

IN RE GATEWAY PLAZA RESIDENTS LITIGATION

SUMMARY NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION

TO: To all Persons who reside at Gateway Plaza, or resided at Gateway Plaza for any period of time since April 1, 2008 (the "Class").

YOU ARE HEREBY NOTIFIED that a Fairness Hearing will be held on March 2, 2020, at 11:00 a.m., before the Honorable Melissa A. Crane, Justice of the Supreme Court of New York, at the Supreme Court, New York County, 71 Thomas Street, New York, NY 10013. The Hearing is to consider the Settlement of a lawsuit brought on behalf of the Class defined above (the "Action"). The purpose of the Hearing is to determine, among other things: (1) whether the proposed Settlement of the Claims in the Action for the sum of \$10,000,000 (the "Settlement Amount") should be approved by the Court as fair, reasonable and adequate; (2) whether, thereafter, the Action should be dismissed with prejudice; (3) whether the Plan of Allocation of the Settlement Amount is fair, reasonable, and adequate and should be approved; (4) whether the application of Class Counsel for the payment of attorneys' fees and reimbursement of expenses incurred in connection with the Action should be approved; and (5) whether a Compensatory Award should be granted to Representative Plaintiffs.

If you reside at Gateway Plaza, or resided at Gateway Plaza for any period of time since April 1, 2008, you may be a Class Member and your rights may be affected by the Settlement.

If you have not received a detailed Notice of Pendency and Settlement of Class Action and a copy of the Proof of Claim form, you may obtain copies of the same by requesting them from the Claims Administrator at P.O. Box 4098, Portland, OR 97208-4098, or by downloading these documents at www.GatewayPlazaSettlement.com. You may also download the Complaint in the Action and the Stipulation of Settlement at the same site. These documents are also available for review at the Court.

If you are a Class Member, in order to be eligible to share in the distribution of the Settlement Fund, you must submit a Proof of Claim no later than **April 16, 2020**, establishing that you

are entitled to recovery. You will be bound by any Final Judgment rendered in the Action whether or not you make a Claim, unless you request exclusion from the Settlement Class.

If you wish to request exclusion from the Class you must do so in writing to be received by the Claims Administrator at the above address on or before **January 31, 2020**. If you request exclusion from the Class, you will not participate in the distribution of the Settlement Fund and you will not be bound by the Judgment in the Action.

Any Class Member may file an objection to the Settlement, the Plan of Allocation, request for Attorneys' Fees and costs, or Representative Plaintiffs' Compensatory Award so long as the objection is submitted as to be received on or before **January 31, 2020**, to each of the following:

The Honorable Melissa A. Crane, NEW YORK SUPREME COURT NEW YORK COUNTY, 71 Thomas Street, Room 303, New York, New York 10013

Jeffrey M. Norton, Esq., NEWMAN FERRARA LLP, 1250 Broadway, 27th Floor, New York, New York 10001, (Class Counsel for Plaintiffs)

Peter Safirstein, Esq., SAFIRSTEIN METCALF LLP, 350 5th Avenue, 59th Floor, New York, New York 10118 (Class Counsel for Plaintiffs)

and

Allan J. Arffa, Esq., PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP, 1285 Avenue of the Americas, New York, New York 10019, (Counsel for Marina Towers)

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

DATED: November 13, 2019

BY ORDER OF THE SUPREME COURT OF THE STATE OF NEW YORK,
COUNTY OF NEW YORK