

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

ANGELA DUSKO, on behalf of  
herself and all others similarly  
situated,

Plaintiff,

vs.

DELTA AIR LINES, INC.

Defendant.

CIVIL ACTION: 1:20-CV-01664-ELR

**SUPPLEMENTAL DECLARATION OF CAMERON R. AZARI, ESQ. ON  
IMPLEMENTATION OF NOTICE PROGRAM AND NOTICE**

I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am a nationally recognized expert in the field of legal notice, and I have served as an expert in hundreds of federal and state cases involving class action notice plans.

3. I am a Senior Vice-President of Epiq Class Action and Claims Solutions, Inc. (“Epiq”) and the Director of Legal Notice for Hilsoft Notifications (“Hilsoft”), a firm that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. Hilsoft is a business unit of Epiq. All references to Epiq within this declaration include Hilsoft.

4. I previously executed my *Declaration of Cameron R. Azari, Esq. on Notice Program and Notice* on May 17, 2023, which described the proposed Notice Program, detailed Epiq’s class action notice experience, and attached Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions and my ability to render opinions on overall adequacy of notice programs. Subsequently, I executed my *Declaration of Cameron R. Azari, Esq. on Notice Program Implementation* (“Initial Notice Completion Declaration”) on July 27, 2023, which confirmed the completion of the Notice Program in compliance with the *Amended Order Granting Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement* (“Amended Preliminary Approval Order”), Dkt. 101.

5. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq.

### **OVERVIEW**

6. This declaration describes the implementation and completion of the Notice Program, and dissemination of notices (the “Notice” or “Notices”) in *Dusko v. Delta Air Lines, Inc.*, No. 1:20-cv-01664-ELR (N.D. Ga.). Epiq designed the Notice Program based on our prior experience and research into the notice issues in this case. We designed and implemented the most effective method practicable of providing notice to the Settlement Class.

### **NOTICE PLANNING METHODOLOGY**

7. Federal Rule of Civil Procedure 23 directs that notice must be “the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice may be by one or more of the following: United States mail, electronic means, or other appropriate means.”<sup>1</sup> The Notice Program satisfied this requirement.

8. The Notice Program’s individual notice efforts reached 96.7% of the unique, identified Settlement Class Members sent individual notice. A Settlement Website further enhanced the reach. In my experience, the reach of the Notice Program was consistent with other court-approved notice programs, and the Notice Program was designed to satisfy the requirements of due process, including its “desire to actually inform” requirement.<sup>2</sup> In my opinion, the Notice Program reached the greatest practicable number of Settlement Class Members.

### **NOTICE PROGRAM DETAIL**

9. On June 8, 2023, the Court approved the Notice Program and appointed Epiq as the Settlement Administrator in the Amended Preliminary Approval Order, Dkt. 101, which conditionally certified the following “Settlement Class”:

All ticketholders who are citizens of the United States who received a credit for a non-refundable ticket purchased with dollars on a flight

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<sup>1</sup> Fed. R. Civ. P. 23(c)(2)(B).

<sup>2</sup> *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950).

scheduled to depart between March 1, 2020 through April 30, 2021 (a) that Delta cancelled; (b) who requested a refund for the ticket as reflected in Delta's Customer Care or Refund Databases; (c) did not receive a refund; and (d) who had an Unused Credit or Partial Unused Credit as of January 13, 2023.

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.

10. After the Court's Preliminary Approval Order was entered, we began implementing the Notice Program. This declaration provides updated details regarding the notice activities undertaken and explains how and why the Notice Program was comprehensive and well-suited to the Settlement Class. This declaration also provides updated administration activity statistics to date. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq.

## **NOTICE PROGRAM**

### ***Individual Notice***

11. On June 8, 2023, Epiq received one data file with 75,261 records for identified Settlement Class Members, including names, physical addresses and/or email addresses. Epiq deduplicated and rolled-up the records and loaded the unique, identified Settlement Class member records into its database. These efforts resulted

in 74,346 unique, identified Settlement Class member records (of these records, 6,593 records had no address that was mailable). Epiq then sent the 74,346 records to Transunion to perform “reverse lookups” to identify the most likely current physical mailing address for the Settlement Class member records. To the extent no additional or updated physical address was associated with a particular record, the existing physical address or the existing email address were used to send notice. The 74,346 unique records sent to Transunion, resulted in 1,162 updated physical addresses (for the 6,593 records that had no address that was mailable, Transunion’s reverse lookup process did not identify a physical address for any of these records). As a result, 67,753 unique, identified Settlement Class Members were sent notice: 6,085 were sent an Email Notice and 61,668 were sent a Postcard Notice.

***Individual Notice - Direct Mail***

12. As detailed in my Initial Notice Completion Declaration, on July 17, 2023, Epiq sent 61,668 Postcard Notices that included a return Claim Form with prepaid postage (“Postcard Notice”). The Postcard Notices were sent to 61,041 identified Settlement Class Members with both an available valid email address and an associated physical address and 627 were sent to identified Settlement Class Members with an available physical address only. The Postcard Notices were sent via United States Postal Service (“USPS”) first class mail. The Postcard Notice clearly and concisely summarized the case and the legal rights of the Settlement

Class Members. The Postcard Notice also directed the recipients to the Settlement Website where they could access additional information. The Postcard Notice is included as **Attachment 1**.

13. Prior to sending the Postcard Notice, all mailing addresses were checked against the National Change of Address (“NCOA”) database maintained by the USPS to ensure all address information was up-to-date and accurately formatted for mailing.<sup>3</sup> In addition, the addresses were certified via the Coding Accuracy Support System to ensure the quality of the zip code and verified through Delivery Point Validation to verify the accuracy of the addresses. This address updating process is standard for the industry and for the majority of promotional mailings that occur today.

14. The return address on the Postcard Notices is a post office box that Epiq maintains for this case. The USPS automatically forwarded Postcard Notices with an available forwarding address order that had not expired (commonly referred to as postal forwards). Postcard Notices returned as undeliverable were re-mailed to any

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<sup>3</sup> The NCOA database is maintained by the USPS and consists of approximately 160 million permanent change-of-address (COA) records consisting of names and addresses of individuals, families, and businesses who have filed a change-of-address with the Postal Service™. The address information is maintained on the database for 48 months and reduces undeliverable mail by providing the most current address information, including standardized and delivery-point-coded addresses, for matches made to the NCOA file for individual, family, and business moves.

new address available through USPS information (for example, to the address provided by the USPS on returned mail pieces for which the automatic forwarding order had expired, but was still within the time period in which the USPS returned the piece with the address indicated), or to better addresses that were found using a third-party address lookup service. Upon successfully locating better addresses, Postcard Notices were promptly remailed. As of September 27, 2023, Epiq has remailed 76 Postcard Notices.

15. Epiq completed the Notice Program by August 28, 2023, in accordance with the Amended Preliminary Approval Order.

16. It was later determined that 7,353 Settlement Class Member records had incorrect mailing addresses. Of this population, 5,715 records have a valid email address. On July 28, 2023, Epiq sent an Email Notice to those Settlement Class Members. Additionally, Epiq performed a third-party address look-up search for each of the 7,353 records to attempt to locate a new mailing address. On August 4, 2023, Epiq sent 1,229 Postcard Notice via USPS first-class mail to those Settlement Class Members for whom an updated mailing address was available.

17. Additionally, a Long Form Notice was mailed to all persons who requested one via the toll-free telephone number or other means. As of September 27, 2023, Epiq has mailed 95 Long Form Notices as a result of such requests. The Long Form Notice is included as **Attachment 2**.

***Individual Notice - Email***

18. As detailed in my Initial Notice Completion Declaration, on July 17, 2023, Epiq sent 6,085 Email Notices to all identified Settlement Class Members for whom a valid email address was available, but no valid postal address was available. The following industry standard best practices were followed for the Email Notice efforts: the Email Notice was drafted in such a way that the subject line, the sender, and the body of the message overcome SPAM filters and ensure readership to the fullest extent reasonably practicable. For instance, the Email Notice used an embedded html text format. This format provided easy to read text without graphics, tables, images, attachments, and other elements that would have increased the likelihood that the message would have been blocked by Internet Service Providers (ISPs) and/or SPAM filters. The Email Notices were sent from an IP address known to major email providers as one not used to send bulk “SPAM” or “junk” email blasts. Each Email Notice was transmitted with a digital signature to the header and content of the Email Notice, which allowed ISPs to programmatically authenticate that the Email Notices were from our authorized mail servers. Each Email Notice was also transmitted with a unique message identifier. The Email Notice included an embedded link to the Settlement Website. By clicking the link, recipients were able to easily submit an online claim, access the Long Form Notice, Settlement Agreement, and other information about the Settlement. The Email Notice is



included as **Attachment 3**.

19. If the receiving email server could not deliver the message, a “bounce code” was returned along with the unique message identifier. For any Email Notice for which a bounce code was received indicating that the message was undeliverable for reasons such as an inactive or disabled account, the recipient’s mailbox was full, technical autoreplies, etc., at least two additional attempts were made to deliver the Notice by email.

### *Notice Results*

20. As of September 27, 2023, an Email Notice and/or Postcard Notice was delivered to 65,575 of the 67,753 unique, identified Settlement Class Members sent individual notice. This means the individual notice efforts reached approximately 96.7% of the unique, identified Settlement Class Members for whom mail and/or email data was available. Through a combination of mail and email, the Notice Program reached 88.2% of the 74,346 identified Settlement Class Members.

### *Settlement Website*

21. As detailed in my Initial Notice Completion Declaration, on July 14, 2023, Epiq established a Settlement Website ([www.AirlineTicketSettlement.com](http://www.AirlineTicketSettlement.com)) for the Settlement to allow Settlement Class Members to obtain additional information about the Settlement. Important legal documents are available on the Settlement Website including, the Long Form Notice (in English and Spanish),

Amended, Preliminary Approval Order, the Settlement Agreement, and the Second Amended Complaint. In addition, the Settlement Website includes answers to frequently asked questions (“FAQs”), instructions for how Settlement Class Members could opt-out (request exclusion) or Settlement Class Members could object to the Settlement prior to the deadlines, an electronic claim filing portal, contact information for the Settlement Administrator, and how to obtain other case-related information. The Settlement Website address was prominently displayed in all notice documents. The Long Form Notice in Spanish is included as **Attachment 4**. As of September 27, 2023, there have been 23,389 unique visitor sessions to the Settlement Website, and 87,165 web pages have been presented.

***Toll-Free Telephone Number and Postal Mailing Address***

22. As detailed in my Initial Notice Completion Declaration, on July 14, 2023, Epiq established a toll-free telephone number (1-888-814-6501) for the Settlement. Callers are able to hear an introductory message. Callers also have the option to learn more about the Settlement in the form of recorded answers to FAQs. The toll-free telephone number was prominently displayed in all notice documents. The automated phone system is available 24 hours per day, 7 days per week. As of September 27, 2023, there have been 1,421 calls to the toll-free telephone number representing 3,870 minutes of use.

23. A postal address and email address were also established and

maintained, allowing Settlement Class Members to request additional information or ask questions via these channels.

***Claim Stimulation Reminder Notice***

24. On August 9, 2023, Epiq sent 46,911 Reminder Email Notices to Settlement Class Members with a valid email address who had not already filed a Claim Form at the time the Reminder Email Notices were sent. On August 10, 2023, Epiq also sent 533 Reminder Postcard Notices via USPS first class mail to Settlement Class Members with a valid mailing address who had not already filed a Claim Form at the time the Reminder Postcard Notices were sent. The Reminder Email Notice is included as **Attachment 5**. The Reminder Postcard Notice is included as **Attachment 6**.

25. Subsequently, on August 28, 2023, Epiq sent a Second Reminder Notice to the Settlement Class Members who had not already filed a claim. Epiq sent an additional 45,925 Second Reminder Email Notices and 217 Second Reminder Postcard Notices. The Second Reminder Email Notice is included as **Attachment 7**. The Second Reminder Postcard Notice is included as **Attachment 8**.

26. After each round of reminder notices were sent, the number of claims filed spiked in the week directly following sending the reminder notices. In my opinion, the reminder notices were effective in stimulating claim filing.

27. The Reminder Notices used concise text (stressing the impending claim

filing deadline) and included links to the claim filing page on the Settlement Website.

### **PLAIN LANGUAGE NOTICE DESIGN**

28. The Notices and the Claim Form were designed to be “noticed,” reviewed, and—by presenting the information in plain language—understood by Settlement Class Members. The design of the Notices followed the principles embodied in the Federal Judicial Center’s (“FJC”) illustrative “model” notices posted at [www.fjc.gov](http://www.fjc.gov). Many courts, and the FJC itself, have approved notices that we have written and designed in a similar fashion. The Notices contained substantial, albeit easy-to-read summaries of all key information about Settlement Class Members’ rights and options. Consistent with our normal practice, all notice documents underwent a final edit prior to actual mailing and publication for grammatical errors and accuracy.

29. The Long Form Notice provided substantial information to Settlement Class Members. The Long Form Notice included (i) details regarding the Settlement Class Members’ ability to opt-out or and Settlement Class Members’ ability to object to the Settlement, (ii) instructions on how to file a Claim Form, (iii) the deadline to submit a Claim Form, opt-out, or object, and (iv) the date, time, and location of the Final Approval Hearing, among other information.

### ***Requests for Exclusion and Objections***

30. The deadline to request exclusions from the Settlement or to object to the Settlement was August 31, 2023. As of September 27, 2023, Epiq has received one request for exclusion. As of September 27, 2023, I am aware of no objections to the Settlement. The Request for Exclusion Report is included as **Attachment 9**.

***Distribution Options & Claims Process***

31. The Settlement provided Settlement Class Members the option of filing a Claim Form online or by mail. The Notices contained a detailed summary of the relevant information about the Settlement, including the Settlement Website address and how Settlement Class Members could file a Claim Form online or by mail. The Email Notice included a link to the claim filing portal on the Settlement Website, where Settlement Class Members could file an online Claim Form. Regardless of how a claim was filed, all Settlement Class Members who submitted a timely and valid Claim Form for a Cash Benefit were given the options of receiving a digital payment or a traditional paper check. All Settlement Class Members who submitted a timely and valid Claim Form for a Credit Benefit submitted the forms the same way. The deadline for Settlement Class Members to submit a Claim Form was September 15, 2023.

32. The fewer barriers Settlement Class Members experience to filing Claim Forms, the more likely they are to participate in the Settlement. Accordingly, the Claim Form and Settlement Website were designed to ensure that Settlement

Class Members experienced ease in filing claims in order to increase participation in the Settlement.

33. As of September 27, 2023, Epiq has received 14,096 Claim Forms (6,908 online and 7,188 paper). Epiq is continuing its work to validate Claim Forms and handle deficient claims with Settlement Class Members.

### **CONCLUSION**

34. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes, and further by case law pertaining to notice. This framework directs that the notice plan be designed to reach the greatest practicable number of potential class members and, in a settlement class action notice situation such as this, that the notice or notice plan itself not limit knowledge of the availability of benefits—nor the ability to exercise other options—to class members in any way. All of these requirements were met in this case.

35. The Notice Program included individual notice to the identified Settlement Class Members. The Notice Program individual notice efforts reached 96.7% of the unique, identified Settlement Class Members sent individual notice. A Settlement Website further enhanced the reach. Through a combination of mail and email, the Notice Program reached 88.2% of the 74,346 identified Settlement Class Members.

36. The FJC’s *Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide*, which is relied upon for federal cases, states that “the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a high percentage of the Settlement Class. It is reasonable to reach between 70–95%.”<sup>4</sup> Here, the Notice Plan achieved a reach at the higher end of that standard.

37. The Notice Program provided the best notice practicable under the circumstances of this case and conformed to all aspects of Federal Rule of Civil Procedure 23 regarding notice, comported with the guidance for effective notice articulated in the *Manual for Complex Litigation* 4<sup>th</sup> Ed. and FJC guidance, and exceeded the requirements of due process, including its “desire to actually inform” requirement.

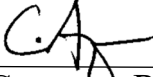
38. The Notice Program schedule afforded enough time to provide full and proper notice to the Settlement Class before the opt-out, object, and claim filing deadlines.

I declare under penalty of perjury that the foregoing is true and correct.

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<sup>4</sup> FED. JUDICIAL CTR., JUDGES’ CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-and-claims-process-checklist-and-plain-language-guide-0>.

Executed September 29, 2023.

  
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Cameron R. Azari, Esq.



# Attachment 1



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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. 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 receiving this Notice because Delta's records indicate you may be a Settlement Class Member.** You are a Settlement Class member if you are a ticketholder who is a citizen of the United States who (a) 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, that Delta cancelled; (b) requested a refund for the ticket as reflected in Delta's Customer Care or Refund Databases; (c) did not receive a refund; and (d) had an Unused Credit and/or Partial Unused Credit as of January 13, 2023.

**What does the Settlement provide?** If you are a Settlement Class member, you can submit a Claim Form to receive:

1) **Cash Settlement Payment:** Ticket Cash, a cash refund of the remaining Unused Credit and/or Partial Unused Credit as of September 15, 2023, and Interest Cash, a cash payment in an amount equal to 7% of the original ticket amount; **or**

2) **Credit Settlement Payment:** Ticket Credit, 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 through December 31, 2024, and Interest Credit, a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

**Your options.** If you are a Settlement Class member, you can submit a Claim Form at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by mail. Your Claim Form must be filed online or mailed and postmarked by **September 15, 2023**. If you do not want a Settlement Benefit, and you want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, you must "exclude yourself" by filing an opt-out request postmarked or shipped by **August 31, 2023**. If you do not exclude yourself, you will remain in the Settlement Class and will give up the right to sue Delta about the legal issues in this case. It also means the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **August 31, 2023**.

The Court will hold a Final Approval Hearing on **October 5, 2023, at 10:00 a.m.** to 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. 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. After the hearing, the Court will decide whether to approve the Settlement. This Notice summarizes the Settlement and your rights.

More information is available at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by calling toll-free **1-888-814-6501**.

AI9512 v.04

[airlineticketsettlement.com](http://airlineticketsettlement.com) • 1-888-814-6501



PLACE  
STAMP  
HERE

DUSKO V DELTA AIR LINES INC  
SETTLEMENT ADMINISTRATOR  
PO BOX 2240  
PORTLAND OR 97208-2240



# Attachment 2

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.

<b>YOUR RIGHTS AND CHOICES</b>		<b>DEADLINE</b>
<b>Submit a Claim Form</b>	The only way to get a Settlement Benefit is to submit a timely and valid Claim Form.	Submit a Claim Form by <b>September 15, 2023</b> .
<b>Exclude Yourself (Opt Out)</b>	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 <b>August 31, 2023</b> .
<b>Object</b>	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 <b>August 31, 2023</b> .
<b>Attend A Hearing</b>	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 <b>August 31, 2023</b> .
<b>Do Nothing</b>	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](http://AirlineTicketSettlement.com).**

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**Questions? Call 1-888-814-6501, or visit [AirlineTicketSettlement.com](http://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](http://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](http://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](http://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](http://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](http://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](http://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.***

KOPELOWITZ OSTROW P.A. Jeff Ostrow 1 West Las Olas Blvd., Suite 500 Fort Lauderdale, FL 33301 (954) 525-4100 <a href="mailto:ostrow@kolawyers.com">ostrow@kolawyers.com</a>	PEARSON WARSHAW, LLP Melissa S. Weiner 328 Barry Avenue S., Suite 200 Wayzata, MN 55391 (612) 389-0600 <a href="mailto:mweiner@pwfirm.com">mweiner@pwfirm.com</a>
TYCKO & ZAVAREEI, LLP Annick M. Persinger, Esq. 1970 Broadway, Suite 1070 Oakland, CA 94612 (510) 254-6808 <a href="mailto:apersinger@tzlegal.com">apersinger@tzlegal.com</a>	BARNES LAW GROUP, LLC Roy E. Barnes, Esq. 31 Atlanta Street Marietta, GA 30060 (770) 227-6375 <a href="mailto:roy@barneslawgroup.com">roy@barneslawgroup.com</a>

**Questions? Call 1-888-814-6501, or visit [AirlineTicketSettlement.com](http://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](http://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](http://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](http://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.**

# Attachment 3

## Dusko v. Delta Air Lines Class Action and Settlement Notice

Settlement Administrator <no\_reply@airlineticketsettlement.com>

To: [REDACTED]

[Click here](#) to view this message in a browser window.

### Court-Approved Legal Notice

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

*Si desea recibir esta notificación en español, llámenos 1-888-814-6501 o visite nuestra página web [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com).*

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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. 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 Receiving This Notice Because Delta's Records Indicate You May Be a Settlement Class Member.** 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, through April 30, 2021, (a) that Delta cancelled; (b) who requested a refund for the ticket as reflected in Delta's Customer Care or Refund Databases; (c) did not receive a refund; and (d) who had an Unused Credit and/or Partial Unused Credit as of January 13, 2023.

**What Does the Settlement Provide?** If you are a Settlement Class Member, you can submit a Claim Form to receive one of the following:

1) **Cash Settlement Payment:** Ticket Cash - a cash refund of the remaining Unused Credit and/or Partial Unused Credit as of January 13, 2023, and Interest Cash - a cash payment in an amount equal to 7% of the original ticket amount.

2) **Credit Settlement Payment:** Ticket Credit - 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 - a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

**Your Options.** If you are a Settlement Class Member, you can submit a Claim Form [here](#) or by mail. Your Claim Form must be filed [online](#) or mailed and postmarked by **September 15, 2023**. You will need to enter your **Unique ID** [REDACTED] and **PIN** [REDACTED] on your Claim Form. If you file your Claim Form online, after you enter your Unique ID and PIN, details from Delta's records regarding your ticket(s) that are eligible for a Settlement Benefit will be displayed for your ease of filing your Claim Form.

If you do *not* want a Settlement Benefit, and you want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, you must "exclude yourself" by filing an opt-out request postmarked or shipped by **August 31, 2023**. If you do not exclude yourself, you will remain in the Settlement Class and will give up the right to sue Delta about the legal issues in this case. It also means the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **August 31, 2023**.

The Court will hold a Final Approval Hearing on **October 5, 2023**, at **10:00 a.m.**, to 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. 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. After the hearing, the Court will decide whether to approve the Settlement. This notice summarizes the Settlement and your rights.

More information is available at the [Settlement Website](#) or by calling toll-free 1-888-814-6501.

AJ016\_v02

Copyright © 2023 Dusko v. Delta Air Lines Inc .,  
Our address is PO Box 2240, Portland, OR 97208-2240

If you do not wish to receive future email, [click here](#).  
(You can also send your request to **Customer Care** at the street address above.)

# Attachment 4



TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS, DISTRITO NORTE DE GEORGIA

**Si usted es titular de un boleto de Delta Air Lines, Inc., quien solicitó un reembolso, pero en su lugar recibió un crédito por un boleto no reembolsable, que fue comprado para un vuelo programado para salir entre el 1 de marzo de 2020 y el 30 de abril de 2021, que fue cancelado por Delta, usted puede ser elegible para recibir beneficios de una conciliación de demanda colectiva.**

*Un tribunal federal ha autorizado este Aviso. Esto no es una solicitud de un abogado. Independientemente de que usted actúe o no, sus derechos legales se ven afectados. Lea este Aviso con atención.*

- Se ha llegado a una conciliación en una demanda colectiva presentada contra Delta Air Lines, Inc. (“Delta”). La demanda alega que Delta infringió sus contratos de transporte con los titulares de boletos al rechazar las solicitudes de reembolso y, en su lugar, proporcionar créditos para viajes futuros en la aerolínea para vuelos que Delta canceló a raíz de la pandemia de COVID-19. Delta niega todas las acusaciones y ha acordado una conciliación para esta demanda para evitar el litigio adicional. El Tribunal no ha decidido quién tiene la razón.
- Usted es un Miembro del Grupo de Demandantes de la Conciliación si es titular de un boleto y es ciudadano de los Estados Unidos quien recibió un crédito por un boleto no reembolsable comprado con dólares en un vuelo programado para salir entre el 1 de marzo de 2020 y el 30 de abril de 2021 (a) que Delta canceló; (b) quien solicitó un reembolso por el boleto según se refleja en la Base de datos de atención al cliente o de reembolsos de Delta; (c) quien no recibió un reembolso; y (d) quien tenía un Crédito no utilizado y/o un Crédito parcial no utilizado al 13 de enero de 2023.
- Si usted es un Miembro del Grupo de Demandantes de la Conciliación, puede enviar un Formulario de reclamación para recibir Beneficios de la conciliación en forma de Pago de la conciliación en dinero en efectivo o Pago de la conciliación en crédito. Si usted tiene más de un Crédito no utilizado o Crédito parcial no utilizado que califique, puede seleccionar un Pago de la conciliación en dinero en efectivo o un Pago de la conciliación en crédito para cada uno de dichos créditos:
  1. **Pago de la conciliación en dinero en efectivo.**
    - **Dinero en efectivo por boleto:** este es un reembolso en dinero en efectivo del Crédito no utilizado o del Crédito parcial no utilizado restante al **15 de septiembre de 2023**, y
    - **Dinero en efectivo por intereses:** este es un pago en efectivo por un monto equivalente al 7% del monto original del boleto.
  2. **Pago de la conciliación en crédito.**
    - **Crédito por boleto:** este es el monto del Crédito no utilizado y/o Crédito parcial no utilizado que permanecerá como crédito y debe utilizarse antes del 31 de diciembre de 2023 para viajar a más tardar el 31 de diciembre de 2024; y
    - **Crédito por intereses:** se trata de un crédito por un monto igual al 7% del monto del boleto original, válido durante un año desde la emisión.

SUS DERECHOS Y OPCIONES		FECHA LÍMITE
<b>Presentar un Formulario de reclamación</b>	La única manera de obtener un Beneficio de la conciliación es presentando un Formulario de reclamación oportuno y válido.	Envíe un Formulario de reclamación antes del <b>15 de septiembre de 2023</b> .
<b>Excluirse (optar por no participar)</b>	No obtener ningún Beneficio de la conciliación, pero conservar cualquier derecho de presentar su propia demanda contra Delta en relación con los reclamos legales de este caso.	Enviar una Solicitud de exclusión antes del <b>31 de agosto de 2023</b> .
<b>Objetar</b>	Comunicarle al Tribunal por qué usted no está de acuerdo con la Conciliación. Aún puede presentar un Formulario de reclamación para un Beneficio de la conciliación.	Presentar una Objeción antes del <b>31 de agosto de 2023</b> .
<b>Asistir a una audiencia</b>	Si usted objeta, puede pedir hablar en el Tribunal sobre por qué no apoya la Conciliación propuesta. Usted debe presentar un aviso de intención de comparecencia.	Presentar un Aviso de intención de comparecencia antes del <b>31 de agosto de 2023</b> .
<b>No hacer nada</b>	No obtener ningún Beneficio de la conciliación. Renunciar a los derechos legales.	

- Estos derechos y opciones, **y las fechas límite para ejercerlos**, se explican en este Aviso.
- El Tribunal a cargo de este caso todavía no se ha pronunciado respecto de la aprobación de la Conciliación. Los Beneficios de la conciliación se emitirán a aquellos Miembros del Grupo de Demandantes de la Conciliación que presenten Formularios de reclamación oportunos y válidos, si el Tribunal aprueba la Conciliación y después de que se resuelvan las apelaciones. Tenga paciencia.

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](https://www.AirlineTicketSettlement.com)**

**QUÉ CONTIENE ESTE AVISO**

**INFORMACIÓN BÁSICA ..... PÁGINA 3**

- 1. ¿Por qué debo leer este Aviso?
- 2. ¿De qué trata esta demanda?
- 3. ¿Qué es una demanda colectiva?
- 4. ¿Por qué existe una Conciliación?

**¿QUIÉNES ESTÁN INCLUIDOS EN LA CONCILIACIÓN? ..... PÁGINA 3**

- 5. ¿Soy parte de la Conciliación?
- 6. ¿Qué ocurre si aún no estoy seguro de ser parte de la Conciliación?

**LOS BENEFICIOS DE LA CONCILIACIÓN: ¿QUÉ OBTENDRÁ? ..... PÁGINA 4**

- 7. ¿Qué establece la Conciliación?
- 8. ¿Qué puedo obtener de la Conciliación?

**CÓMO OBTENER LOS BENEFICIOS DE LA CONCILIACIÓN ..... PÁGINA 5**

- 9. ¿Cómo obtengo mi Beneficio de la conciliación?
- 10. ¿Cuándo recibiré mi Beneficio de la conciliación?
- 11. ¿A qué estoy renunciando para obtener un Beneficio de la conciliación?

**LOS ABOGADOS QUE LO REPRESENTAN ..... PÁGINA 6**

- 12. ¿Tengo abogados en este caso?
- 13. ¿Cómo se pagará a los abogados?

**SUS DERECHOS: EXCLUIRSE DE LA CONCILIACIÓN ..... PÁGINA 6**

- 14. ¿Cómo me excluyo de la Conciliación?
- 15. Si me excluyo, ¿puedo obtener algo de esta Conciliación?

**SUS DERECHOS: PRESENTAR OBJECIONES A LA CONCILIACIÓN ..... PÁGINA 7**

- 16. ¿Cómo le informo al Tribunal que no estoy de acuerdo con la Conciliación?
- 17. ¿Cuál es la diferencia entre objetar y solicitar ser excluido?

**SUS DERECHOS: COMPARECER EN LA AUDIENCIA DE APROBACIÓN DEFINITIVA ..... PÁGINA 8**

- 18. ¿Cuándo y dónde decidirá el Tribunal si aprueba la Conciliación?
- 19. ¿Tengo que asistir a la Audiencia de Aprobación Definitiva?
- 20. ¿Puedo hablar en la Audiencia de Aprobación Definitiva?

**SUS DERECHOS: NO HACER NADA ..... PÁGINA 9**

- 21. ¿Qué sucede si no hago nada?

**CÓMO OBTENER MÁS INFORMACIÓN ..... PÁGINA 9**

- 22. ¿Existen más detalles acerca de la Conciliación?
- 23. ¿Cómo puedo obtener más información?

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com)**

## INFORMACIÓN BÁSICA

### 1. ¿Por qué debo leer este Aviso?

Un Tribunal ha establecido, o “certificado”, de manera preliminar este caso como una acción de demanda colectiva a los fines de la conciliación. En este Aviso, se explican la acción de demanda colectiva, la propuesta de conciliación, sus derechos legales, los beneficios disponibles, quiénes reúnen los requisitos para recibirlos y cómo obtenerlos. Si es un Miembro del Grupo de Demandantes de la Conciliación, usted tiene derechos y opciones legales antes de que el Tribunal decida si otorga la aprobación definitiva a la propuesta de Conciliación. Este Aviso explica todas estas cosas. Si desea conocer los términos y condiciones precisos de la Conciliación, revise el Acuerdo de conciliación disponible en [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com).

El Tribunal a cargo de este caso es el Tribunal del Distrito de los Estados Unidos para el Distrito Norte de Georgia. La demanda se conoce como *Dusko v. Delta Air Lines, Inc.*, n.º 1:20-cv-01664-ELR.

### 2. ¿De qué trata esta demanda?

La demanda alega que Delta infringió sus contratos de transporte con los titulares de boletos al rechazar las solicitudes de reembolso y, en su lugar, proporcionar créditos para viajes futuros en la aerolínea para vuelos que Delta canceló a raíz de la pandemia de COVID-19. Delta niega todas las acusaciones y ha acordado una conciliación para esta demanda para evitar el litigio adicional. El Tribunal no ha decidido quién tiene la razón.

### 3. ¿Qué es una demanda colectiva?

En una demanda colectiva, una o varias personas denominadas demandantes nombrados demandan en nombre de otras personas y entidades que tienen reclamaciones similares. Las personas y entidades en conjunto conforman el “Grupo de Demandantes de la Conciliación”. En esta demanda, a la persona que inicia la demanda se la denomina “Demandante nombrado” o “Representante del grupo de demandantes”, que es el Demandante Angela Dusko. La compañía que se está demandando, Delta Air Lines, Inc. (“Delta”), se denomina el “Demandado”. Un tribunal resuelve los asuntos para todo el Grupo de Demandantes de la Conciliación, excepto para quienes deciden excluirse (optar por no participar) del Grupo de demandantes de la Conciliación.

### 4. ¿Por qué existe una Conciliación?

El tribunal no ha fallado a favor del Representante del Grupo de Demandantes ni de Delta. En cambio, ambas partes llegaron a una Conciliación. Al aceptar una conciliación, ambas partes evitan el costo y el riesgo de un juicio, y los Miembros del Grupo de Demandantes de la Conciliación que presenten un Formulario de reclamación oportuno y válido recibirán Beneficios de la conciliación. La Representante del Grupo de Demandantes y los Abogados del Grupo de Demandantes creen que la Conciliación es lo mejor para el Grupo de Demandantes de la Conciliación y representa una resolución justa, razonable y adecuada de la demanda.

Delta ha negado, y continúa negando, todas las acusaciones de responsabilidad, irregularidades y daños. Sin admitir ni conceder ninguna responsabilidad o daño, y sin admitir ninguna conducta indebida, Delta ha aceptado resolver la demanda y acepta los términos y condiciones del Acuerdo de Conciliación para evitar los gastos sustanciales, inconvenientes, carga e interrupción del litigio continuo.

## ¿QUIÉNES ESTÁN INCLUIDOS EN LA CONCILIACIÓN?

Para saber si usted es elegible para recibir los beneficios, primero debe determinar si es Miembro del Grupo de Demandantes de la Conciliación.

### 5. ¿Soy parte de la Conciliación?

Usted es un Miembro del Grupo de Demandantes de la Conciliación si es titular de un boleto y es ciudadano de los Estados Unidos quien recibió un crédito por un boleto no reembolsable comprado con dólares en un vuelo programado para salir entre el 1 de marzo de 2020 y el 30 de abril de 2021 (a) que Delta canceló; (b) quien solicitó un reembolso por el boleto según se refleja en la Base de datos de atención al cliente o de reembolsos de Delta; (c) quien no recibió un reembolso; y (d) quien tenía un Crédito no utilizado o un Crédito parcial no utilizado al 13 de enero de 2023.

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Las personas siguientes se encuentran excluidas en forma específica del Grupo de Demandantes de la Conciliación: Delta y sus respectivas subsidiarias y filiales, miembros, empleados, ejecutivos, directores, agentes y representantes y sus familiares; los Abogados del Grupo de Demandantes; los jueces que presidieron la Acción y sus familiares directos; las agencias gubernamentales locales, municipales, estatales y federales; y todas las personas que se hayan excluido oportunamente del Grupo de Demandantes de la Conciliación de conformidad con las órdenes del Tribunal.

## 6. ¿Qué ocurre si aún no estoy seguro de ser parte de la Conciliación?

Si no está seguro de si es Miembro del Grupo de Demandantes de la Conciliación, puede visitar el sitio web de la Conciliación en [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com), o llamar al número de teléfono gratuito del Administrador de la Conciliación al 1-888-814-6501.

## LOS BENEFICIOS DE LA CONCILIACIÓN: ¿QUÉ OBTENDRÁ?

### 7. ¿Qué establece la Conciliación?

Delta proporcionará los Beneficios de la Conciliación a los Miembros elegibles del Grupo de Demandantes de la Conciliación que presenten un formulario de reclamación oportuno y válido por un Pago de la conciliación en dinero en efectivo (Dinero en efectivo por boleto y Dinero en efectivo por intereses) o un Pago de la conciliación en crédito (Crédito por boleto y Crédito por intereses). Delta también pagará todos los Costos de administración de la Conciliación, los honorarios y costos de abogados, y cualquier Pago por servicios, que son todos separados y aparte de los Pagos de la conciliación en dinero en efectivo y los Pagos de la conciliación en crédito a los Miembros del Grupo de Demandantes de la Conciliación.

### 8. ¿Qué puedo obtener de la Conciliación?

Los Miembros del Grupo de Demandantes de la Conciliación que presenten un Formulario de reclamación oportuno y válido tendrán las siguientes opciones de Beneficios de la Conciliación para cada boleto elegible. Usted puede solicitar un Pago de la conciliación en dinero en efectivo o un Pago de la conciliación en crédito para cada boleto elegible. Un Pago de la conciliación en dinero en efectivo incluye Dinero en efectivo por boleto y Dinero en efectivo por intereses. Un Pago de la conciliación en crédito incluye mantener el Crédito por boleto y recibir un Crédito por intereses.

- Pago de la conciliación en dinero en efectivo:** es posible que usted reciba un pago en dinero en efectivo si selecciona la opción Dinero en efectivo por boleto y Dinero en efectivo por intereses para un Crédito no utilizado y/o Crédito parcial no utilizado.
  - Dinero en efectivo por boleto:** este es un reembolso en dinero en efectivo del Crédito no utilizado y/o del Crédito parcial no utilizado restante. El monto del reembolso en dinero en efectivo será el monto restante del Crédito no utilizado y/o el monto del Crédito parcial no utilizado al **15 de septiembre de 2023**.

Si usted selecciona la opción Dinero en efectivo por boleto, Delta bloqueará sus Créditos no utilizados y/o Créditos parciales no utilizados durante un plazo de 14 días después de la fecha límite de reclamaciones.

Si usted ya no tiene ningún Crédito no utilizado y/o Crédito parcial no utilizado al **15 de septiembre de 2023**, usted solo será elegible para recibir Dinero en efectivo por intereses, no Dinero en efectivo por boleto.
  - Dinero en efectivo por intereses:** si usted selecciona recibir Dinero en efectivo por boleto, también recibirá Dinero en efectivo por intereses en forma de pago en dinero en efectivo por un monto equivalente al 7% del monto del boleto original tanto para Créditos no utilizados como para Créditos parciales no utilizados.
- Pago de la conciliación en crédito:** usted puede recibir un crédito si envía un Formulario de reclamación válido y oportuno, y selecciona la opción Crédito por boleto y Crédito por intereses para un Crédito no utilizado o Crédito parcial no utilizado.
  - Crédito por boleto:** este es el monto del Crédito no utilizado y/o del Crédito parcial no utilizado que usted conservará como crédito, que debe utilizarse antes del 31 de diciembre de 2023, para viajar a más tardar el 31 de diciembre de 2024.

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**NOTA:** Si no se produce la Fecha de entrada en vigor de la Conciliación, esa fecha límite no se extenderá a menos que en el futuro Delta extienda su política actual con respecto al vencimiento de los créditos.

- **Crédito por intereses:** si selecciona mantener su Crédito por boletos, usted recibirá un Crédito por intereses en un crédito por un monto equivalente al 7% del monto original del boleto para Créditos no utilizados y Créditos parciales no utilizados, válido durante un año a partir de la emisión.

### **Varios créditos**

Si usted tiene más de un Crédito no utilizado o Crédito parcial no utilizado que califique, puede seleccionar un Pago de la conciliación en dinero en efectivo o un Pago de la conciliación en crédito para cada crédito.

**Tenga en cuenta lo siguiente:** Si usted es miembro del Grupo de Demandantes de la Conciliación y no presenta un Formulario de reclamación antes de la fecha límite, aún puede canjear cualquier Crédito no utilizado o Crédito parcial no utilizado conforme a la política de Delta, que le permite hasta el 31 de diciembre de 2023 reservar viajes hasta el 31 de diciembre de 2024. Sin embargo, si usted no presenta un Formulario de reclamación a más tardar en la fecha límite, no tiene derecho a recibir Dinero en efectivo por intereses o Crédito por intereses.

De conformidad con los términos de la Conciliación, si quedan fondos después de que todos los Pagos de la conciliación en dinero en efectivo se hayan realizado de cheques no cobrados o no entregables o pagos electrónicos no entregados con éxito a los Miembros del Grupo de Demandantes de la Conciliación, los fondos restantes se donarán a los beneficiarios aprobados por el Tribunal.

## **CÓMO OBTENER LOS BENEFICIOS DE LA CONCILIACIÓN**

### **9. ¿Cómo obtengo mi Beneficio de la conciliación?**

Si usted es un Miembro del Grupo de Demandantes de la Conciliación, debe completar y presentar un Formulario de reclamación a fin de calificar para un Beneficio de la conciliación. Puede presentar su Formulario electrónico de reclamación en [AirlineTicketSettlement.com](https://www.AirlineTicketSettlement.com). Si recibió un aviso de esta Conciliación por correo electrónico, hay un enlace en ese correo electrónico para acceder al Formulario de reclamación. Deberá ingresar el ID único que se le asignó en el Formulario electrónico de reclamación. También puede devolver el Formulario de reclamación impreso, con franqueo prepago, si recibió una Notificación por correo postal para la Conciliación. También puede recibir un Formulario de reclamación impreso del sitio web de la Conciliación u obtener uno llamando al Administrador de la Conciliación al 1-888-814-6501. El Formulario de reclamación completado debe enviarse por internet antes del **15 de septiembre de 2023** o enviarse por correo postal a la siguiente dirección, **con franqueo postal** antes del **15 de septiembre de 2023**:

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P.O. Box 2240  
Portland, OR 97208-2240

### **10. ¿Cuándo recibiré mi Beneficio de la conciliación?**

El Tribunal llevará a cabo una audiencia el **5 de octubre de 2023** a las **10:00 a.m.** (sujeto a cambios), para decidir si aprueba definitivamente la Conciliación. Incluso si el Tribunal aprueba la Conciliación de manera definitiva, podría haber apelaciones. El proceso de apelación puede tomar tiempo, tal vez más de un año. Si presenta un Formulario de reclamación oportuno y válido, usted no recibirá un Beneficio de la conciliación hasta que se resuelva cualquier apelación. Tenga paciencia.

### **11. ¿A qué estoy renunciando para obtener un Beneficio de la conciliación?**

A menos que usted se excluya (“optar por no participar”) del Grupo de Demandantes de la Conciliación al presentar oportunamente una solicitud de exclusión, usted permanecerá en el Grupo de Demandantes de la Conciliación, y eso significa que no puede demandar, continuar demandando o formar parte de ninguna otra demanda contra Delta sobre los asuntos legales en este caso, incluidas las Exenciones que se definen y describen en los términos legales de la Sección XI del Acuerdo de conciliación, que están disponibles en [AirlineTicketSettlement.com](https://www.AirlineTicketSettlement.com). También significa que todas las resoluciones del Tribunal se aplicarán para usted y lo vincularán legalmente.

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](https://www.AirlineTicketSettlement.com)**



## LOS ABOGADOS QUE LO REPRESENTAN

### 12. ¿Tengo abogados en este caso?

El Tribunal ha nombrado abogados de los bufetes de abogados de Kopelowitz Ostrow P.A.; Pearson Warshaw, LLP; Tycko & Zavareei, LLP; y Barnes Law Group, LLC para representarle a usted y a los otros Miembros del Grupo de Demandantes de la Conciliación. Los abogados son denominados Abogados del Grupo de Demandantes. Tienen experiencia en el manejo de casos de demandas colectivas similares. A usted no se le cobrarán los servicios de estos abogados. Si desea ser representado por su propio abogado, puede contratar a uno por su propia cuenta y cargo.

Puede comunicarse con el Abogado del Grupo de demandantes si tiene preguntas sobre este Aviso o sobre la Conciliación. **No contacte al Tribunal.**

<p>KOPELOWITZ OSTROW P.A. Jeff Ostrow 1 West Las Olas Blvd., Suite 500 Fort Lauderdale, FL 33301 (954) 525-4100 ostrow@kolawyers.com</p>	<p>PEARSON WARSHAW, LLP Melissa S. Weiner 328 Barry Avenue S., Suite 200 Wayzata, MN 55391 (612) 389-0600 mweiner@pwfirm.com</p>
<p>TYCKO &amp; ZAVAREEI, LLP Annick M. Persinger, Esq. 1970 Broadway, Suite 1070 Oakland, CA 94612 (510) 254-6808 apersinger@tzlegal.com</p>	<p>BARNES LAW GROUP, LLC Roy E. Barnes, Esq. 31 Atlanta Street Marietta, GA 30060 (770) 227-6375 roy@barneslawgroup.com</p>

### 13. ¿Cómo se pagará a los abogados?

Los Abogados del Grupo de Demandantes solicitarán al Tribunal la asignación de honorarios de abogados por \$2,285,000 y costos por \$80,000. Los honorarios y costos de abogados aprobados por el Tribunal serán pagados por Delta, aparte de los Beneficios de la conciliación disponibles para los Miembros del Grupo de Demandantes de la Conciliación. Los Abogados del Grupo de Demandantes también pueden solicitar al Tribunal un Pago por servicios de hasta \$3,000 para el Demandante. El propósito del Pago por servicios es compensar al Demandante por actuar como Representante del Grupo de Demandantes. Cualquier Pago por servicios otorgado al Demandante será abonado por Delta, aparte de los Beneficios de la conciliación disponibles para los Miembros del Grupo de Demandantes de la Conciliación. El Tribunal puede denegar u otorgar montos menores que estos. La Moción del Abogado del Grupo de Demandantes para obtener el pago de honorarios y costos de abogados y el Pago por servicios para el Representante del Grupo de Demandantes estará disponible en [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com) una vez que se haya presentado.

### SUS DERECHOS: EXCLUIRSE DE LA CONCILIACIÓN

Si usted *no* desea un Beneficio de la conciliación, y quiere conservar el derecho de demandar o seguir demandando a Delta por su propia cuenta con respecto a las cuestiones legales que se debaten en este caso, entonces debe seguir los pasos para dejar de ser parte de la Conciliación (excluirse de la Conciliación). Esto se conoce como “excluirse” u “optar por no participar” del Grupo de Demandantes de la Conciliación.

### 14. ¿Cómo me excluyo de la Conciliación?

Para excluirse de la Conciliación, usted debe enviar una “solicitud de exclusión” por escrito que debe incluir lo siguiente:

- su nombre;
- su dirección postal;
- su número de teléfono;
- una declaración breve que identifique la pertenencia a la Grupo de Demandantes de la Conciliación;
- una declaración que indique el deseo de excluirse del Grupo de Demandantes de la Conciliación; y
- su firma personal como miembro del Grupo de Demandantes de la Conciliación.

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Su exclusión voluntaria debe enviarse por correo postal con **franqueo postal** del correo de los EE. UU. o, si es por servicio de mensajería privado (como Federal Express), **debe enviarse** a más tardar el **31 de agosto de 2023** a:

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P.O. Box 2240  
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Solo se permiten solicitudes individuales de exclusión voluntaria por parte de un miembro del Grupo de Demandantes de la Conciliación de forma personal. No se permiten las solicitudes de exclusión “masivas” o “colectivas” de acuerdo con los términos de la Conciliación.

Si no sigue estos procedimientos y no cumple con la fecha límite, usted será un Miembro del Grupo de Demandantes de la Conciliación y perderá toda oportunidad de excluirse de la Conciliación. Esto significa que sus derechos se determinarán en esta demanda mediante el Acuerdo de Conciliación si recibe la aprobación definitiva del Tribunal, incluso si no presenta un Formulario de reclamación.

#### 15. Si me excluyo, ¿puedo obtener algo de esta Conciliación?

No. Si opta por no participar en la Conciliación, usted no podrá recibir un Beneficio de la Conciliación. Sin embargo, usted podrá presentar una demanda, seguir adelante con una demanda o ser parte de una acción legal distinta en contra de Delta.

### SUS DERECHOS: PRESENTAR OBJECIONES A LA CONCILIACIÓN

#### 16. ¿Cómo le informo al Tribunal que no estoy de acuerdo con la Conciliación?

Si usted es un Miembro del Grupo de Demandantes de la Conciliación, puede oponerse la Conciliación, a la solicitud de honorarios y costos de los abogados o al Pago por servicios. Puede exponer las razones por las cuales cree que el Tribunal no debe aprobarlo. El Tribunal considerará sus opiniones. No puede pedirle al Tribunal que ordene una Conciliación diferente; el Tribunal solo puede aprobar o rechazar la Conciliación. Si el tribunal rechaza la aprobación de la Conciliación, no se proporcionarán los Beneficios de la conciliación y la demanda continuará. Si eso es lo que usted desea que pase, debe objetar.

Para objetar, debe presentar una objeción por escrito, que incluya la siguiente información:

- su nombre en letra de imprenta, dirección postal, dirección de correo electrónico (si la hubiese) y número de teléfono;
- una declaración de si usted está representado por un abogado y, de ser así, información de contacto de su abogado;
- evidencia que demuestre que usted, como objetor, es un Miembro del Grupo de Demandantes de la Conciliación;
- una declaración en cuanto a si su objeción se aplica a usted como Miembro del Grupo de Demandantes de la Conciliación o si se aplica a un subconjunto específico del Grupo de Demandantes de la Conciliación, o a todo el Grupo de Demandantes de la Conciliación, e indique con especificidad los motivos de la objeción;
- cualquier otro documento, material o escrito de respaldo que desee que el Tribunal considere al revisar su objeción;
- su firma escrita o electrónica real como objetor (la firma del abogado no es suficiente); y
- una declaración sobre si usted y/o su abogado tienen la intención de comparecer en la Audiencia de Aprobación Definitiva.

Su objeción debe presentarse o enviarse por correo postal al Secretario del Tribunal a más tardar el **31 de agosto de 2023**, y se debe enviar una copia por correo postal al Administrador de la Conciliación a las siguientes direcciones:

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com)**

Secretario del tribunal	Administrador de la Conciliación
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

Si su objeción se envía por correo postal de los EE. UU., se considerará que su objeción se ha enviado cuando se publique si se recibió con **fecha de franqueo postal el 31 de agosto de 2023** o antes, indicada en el sobre si se envió por correo postal de primera clase, con franqueo prepagado y dirigida de acuerdo con las instrucciones. Si su objeción es enviada por un servicio de mensajería privado (como Federal Express), se considerará que su objeción ha sido enviada en la **fecha de envío** reflejada en la etiqueta de envío.

Si usted presenta una objeción de manera oportuna, el Tribunal la considerará en la Audiencia de Aprobación Definitiva. No será necesario que usted asista a la Audiencia de Aprobación Definitiva para que el Tribunal considere su objeción.

### 17. ¿Cuál es la diferencia entre objetar y solicitar ser excluido?

Objetar es simplemente decirle al Tribunal que no está de acuerdo con algo de la Conciliación. Puede presentar una objeción solo si es parte del Grupo de Demandantes de la Conciliación. Al excluirse (optar por no participar), le comunica al Tribunal que usted no desea ser parte del Grupo de Demandantes de la Conciliación. Si se excluye, usted no tendrá fundamento para presentar una objeción, puesto que deja de ser parte de la causa.

## SUS DERECHOS: COMPARECER EN LA AUDIENCIA DE APROBACIÓN DEFINITIVA

El Tribunal llevará a cabo una “Audiencia de Aprobación Definitiva” para decidir si aprobará la Conciliación. Si usted presenta una objeción que incluye un aviso de intención de comparecencia, puede asistir a la Audiencia de Aprobación Definitiva y puede pedir hablar, pero no es obligatorio que hable en la Audiencia de Aprobación Definitiva.

### 18. ¿Cuándo y dónde decidirá el Tribunal si aprueba la Conciliación?

El Tribunal celebrará una Audiencia de Aprobación Definitiva el **5 de octubre de 2023**, a las **10:00 a.m.**, en el Tribunal de Distrito de los Estados Unidos para el Distrito Norte de Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive SW, Atlanta, GA 30303-3309, en la sala 1708.

En la audiencia, el Tribunal escuchará las objeciones y los argumentos con respecto a la imparcialidad de la propuesta de Conciliación, incluido el monto solicitado por los Abogados del Grupo de Demandantes en concepto de honorarios y costos de abogados. Si existen objeciones, el Tribunal las evaluará. No es necesario que usted asista a esta audiencia. Tampoco es necesario que asista para que el Tribunal considere su objeción. Después de la audiencia, el Tribunal decidirá si aprueba o no la Conciliación. No sabemos cuánto tiempo tardarán estas decisiones.

Nota: La fecha y hora de la Audiencia de Aprobación Definitiva están sujetas a cambios por orden del Tribunal. Cualquier cambio se publicará en [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com). Debe consultar el sitio web de la Conciliación para confirmar que la fecha y/o la hora no han cambiado. El sitio web de la Conciliación también identificará si el Tribunal determina que se celebrará una audiencia virtual y remota, y el enlace para participar estará en ese sitio web.

### 19. ¿Tengo que asistir a la Audiencia de Aprobación Definitiva?

No. Los Abogados del Grupo de Demandantes responderán a todas las preguntas que el Juez pueda tener. Sin embargo, usted puede asistir a la audiencia a su propio cargo si presenta una objeción y su aviso de intención de comparecencia. Si presenta una objeción, no tiene que asistir a la audiencia para hablar sobre su objeción. Siempre que usted presente o envíe su objeción por escrito o tenga franqueo postal antes de la fecha límite, el Juez la considerará. También puede pagar a su propio abogado para que asista, pero esto no es necesario.

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com)**



**20. ¿Puedo hablar en la Audiencia de Aprobación Definitiva?**

Si usted desea comparecer en la Audiencia de Aprobación Definitiva para presentar su objeción ante el Tribunal, su objeción por escrito debe incluir su declaración de intención de comparecer en la Audiencia de Aprobación Definitiva.

**SUS DERECHOS: NO HACER NADA**

**21. ¿Qué sucede si no hago nada?**

Si usted es un Miembro del Grupo de Demandantes de la Conciliación según se describió anteriormente y no hace nada, formará parte del Grupo de Demandantes de la Conciliación y solo obtendrá un Beneficio de la conciliación si presenta un Formulario de reclamación oportuno y válido para uno o más de sus boletos elegibles. A menos que usted opte por no participar de la Conciliación, no se le permitirá continuar planteando reclamaciones sobre los asuntos en este caso u objeto a la Exención en cualquier otra demanda contra Delta nunca más.

**CÓMO OBTENER MÁS INFORMACIÓN**

**22. ¿Existen más detalles acerca de la Conciliación?**

Este aviso resume la propuesta de Conciliación. El Acuerdo de Conciliación contiene más detalles. Puede obtener una copia del Acuerdo de Conciliación en [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com) o comunicándose con los Abogados del Grupo de Demandantes (consulte la información de contacto en la Pregunta 12).

**23. ¿Cómo puedo obtener más información?**

Puede llamar al número gratuito 1-888-814-6501, escribir a Dusko v. Delta Air Lines Settlement Administrator, P.O. Box 2240, Portland, OR 97208-2240, o visitar [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com), donde encontrará respuestas a preguntas comunes sobre la Conciliación y documentos importantes, incluido el Acuerdo de Conciliación y el Formulario de reclamación. También puede comunicarse con el Abogado del Grupo de Demandantes (ver información de contacto en la pregunta 12).

**NO LLAME POR TELÉFONO AL TRIBUNAL NI A LA OFICINA DEL SECRETARIO DEL TRIBUNAL PARA INFORMARSE SOBRE ESTA CONCILIACIÓN O EL PROCESO DE RECLAMACIÓN.**

**¿Tiene alguna pregunta? Llame al 1-888-814-6501 o visite [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com)**

# Attachment 5

[Click here](#) to view this message in a browser window.

## REMINDER

### Court-Approved Legal Notice

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

*Si desea recibir esta notificación en español, llámenos 1-888-814-6501 o visite nuestra página web [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com).*

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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. 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 Receiving This Notice Because Delta's Records Indicate You May Be a Settlement Class Member.** 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 cancelled; (b) who requested a refund for the ticket as reflected in Delta's Customer Care or Refund Databases; (c) did not receive a refund; and (d) who had an Unused Credit and/or Partial Unused Credit as of January 13, 2023.

**What Does the Settlement Provide?** If you are a Settlement Class Member, you can submit a Claim Form to receive one of the following:

1) **Cash Settlement Payment:** Ticket Cash - a cash refund of the remaining Unused Credit and/or Partial Unused Credit as of January 13, 2023, and Interest Cash - a cash payment in an amount equal to 7% of the original ticket amount.

2) **Credit Settlement Payment:** Ticket Credit - 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 - a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

**Your Options.** If you are a Settlement Class Member, you can submit a Claim Form [here](#) or by mail. Your Claim Form must be filed [online](#) or mailed and postmarked by **September 15, 2023**. You will need to enter your Unique ID [REDACTED] and PIN [REDACTED] on your Claim Form. If you file your Claim Form online, after you enter your Unique ID and PIN, details from Delta's records regarding your ticket(s) that are eligible for a Settlement Benefit will be displayed for your ease of filing your Claim Form.

If you do *not* want a Settlement Benefit, and you want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, you must "exclude yourself" by filing an opt-out request postmarked or shipped by **August 31, 2023**. If you do not exclude yourself, you will remain in the Settlement Class and will give up the right to sue Delta about the legal issues in this case. It also means the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **August 31, 2023**.

The Court will hold a Final Approval Hearing on **October 5, 2023**, at **10:00 a.m.**, to 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. 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. After the hearing, the Court will decide whether to approve the Settlement. This notice summarizes the Settlement and your rights.

More information is available at the [Settlement Website](#) or by calling toll-free 1-888-814-6501.

AJ122\_v02

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Our address is {{Account.BIZ\_ADDRESS}}

If you do not wish to receive future email, [click here](#).  
(You can also send your request to **Customer Care** at the street address above.)

# Attachment 6



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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. Delta denies all allegations and has agreed to settle this lawsuit to avoid further litigation. The Court has not decided who is right.

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**What does the Settlement provide?** If you are a Settlement Class member, you can submit a Claim Form to receive:

1) **Cash Settlement Payment:** Ticket Cash, a cash refund of the remaining Unused Credit and/or Partial Unused Credit as of September 15, 2023, and Interest Cash, a cash payment in an amount equal to 7% of the original ticket amount; **or**

2) **Credit Settlement Payment:** Ticket Credit, 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 through December 31, 2024, and Interest Credit, a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

**Your options.** If you are a Settlement Class member, you can submit a Claim Form at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by mail. Your Claim Form must be filed online or mailed and postmarked by **September 15, 2023**. If you do not want a Settlement Benefit, and you want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, you must "exclude yourself" by filing an opt-out request postmarked or shipped by **August 31, 2023**. If you do not exclude yourself, you will remain in the Settlement Class and will give up the right to sue Delta about the legal issues in this case. It also means the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **August 31, 2023**.

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More information is available at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by calling toll-free **1-888-814-6501**.

AJ1242 v.01

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PLACE  
STAMP  
HERE

DUSKO V DELTA AIR LINES INC  
SETTLEMENT ADMINISTRATOR  
PO BOX 2240  
PORTLAND OR 97208-2240



# Attachment 7



## Reminder - Dusko v. Delta Air Lines Class Action and Settlement Notice

Settlement Administrator <no\_reply@airlineticketsettlement.com>

To: 

[Click here](#) to view this message in a browser window.

### REMINDER

#### Court-Approved Legal Notice

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

*Si desea recibir esta notificación en español, llámenos 1-888-814-6501 o visite nuestra página web [AirlineTicketSettlement.com](http://AirlineTicketSettlement.com).*

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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. Delta denies all allegations and has agreed to settle this lawsuit to avoid further litigation. The Court has not decided who is right.

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**What Does the Settlement Provide?** If you are a Settlement Class Member, you can submit a Claim Form to receive one of the following:

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More information is available at the [Settlement Website](#) or by calling toll-free 1-888-814-6501.

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Our address is PO Box 2240, Portland, OR 97208-2240

If you do not wish to receive future email, [click here](#).  
(You can also send your request to **Customer Care** at the street address above.)

# Attachment 8



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 and instead providing credits for future travel on the airline for flights Delta cancelled in the wake of the COVID-19 pandemic. Delta denies all allegations and has agreed to settle this lawsuit to avoid further litigation. The Court has not decided who is right.

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2) **Credit Settlement Payment:** Ticket Credit, 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 through December 31, 2024, and Interest Credit, a credit in an amount equal to 7% of the original ticket amount, valid for one year from issuance.

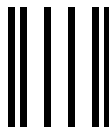
**Your options.** If you are a Settlement Class member, you can submit a Claim Form at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by mail. Your Claim Form must be filed online or mailed and postmarked by **September 15, 2023**. If you do not want a Settlement Benefit, and you want to keep the right to sue or continue to sue Delta on your own about the legal issues in this case, you must "exclude yourself" by filing an opt-out request postmarked or shipped by **August 31, 2023**. If you do not exclude yourself, you will remain in the Settlement Class and will give up the right to sue Delta about the legal issues in this case. It also means the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **August 31, 2023**.

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More information is available at [airlineticketsettlement.com](http://airlineticketsettlement.com) or by calling toll-free **1-888-814-6501**.

AJ1642 v.01

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DUSKO V DELTA AIR LINES INC  
SETTLEMENT ADMINISTRATOR  
C/O EPIQ  
PO BOX 2240  
PORTLAND OR 97208-9733



# Attachment 9



*Dusko v. Delta Air Lines Inc.*  
**Exclusion Report**

Number	Name
1	Leah Arndt