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SCAMS AND FRAUD

How to Tell if a Class Action Lawsuit Settlement Notice Is Real or a Scam

Avoid fraud — but don't throw away legitimate opportunities for compensation

By Matt Alderton, AARP
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AARP (GETTY IMAGES, 3)

If you watch television regularly, you've probably seen commercials about Camp Lejeune, a U.S. military base where drinking water contaminated with toxic chemicals has been linked to chronic illnesses like cancer. In 2022, President Joe Biden signed the Camp Lejeune Justice Act, which established a limited two-year window during which individuals who lived and worked at Camp Lejeune between 1953 and 1987 could file lawsuits against the U.S. government seeking compensation for health issues related to their time there. By the end of 2022, law firms had spent over \$145 million advertising the opportunity, generating more than 400,000 claims from alleged victims and their loved ones.

But lawyers aren't the only ones who saw dollar signs in the Camp Lejeune Justice Act. Scammers took advantage of it too, according to the Better Business Bureau (BBB), which issued a warning in 2023 about criminals posing as attorneys and claims administrators. The BBB noted that scammers sent fake phishing emails that looked like legitimate settlement notices; when individuals clicked on the email, their devices became infected with malware that stole their personal information for use in identity theft crimes. In other cases, scammers told victims that to receive their payout, they had to pay an administrative fee to file their case. They continued asking for more fees, eventually disappearing with their information and money.

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There are plenty of legitimate class action settlements, however, and you may have received a settlement notice for one (or more) of them. Here are some recent suits that have been settled:

- **AT&T** has agreed to pay \$177 million regarding two data breaches that occurred in 2024.
- **Nelman Marcus and Panera Bread** have agreed to pay \$3.5 million and \$2.5 million, respectively, to settle class action lawsuits over their data breaches.
- **Poppi**, a prebiotic soda company, has agreed to pay \$8.9 million to settle a class action lawsuit over its marketing claims.

Skeptical consumers aren't filing claims

Considering the proliferation of scams in recent years, it's no wonder Americans are skeptical when they receive notices of settlements related to class action lawsuits: Only 4 percent of people who receive such notices file claims, according to the Federal Trade Commission (FTC).

"One of the hypotheses for why people don't participate in class actions as frequently as they could is because they're worried about scams," says Brian Fitzpatrick, a law professor at Vanderbilt University and author of *The Conservative Case for Class Actions*. But while Fitzpatrick agrees that it's wise to be cautious in an age of rampant fraud, he believes that fraudulent settlement notices are relatively rare: "I have definitely heard that this could be going on, but I have never actually witnessed it firsthand."

Join Our Fight Against Fraud

Here's what you can do to help protect people 50 and older from scams and fraud:

- Sign up to become a [digital fraud fighter](#) to help raise awareness about the latest scams.
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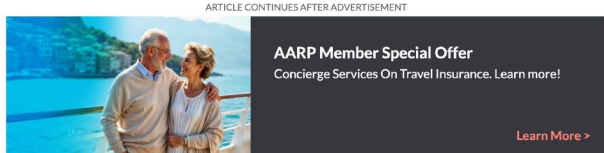
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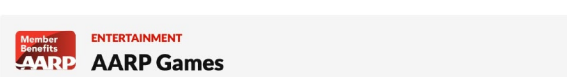
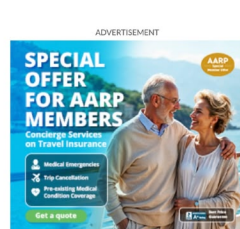
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If you can confirm a notice's legitimacy, there's no reason not to respond, says Jer Nixon, a class action attorney at The Simon Law Firm in St. Louis. "Let's say you get a class notice that says, 'Hey, you can file a claim and receive \$100...'" Your options, generally, are to do nothing or to file a claim. Either way, your rights to bring a future claim are the same — you lose them. So you may as well get some money."

Zim Hang, cofounder and CEO of Chariot Claims, agrees. "When people don't participate in a class action, they're actually opted in by default, which means that the [defendant's] liability is being erased but the [consumer] isn't getting paid for it," says Hang, whose business helps consumers find and submit claims for mass actions — which are similar to class actions, except that class actions treat multiple claims as a single case. In contrast, mass actions involve multiple claims grouped together but handled individually.



"So, it's important to take action," Hang notes. "But, of course, you need to do your research to make sure it's legit. Because while most of these settlements are legit, every so often there are bad actors."

How can you determine if a class action settlement notice is legit?

Before you respond to a class action settlement notice, use these tips to determine whether you're dealing with a real case or a fraudulent one:

- **Find the settlement website:** Most class action lawsuits have an informational settlement website associated with them, according to Nixon, who says settlement websites typically include information about the lawyers involved in the case, relevant court filings, settlement eligibility and frequently asked questions, among other things. Whether you receive a settlement notice by mail or email, your first step should be visiting that website to verify that the settlement is genuine.

"If you get a class notice and you're not sure if it's real or not, it should have a case name on it. You can Google that case name and the website should come up," Nixon explains. He adds that you should avoid clicking on links to settlement websites if you receive settlement notices by email, because they could point you to fraudulent sites whose purpose is stealing your information or installing malware on your device.

That's why it's also a good idea to avoid QR codes and web addresses that appear on printed settlement notices. "Do an internet search for the case name ... and the words 'settlement website' to see if the site comes up. It always has for me," suggests Fitzpatrick, who recommends cross-referencing the case number on your settlement notice with the case number on the website to ensure they match.

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Hang adds that you should be careful if settlement websites are missing key information, such as official court documents or eligibility deadlines.

- **Check the news:** Hang points out that legitimate class action settlements often appear in the news. "Look for a trustworthy publication," he says. "Some of the bigger settlements will be covered by *The New York Times* and places like that, and they'll usually include a link to the official settlement website."
- **Check aggregator sites:** You can confirm the veracity of class actions not only by consulting the news, but also by checking third-party "aggregator" websites that specialize in collecting and publishing information on class actions. Hang recommends the website [ClassAction.org](#). "If it shows up on there, chances are it's legit," he says. Another trusted aggregator website is [TopClassActions.com](#), according to Fitzpatrick.
- **Look for red flags:** Several things should raise immediate alarm bells if you encounter them in a class action settlement notice. One red flag is a request for personal information, Fitzpatrick notes. Although it's common for claim administrators to ask for a mailing address, phone number, email address or Venmo username — they need to know where to send your settlement money, after all — he says requests for Social Security numbers or bank account information are suspicious. Also suspect are requests for processing fees, filing fees or other upfront payments, none of which should be required to receive a settlement. "That should never, ever happen," Fitzpatrick says.
- **Contact the claims administrator:** If you're unsure about a settlement, contact the law firm or claims administrator, both of whom should be listed on the official settlement website. Rather than calling a phone number listed on the notice, though, try to find the firm's number independently, just in case it's a bogus number that would lead you to a scammer.

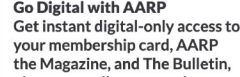
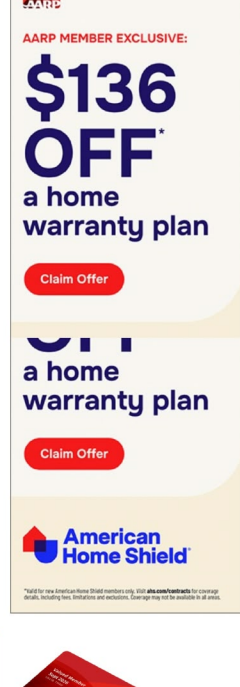
Class actions and consumer rights

Given the potential for fraud and abuse, it might be tempting to throw settlement notices straight in the garbage. Although it's a surefire way to avoid one type of scammer — willful criminals — doing so means opting out of your rights as a consumer, which could expose you to a different kind of scammer: unscrupulous corporations.

"There are a lot of class action lawsuits because we have the largest economy in the world, and not every participant in that economy conducts business in the best way. Class actions are how we hold those businesses accountable when the losses are too small for individuals to sue on their own," Fitzpatrick says. "If we didn't have class actions, we would ... get no redress."

Matt Alderton is a contributing writer who specializes in health and wellness, travel and technology. His work has also appeared in USA Today, Forbes and The Washington Post.

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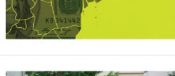
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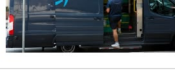
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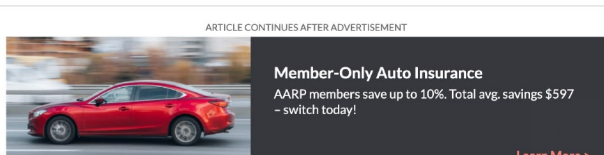


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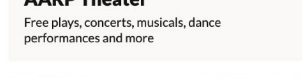
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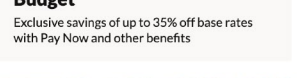
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