

**RESOLUTION NO.:** 2020-R10  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** FEBRUARY 11, 2020 **ASSIGNED TO:** FINANCE

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH MCAG TO PROVIDE SPECIALIZED LITIGATION FOR VISA/MASTERCARD SETTLEMENT RECOVERY SERVICES, AND DECLARING AN EMERGENCY.**

WHEREAS, the Visa/Mastercard Settlement arose from a lawsuit claiming the merchants paid excessive interchange or swipe fees for accepting Visa and Mastercard payments from the period of January 1, 2004 through January 25, 2019; and

WHEREAS, the City of Green has conducted business through the settlement period by accepting Visa and Mastercard as payments; and

WHEREAS, the City of Green desires MCAG to provide services to pursue and recover a return under the settlement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

Green City Council authorizes the Mayor to enter into an Agreement between the City of Green and MCAG for specialized settlement recovery services based upon the scope of services, a copy of which is attached hereto and incorporated herein as Exhibit "A".

**SECTION TWO:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION THREE:**

Green City Council declares this to be an emergency necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that public relation services are required to proceed immediately to ensure that the communications services can be timely commenced and timely completed. Provided that this legislation receives the affirmative vote of three-fourths ( $\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: MARCH 10, 2020  
Molly Kapeluck  
Molly Kapeluck, Clerk of Council

Barbara Babbitt  
Barbara Babbitt, Council President

APPROVED: March 11, 2020  
Gerard M. Neugebauer  
Gerard M. Neugebauer, Mayor

COPIED  
MAY FIN LAW PLAN ENG  
SVCE FIRE PARK ZONE HR

ENACTED EFFECTIVE: April 11, 2020

ON ROLL CALL: Babbitt - Aye    Brandenburg - Aye    DeVitis - Absent    France - Aye  
Shaughnessy - Aye    Yeargin - Aye    Young - Aye    Adopted 6-0

Suburbanite publication on MARCH 20 and MARCH 27, 2020

Molly Kapeluck  
Molly Kapeluck, Clerk of Council

Lisa Carey Dean  
2-4-2020

02/06/2020 Approved as to form and content by Lisa Carey Dean, Director of Law

# VISA/MASTERCARD INTERCHANGE FEE CLASS ACTION SETTLEMENT



IN RE: PAYMENT CARD INTERCHANGE FEE AND MERCHANT DISCOUNT ANTITRUST LITIGATION

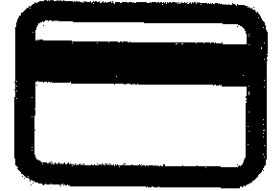
Case No. 05-md-01720

ELIGIBILITY PERIOD  
JAN 1, 2004 - JAN 25, 2019

SETTLEMENT FUND

FILING DEADLINE  
TBD

## \$6.2 BILLION



### SETTLEMENT OVERVIEW

The Visa/MasterCard Settlement arose from a lawsuit claiming that merchants paid excessive interchange or swipe fees for accepting Visa and MasterCard payments because of an alleged conspiracy among Visa, MasterCard and the Bank Defendants. After years of delays, the Court granted Preliminary Approval of this Settlement, and has set a hearing for Final Approval on November 7, 2019. These are crucial steps toward establishing a claims process whereby eligible merchants will be able to claim their share of the billions in settlement funds.

Although the claim forms are not yet available, you can engage MCAG now to ensure that a proper and timely claim is filed on behalf of your business.

### MCAG'S SETTLEMENT RECOVERY SERVICE

MCAG is an expert at obtaining money for businesses from class action settlements, and maintains an intricate knowledge of the settlement documents and process.

#### UNIQUE FEATURES

MCAG uses merchant transaction data when negotiating a claim. We have a proven history of increasing recoveries by utilizing supporting data to optimize claims.

Via partnerships with dozens of payment processing companies, we have access to a vast data set that will be used to supplement claims. This includes current and historical data for millions of merchants.

MCAG will triangulate data provided by partners and clients with information made available by the Settlement Administrator, in order to submit a comprehensive claim for our clients.

#### ADAPTABLE TO ALL TYPES OF MERCHANTS

MCAG makes what can be a complicated process simple – it relieves merchants of the potential burden of having to gather historical data pertaining to multiple locations across multiple processors, and submitting multiple claims when attempting to maximize returns.

- Small and medium-sized merchants may not have the time or resources to pursue a comprehensive filing and accurate return under the Settlement.
- Large and national merchant accounts may have to consolidate the Administrator's data and estimates, as well as their own data and demographics for all current, historical, and acquired businesses and locations. This can be a complicated process that may require extensive resources and leaves plenty of room for error.

### EASY ENROLLMENT

The enrollment process is fast, easy and has no upfront fees. MCAG aligns its incentives with yours and charges a contingent fee of 25% of recoveries.

Services include data analysis, document preparation, claims filing, recovery and reconciliation for enrolled customers. If no money is recovered for your organization from the settlement, then MCAG will not charge or retain a fee.

### 3. SIMPLE STEPS

- 1 Visit [settlements.mcaginc.com](http://settlements.mcaginc.com) and enter the access code **DIRECT**
- 2 Click the "Enroll Now" button in the center of the page
- 3 Fill-in your business information and that's it!

Payment Card Settlement Disclosure: On January 31, 2019 the Court granted preliminary approval of the settlement filed on September 18, 2018 (in the Rule 23(b)(3) Class Action) in this matter. All claims for this settlement are available at this time, and no claim-filing deadline exists. If the settlement is granted final approval, no-asset assistance will be available from the Class Administrator and Class Counsel during our claims-filing period. No one is required to sign up with any third party service in order to participate in any settlement. For additional information regarding the details of the litigation, interested persons may visit [www.settlements.mcaginc.com](http://www.settlements.mcaginc.com), the Court-approved website for this case.

FOR ADDITIONAL INFORMATION AND UPDATES:  
Visit MCAG's website, or email [info@mcaginc.com](mailto:info@mcaginc.com)

[settlements.mcaginc.com](http://settlements.mcaginc.com)  
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