

SNOHOMISH COUNTY SUPERIOR COURT, WASHINGTON STATE

**IF YOU ARE OR WERE A PATIENT AT  
THE CENTER FOR COUNSELING AND HEALTH RESOURCES,  
A CLASS ACTION LAWSUIT MAY AFFECT YOUR RIGHTS.**

*A court authorized this notice. This is not a solicitation from a lawyer.*

- Former patients have sued The Center for Counseling and Health Resources, and its owners, Gregory and LaFon Jantz.
- The lawsuit alleges breach of contract, violations of the Washington State Consumer Protection Act and breaches of fiduciary duty based upon The Center’s billing practices.
- The Court has allowed the lawsuit to be a class action on behalf of:

All patients of The Center who, at any time since January 22, 2003, paid up-front for service(s) when the cost of the service(s) would have been covered by a third-party payor.

- The Court has not decided whether The Center or its owners Gregory and LaFon Jantz did anything wrong. There is no money available now and no guarantee that there will be. However, your legal rights are affected and you have a choice to make now:

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT**

<b>DO NOTHING</b>	<b>Stay in this lawsuit. Await the outcome. Give up the right to file a separate lawsuit.</b> By doing nothing, you keep the possibility of getting money that may come from a trial or a settlement. But, you give up any rights to sue The Center for Counseling and Health Resources, and Gregory and LaFon Jantz separately about the same legal claims in this lawsuit.
<b>ASK TO BE EXCLUDED</b>	<b>Get out of this lawsuit. Get no benefits from it. Keep the right to file a separate lawsuit.</b> If you ask to be excluded and money is later awarded, you won’t share in the award. But, you keep any rights to sue The Center for Counseling and Health Resources, Gregory and LaFon Jantz separately about the same legal claims in this lawsuit.

- Your options are explained in this notice. To ask to be excluded you must act before October 15, 2009.
- If money is awarded either by the Court or through settlement, you will be notified about how to ask for a share.

**FREQUENTLY ASKED QUESTIONS**

1. Why did I get this notice?

The Center for Counseling and Health Resources records show that you are or were a patient at the facility, had health insurance from a third party payor (such as a health insurer or Medicare) and that you may have paid up-front for The Center's services.

This notice explains that the Court has allowed or "certified" a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial.

The case is known as *Rockey et al., v. The Center for Counseling and Health Resources et al.*, Civil Action No. 09-2-02242-7.

2. What is this lawsuit about?

In this lawsuit, Plaintiffs allege that Defendants required patients who had health insurance with third-party payors with whom The Center contracted, to pay up-front for services that they received, rather than bill the third-party payors first. Plaintiffs also allege that Defendants did not provide a full accounting and refunds to patients who did not receive all of the services for which they paid in advance, or who otherwise overpaid. Plaintiffs also allege not only did these actions take place but that these actions violated the Washington state Consumer Protection Act and breaches of Defendants' fiduciary duties to their patients.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called "Class Representatives" (in this case, Darlene Rockey and Heidi Woeck) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." All of the Class Members are called the Plaintiffs. The Center for Counseling and Health Resources and Gregory and LaFon Jantz are called the Defendants. One court resolves the issues for everyone in the Class - except for those people who choose to exclude themselves from the Class.

4. Why is the lawsuit a class action?

The Court decided that this lawsuit can be a class action because it meets the requirements of Civil Rule 23, which governs class actions in Washington State Superior Courts. Specifically, the Court found that:

- There are current and/or former patients of The Center for Counseling and Health Resources who paid up-front for services and had insurance coverage from a third-party payor such that a class may be certified;

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- There are questions of law and fact that are common to each;
- Ms. Rockey and Ms. Woeck’s claims are typical of that of the rest of the Class;
- Ms. Rockey, Ms. Woeck and the lawyers representing the Class, Sirianni Youtz Meier and Spoonemore, will fairly and adequately represent the interests of the class;
- The common legal and factual questions are more important than the questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

5. How do the Defendants respond?

The Defendants deny that they did anything wrong. They state that they did not require up-front payment from patients with insurance coverage that contracted with Defendants.

6. Has the Court decided who is right?

The Court hasn’t decided whether Plaintiffs or Defendants are right. By establishing the Class and issuing this Notice, the Court is not suggesting that Plaintiffs will win or lose the case. The Plaintiffs must prove their claims at trial. No trial date has been set.

7. What are the Plaintiffs asking for?

Plaintiffs are asking for changes in the way Defendants bill patients. They also want Defendants to refund all payments improperly received from patients and to provide a full accounting for the services provided. Plaintiffs also seek damages, including damages related to the lost use of funds improperly held by Defendants and triple damages under the Washington Consumer Protection Act. Plaintiffs also seek their attorneys fees and costs.

8. Is there any money available now?

No money is available now because the Court has not yet decided whether Defendants did anything wrong, and the two sides have not settled the case. There is no guarantee that money ever will be obtained. If money is obtained, you will be notified how to ask for a share.

9. Am I part of the Class?

The Class consists of:

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All patients of The Center who, at any time since January 22, 2003, paid up-front for service(s) when the cost of the service(s) would have been covered by a third-party payor.

If you did not have health insurance coverage through a third-party payor that contracted with The Center or through Medicare, you are NOT in the Class.

If you are unsure whether you are included, you can get free help by calling or writing the Plaintiffs' lawyers in this case at:

Eleanor Hamburger  
Sirianni Youtz Meier and Spoonemore  
719 Second Avenue, Suite 1100  
Seattle, WA 98104  
206-223-0303  
[www.symslaw.com](http://www.symslaw.com)  
[ehamburger@sylaw.com](mailto:ehamburger@sylaw.com)

10. What happens if I do nothing at all:

You don't have to do anything if you want to be able to obtain money from this lawsuit. By doing nothing you are staying in the Class. If you stay in and the Plaintiffs are awarded money as a result of settlement or trial, you will be notified about how to apply for a share (or to be excluded from the settlement).

If you do nothing now, regardless of whether Plaintiffs win or lose at trial, you will not be able to sue The Center for Counseling and Health Resources and Gregory and LaFon Jantz about the same legal claims that are the subject of this lawsuit. Your claims will be decided by the Orders the Court issues and judgments the Court makes in this class action.

11. Why would I ask to be excluded?

If you already have your own lawsuit against Defendants for the same claims and want to continue with it, you need to ask to be excluded from the Class.

If you exclude yourself from the Class – which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class – you won't get any money or benefits from this lawsuit even if the Plaintiffs obtain them as a result of the trial or from any settlement (that may or may not be reached) between Defendants and the Plaintiffs. However, you may then be able to sue or continue to sue Defendants for those same claims. In other words, if you exclude yourself from the Class, you will not be legally bound by the Court's decisions in this class action.

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If you start your own lawsuit against Defendants after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit, and you'll have to prove your claims. If you exclude yourself so you can start or continue your own lawsuit against Defendants, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

12. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must send an "Exclusion Request" in the form of a letter sent by mail, stating that you want to be excluded from *Rockey et al., v. The Center for Counseling and Health Resources et al.*. Be sure to include your name and address, and sign the letter. you must mail your Exclusion Request postmarked by October 15, 2009, to: Attn: *Rockey Class Action*, Sirianni, Youtz, Meier & Spoonemore, 719 Second Avenue, Suite 1100, Seattle, WA 98104.

13. Do I have a lawyer in this case?

The Court decided that the law firm of Sirianni Youtz Meier and Spoonemore is qualified to represent you and all Class Members. The law firm is called the "Class Counsel." They are experienced in handling class action lawsuits. More information about the law firm, its practice, and its lawyers' experience is available at [www.symslaw.com](http://www.symslaw.com).

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. You may hire your own lawyer and ask him or her to appear in Court for you, if you want someone other than Class Counsel to speak for you. If you do, you will have to pay that lawyer.

15. How will the lawyers be paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. You won't have to pay these fees and expenses. If the Court grants Class Counsels' request, the fees and expenses would either be deducted from any money obtained by the Class or paid separately by Defendants.

16. How and when will the Court decide who is right?

As long as the case isn't resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs' claims at a trial. The trial date in this case has not yet been set. During the trial, a Jury or the Judge will hear all of the evidence to help them reach a decision about whether the Plaintiffs or Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that they will get any money for the Class.

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17. Do I have to come to trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and Defendants will present the defenses. You or your own lawyer are welcome to come at your own expense.

18. Will I get money after the trial?

If the Plaintiffs obtain money as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

19. Are more details available?

Visit the website, [www.symslaw.com](http://www.symslaw.com), where you will find the Court's Order Certifying the Class, the Complaint that the Plaintiffs submitted, the Defendant's Answer to the Complaint, as well as an Exclusion Request form. You may also speak to one of the lawyers by calling (206) 223-0303 or by writing to: Sirianni, Youtz, Meier & Spoonemore, 719 Second Avenue, Suite 1100, Seattle, WA 98104.