

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHARLETTE MAYFIELD, CLAUDE MILLIEN,  
and EBONY PORTER, individually and on behalf  
of all persons similarly situated,

Plaintiffs,

CARL CLARK, DIONISIO INFANTE,  
WILBERTO MELENDEZ, and SHANAE  
HOWARD, individually and on behalf of all  
persons similarly situated,

Plaintiffs-Intervenors,

-against-

ASTA FUNDING, INC., ASTA JOHN/JANE  
DOES 1-20, PALISADES COLLECTION, LLC,  
GARY STERN, PALISADES COLLECTION  
JOHN/JANE DOES 1-20, PRESSLER &  
PRESSLER, LLP, RICHARD A. FRANKLIN,  
TIN-AN A. WANG, MITCHELL E. ZIPKIN,  
CRAIG STILLER, and PRESSLER JOHN/JANE  
DOES 1-20,

Defendants.

**14 Civ. 2591 (LAP) (JLC)**

**ALLOCATION PLAN**

1. Pursuant to the Stipulation of Settlement as to All Claims Against All Defendants entered into in the above-captioned case (the “Settlement Agreement”), the Settling Parties have agreed to seek certification of a settlement class under both Fed. R. Civ. P. 23(b)(2) and 23(b)(3) consisting of all individuals against whom actions to collect AT&T Consumer Debts were brought in New York City Civil Court by Pressler & Pressler, LLP, as counsel for Palisades Collection, LLC and/or Asta Funding, Inc., with a certain limited exception, as defined in the Settlement Agreement. For the purposes of this Allocation Plan, the definitions set forth in the

Settlement Agreement are adopted by reference.

2. The Settlement Agreement provides for a Settlement Amount of \$3.9 million paid by the Asta Defendants and the Pressler Defendants collectively. This Allocation Plan shall govern the distribution of the Net Settlement Amount as defined in the Settlement Agreement. This Allocation Plan does not set out the additional substantial benefits that the class will receive, as described in the Declaration of Danielle Tarantolo ¶¶ 51-59 and Section III.B. of the Settlement Agreement.

3. The Compensation Group of the Rule 23(b)(3) Class. The Rule 23(b)(3) Class consists of approximately 60,130 unique individuals against whom approximately 61,900 AT&T Consumer Debt Actions were brought. Defendants collected money in connection with (or on the AT&T Consumer Debts underlying) approximately 30,219 of these AT&T Consumer Debt Actions, and collected more than ten dollars in connection with (or on the AT&T Consumer Debts underlying) approximately 30,187 of them. Members of the Rule 23(b)(3) Class from whom Defendants collected at least ten dollars make up the “Compensation Group.”<sup>1</sup> Members of the Compensation Group who submit a valid and timely claim form (“Eligible Claimants”) will receive a payment as detailed below.

4. The Injunctive Relief Group. All Class Members are in the “Injunctive Relief Group,” and will receive certain benefits as set forth in the Settlement Agreement.

5. Distributions to the Compensation Group. The Net Settlement Amount will be distributed only to Eligible Claimants. The Net Settlement Amount will be distributed *pro rata*, providing to each Eligible Claimant a payment in proportion to the amount Defendants collected

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<sup>1</sup> Class Counsel was advised by the Class Administrator that distributions of approximately five dollars or less are not economically feasible given the costs associated with processing each claim. See Tarantolo Decl. ¶ 43, n. 3. Given the range of likely response rates, Class Counsel determined that it is not economically feasible to include Class Members from whom Defendants collected less than ten dollars in the Compensation Group.

from that Eligible Claimant.

6. Each Eligible Claimant's distribution will be calculated as follows:
  - a. First, the Class Administrator will determine the total dollar amount collected by the Defendants from all Eligible Claimants.
  - b. The Class Administrator will then divide the Net Settlement Amount by the amount calculated in ¶ 6(a). This figure is the "Recovery Rate."
  - c. The Class Administrator will then calculate the *pro rata* distribution for each Eligible Claimant by multiplying the amount Defendants collected from that Eligible Claimant by the Recovery Rate.
7. If a member of the Compensation Group had more than one AT&T Consumer Debt Action brought against him, he is entitled to a distribution as described above for each AT&T Consumer Debt Action for which money was collected.
8. Depending on the total dollar amount collected by Defendants from all Eligible Claimants, the Recovery Rate could exceed 100%, in which case the total dollar amount distributed to all Eligible Claimants will exceed the total dollar amount Defendants collected from all Eligible Claimants.
9. If additional distributions are made to Eligible Claimants due to uncashed checks, the same distribution scheme described in ¶ 6 will apply.