

NOTICE OF PENDING CLASS ACTION AND PROPOSED SETTLEMENT

**READ THIS NOTICE FULLY AND CAREFULLY; THE PROPOSED SETTLEMENT
MAY AFFECT YOUR RIGHTS!**

**IF YOU HAVE OR HAD A CHECKING ACCOUNT WITH TD BANK AND
YOU WERE CHARGED CERTAIN RETRY NSF FEES DURING THE
TIME PERIODS LISTED IN THE SETTLEMENT AGREEMENT
(DEPENDING ON THE STATE WHERE YOU OPENED YOUR
ACCOUNT), THEN YOU MAY BE ENTITLED TO A PAYMENT FROM A
CLASS ACTION SETTLEMENT**

Para una notificación en Español, visitar www.RetryNSFFeesSettlement.com.

The United States District Court for the Southern District of New York has authorized this Notice; it is not a solicitation from a lawyer.

You may be a member of the Settlement Class in *Perks et al v. TD Bank, N.A.*, in which the plaintiffs allege that defendant TD Bank N.A. (“Defendant”) unlawfully assessed Retry NSF Fees during the time periods listed in the Settlement Agreement (depending on the state where you opened your account). If you are a member of the Settlement Class and if the Settlement is approved, you may be entitled to receive a cash payment from the \$20,750,000.00 Settlement Fund and/or the forgiveness of \$20,750,000 in Uncollected Retry NSF Fees.

The Court has preliminarily approved this Settlement. It will hold a Final Approval Hearing in this case on May 3, 2022. At that hearing, the Court will consider whether to grant Final Approval to the Settlement, and whether to approve payment from the Settlement Fund of up to \$7,500.00 in service awards to each of the two class representatives, up to 25% of the Value of the Settlement as attorneys’ fees, and reimbursement of costs to the attorneys and the Settlement Administrator. If the Court grants Final Approval of the Settlement and you do not request to be excluded from the Settlement, you will release your right to bring any claim covered by the Settlement. In exchange, Defendant has agreed to issue a credit to your Account, a cash payment to you if you are no longer an accountholder, and/or to forgive certain amounts.

To obtain a long form class notice and other important documents please visit www.RetryNSFFeesSettlement.com. Alternatively, you may call (800) 274-6605.

If you do not want to participate in this settlement—you do not want to receive a credit or cash payment and/or the forgiveness of certain Uncollected Retry NSF Fees and you do not want to be bound by any judgment entered in this case—you may exclude yourself by submitting an opt-out request postmarked no later than March 16, 2022. If you want to object to this settlement because you think it is not fair, adequate, or reasonable, you may object by submitting an objection postmarked no later than March 16, 2022. You may learn more about the opt-out and objection procedures by visiting www.RetryNSFFeesSettlement.com or by calling (800) 274-6605.