

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA

If you are a Delta Air Lines, Inc. ticketholder who requested a refund for a non-refundable ticket purchased for a flight scheduled to depart between March 1, 2020, and April 30, 2021, that was canceled by Delta but instead received a credit, you may be eligible to receive benefits from a class action settlement.

A federal court has authorized this Notice. This is not a solicitation from a lawyer. Your legal rights are affected whether you act or do not act. Please read this Notice carefully.

- A settlement has been reached in a class action lawsuit filed against Delta Air Lines, Inc. (“Delta”). The lawsuit alleges that Delta breached its contracts of carriage with ticketholders by refusing requests for refunds for flights Delta canceled in the wake of the COVID-19 pandemic and instead providing credits for future travel on the airline. Delta denies all allegations and has agreed to settle this lawsuit to avoid further litigation. The Court has not decided who is right.
- You are a Settlement Class Member if you are a ticketholder who is a citizen of the United States who received a credit for a non-refundable ticket purchased with dollars on a flight scheduled to depart between March 1, 2020, and April 30, 2021: (a) that Delta canceled; (b) who requested a refund for the ticket as reflected in Delta’s Customer Care or Refund Databases; (c) who did not receive a refund; and (d) who had an Unused Credit and/or Partial Unused Credit as of January 13, 2023.
- If you are a Settlement Class Member, you can submit a Claim Form to receive Settlement Benefits in the form of a Cash Settlement Payment or Credit Settlement Payment. If you have more than one eligible Unused Credit and/or Partial Unused Credit, you can select a Cash Settlement Payment or Credit Settlement Payment for each such credit.
 1. **Cash Settlement Payment.**
 - **Ticket Cash:** This is a cash refund of the remaining Unused Credit and/or Partial Unused Credit as of **September 15, 2023**, and
 - **Interest Cash:** This is a cash payment in an amount equal to 7% of the original ticket amount.
 2. **Credit Settlement Payment.**
 - **Ticket Credit:** This is the amount of the Unused Credit and/or Partial Unused Credit that will remain as a credit and must be used by December 31, 2023, for travel no later than December 31, 2024; and
 - **Interest Credit:** This is a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

YOUR RIGHTS AND CHOICES		DEADLINE
Submit a Claim Form	The only way to get a Settlement Benefit is to submit a timely and valid Claim Form.	Submit a Claim Form by September 15, 2023 .
Exclude Yourself (Opt Out)	Get no Settlement Benefit but keep any right to file your own lawsuit against Delta about the legal claims in this case.	Submit an opt-out request by August 31, 2023 .
Object	Tell the Court why you do not like the Settlement. You may still file a Claim Form for a Settlement Benefit.	File an Objection by August 31, 2023 .
Attend A Hearing	If you object, you can ask to speak in Court about why you do not support the proposed Settlement. You must file a notice of intention to appear.	File a Notice of Intention to Appear by August 31, 2023 .
Do Nothing	Get no Settlement Benefit. Give up legal rights.	

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Settlement Benefits will be issued to those Settlement Class Members who submit timely and valid Claim Forms if the Court approves the Settlement and after appeals are resolved. Please be patient.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

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Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

BASIC INFORMATION

1. Why should I read this Notice?

A Court has preliminarily established, or “certified,” this case as a class action lawsuit for purposes of settlement. This Notice explains the class action lawsuit, the proposed Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get the benefits. If you are a Settlement Class Member, you have legal rights and options before the Court decides whether to give Final Approval to the proposed Settlement. This Notice explains all of these things. For the precise terms and conditions of the Settlement, please review the Settlement Agreement, available at AirlineTicketSettlement.com.

The Court in charge of this case is the United States District Court for the Northern District of Georgia. The lawsuit is known as *Dusko v. Delta Air Lines, Inc.*, No. 1:20-cv-01664-ELR.

2. What is this lawsuit about?

The lawsuit alleges that Delta breached its contracts of carriage with ticketholders by refusing requests for refunds for flights Delta canceled in the wake of the COVID-19 pandemic and instead providing credits for future travel on the airline. Delta denies all allegations and has agreed to settle this lawsuit to avoid further litigation. The Court has not decided who is right.

3. What is a class action?

In a class action lawsuit, one or more person(s) called the “Plaintiff(s)” sues on behalf of other persons and entities that have similar claims. The people and entities together are a “Settlement Class.” In this lawsuit, the person who sued is called the “named plaintiff” or the “Class Representative,” which is Plaintiff Angela Dusko. The company being sued, Delta Air Lines, Inc. (“Delta”), is called the “Defendant.” One court resolves the issues for everyone in the Settlement Class, except for those people who choose to exclude themselves (opt out) from the Settlement Class.

4. Why is there a Settlement?

The Court has not decided in favor of the Class Representative or Delta. Instead, both sides agreed to a Settlement. By agreeing to settle, both sides avoid the cost and risk of a trial, and Settlement Class Members who submit a timely and valid Claim Form will get Settlement Benefits. The Class Representative and Class Counsel believe the Settlement is best for the Settlement Class and represents a fair, reasonable, and adequate resolution of the lawsuit.

Delta has denied, and continues to deny, all allegations of liability, wrongdoing, and damage. Without admitting or conceding any liability or damages, and without admitting any wrongdoing, Delta has agreed to settle the lawsuit and agrees to the terms and conditions of the Settlement Agreement to avoid the substantial expense, inconvenience, burden, and disruption of continued litigation.

WHO IS IN THE SETTLEMENT

To see if you are eligible for benefits, you first have to determine if you are a Settlement Class Member.

5. Am I part of the Settlement?

You are a Settlement Class Member if you are a ticketholder who is a citizen of the United States who received a credit for a non-refundable ticket purchased with dollars on a flight scheduled to depart between March 1, 2020, and April 30, 2021, (a) that Delta canceled; (b) who requested a refund for the ticket as reflected in Delta’s Customer Care or Refund Databases; (c) who did not receive a refund; and (d) who had an Unused Credit or Partial Unused Credit as of January 13, 2023.

Specifically excluded from the Settlement Class are the following: Delta and its respective subsidiaries and affiliates, members, employees, officers, directors, agents, and representatives and their family members; Class Counsel; the judges who have presided over the Action and their immediate family members; local, municipal, state, and federal governmental agencies; and all persons who have timely opted out from the Settlement Class in accordance with the Court’s orders.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

6. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at AirlineTicketSettlement.com or call the Settlement Administrator's toll-free telephone number at 1-888-814-6501.

THE SETTLEMENT BENEFITS – WHAT YOU GET

7. What does the Settlement provide?

Delta will provide Settlement Benefits to eligible Settlement Class Members who file a timely and valid Claim Form with a Cash Settlement Payment (Ticket Cash and Interest Cash) or a Credit Settlement Payment (Ticket Credit and Interest Credit). Delta will also pay for all Settlement Administration Costs, attorneys' fees and costs, and any Service Award, which are all separate and apart from the Cash Settlement Payments and Credit Settlement Payments to Settlement Class Members.

8. What can I get from the Settlement?

Settlement Class Members who submit a timely and valid Claim Form will have the following Settlement Benefit options for each eligible ticket. You may request a Cash Settlement Payment or Credit Settlement Payment for each eligible ticket. A Cash Settlement Payment includes Ticket Cash and Interest Cash. A Credit Settlement Payment includes keeping the Ticket Credit and receiving an Interest Credit.

1. **Cash Settlement Payment:** You may receive a cash payment if you select the Ticket Cash and Interest Cash option for an Unused Credit and/or Partial Unused Credit.

- **Ticket Cash:** This is a cash refund of the remaining Unused Credit and/or Partial Unused Credit. The amount of the cash refund will be the remaining Unused Credit amount and/or Partial Unused Credit amount as of **September 15, 2023**.

If you select the Ticket Cash option, your Unused Credits and/or Partial Unused Credits will be frozen by Delta within 14 days after the Claims Deadline.

If you no longer have any Unused Credit and/or Partial Unused Credit as of **September 15, 2023**, you will only be eligible to receive Interest Cash, not Ticket Cash.

- **Interest Cash:** If you select to receive Ticket Cash, you will also receive Interest Cash in the form of a cash payment in an amount equal to 7% of the original ticket amount for both Unused Credits and Partial Unused Credits.

2. **Credit Settlement Payment:** You may receive a credit if you submit a timely and valid Claim Form and you select the Ticket Credit and Interest Credit option for both an Unused Credit or Partial Unused Credit.

- **Ticket Credit:** This is the amount of the Unused Credit and/or Partial Unused Credit that you will keep as a credit, which must be used by December 31, 2023, for travel no later than December 31, 2024.

NOTE: If the Effective Date of the Settlement does not occur, that deadline will not be extended unless in the future, Delta extends its current policy with respect to the expiration of credits.

- **Interest Credit:** If you select to maintain your Ticket Credit, you will receive an Interest Credit in a credit in an amount equal to 7% of the original ticket amount for both Unused Credits and Partial Unused Credits, valid for one year from issuance.

Multiple Credits

If you have more than one eligible Unused Credit and/or Partial Unused Credit, you can select a Cash Settlement Payment or Credit Settlement Payment for each credit.

Please note: If you are a member of the Settlement Class and you do not file a Claim Form by the deadline, you can still redeem any Unused Credit or Partial Unused Credit pursuant to Delta's policy, which allows you until December 31, 2023, to book travel through December 31, 2024. However, if you do not file a Claim Form by the deadline, you are not entitled to Interest Cash or Interest Credit.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

Per the terms of the Settlement, if any funds remain after all Cash Settlement Payments are made from uncashed or undeliverable checks or electronic payments not successfully delivered to Settlement Class Members, the remaining funds will be donated to a recipient(s) approved by the Court.

HOW TO GET BENEFITS FROM THE SETTLEMENT

9. How can I get my Settlement Benefit?

If you are a Settlement Class Member, you must fill out and submit a Claim Form to qualify for a Settlement Benefit. You can file your electronic Claim Form at AirlineTicketSettlement.com. If you received notice of this Settlement via email, there is a link on that email to access the Claim Form. You will need to enter the Unique ID assigned to you on the electronic Claim Form. You can also return the paper Claim Form, postage prepaid, if you received a Postcard Notice for the Settlement. You can also receive a paper Claim Form from the Settlement Website or get one by calling the Settlement Administrator at 1-888-814-6501. The completed Claim Form must be submitted online by **September 15, 2023**, or mailed to the following address, **postmarked by September 15, 2023**:

Dusko v. Delta Air Lines Settlement Administrator
P.O. Box 2240
Portland, OR 97208-2240

10. When will I receive my Settlement Benefit?

The Court will hold a hearing on **October 5, 2023**, at **10:00 a.m.** (which is subject to change) to decide whether to finally approve the Settlement. Even if the Court finally approves the Settlement, there may be appeals. The appeal process can take time, perhaps more than a year. If you file a timely and valid Claim Form, you will not receive a Settlement Benefit until any appeals are resolved. Please be patient.

11. What am I giving up to receive a Settlement Benefit?

Unless you exclude yourself (“opt out”) from the Settlement Class by timely submitting an opt-out request, you will remain in the Settlement Class, and that means you cannot sue, continue to sue, or be part of any other lawsuit against Delta about the legal issues in this case, including the Releases that are defined and described in legal terms in Section XI of the Settlement Agreement, which is available at AirlineTicketSettlement.com. It also means that all of the Court’s orders will apply to you and legally bind you.

THE LAWYERS REPRESENTING YOU

12. Do I have lawyers in this case?

The Court has appointed attorneys from the law firms of Kopelowitz Ostrow P.A.; Pearson Warshaw, LLP; Tycko & Zavareei, LLP; and Barnes Law Group, LLC to represent you and the other Settlement Class Members. The lawyers are called Class Counsel. They are experienced in handling similar class action cases. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

You may contact Class Counsel if you have any questions about this Notice or the Settlement. ***Please do not contact the Court.***

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Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

13. How will the lawyers be paid?

Class Counsel will ask the Court for an award of attorneys' fees of \$2,285,000 and costs of \$80,000. Attorneys' fees and costs approved by the Court will be paid by Delta, separate from the Settlement Benefits available to Settlement Class Members. Class Counsel may also ask the Court for a Service Award of up to \$3,000 for the Plaintiff. The purpose of the Service Award is to compensate the Plaintiff for serving as Class Representative. Any Service Award payment to the Plaintiff will be paid by Delta, separate from the Settlement Benefits available to Settlement Class Members. The Court may deny or award less than these amounts. Class Counsel's Motion for Attorneys' Fees and Costs and Service Award for the Class Representative will be available at AirlineTicketSettlement.com once it has been filed.

YOUR RIGHTS – EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do *not* want a Settlement Benefit and want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called “excluding yourself” or “opting out” of the Settlement Class.

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a written “opt-out request” that must include all of the following:

- Your name;
- Your postal address;
- Your telephone number;
- A brief statement identifying membership in the Settlement Class;
- A statement that indicates a desire to exclude yourself from the Settlement Class; and
- Your personal signature as a member of the Settlement Class.

Your opt-out must be mailed via U.S. Mail **postmarked** or, if by private courier (such a Federal Express), **shipped** no later than **August 31, 2023**, to:

Dusko v. Delta Air Lines Settlement Administrator
Opt-Out Requests
P.O. Box 2240
Portland, OR 97208-2240

Only individual requests to opt out by a member of the Settlement Class on a personal basis are allowed. “Mass” or “class” opt-outs are not allowed according to the terms of the Settlement.

If you do not follow these procedures and the deadline, you will be a Settlement Class Member and lose any opportunity to exclude yourself from the Settlement. This means that your rights will be determined in this lawsuit by the Settlement Agreement if it receives final approval from the Court, even if you do not submit a Claim Form.

15. If I exclude myself, can I get anything from this Settlement?

No. If you opt out of the Settlement, you cannot receive a Settlement Benefit. However, you may sue, continue to sue, or be part of a different lawsuit against Delta.

YOUR RIGHTS – OBJECTING TO THE SETTLEMENT

16. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement, the application for attorneys' fees and costs, and/or the Service Award. You can give reasons why you think the Court should not approve it. The Court will consider your views. You cannot ask the Court for a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval of the Settlement, no Settlement Benefits will be provided and the lawsuit will continue. If that is what you want to happen, you must object.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

To object, you must file a written objection, which includes the following information:

- Your printed name, address, email address (if any), and telephone number;
- A statement of whether you as an objector are represented by counsel and if so, contact information for your counsel;
- Evidence showing you are a Settlement Class Member;
- A statement as to whether your objection applies to you as a Settlement Class Member, or if it applies to a specific subset of the Settlement Class, or to the entire Settlement Class, and state with specificity the grounds for the objection;
- Any other supporting papers, materials, or brief that you wish the Court to consider when reviewing your objection;
- Your actual written or electronic signature as the objector (counsel’s signature is not sufficient); and
- A statement regarding whether you and/or your counsel intend to appear at the Final Approval Hearing.

Your objection must be filed with or mailed to the Clerk of the Court by **August 31, 2023**, and a copy mailed to the Settlement Administrator at the following addresses:

Clerk of the Court	Settlement Administrator
Clerk of Court United States District Court Northern District of Georgia Richard B. Russell Federal Building and United States Courthouse 75 Ted Turner Drive SW Atlanta, GA 30303-3309	Dusko v. Delta Air Lines Settlement Administrator Objections P.O. Box 2240 Portland, OR 97208-2240

If your objection is mailed via U.S. Mail, your objection will be deemed to have been submitted when posted if received with a **postmark date** on or before **August 31, 2023**, indicated on the envelope if mailed first class, postage prepaid, and addressed in accordance with the instructions. If your objection is submitted by private courier (such as Federal Express), your objection will be deemed to have been submitted on the **shipping date** reflected on the shipping label.

If you file a timely objection, it will be considered by the Court at the Final Approval Hearing. You do not need to attend the Final Approval Hearing for the Court to consider your objection.

17. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself (opting out) is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because you are no longer part of the case.

YOUR RIGHTS – APPEARING AT THE FINAL APPROVAL HEARING

The Court will hold a “Final Approval Hearing” to decide whether to approve the Settlement. If you file an objection that includes a notice of intention to appear, you may attend the Final Approval Hearing, and you may ask to speak, but you do not have to speak at the Final Approval Hearing.

18. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **October 5, 2023**, at **10:00 a.m.**, at the United States District Court for the Northern District of Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive SW, Atlanta, GA 30303-3309, in Courtroom 1708.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.

At the hearing, the Court will hear objections and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys' fees and costs. If there are objections, the Court will consider them. You do not need to attend this hearing. You also do not need to attend to have your objection considered by the Court. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

Note: The date and time of the Final Approval Hearing are subject to change by Court Order. Any change will be posted AirlineTicketSettlement.com. You should check the Settlement Website to confirm that the date and/or time have not changed. The Settlement Website will also identify if the Court determines to hold a virtual, remote hearing, and the link to participate will be on that website.

19. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer all questions the Judge may have. However, you are welcome to attend the hearing at your own expense if you file an objection and your notice of intention to appear. If you submit an objection, you do not have to attend the hearing to talk about your objection. As long as you postmarked, shipped, or filed your written objection by the deadline, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

20. May I speak at the Final Approval Hearing?

If you wish to appear at the Final Approval Hearing to present your objection to the Court, your written objection must include your statement of intent to appear at the Final Approval Hearing.

YOUR RIGHTS – DO NOTHING

21. What happens if I do nothing at all?

If you are a Settlement Class Member as described above and do nothing, you will be part of the Settlement Class, and you will only get a Settlement Benefit if you submit a timely and valid Claim Form for one or more of your eligible tickets. Unless you opt out of the Settlement, you will not be permitted to continue to assert claims about the issues in this case or subject to the Release in any other lawsuit against Delta ever again.

GETTING MORE INFORMATION

22. Are there more details about the Settlement?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at AirlineTicketSettlement.com, or by contacting Class Counsel (see contact information in Question 12).

23. How do I get more information?

You can call toll-free 1-888-814-6501, write to Dusko v. Delta Air Lines Settlement Administrator, P.O. Box 2240, Portland, OR 97208-2240, or go to AirlineTicketSettlement.com, where you will find answers to common questions about the Settlement and important documents, including the Settlement Agreement and Claim Form. You may also contact Class Counsel (see contact information in Question 12).

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Questions? Call 1-888-814-6501, or visit AirlineTicketSettlement.com.