

# EXHIBIT 3

*Tuan Nguyen v. Vantiv, Inc., et al.*

United States Court for the Northern District of California, Case No. 3:15-cv-02436-LB

**CALL RECORDING CASE SETTLEMENT CLAIM FORM**

This Claim Form is for all natural persons who were California residents and who, while residing or physically located in California, placed a call to one or more of 28 specific toll-free telephone numbers operated by Defendants during the period from January 24, 2014 through May 1, 2015, inclusive, and spoke with a representative. *If you received a Settlement Class Notice by U.S. mail, email or direct telephone call, Defendants have a record of you calling at least one of the telephone numbers at issue during the Class Period.* A list of the 28 toll-free numbers affected by a software error that caused undisclosed recording of calls to those numbers during the Class Period can be found on the settlement website, [www.CardServicesSettlement.com](http://www.CardServicesSettlement.com).

To receive your share of the settlement, **you must submit this completed Claim Form either online by accessing the Settlement Website at [www.CardServicesSettlement.com](http://www.CardServicesSettlement.com), or by regular mail to the following address, postmarked no later than \_\_\_\_\_, 2016:**

Call Recording Settlement Claims Administrator

c/o **A.B. Data, Ltd.**

P.O. Box **XXXX**

City / State, **XXXXXX**

Toll Free: **1-8XX-XXX-XXXX**

Website: [www.CardServicesSettlement.com](http://www.CardServicesSettlement.com)

Please note that the value of your settlement payment will be based on the number of qualified calls you made during the Class Period, January 24, 2014 through May 1, 2015, inclusive. Defendants have a record of every call routed through the call recording software associated with the 28 telephone numbers at issue during the Class Period. You should provide all possible telephone numbers you may have used to call Defendants' toll-free telephone numbers during the Class Period.

**I. Your Name and Address**

Please clearly print or type your information in the spaces below:

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number(s) used to make calls between January 24, 2014 and May 1, 2015, inclusive:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

**II. Release**

I understand that in exchange for the consideration provided for in this Settlement, upon entry of the Final Approval Order and Judgment, and as set forth more fully in the Settlement Agreement, I shall have fully,

finally, irrevocably, and forever released Vantiv, Inc., Vantiv Holding, LLC and Vantiv, LLC and, for each, its past or present direct and indirect parents, affiliates and subsidiaries (whether or not wholly owned) and their respective directors, officers, employees, agents, insurers, shareholders, members, attorneys, advisors, consultants, representatives, partners, affiliates, related companies, parents, subsidiaries (whether or not wholly owned), joint ventures, divisions, predecessors, successors, and assigns and each of them (collectively, the “Released Parties”) from any and all liabilities, claims, causes of action, damages (whether actual, compensatory, statutory, punitive or of any other type), penalties, costs, attorneys’ fees, losses, or demands, whether known or unknown, existing or suspected or unsuspected, that were or reasonably could have been asserted based on the factual allegations contained in the First Amended Complaint in the matter of *Nguyen v. Vantiv, Inc., et al*, USDC ND CA Case No. 3:15-cv-02436-LB, or relate to or arise out of the alleged recording, monitoring, or eavesdropping upon telephone calls made to Defendants or any of the other Released Parties before May 1, 2015 (collectively, the “Released Claims”). The Released Claims include, but are not limited to, claims that were or reasonably could have been asserted based on the factual allegations contained in the First Amended Complaint alleging violation of any law prohibiting or regulating the monitoring, recording or eavesdropping on telephone calls without the consent of all parties, including but not limited to any claims under California Penal Code §§ 631, 632, 632.7 and 637.2. The Released Claims also include but are not limited to claims under any other California or federal statute, code, rule or regulation that regulates or restricts the monitoring, recording or eavesdropping on telephone calls. The Released Claims do not cover any telephone calls made by Settlement Class Members to Defendants’ clients that were not routed to Defendants’ contact center.

<b>III. Certification</b>
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**By my signature below, I certify to my best honest belief, that I called one of the 28 toll-free telephone numbers at issue in this settlement, as described above and in the Settlement Class Notice, at least once between January 24, 2014 and May 1, 2015, inclusive, while residing and physically located in California and spoke with a representative.**

Dated: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

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