

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JENNIFER SMITH, et al.,

Plaintiffs,

v.

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, et al.,

Defendants.

Case No. 1:13-cv-2018

Hon. Amy J. St. Eve

**AMENDMENT TO SETTLEMENT AGREEMENT**

WHEREAS, on August 9, 2016, this Court preliminarily approved the Settlement of this action and conditionally certified a Settlement Class (Dkt. 316);

WHEREAS, subsequently, the California Attorney General asked the parties to clarify one subsection of the Settlement Agreement;

WHEREAS, the Settlement Agreement may be amended by a writing signed by all of the duly authorized agents of State Farm and Plaintiffs, and approved by the Court (Section 16.9);

WHEREAS, all parties hereto represent that they have authority to bind their respective clients;

WHEREAS, all parties hereto agree that these changes are non-material; and

WHEREAS, the parties hereby agree to modify the Settlement Agreement in this matter by adding two sentences at the end of Section 13.3, which will now read as follows:

**13.3. Covenant Not To Sue.** Plaintiffs agree and covenant, and each Settlement Class Member will be deemed to have agreed and covenanted, not to sue any of the Released Parties with respect to any of the Released Claims, or otherwise to assist others in doing so, and agree to be forever barred from doing so, in any court of law or equity, or any other forum. However, the Settlement Agreement is not intended to and does not prohibit a Class

Member from responding to inquiries posited by federal, state or local agencies and/or law enforcement, even if the inquires relate to the Released Claims. Similarly, the Settlement Agreement is not intended to and does not prohibit a Class Member from bringing their concerns to federal, state or local agencies and/or law enforcement, even if those concerns relate to the Released Claims, provided that a Class Member is not attempting to revive any Released Claim.

NOW THEREFORE, the parties hereby agree to: modify the Settlement Agreement accordingly; immediately post notice of this Amendment to the Official Settlement Website; and seek final approval of the Settlement Agreement, as modified, at the December 8, 2016 fairness hearing.

APPROVED AS TO FORM AND CONTENT:

Dated: November 30, 2016

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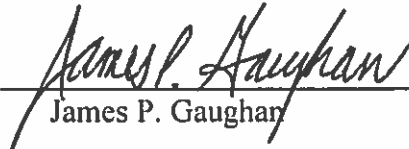
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2016, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

By: /s/ John T. Spragens  
John T. Spragens