

NexTier Bank  
Settlement Administrator  
P.O. Box 5596  
Portland, OR 97228-5596

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### **Court-Approved Legal Notice**

If you are a deposit account customer of NexTier Bank, N.A., who resides in the Commonwealth of Pennsylvania and were charged any Retry NSF Fee between January 1, 2017, and December 31, 2022, then you may be entitled to a Payment from a class action settlement.

A \$165,000 settlement has been reached in a class action lawsuit against NexTier Bank, N.A. (“NexTier”, or “Defendant”) in a lawsuit claiming a breach of contract regarding Defendant’s alleged assessment or disclosure of multiple NSF fees on the alleged same item. NexTier denies the allegation in the lawsuit and the Court has not decided who is right.

**You Are Receiving This Notice Because NexTier’s Records Indicate You Are Likely a Settlement Class Member.** The Settlement Class includes any Person who is or was a deposit account customer of NexTier Bank, N.A., who resides in the Commonwealth of Pennsylvania and who was charged any Retry NSF Fee between January 1, 2017, and December 31, 2022, inclusive, and who does not timely and validly opt out or request exclusion from the Settlement Class. The Settlement Class includes both consumer and business customers. The Settlement Class does not include any Person who held a deposit account with Mars Bank on February 16, 2024.

**What the Settlement Provides.** The Settlement provides for Individual Payments based on the number of Retry NSF Fees incurred by each Class Member. You do not need to file a claim to receive a payment. If the Settlement receives final approval from the Court, you will get your benefit automatically. Current customers will receive an account credit. Former customers will receive a check.

**Your Options.** If you do not want an Individual Payment, and you want to keep the right to sue or continue to sue the Defendant on your own about the legal issues in this lawsuit, you must file a request for exclusion **postmarked by May 19, 2025**. If you do not exclude yourself, you will remain in the Settlement Class and will lose the right to sue the Defendant about the legal issues in this lawsuit and will be bound by the Settlement. If you do not exclude yourself, you may object to the Settlement. The deadline to object is **May 19, 2025**.

The Court will hold a Final Approval Hearing on **September 3, 2025, at 9:00 a.m.**, to consider whether to approve the Settlement, attorneys’ fees, costs, and expenses, and service award payments, and hear any objections. You do not need to attend the hearing. If you file an objection that includes a notice of intention to appear, you may attend the hearing, and you may ask to speak, but you do not have to speak. You may hire your own lawyer to attend, at your own expense, but you do not need to do so. After the hearing, the Court will decide whether to approve the Settlement.

**More information is available at [NexTierLitigation.com](https://NexTierLitigation.com) or by calling toll-free 1-877-806-7572.**