

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re PAYMENT CARD INTERCHANGE	:	MDL No. 1720(BMC)(JAM)
FEE AND MERCHANT DISCOUNT	:	
ANTITRUST LITIGATION	:	Civil No. 05-5075(BMC)(JAM)
	:	
	:	RULE 23(b)(3) CLASS COUNSEL'S
This Document Relates To:	:	MONTHLY REPORT REGARDING THIRD-
	:	PARTY ENTITIES
ALL ACTIONS.	:	
	:	
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I. INTRODUCTION

This is the thirty-fifth monthly report regarding third-party claims filers following the Court's request.

Rule 23(b)(3) Class Counsel ("Class Counsel") and Epiq continue to receive communications regarding third parties. Calls received via the toll-free number are tracked and reported to Class Counsel from Epiq. Class Counsel also directly receives calls and emails regarding third parties that are followed up on immediately. Additionally, Class Counsel regularly searches online using various keywords to monitor new entrants. Epiq received 23 new contacts regarding third parties since the last report. Epiq also forwards to Class Counsel certain specific issues which are discussed below.

Now that the claims-filing deadline has passed, there have been fewer issues related to the solicitation of Class members for filing. Monthly reports will continue.

II. STATUS OF PREVIOUS ORDERS TO SHOW CAUSE

A. Pacific Travel & Services LLC

Epiq alerted Class Counsel to a concerning issue related to Pacific Travel & Services LLC ("Pacific Travel"), a company that appeared to be signing up merchants for claims filing and demanding pre-payment for services based on purported expected settlement benefits that were not true. Pursuant to the Court's July 22, 2025 Minute Entry, Class Counsel filed a report on August 15, 2025 regarding continued efforts to communicate with Pacific Travel. ECF 9646. On August 18, 2025, the Court entered a text-entry Order directing Epiq to attempt to contact the approximately 80 Class members who signed up for claims-filing services with Pacific Travel and determine whether such claims can be filed. On the same day, Class Counsel met with Epiq to discuss the Court's Order and Epiq began work on the project immediately.

Epiq has made progress in its efforts to contact Class members who signed up for claims-filing services with Pacific Travel. The following chart details Epiq's efforts as of September 22, 2026 to contact affected merchants. Current counts:

Merchants with Phone Number	70
Unable to Reach	43
Left Voicemail	21
Spoke with Owner/Employee	6
Merchants with Email	39
Merchants with Mailing Address	73
Merchants without Contact Information	3
Merchants with Registrations in Process	33

Class Counsel directed Epiq to provide a mailing in English and Vietnamese to all Pacific Travel merchants with mailing addresses. In response to the Court's October 10, 2025 text-entry Order, Epiq conducted additional outreach, sending the message again. That outreach was completed on October 16 (emails) and October 17 (paper).

That message is reproduced below:

ACTION REQUESTED – Payment Card Settlement: File a Claim

Dear Business Owner,

This letter relates to a claim that was recently filed for [BUSINESS NAME] by a company called Pacific Travel & Services LLC. Pacific Travel and Services is a company that contacted businesses and asked for advanced payment for its services. Following an order from the Court, the claims that were filed by Pacific Travel and Services have been withdrawn.

You do not have to pay for services to file a claim. As the Court-appointed Class Administrator, we help business owners file claims for free. If you are the owner or employee of [BUSINESS NAME] (Tax Identification Number ending in XXXXX), and you want to file a claim, please email us at info@paymentcardsettlement.com or call 1-800-625-6440.

For more information about the Settlement, visit www.PaymentCardSettlement.com or call 1-800-625-6440. The website is available in eight languages, including Vietnamese. If you need assistance in another language, our call center can help you.

If you have more questions and want to talk with a lawyer about this letter or your options, please let us know by emailing info@paymentcardsettlement.com. We will connect you with the lawyers appointed to represent you in the case.

As reported in the October 10, 2025 Status Report, Class Counsel and Epiq held a call with a person who had worked with Mr. Nguyen to sign up Class members. ECF 9676. She stated that she had provided Mr. Nguyen with \$19,000 that had been at least a large portion of money that was to

have been her percentage. *Id.* at 3. She claimed she had additional funds she wished to return as well. *Id.* There was a brief discussion regarding how to determine which Class members were owed refunds. *Id.* The person later wrote to Epiq stating that she was under a doctor's care and also studying for a major examination, but that she would get back to Epiq. *Id.* at 3-4. The person reengaged with Epiq and spoke to representatives there on October 15, 2025. ECF 9679 at 3. There have been additional calls since then as reported to the Court on October 24 and November 7, 2025. *See* ECFs 9679, 9687.

Pursuant to the Court's order regarding third-party claims filer Pacific Travel, Epiq continued to reach out regarding the remaining merchants on whose behalf Pacific Travel attempted to file claims. Since the last report, a merchant reached out to Epiq with questions regarding his claim that Epiq was able to answer. Additionally, Epiq was contacted by the person that had previously worked with Mr. Nguyen. She reported that she "repaid \$4,963" to a Class member who had been signed-up.

She sent an email expressing concerns regarding the funds she says Mr. Nguyen retained and asked whether another letter to the Attorney General would be possible or helpful. Based on the lack of communication from the U.S. Attorneys' Office, it is unknown whether an additional letter would be of any benefit. Class Counsel has attempted to call and email another person who worked with Pacific Travel. A translator was used to ensure the email was in English and Vietnamese. To date, despite several follow ups, this person has not responded. Attempts to reach them continue. Multiple emails have been sent, including most recently on September 22, 2026.

Class Counsel has also continued efforts to reach Mr. Nguyen, again via email most recently on September 22, 2026. He has also received courtesy copies of all filings that mention Pacific Travel.

Epiq has continued to reach out to the remaining merchants on whose behalf Pacific Travel attempted to file claims.

Finally, as of September 25, 2026, Class Counsel received no response to its letters to the U.S. Attorney in New Jersey.

It has been a year since issues with Pacific Travel have been pending before the Court. At this time, Class Counsel will discontinue the monthly reporting on this issue, unless new information comes to light or the Court wishes the reporting to continue.

III. OTHER MATTERS

A. Betz & Baril, PLLC and ClickFunds, LLC

On May 21, 2026, the Respondents filed a Notice of Motion for Limited Reconsideration and Limited Clarification of the May 7, 2026 Memorandum Decision and Order (“Motion”). ECF 9867. On June 4, 2026, Class Counsel’s response was filed. ECF 9878. The Court denied the Motion on June 9, 2026. ECF 9883.

As of September 21, 2026, Betz & Baril transferred a total of 987 unique merchants. Status details are below. The vast majority are approved, of which 673 have filed a claim.

Authorization Status	TINs
Approved	932
Deficient	37
Conflict	11
Withdrawn	6
Rejected	1

There are 37 Tax Identification Numbers (“TIN”) in conflict, most of which now consist of the owner being in conflict with another third-party claims filer (cardsettlement.org, MCAG, etc.), although a few are in conflict with other owner-employees. Conflict notices have been sent for all TINs with instructions on how to resolve the conflict.

Regarding the withdrawn TINs, Epiq reached out to confirm whether the registrants intended to withdraw. If they did not, Epiq will correct their authorization status. One was administratively withdrawn because it belongs to a payment facilitator. A notice was sent to the registrant explaining the issue and allowing them 30 days to register their actual TIN. Epiq is following up with the registrant as they have not yet registered the corrected TIN.

The few deficient TINs have received a defect notice describing what they need to submit to show proof of authority. Betz & Baril was also deficient for these TINs. As such, Epiq still requires documentation that demonstrates the registrants' right to pursue the claim.

B. Special Master Request Regarding Loyale Healthcare LLC

On August 3, 2026, the Special Master, The Honorable James Orenstein (Ret.), issued a Report and Recommendation regarding Loyale Healthcare LLC ("Loyale"). 1:26-mc-03160, ECF 1. The Court asked Class Counsel to provide a view regarding Loyale's plan to act as a third-party claims-filing company and retain 90% of Class member recovery. Class Counsel and Loyale submitted briefing to the Special Master on August 31, 2026. 1:26-mc-03160, ECFs 2, 3. On September 18, 2026, the parties submitted brief replies. 1:26-mc-03160, ECFs 9, 10. The issue is currently pending before the Special Master.

C. Complaints From Class Members Regarding Third-Party Claims-Filing Companies Being Non-Responsive

Epiq has flagged an issue for Class Counsel that appears to be a growing concern. A number of Class members in the past month have called the toll-free hotline or emailed Epiq to complain that they have had difficulty getting responses from third-party claims-filing companies that the Class members contracted with for claims-filing services. According to Epiq, there have been numerous new complaints about a lack of responsiveness. Epiq has been reaching out to various third parties to remind them of their responsibilities and has also provided Class members with contact information, where available. In the current reporting period, Epiq reached out to seven companies regarding a claimed lack of responsiveness. Six responded, to either Epiq or the Class member. Epiq will continue to follow its process detailed below.

The following details Epiq's current process when they receive a Class member complaint regarding responsiveness. For the initial complaint, Epiq provides the third-party contact information found in their records to the Class member and asks the Class member to try again.

If they contact Epiq again saying that they are still unable to get a response from the third party, Epiq sends an email, including the Class member as a recipient, requesting that the third party

reach out to the Class member and confirm their contact information in Epiq's records. The email also includes a deadline to reply, generally 48 hours. Currently, there are no known issues that have reached this stage in the process.

D. Outreach to Third Parties by Epiq

As Class Counsel previously reported, since August 18, 2023, Epiq has been performing specific outreach efforts to known third-party claims filers.

As of September 21, 2026, 698 third-party claim filers have registered 10 or more merchant TINs. This count has not changed since last month's report.

The third parties' total representation remains the same at 1,001,031 TINs. This count includes every instance of a third-party claims filer registering a merchant TIN. If two third-party claims filers register a single TIN, and that TIN goes into conflict, the TIN is counted twice.

IV. CONCLUSION

Class Counsel will continue to apprise the Court regarding issues with third-party claims filers via monthly reports and will bring urgent matters to the Court's attention via letter. The next monthly report will be filed on October 23, 2026.¹

DATED: September 25, 2026

ROBBINS GELLER RUDMAN
& DOWD LLP
PATRICK J. COUGHLIN
ALEXANDRA S. BERNAY

s/ Alexandra S. Bernay

ALEXANDRA S. BERNAY

655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

¹ Class Counsel proposes the following dates for the remaining 2026 monthly reports: November 20, 2026 and December 21, 2026.

ROBINS KAPLAN LLP
K. CRAIG WILDFANG
THOMAS J. UNDLIN
2800 LaSalle Plaza
800 LaSalle Avenue South
Minneapolis, MN 55402-2015
Telephone: 612/349-8500
612/339-4181 (fax)

BERGER MONTAGUE PC
H. LADDIE MONTAGUE, JR.
MERRILL G. DAVIDOFF
MICHAEL J. KANE
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: 215/875-3000
215/875-4604 (fax)

Co-Lead Counsel for Plaintiffs