

If you received a call offering a SolarCity product between November 6, 2011 and October 16, 2017, a class action settlement may affect your rights.

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

A proposed Settlement has been reached in a class action lawsuit called *Lucero v. SolarCity Corp.* The lawsuit alleges that marketing calls made by or on behalf of SolarCity violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”). SolarCity maintains that it did not make any unauthorized marketing calls, the lawsuit is without merit, and it was prepared to vigorously defend all aspects of it.

You are included in the Settlement Class if, at any time between November 6, 2011 and October 16, 2017, you received from or on behalf of SolarCity (1) one or more calls on your cell phone or (2) at least two telemarketing calls during any 12-month period where your phone number appeared on a National or State Do-Not-Call Registry or Solar City’s Internal Do-Not-Call List more than 15 days before the calls.

If the Court approves the Settlement, you may be eligible to receive a single payment. Your payment amount will depend on how many Settlement Class Members submit valid Claim Forms. The Settlement Fund will be divided and distributed equally—sometimes referred to as “pro rata”—to all Settlement Class Members who submit a valid Claim Form after attorneys’ fees, costs and expenses, any award for the Class Representative, and notice and administration costs have been deducted.

Please read this Notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT THE CLAIM FORM	The only way to receive a payment.
EXCLUDE YOURSELF	You will receive no payment, but you will retain any rights you currently have to sue the Defendant about the issues in this case.
OBJECT	Write to the Court explaining why you don’t like the Settlement.
ATTEND THE FINAL APPROVAL HEARING	Ask to speak in court about the fairness of the Settlement.
DO NOTHING	You won’t get a share of the Settlement benefits and will give up your rights to sue the Defendant about the issues in this case.

These rights and options—and the deadlines to exercise them—are explained in this Notice.

The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be provided only after any issues with the Settlement are resolved. Please be patient.

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice to let you know about a proposed Settlement with the Defendant. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Judge Richard Seeborg of the U.S. District Court for the Northern District of California is overseeing this class action. The case is known as *Lucero v. SolarCity Corp.*, No. 3:15-CV-05107-RS. The person who sued is called the Representative Plaintiff. The company he sued, SolarCity Corporation, is called the Defendant.

2. What is a class action lawsuit?

In a class action, one or more people called “Class Representatives” sue on behalf of a group of people who have similar claims. In this case, these people are together called a “Settlement Class” or “Settlement Class Members.” In a class action, the court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class. After the Parties reached an agreement to settle this case, the Court recognized it as a case that may be treated as a class action for Settlement purposes.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

The lawsuit alleges that the Defendant made marketing calls to consumers for the purpose of offering the Defendant’s products. The lawsuit alleges that the Defendant violated the federal Telephone Consumer Protection Act because some consumers did not agree to receive these calls. The Defendant denies the allegations and maintains that it has strong, meritorious defenses to the claims. The Settlement is not an admission of, and does not establish any, wrongdoing.

More information about the Complaint in the lawsuit and the Defendant’s answer can be found in the “Important Documents” section of the Settlement website at www.SCTCPASettlement.com.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiff or the Defendant should win this case. Instead, both sides agreed to a settlement. The Class Representative and his attorneys (“Class Counsel”) believe that the Settlement is in the best interests of the Settlement Class Members.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that this Settlement includes a Class of all individuals in the United States, from November 6, 2011 to October 16, 2017, who received from or on behalf of SolarCity (1) one or more calls on their cell phones or (2) at least two telemarketing calls during any 12-month period where their phone numbers appeared on a National or State Do-Not-Call Registry or Solar City’s Internal Do-Not-Call List more than 15 days before the calls. Everyone who fits this description is a member of the Settlement Class.

If you received a postcard about this class action, your phone number may be one of the numbers that was called.

6. What were the allegedly unsolicited calls about?

The calls covered by this Settlement were allegedly made by or on behalf of SolarCity in an attempt to offer SolarCity products.

QUESTIONS? CALL 888-865-0824 TOLL-FREE OR VISIT WWW.SCTCPASETTLEMENT.COM.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

As part of the Settlement, Defendant has agreed to create a \$15,000,000 Settlement Fund. The Settlement Fund will be used to pay all valid claims, costs of administering the Settlement, attorneys' fees and costs, and any incentive payment to the Class Representative.

Under the Settlement Agreement, Settlement Class Members must request a payment by submitting by mail or online a valid Claim Form saying that they received an unauthorized call and providing all the information requested in the Claim Form. Further details are below.

HOW TO GET BENEFITS

8. How do I make a claim?

The Settlement creates a claims process. You can get the Claim Form on the Settlement website at www.SCTCPASettlement.com or by calling 888-865-0824. The Claim Form may be submitted online or by U.S. Mail sent to *Lucero v. SolarCity TCPA Settlement*, P.O. Box 4655, Portland, OR 97208-4655. If you file a valid Claim Form and your claim is approved, you will receive a single payment. Your payment amount will depend on how many Settlement Class Members submit valid Claim Forms. The Settlement Fund will be divided and distributed equally—sometimes referred to as “pro rata”—to all Settlement Class Members who submit a valid Claim Form after attorneys' fees, costs and expenses, any award for the Class Representative, and notice and administration costs have been deducted.

The Claim Form requires you to provide your name, address, and the telephone number that you received the call(s) on. You must verify that you received at least one call from or on behalf of SolarCity regarding SolarCity's products on a United States cellular phone number between November 6, 2011 to October 16, 2017 or received at least two telemarketing calls during any 12-month period between November 6, 2011 to October 16, 2017 and at least 15 days after your phone number was placed on a National, State, or SolarCity's Do-Not-Call List.

All Claim Forms must be received and properly completed by April 16, 2018.

9. When will I get my payment?

The Final Approval Hearing to consider the final fairness of the Settlement is scheduled for **January 18, 2018**. If the Court approves the Settlement, and after any appeals process is completed, eligible Settlement Class Members whose claims were approved will be sent a check in the mail. Please be patient. All checks will expire and become void 90 days after they are issued.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Yes, the Court has appointed lawyer Scott A. Bursor of Bursor & Fisher, P.A. and Reuben D. Nathan of Nathan & Associates, APC as the attorneys to represent you and other Settlement Class Members. These attorneys are called “Class Counsel.” In addition, the Court appointed Plaintiff Jose Albino Lucero Jr. to serve as the Class Representative. He is a Settlement Class Member like you. Class Counsel can be reached by calling 646-837-7150.

11. Should I get my own lawyer?

You don't need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask your lawyer to appear in Court for you at your own expense if you want someone other than Class Counsel to represent you.

QUESTIONS? CALL 888-865-0824 TOLL-FREE OR VISIT WWW.SCTCPASETTLEMENT.COM.

12. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees, costs, and expenses, totaling up to \$5 million, and will also request an award of up to \$5,000 each for the Class Representative and two other named plaintiffs from a similar lawsuit. The Court will determine the proper amount of any attorneys' fees, costs, and expenses to award Class Counsel and the proper amount of any award to the Class Representative. The Court may award less than the amounts requested by Class Counsel and the Class Representative, and any money not awarded from these requests will stay in the Settlement Fund to pay Settlement Class Members.

YOUR RIGHTS AND OPTIONS

13. What happens if I do nothing?

If you do nothing, you will receive no payment under the Settlement, you will be in the Settlement Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court. Also, unless you exclude yourself, you won't be able to start a lawsuit or be part of any other lawsuit against the Defendant for the claims being resolved by this Settlement.

14. What happens if I ask to be excluded?

If you exclude yourself from the Settlement, you can't claim any money or receive any benefits as a result of the Settlement. You will keep your right to start your own lawsuit against the Defendant for the claims resolved in this Settlement. You will not be legally bound by the Court's judgments related to the Settlement Class in this class action.

15. How do I ask to be excluded?

You can ask to be excluded from the Settlement. To do so, you must send a letter clearly stating that you want to be excluded from the Settlement in *Lucero v. SolarCity Corp.*, No. 3:15-CV-05107-RS. Your letter must also include your name, address, the phone number that you contend you received the call(s) on, and your signature. You must mail your exclusion request no later than **December 15, 2017** to:

Lucero v. SolarCity TCPA Settlement
P.O. Box 4655
Portland, OR 97208-4655

You can't exclude yourself via phone, fax, or email.

16. If I don't exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

17. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for a payment.

18. How do I object to the Settlement?

If you are a Settlement Class Member and you do not exclude yourself from the Settlement Class, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should deny approval by filing an objection. You can't ask the Court to order a larger Settlement Fund; the Court can only approve or deny the Settlement. If the Court denies approval, no Settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you must object. The Court will consider your views. Your objection and supporting papers must (1) be in writing, (2) contain a caption or title that identifies it as "Objection to Class Settlement in *Lucero v. SolarCity Corp.*, Case No. 3:15-CV-05107-RS," (3) provide the additional information identified in the

next paragraph, (4) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court, 450 Golden Gate Avenue, San Francisco, CA 94102 or by filing them in person at any location of the United States District Court for the Northern District of California, and (5) be filed or postmarked on or before **December 15, 2017**. By the same date (based on postmark), you must also serve a copy on Class Counsel, Counsel for Defendant, and the Settlement Administrator at the addresses set forth in this Notice.

The objection shall contain the following information: (i) your name, address, and telephone number; (ii) the name, address, and telephone number of any attorney representing you with respect to the objection; (iii) the factual basis and legal grounds for the objection, including any documents sufficient to establish the basis for your standing as a Settlement Class Member, including the date(s) and phone number(s) at which you received the calls covered by this Settlement; and (iv) the case name, case number, and court for any prior class action lawsuit in which you and your attorney (if applicable) have objected to a proposed class action Settlement.

If, in addition to submitting a written objection to the Settlement, you wish to appear and be heard at the Final Approval Hearing on the fairness of the Settlement, you must file, by **December 15, 2017**, a notice of intention to appear with the Court and list the name, address, and telephone number of the attorney, if any, who will appear on your behalf. If you choose to appear at the Final Approval Hearing, you may not raise matters that you could have raised but did not raise in your written objection, and all objections that are not set forth in your written objection may be deemed waived.

Class Counsel will file with the Court and post on the Settlement website its request for attorneys' fees, costs and expenses, and incentive awards on **December 1, 2017**.

<p>Court: Class Action Clerk United States District Court 450 Golden Gate Avenue San Francisco, CA 94102</p>	<p>Settlement Administrator: Lucero v. SolarCity TCPA Settlement P.O. Box 4655 Portland, OR 97208-4655</p>
<p>Class Counsel: Scott A. Bursor Bursor & Fisher, P.A. 888 Seventh Avenue New York, NY 10019</p>	<p>Counsel for Defendant: Tiffany Cheung Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105</p>

19. What's the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class (i.e., you don't exclude yourself from the Settlement). Excluding yourself from the Settlement Class is telling the Court that you don't want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

20. When and where will the Court hold the Final Approval Hearing on the fairness of the Settlement?

The Final Approval Hearing has been set for **January 18, 2018 at 1:30 p.m.** before the Honorable Richard Seeborg at San Francisco Courthouse, Courtroom 3, 17th floor, 450 Golden Gate Avenue, San Francisco, CA 94102. At the Final Approval Hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys' fees and expenses and the incentive awards to the Class Representative and two other named plaintiffs.

Note: The date and time of the Final Approval Hearing are subject to change by Court order, but any changes will be posted at the Settlement website, www.SCTCPASettlement.com, or through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>.

QUESTIONS? CALL 888-865-0824 TOLL-FREE OR VISIT WWW.SCTCPASETTLEMENT.COM.

21. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you send an objection, you don't have to come to court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may also pay another lawyer to attend, but you don't have to.

22. May I speak at the Final Approval Hearing?

If you do not exclude yourself from the Settlement Class, you may ask the Court for permission to speak at the Final Approval Hearing concerning any part of the proposed Settlement by asking to speak in your objection by following the instructions above in Section 18.

GETTING MORE INFORMATION

23. Where can I get additional information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.SCTCPASettlement.com, by contacting Class Counsel at 646-837-7150, by accessing the Court docket in this case through the Court's PACER system at <https://ecf.cand.uscourts.gov>, or by visiting the Office of the Clerk of the Court for the United States District Court for the Northern District of California, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding court holidays.

PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.