

United States District Court for the District of New Mexico

If you had an automobile insurance policy with Liberty Mutual/Safeco with UM/UIM coverage and/or were insured and filed a claim for UIM benefits between October 1, 2010 and March 31, 2022, you may be entitled to a cash payment from a class action settlement.

Para recibir esta notificación en español, llame al Administrador del Acuerdo al 1-877-684-5777 o visite www.CrutcherUIMsettlement.com.

A court authorized this Notice. This is not a solicitation from a lawyer. You are not being sued.

- A \$6.5 million settlement has been reached in a class action lawsuit against **Liberty Mutual Insurance Company, Liberty Personal Insurance Company, First National Insurance Company of America, LM General Insurance Company, LM Property and Casualty Insurance Company, LM Insurance Company, Safeco Insurance Company of America, and Safeco National Insurance Company** (together, “Safeco”) entitling some insureds to a cash payment if they had an underinsured motorist claim reduced or “offset” by the amount paid by the at-fault driver in an accident between October 1, 2010 through March 31, 2022, and entitling insureds who purchased UM/UIM coverage between those dates to receive a partial refund of their premium. The Lawsuit is titled *Crutcher v. Liberty Mutual Insurance Company, et al.*, United States District Court for the District of New Mexico, Case No. 18-cv-00412 JCH-LF.
- The Settlement Class includes those who 1) had an underinsured motorist claim reduced or “offset” by the amount paid by the at-fault driver in an accident between October 1, 2010 and March 31, 2022, and/or 2) purchased a New Mexico automobile insurance policy containing UM/UIM motorist coverage between October 1, 2010 through March 31, 2022.
- This Notice explains: 1) the terms of the Settlement; 2) who is a member of the Settlement Class; 3) how to submit a Claim Form for payment; 4) how to request exclusion from the Settlement; 5) how to object to the Settlement; and 6) how to get more information about the Settlement.

| Your Legal Rights and Options | | Deadline |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Submit a Claim Form | The only way to get an Offset Subclass Payment is to submit a timely and valid Claim Form. | Postmarked or Submitted by: April 30, 2026 |
| Exclude Yourself | Get no Settlement benefits. Keep your right to file your own lawsuit against Safeco about the legal claims in this lawsuit. | Postmarked by: April 15, 2026 |
| Object | Tell the Court why you do not like the Settlement. You will still be bound by the Settlement if the Court approves it. You may still file a Claim Form for an Offset Subclass Payment. | Filed by: April 15, 2026 |
| Do Nothing | Get a Direct Refund Payment and be bound by the Settlement. | |

The Court in charge of this Lawsuit must still decide whether to approve the Settlement and the requested attorneys’ fees and expenses. No Settlement benefits will be provided unless the Court approves the Settlement and it becomes final.

Questions? Visit www.CrutcherUIMsettlement.com or call 1-877-684-5777

1. What is a Class Action?

A class action is a lawsuit in which one or more individuals bring legal claims on behalf of other persons or entities. These persons or entities are referred to as a class or class members. In a certified class action, the Court resolves certain issues, legal claims, and/or defenses for all class members in a single action, except for those persons or entities who ask in writing to be excluded from the class.

2. Why is this Notice being provided?

A Court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the Lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

Federal Judge Judith C. Herrera of the United States District Court for the District of New Mexico is overseeing this class action. The Lawsuit is known as *Crutcher v. Liberty Mutual Insurance Company, et al.*, United States District Court for the District of New Mexico, Case No. 18-cv-00412 JCH-LF. The person who filed this Lawsuit is called the “Plaintiff” or “Class Representative” and the companies sued, Liberty Mutual Insurance Company, Liberty Personal Insurance Company, First National Insurance Company of America, LM General Insurance Company, LM Property and Casualty Insurance Company, LM Insurance Company, Safeco Insurance Company of America, and Safeco National Insurance Company are called the “Defendants.”

3. What is this Lawsuit about?

Plaintiff alleges legal claims against Liberty Mutual Insurance Company, Liberty Personal Insurance Company, First National Insurance Company of America, LM General Insurance Company, LM Property and Casualty Insurance Company, LM Insurance Company, Safeco Insurance Company of America, and Safeco National Insurance Company (collectively referred to as “Safeco”) for breach of their automobile insurance policy contracts, negligence, unjust enrichment, breach of the duty of good faith and fair dealing, and violations of New Mexico’s Unfair Trade Practices Act by failing to properly advise Plaintiff and other New Mexico insureds that any amounts payable on an underinsured motorist claim are required by law to be reduced, or “offset”, by amounts the insured received from the insurer of the driver who was at fault for the auto accident.

Safeco denies any wrongdoing, maintains they complied with the terms of the automobile insurance policies and applicable law and denies that they acted wrongfully or unlawfully and continue to deny all material allegations.

4. Why is there a Settlement?

Plaintiff and Safeco do not agree about the legal claims made in this Lawsuit. The Lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiff or Safeco. Instead, Plaintiff and Safeco have agreed to settle the Lawsuit. Plaintiff and the attorneys for the Settlement Class (“Class Counsel”) and Safeco and their lawyers believe the Settlement is best for all Settlement Class Members because of the Settlement benefits available and the risks and uncertainty associated with continuing the Lawsuit.

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5. What does the Settlement Provide?

As a part of the Settlement, Safeco has agreed to pay Six Million Five Hundred Thousand Dollars (\$6,500,000) into a Settlement Fund for the following Settlement benefits:

Offset Subclass Payments: If you are a Settlement Class Member who had an *underinsured* motorist claim reduced or “offset” by the amount paid by the at-fault driver in an accident between October 1, 2010 through March 31, 2022, you may submit a timely and valid Claim Form for up to \$25,000.

If the driver of the vehicle that was at-fault in the accident had *no* liability insurance, then you had an *uninsured* motorist coverage claim, not an *underinsured* motorist claim, and you are not eligible for an Offset Subclass Payment.

Settlement Class Members who receive an Offset Subclass Payment will not be entitled to a Direct Premium Refund Payment.

Your Offset Subclass Payment will be reduced pro rata (a legal term meaning equal share) if the total amount of valid Offset Subclass Claim Forms exceed the aggregate cap of \$2,000,000. If the total amount of valid Offset Subclass Claim Forms is less than \$2,000,000, any remaining funds will be added to the Direct Premium Refund Fund.

Direct Premium Refund Payments: If you are a Settlement Class Member who purchased UM/UIM motorist coverage between October 1, 2010 through March 31, 2022, you will receive a pro rata (a legal term meaning equal share) partial premium refund. **You do not need to submit a Claim Form to receive the Direct Premium Refund Payment.**

The amount of your refund will be determined by the amount you paid in UM/UIM premiums during the Class Period, the cost of administering the Settlement Fund, the amount approved by the Court to pay attorneys’ fees, costs, and Service Award to the Plaintiff, and the amount remaining, if any, of the portion of the Settlement Fund designated for Offset Subclass Payments.

For those Settlement Class Members entitled to a Direct Premium Refund Payment, each Class Member’s pro rata share of the Direct Premium Refund Fund will be based on the total UM/UIM premiums paid between October 1, 2010 and March 31, 2022 (i.e., aggregate amount of UM/UIM premium paid by an eligible Settlement Class Member/the total Direct Premium Refund Fund = pro rata percentage of Direct Premium Refund Fund).

Payments will also be made out of the Settlement Fund for the costs of administering the Settlement Fund, attorneys’ fees, costs, and a Service Award to Plaintiff. These amounts must be approved by the Court.

6. What am I giving up to receive Settlement benefits or stay in the Settlement Class?

If you do not exclude yourself from the Settlement, you will remain in the Settlement Class. If the Settlement is approved, If the Settlement is approved and becomes final, all of the Court’s orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against State Farm and Released Parties about the legal issues in this Lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

7. What are the Released Claims?

Section IX of the Settlement Agreement describes the Release, Released Claims, and the Released Parties all in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at www.CrutchierUIMsettlement.com or in the public court records on file in

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this Lawsuit. For questions regarding Releases and what they mean, you can also contact one of the lawyers listed below for free, or you can talk to your own lawyer at your own expense.

8. How do I know if I am part of the Settlement?

The Settlement Class includes: All Safeco policyholders and insureds between October 1, 2010 and March 31, 2022, who: (i) purchased or otherwise paid a premium for a New Mexico insurance policy that included UM/UIM coverage, and/or (ii) made a claim for UIM benefits after October 1, 2010, under a New Mexico insurance policy that did not include the disclosure and exclusion required by *Crutcher* and had benefits reduced or denied due to a *Schmick* offset.

The Offset Subclass includes: Class Members who submitted a claim for underinsured motorist coverage benefits for a Motor Vehicle accident occurring between October 10, 2010 and March 31, 2022 and whose underinsured motorist benefits were offset by amounts paid by the insurer of the person liable for the Motor Vehicle accident.

9. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: 1) any claimant who has separately filed suit against Safeco up to the Notice Date, the subject of which suit includes the reduction or denial of benefits on the basis of a *Schmick* Offset;; and 2) any individual who has settled a claim for alleging reduced or denied benefits on the basis of a *Schmick* Offset and signed a final release prior to the Notice Date; 3) and the Judges presiding over this Lawsuit.

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

If you are still not sure whether you are a Class Member, you may go to the Settlement Website at www.CrutcherUIMsettlement.com, call the Settlement Administrator's toll-free number at 1-877-684-5777.

11. How do I submit a Claim Form for Settlement benefits?

You may submit a Claim Form for an Offset Subclass Payment in the amount of up to \$25,000.00, if you submitted an *underinsured* motorist coverage claim October 1, 2010 through March 31, 2022 that was reduced, or "offset," by the amount you received from the insurer of the at-fault driver.

If the driver of the vehicle that was at-fault in the accident had *no* liability insurance, then you had an *uninsured* motorist coverage claim, not an *underinsured* motorist claim, and you are not eligible for an Offset Subclass Payment.

Settlement Class Members who receive an Offset Subclass Payment will not be entitled to a Direct Premium Refund Payment.

You do not need to file a Claim Form to receive a Direct Premium Refund Payment.

You can call toll-free at 1-877-684-5777 or visit www.CrutcherUIMsettlement.com and request that the Settlement Administrator send you a Claim Form as described above or by writing to:

Crutcher v. Liberty Mutual Insurance Company, et al.,
United States District Court for the District of New Mexico,
Case No. 18-cv-412 JCH-LF
Settlement Administrator
PO Box 5338
Portland, OR 97228-5338

Questions? Visit www.CrutcherUIMsettlement.com or call 1-877-684-5777

12. What happens if my contact information changes after I submit a Claim Form?

If the mailing address or email address changes after you submit on your Claim Form, you must contact the Settlement Administrator of any changes to receive your Settlement benefits. You may notify the Settlement Administrator of any changes by calling 1-877-684-5777 or by writing to:

*Crutcher v. Liberty Mutual Insurance Company, et al.,
United States District Court for the District of New Mexico,
Case No. 18-cv-412 JCH-LF*
Settlement Administrator
PO Box 5338
Portland, OR 97228-5338

13. When will I receive my Settlement benefits?

Settlement benefits will be provided by the Settlement Administrator after the Settlement is approved by the Court and becomes final, including the end of any dates to appeal the final approval of the Settlement.

It may take time for the Settlement to be approved and become final. Please be patient and check www.CrutcherUIMsettlement.com for updates.

14. What happens if I do nothing at all?

If you do not submit a timely and valid Claim Form for an Offset Subclass Payment, you will automatically receive a Direct Premium Refund Payment. You will not receive an Offset Subclass Payment. You will give up your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Safeco about the legal issues in this Lawsuit that are released by the Settlement Agreement relating to the Lawsuit.

15. How do I get out of the Settlement?

You have the right to not be part of the Settlement by excluding yourself or “opting out” of the Settlement Class. If you exclude yourself from the Settlement Class, you give up your right to receive any Settlement benefits as part of this Settlement, and you will not be bound by any judgments or orders of the Court, whether favorable or unfavorable. However, you will keep your right to sue any of Defendants separately in another lawsuit if you choose to pursue one.

To exclude yourself from this lawsuit, you must make a request to be excluded in writing and mail the request to the following address **postmarked** by **April 15, 2026**:

*Crutcher v. Liberty Mutual Insurance Company, et al.,
United States District Court for the District of New Mexico,
Case No. 18-cv-412 JCH-LF*
Settlement Administrator
PO Box 5338
Portland, OR 97228-5338

Your request for exclusion must contain the following:

1. The name of the Lawsuit (*Crutcher v. Liberty Mutual Insurance Company, et al., United States District Court for the District of New Mexico, Case No. 18-cv-412 JCH-LF*);
2. Your full name;

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3. Your current address;
4. A clear statement that you wish to be excluded from the Settlement Class, such as: “I request exclusion from the Settlement Class”; and
5. Your signature.

The Settlement Administrator will file your request for exclusion with the Court. If you are signing on behalf of a Class Member as a legal representative (such as an estate, trust or incompetent person), please include your full name, contact information, and the basis for your authority.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt-out has not been signed by each and every individual Settlement Class Member will not be allowed.

If you do not exclude yourself from the settlement class by the **postmark** deadline of **April 15, 2026**, you will remain part of the settlement class and will be bound by the orders of the court in this lawsuit and by the terms of the settlement if it is approved by the court, even if you do not submit a claim form for payment. If you do not wish to be bound by the decisions or settlement in this lawsuit, you must request exclusion from the class action.

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

The full terms of the Settlement can be found at www.CrutcherUIMsettlement.com. If you think the terms of the Settlement are not fair, reasonable, or adequate to the Class Members, or you do not agree with the requested attorneys’ fees and expenses, you can tell the Court that you do not agree with all or any part of the Settlement.

To object, you must file a Notice of Intent to object with the Clerk of the Court by **April 15, 2026**, and mail the objection to the Clerk of the Court, Class Counsel and Safeco’s Counsel **postmarked** by **April 15, 2026** at the following addresses:

| COURT | CLASS COUNSEL | SAFECO’S COUNSEL |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| US District Court District of New Mexico Pete V. Domenici U.S. Courthouse 333 Lomas Blvd NW, Suite 270 Albuquerque, NM 87102 | Kedar Bhasker KEDAR BHASKER 2741 Indian School Rd. NE Albuquerque, NM 87106 | Rodger L. Eckelberry Baker & Hostetler LLP 200 S. Civic Center Dr. Suite 1200 Columbus, OH 43215 |

If you object, you cannot request exclusion from the Settlement. Your objection must include all of the following information:

- 1) The name of the Lawsuit (*Crutcher v. Liberty Mutual Insurance Company, et al., United States District Court for the District of New Mexico, Case No. 18-cv-412 JCH-LF*);
- 2) Your full name, address, telephone number, and email address (if any);
- 3) Information identifying you as a Settlement Class Member;
- 4) A written statement of all grounds for the objection, accompanied by any legal support you care to submit;
- 5) The identity of all lawyers (if any) representing you as the objector;
- 6) The identity of all of your lawyers (if any) who will appear at the Final Fairness Hearing;
- 7) A list of all persons who will be called to testify at the Final Fairness Hearing in support of the objection;
- 8) A statement confirming whether you intend to personally appear and/or testify at the Final Fairness Hearing;

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- 9) A list, by case name, court, and docket number, of all other cases in which you (directly or through a lawyer) have filed an objection to any proposed class action settlement within the prior three (3) years;
- 10) A list, by case name, court, and docket number, of all other cases in which your lawyer (on behalf of any person or entity) has filed an objection to any proposed class action settlement within the last three (3) years;
- 11) A list, by case number, court, and docket number, of all other cases in which you have been a named plaintiff in any class action or served as a lead plaintiff or class representative; and
- 12) Your signature or the signature of your duly authorized lawyer or other duly authorized representative (along with documentation setting forth such representation).

Notices of Intent to object must be **postmarked** by **April 15, 2026**. Any Notice of Intent that is not postmarked by the deadline set forth above or which does not comport with the requirements listed above may waive the right to be heard at the Fairness Hearing. If you file a Notice of Intent, you waive the right to request exclusion from the Settlement Class and will be bound by any decisions and orders from the Court and by the terms of the Settlement if it is approved by the Court. If you do not want to be bound by the decisions and rulings by the Court, you must file a request for exclusion and not a Notice of Intent to Object.

17. Do I have a lawyer in this Lawsuit?

The Court has also preliminarily appointed the following lawyers as Class Counsel for the Settlement Class:

Kedar Bhasker
KEDAR BHASKER
 2741 Indian School Rd. NE
 Albuquerque, NM 87106
 Phone: (505) 407-2088
 kedar@bhaskerlaw.com

Geoffrey Romero
ROMERO HARADA
& WINTERS
 4801 All Saints Road NW Ste. A
 Albuquerque, NM 87120
 Phone: (505) 247-3338
 geoff@rhwlawnm.com

Corbin Hildebrandt
CORBIN HILDEBRANDT, P.C.
 2741 Indian School Rd. NE
 Albuquerque, NM 87106
 Phone: (505) 998-6626
 corbin@hildebrandtlawnm.com

You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this Lawsuit.

18. How will Class Counsel be paid?

Class Counsel will file an application for attorneys' fees, inclusive of State Gross Receipt Tax of no more than \$2,332,138.28 and costs not to exceed \$6,000.00, subject to approval by the Court.

Class Counsel will also seek a Service Award for the Class Representative in the amount of \$10,000.00, subject to Court approval. The Service Award is designed to reward the Class Representative for securing the recovery awarded to members of the Settlement Class and to acknowledge the time spent by the Plaintiff participating in the Lawsuit, and prosecuting the legal claims for the benefit of the Settlement Class. Payment of the Attorneys' Fees and Costs and the Service Award will be made from the Settlement Fund. The Court may award less than these amounts.

Class Counsel's application for attorneys' fees, expenses, and Service Award will be made available on the Settlement Website at www.CrutchierUIMsettlement.com before the deadline for you to object to the Settlement.

Questions? Visit www.CrutchierUIMsettlement.com or call 1-877-684-5777

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

The Court will hold a Final Fairness Hearing on **June 2, 2026, at 9:30 a.m.** before Judge Judith C. Herrera, United States District Court, Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd. NW, Suite 670, Albuquerque, NM 87102.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve: the Settlement, Class Counsel's application for attorneys' fees, costs and expenses, and the Service Award to Plaintiff. If there are objections that were filed by the deadline the Court will consider them. If you file a timely objection, and you (or your lawyer) ask to speak at the hearing, the Court may hear objections at the hearing.

Note: The date and time of the Final Fairness Hearing are subject to change. The Court may also decide to hold the hearing via video conference or by telephone. Any change will be posted at www.CrutcherUIMsettlement.com.

20. Do I have to attend the Final Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Fairness Hearing. As long as you file your written objection on time the Court will consider it.

21. May I speak at the Final Fairness Hearing?

If you want to speak at the Final Fairness Hearing, you must follow all of the procedures for objecting to the Settlement listed above.

22. How do I get more information?

If you have any questions about the lawsuit, please call toll-free at 1-877-684-5777 or go to www.CrutcherUIMsettlement.com.

The Settlement Website provides:

1. The process for filing or requesting a Claim Form;
2. The full terms of the Settlement;
3. Information and requirements for submitting a Claim Form, requesting exclusion, or filing an objection to the terms of the Settlement;
4. A copy of the Complaint filed by Plaintiff and other important rulings and orders from the Court during the case prior to Settlement; and
5. Other general information about the class action.

You also may contact Class Counsel, whose contact information and websites are provided above.

DO NOT TELEPHONE OR CONTACT THE COURT, THE CLERK OF THE COURT, OR DEFENDANTS OR DEFENDANTS' COUNSEL REGARDING THIS NOTICE.

Questions? Visit www.CrutcherUIMsettlement.com or call 1-877-684-5777