costs; and (3) a Service Award of \$5,000 for the Class Representative. You or your lawyer may appear at the hearing at your own expense, but you do not have to.

More information, including a detailed Long Form Notice and the full Settlement Agreement, are available at NSFODFeeCheckSettlement.com or by calling 1 (888) 771-2047.