

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 twenty-sixth 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 five 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 December 17, 2025 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 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](mailto:info@paymentcardsettlement.com) or call 1-800-625-6440.

For more information about the Settlement, visit [www.PaymentCardSettlement.com](http://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](mailto: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.* The person reengaged with Epiq and spoke to representatives there on October 15. 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.

During a later call, information regarding another person who worked with Pacific Travel was revealed. ECF 9687 at 2. Class Counsel has attempted to call and email this person to find out information. 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 December 15, 2025.

Class Counsel has also continued to try to reach Mr. Nguyen, again via email on November 3 and November 17, 2025 as well as on December 15, 2025. He has also received courtesy copies of all filings that mention Pacific Travel.

Finally, as of December 20, 2025, Class Counsel has received no response to its letters to the U.S. Attorney in New Jersey.

**B. Cardsettlement.org and Merchant Stronghold**

Matters related to cardsettlement.org appear to be managed. Cardsettlement.org provides a report regularly to detail its efforts regarding confirmation of engagement.

Below is the most recent information provided by cardsettlement.org regarding client contacts:

Affirmed	384
Pending	425
Rejected	2
Total	<b>811</b>

Class Counsel has still not received any further contact from Merchant Stronghold.

### III. OTHER MATTERS

#### A. Betz & Baril, PLLC Current Issue

On the evening of November 17, 2025, Epiq informed Class Counsel that it had received a call that day from a class member expressing concerns related to the firm Betz & Baril, PLLC (“Betz & Baril”) as well as its agent, ClickFunds, LLC (“ClickFunds”). This class member had a lengthy call with an Epiq representative and forwarded numerous emails. It appears from the emails that this class member was given false information regarding when he would receive payment and the payment amount, a figure that at this time is not available to anyone. He was also given incorrect information regarding his transactions, including about Square transactions. He also claimed that he did not receive disclaimers when he signed up for claims filing services. The class member also provided details from a phone call with someone at Betz & Baril where he was told incorrect information regarding the timing of payments and supposed reasons regarding the timing. Class Counsel wrote to Betz & Baril on November 18, 2025. As the Court is aware, issues related to this law firm have come up repeatedly. On October 18, 2024, the firm was warned that serious repercussions could occur if it again was found to have engaged in false and/or misleading conduct. *See* ECF 9465. “Betz & Baril agrees that if it violates any of the foregoing, Class Counsel will seek sanctions to include the cancellation of all contracts between Betz & Baril for claims-filing services, attorneys’ fees incurred related to addressing the firm’s violations, and notification to the Tennessee State Bar regarding Betz & Baril’s conduct.” *Id.* at 2.

Betz & Baril provided a statement to the Court on November 25, 2025 (ECF 9705-1) in response to the Court’s November 21, 2025 text-entry Order. Class Counsel does not believe the statement from Betz & Baril fully explains or releases it from responsibility for the acts of its agent, ClickFunds. Regarding ClickFunds, Class Counsel sent multiple emails and overnight mailings to the entity with no response. Finally, on December 10, 2025, Class Counsel received an email from counsel for ClickFunds. On the same day, Class Counsel wrote to the newly surfaced counsel and offered to discuss the matter. No response has been received. That entity has been ordered to

respond to Class Counsel's prior report (ECF 9700) by December 30, 2025. *See* December 9, 2025 text-entry Order.

**B. Issue Concerning Third-Party Managed Care Advisory Group, LLC**

Class Counsel recently became aware of certain litigation involving third-party claims filing company Managed Care Advisory Group, LLC ("MCAG"). *See In re Managed Care Litig.*, No. 00-md-01334 (S.D. Fla.). In this case, MCAG has more than 160,000 Tax Identification Numbers ("TINs") associated with it. This makes them the largest third-party claims filer in this action. Because of this, Class Counsel believes the Court should be made aware of the *Managed Care* litigation as well as Class Counsel's efforts to protect class members that have contracted with MCAG. On December 15, 2025, the same day it learned of the *Managed Care* litigation, Class Counsel wrote to MCAG and its counsel requesting information. That letter is attached here as Exhibit A. Class Counsel also attaches here two docket entries from *Managed Care* that were the impetus for Class Counsel's letter to MCAG. *See* attached Exhibit B (*Managed Care*, ECF 7020 (Order Granting Cigna's Renewed Motion to Enforce Settlement Agreement)); *see also* attached Exhibit C (*Managed Care*, ECF 7024 (Amended Verified Motion for Partial Reconsideration of Order Granting Cigna's Renewed Motion to Enforce Settlement Agreement)).<sup>1</sup> On December 18, 2025, Class Counsel had a conference call with MCAG counsel, restructuring counsel and a representative from MCAG. During this call, counsel provided some information regarding the current structure of the company, which clarified certain issues, and committed to providing written answers to Class Counsel's December 15, 2025 letter by December 23, 2025. After Class Counsel receives MCAG's letter, Class Counsel will update the Court.

**C. Letter From Class Member**

On December 18, 2025, the Court posted a letter from a former owner of merchant, Frogurt, LLC to the public docket. ECF 9737. This letter requested various information from the Court,

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<sup>1</sup> Today the Court in *Managed Care* denied MCAG's Amended Verified Motion for Partial Reconsideration of Order Granting Cigna's Renewed Motion to Enforce Settlement Agreement. ECF 7029.

including “transparency” into the amount of claims merchants would receive and the timing of those payments. *Id.* at 1-2. The merchant also requested that claims percentages be increased generally or for “small merchants.” *Id.* at 2. On the same day, the Court issued an Order requiring Class Counsel to address the letter. Class Counsel responded by email to the merchant to each of the merchant’s requests in the letter. Class Counsel does not believe any further action is necessary, but will update the Court, if necessary.

**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 December 15, 2025, Epiq has received client lists from a total of 697 third-party claims filers claiming representation of 10 or more claimants, which is an increase of one third-party claims filers from last month’s report. As previously noted, registrations included a mix of third-party claims filers previously self-identified as “Other” or “Owner/Employee” on the portal when registering where Epiq has subsequently identified them as third-party claims filers and updated their designation in our records and third-party claims filers who have added merchants.

The third parties’ total representation consists of 999,643 TINs, which is an increase of 383 TINs from last month’s report. This increase is plausible due to ongoing review leading to recategorization/corrections of how third-party claims filers registered and along with third-party claims filers who continue to upload new TINs as a result of the Research Request process.

**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 January 30, 2025.

DATED: December 19, 2025

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