

Notice of Proposed Class Action Settlement

Kacin v. Ohio Bureau of Motor Vehicles

Ohio Court of Claims, case no. 2023-00204JD (the “Litigation”)

If

- (1) you purchased a Specialty Military License Plate at an Ohio Deputy Registrar’s Office on or after October 17, 2019, and**
- (2) you had a service-connected disability rated or compensated at one hundred percent by the United States Department of Veterans Affairs at the time of your purchase, and**
- (3) you have not previously received a refund for that purchase, a class action lawsuit will affect your rights.**

THIS NOTICE AFFECTS YOUR RIGHTS. PLEASE READ THIS NOTICE CAREFULLY.

- Jack Kacin has sued the Ohio Bureau of Motor Vehicles (“BMV”) and has alleged that BMV violated Ohio law when it collected fees paid to Deputy Registrars by veterans who purchased Specialty Military License Plates on or after October 17, 2019 if those veterans were entitled to receive a Specialty Military License Plate for which registration taxes and fees should have been waived because they had been determined to have a 100% service-connected disability when they made the purchase. BMV denies all these claims.
- The Parties in the Litigation have negotiated a Settlement Agreement to resolve the Litigation.
- The Court concluded that the Settlement Agreement falls within the range of possible approval and therefore has conditionally approved a settlement. Accordingly, the Court has authorized the dissemination of notice to each Settlement Class member.
- The Court has not found that BMV did anything wrong. It has certified a Settlement Class for settlement purposes.
- Your legal rights are affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

- (1) SUBMIT ELIGIBILITY DOCUMENTATION** – If you submit valid Eligibility Documentation by the deadline of **December 2, 2026**, as explained in greater detail below, you will receive a refund for your qualifying purchase of a Specialty Military License Plate. The refund will include the cost of the plate itself and any sales tax you paid, but it will not include separate services you may have purchased at the same time, such as personalization of the plate.
 - (2) DO NOTHING** – By doing nothing, you will be losing your right to separately sue BMV, as set forth in greater detail below.
 - (3) ASK TO BE EXCLUDED** – If you ask to be excluded, you will not receive a refund but you will keep any claims you may have against BMV arising out of your purchase of a Specialty Military License Plate.
 - (4) REMAIN IN THE CLASS BUT OBJECT TO THE SETTLEMENT** – If you object, you will remain a member of the Settlement Class and will be bound by the settlement if the court gives it final approval over your objection.
- Your options are explained in this notice. **To protect your legal rights, you must act before December 2, 2026.**

BASIC INFORMATION

What is the Litigation about?

The Litigation involves claims that BMV violated Ohio law by collecting fees charged by Deputy Registrars for the purchase of Specialty Military License Plates on or after October 17, 2019, where the person making the purchase had been determined to have a 100% service-connected disability by the United States Department of Veterans Affairs as of the time of the purchase. The Parties have agreed to resolve this matter in order to avoid the uncertainty and high cost of litigation.

What is a class action and who is involved?

In a class action lawsuit, one or more people called a “Class Representative” (in this case, Jack Kacin) sue on behalf of other people whom they believe have similar claims. The people together are a “Settlement Class” and are made up of Settlement Class members. You are a member of the Settlement Class in this case, unless you chose to exclude yourself from the Settlement Class. One court resolves the issues for everyone in the Settlement Class – except for those people who choose to exclude themselves from the Settlement Class.

THE SETTLEMENT

What has BMV agreed to pay or do?

If the Court grants final approval to the proposed settlement, BMV has agreed to refund the purchase price and taxes collected by Deputy Registrars for people who submit Eligibility Documentation on time and whose eligibility BMV is able to confirm from its records, and has agreed to pay the Settlement Class’s lawyers attorneys’ fees and costs in an amount up to \$375,000, which includes a \$10,000 Incentive Award for the Class Representative.

YOUR RELEASE OF CLAIMS

What claims are included in the term Settled Claims?

Settled Claims means any claim arising out of any alleged failure of BMV or any of the Released Parties to comply with any federal, state, or local law or any other law, rule, or regulation that was, could have been, or should have been asserted by the Class Representative in connection with or related to Defendant’s imposition of or collection of fees for the purchase of Specialty Military License Plates.

The Released Parties are (i) Defendant BMV; (ii) the Ohio Department of Public Safety; (iii) all Deputy Registrars; (iv) all other agencies and instrumentalities of the State of Ohio; and (v) past or present officers, directors, members, shareholders, partners, agents, employees, advisors, insurers, attorneys, representatives, trustees, heirs, executors, administrators, and predecessors or successors or assigns of any of the foregoing.

What does this release mean to me?

This release means that you could not bring a lawsuit against BMV or any of the Released Parties for any reason relating to the Settled Claims. You would still be able to enforce other rights not related to the Settled Claims.

THE LAWYERS REPRESENTING YOU

Do I have a lawyer in this case?

The Court decided that (1) Marc E. Dann, Brian D. Flick, and Jeffrey A. Crossman of The Dann Law Firm; and (2) Thomas A. Zimmerman, Jr. of Zimmerman Law Offices, P.C., are competent and qualified to represent you and all Class Members. They are referred to as “Class Counsel.” They are experienced in handling similar cases.

Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, you will have to pay that lawyer.

How will Class Counsel and the Settlement Administrator be paid?

At the Settlement Fairness Hearing, or at such other time as the Court may direct, Class Counsel intends to apply to the Court for an award of attorneys’ fees and costs in the amount of up to \$375,000, out of which will be paid a \$10,000 Incentive Award for the Class Representative.

The Parties also have agreed that Kroll Settlement Administration LLC will serve as the Settlement Administrator of the settlement. BMV will separately pay the fees and costs of the Settlement Administrator, and those fees and costs will not be deducted from any refund Settlement Class members may receive.

HOW DO I SUBMIT A CLAIM?

What Documents Do I Need To Submit?

To submit a claim, you must submit two documents (called the “Eligibility Documentation”): (1) a declaration on the form provided, signed under penalty of perjury, that verifies that (a) you purchased a Specialty Military License Plate at an Ohio Deputy Registrar’s Office on or after October 17, 2019 (b) that, as of the time of the purchase, you had been determined by the United States Department of Veterans Affairs to have a service-connected disability rated at 100%, and (c) that you have not previously received a refund from BMV for that purchase; and (2) a copy of the letter from the United States Department of Veterans Affairs documenting that you have been determined to have a service-connected disability rated at 100%, and the date as of which that determination was made. After you submit the Eligibility Documentation, BMV will confirm from its records that you made the purchases you identified in the Eligibility Documentation and that the Eligibility Documentation is valid and demonstrates that you had a service-connected disability rated at 100% when you made those purchases. **If BMV cannot confirm from its records that you are an Eligible Participating Class Member you will not receive a refund.**

Where Do I Find The Declaration of Eligibility Form?

You can download a blank Declaration of Eligibility from the Documents section of the Settlement Website at: **www.BMVLICENSEPLATESETTLEMENT.COM**

How Do I Submit The Eligibility Documentation?

You can upload the Eligibility Documentation on the “Upload Eligibility Documentation” tab on the Settlement Website.

You can also mail the Eligibility Documentation to the Settlement Administrator at this address:

Kacin v Ohio BMV
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

What is the Deadline to Submit the Eligibility Documentation?

The Eligibility Documentation must be *either* uploaded on the Settlement Website *or* sent to the Settlement Administrator so the Settlement Administrator **receives** the Eligibility Documentation **by no later than 11:59 pm on December 2, 2026**. Eligibility Documentation received after that time, regardless of the reason, will not be accepted. The dates and deadlines set forth herein are subject to change without further notice. In the event of such a change, the revised date shall be posted at www.BMVLICENSEPLATESSETTLEMENT.COM.

ALTERNATIVES

If you do nothing and do not submit Eligibility Documentation, you will be a Participating Class Member who is bound by the settlement even though you will not receive any refund as a result of the settlement.

If you do not want to be bound by the settlement, you may ask to be excluded, or to “opt-out” of it. To do so, you must follow the procedure below to exclude yourself from the Settlement Class, that is “opt-out,” if you do not wish to be a member of the Settlement Class. If you opt-out, you will not receive any of the benefits under the settlement, but your rights, if any, to sue the Released Parties on the Settled Claims will not be barred by the settlement. If you decide to opt-out, you must send a letter to the Settlement Administrator so that the Settlement Administrator receives it by no later than **December 2, 2026**.

What must the opt-out letter include?

The opt-out letter must be signed by you or your legally authorized representative, and must (1) state the full name, address, and telephone number of the person requesting exclusion, (2) include the name of this case, *Kacin v. Ohio Bureau of Motor Vehicles*, and (3) attest that, on or after October 17, 2019, you purchased one or more Specialty Military License Plates, and you have a service-connected disability rated or compensated at 100% by the U.S. Department of Veterans Affairs, and you were so rated or compensated at the time you purchased the Specialty Military License Plate(s), and you have not previously received a refund from BMV for the purchase of one or more Specialty Military License Plates.

May I submit an opt-out request on behalf of others?

No. No Settlement Class member may opt-out by a request to opt-out signed by an actual or purported agent or attorney acting on his or her behalf, except (a) the personal representative of the estate of a decedent may act on behalf of the estate, and (b) a person acting as power of attorney for a person who has been adjudicated to be incompetent may act on behalf of the incompetent person. No opt-out request may be made on behalf of a group of members of the Settlement Class.

May I object to the settlement without opting-out?

Yes, you may object to the proposed settlement of the Litigation or any aspect of it that you think is unfair. If you wish to object to the fairness, reasonableness or adequacy of the Settlement Agreement or the proposed settlement, or to the attorneys’ fees and costs, or any Incentive Award to the Class Representative, you must file with the Court and send to Class Counsel and BMV’s counsel, no later than **December 2, 2026**, a written statement of the objection, as well as the specific reasons, if any, for each objection, including any legal support you wish to bring to the Court’s attention and any evidence you wish to introduce in support of your objections.

What does my objection need to include?

The Notice of Objection must be in a written submission signed by the objector or the objector's legally authorized representative, or in a pleading signed by counsel for the objector subject to Civ.R. 11, and include (1) a written statement of the objections, as well as the specific reason(s), if any, for each objection, including any legal support the Settlement Class member wishes to bring to the Court's attention; (2) any evidence or other information the Settlement Class member wishes to introduce in support of the objection; (3) a statement of whether the Settlement Class member intends to appear and argue at the Settlement Fairness Hearing, either with or without counsel; (4) the amount of time for speaking that will be requested by the objector at the Settlement Fairness Hearing; (5) if a Settlement Class member or counsel for the Settlement Class member has objected to a class action settlement on any prior occasion, the objection shall also disclose all cases in which they have filed an objection by caption, court and case number, and for each case, the disposition of the objection; (6) a statement of the objector's membership in the Settlement Class, including all required Eligibility Documentation; (7) a statement of whether the objection applies only to the objector, to a specific subset of the Settlement Class, or to the entire Settlement Class; (8) the objector's name, current address, telephone number, and email address; (9) the name, address, telephone number, and email address of counsel for the objector; and (10) the case name and case number of this lawsuit. The objection must be personally signed by the objector or the objector's legally authorized representative, even if the objector is represented by counsel, and if the objector is represented by counsel, the objector's counsel must also sign the objection.

GETTING MORE INFORMATION

Are more details available?

Yes, if you believe that you need more details in order to make a decision, you have several alternatives, explained below.

Can I examine the Court's file?

Yes, you may examine the Court's file in the clerk's office at the Ohio Court of Claims, 65 South Front Street, Third Floor, Columbus, OH 43215.

Can I speak to Class Counsel?

Yes, for more complete details about the Litigation and the proposed settlement, you may write, email or telephone Class Counsel, as follows:

Marc E. Dann, Brian D. Flick, and Jeffrey A. Crossman of The Dann Law Firm — 15000 Madison Avenue, Lakewood, OH 44107, notices@dannlaw.com, 216-373-0539.

Thomas A. Zimmerman, Jr. of Zimmerman Law Offices, P.C. — 7199 S. Kingery Highway, Unit 1148, Willowbrook, IL 60527, firm@attorneyzim.com, 312-440-0020.

Can I speak to the Settlement Administrator?

Yes, for more complete details about the Litigation and the proposed settlement, you may telephone the Settlement Administrator, at **(833) 453-3775**.

PLEASE DO NOT CONTACT THE JUDGE OR DEFENDANT'S COUNSEL