

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SPOKANE DIVISION**

If you were a Washington resident with a Washington-area-code cellular number between November 15, 2021 and December 10, 2025, and during that time you received one or more text messages from Davison Design & Development, Inc. for which you had not signed up, you may be able to receive a cash payment from a class action settlement.

A federal court authorized this notice. You are not being sued.

This is not a solicitation from a lawyer.

- A settlement (the “Settlement”) has been reached in a class action lawsuit against Davison Design & Development, Inc. (“Davison”).
- Class Representative Heather Miller alleged in a class action lawsuit that Davison sent commercial text messages to Washington residents without their prior consent. Davison does not admit these allegations or any liability.
- The parties have settled after considering the risk, cost, and time of continuing the lawsuit through trial and potential appeals.
- You are a “Settlement Class Member” if you were a Washington resident with a Washington-area-code cellular number between November 15, 2021 and December 10, 2025, and during that time you received one or more text messages from Davison for which you had not signed up.
- If you are a Settlement Class Member, you may submit a timely and valid Claim Form to receive a cash payment or proceed with one of the options outlined below:

This Notice may affect your rights. Please read it carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT		DEADLINE
SUBMIT A CLAIM FORM	Submit a timely and valid Claim Form, as instructed below. Submitting a Claim Form allows you to receive your share of the Settlement Fund.	Submitted or Postmarked by October 13, 2026
ASK TO BE EXCLUDED	Submit a written request to be excluded, as instructed below. Receive nothing from the Settlement but maintain your right to file a separate lawsuit regarding the legal claims at issue.	Postmarked by September 13, 2026
OBJECT TO THE SETTLEMENT	Send a timely objection to the Court, Class Counsel, and Defendant’s Counsel, as instructed below. Stay a Settlement Member but tell the Court which parts of the Settlement you object to.	Filed by September 13, 2026
DO NOTHING	Get no Settlement benefits, while still being bound by the Settlement. By doing nothing, you lose the opportunity to submit a Claim Form for potential payment but will still be considered a part of the Settlement Class who have released their claims against Davison.	

Your rights and options, and the deadlines to exercise them, are explained below in this Notice.

The Court presiding over this class action must decide whether to approve the Settlement and the requested attorneys’ fees and other expenses. No cash payments will be provided to Settlement Class Members unless the Court approves the Settlement and it becomes final.

BASIC INFORMATION

1. Why is this Notice being provided?

The Court authorized this Notice because you have a right to know about the proposed settlement of this class action lawsuit and about your rights and options before the Court decides whether to grant final approval of the Settlement. The Hon. Rebecca L. Pennell of the United States District Court for the Eastern District of Washington is overseeing this lawsuit. The lawsuit is titled *Miller v. Davison Design & Development, Inc.*, Civil Action No. 2:25-cv-459.

2. What is this lawsuit about?

This class action lawsuit alleges that Class Representative Heather Miller, and other Washington residents with a Washington-area-code cell phone number, did not sign up for Davison's text messages, but received one or more text messages from Davison. The lawsuit alleges that Davison violated Washington's Commercial Electronic Mail Act, RCW 19.190.060, because that law prohibits sending commercial text messages to people who have not clearly and affirmatively consented in advance. Davison denies these allegations and any liability.

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

In a class action, a person called the "Class Representative," (in this case, Heather Miller), sues on behalf of a group (or groups) of people who have similar legal claims. The people collectively are called a "Class," and each person is called a "Class Member." The individual who sues—and all of the Class Members—are called the "Plaintiffs." The entity or company they sue, (in this case, Davison Design & Development, Inc.), is called the "Defendant." In a class action lawsuit like this one, the Court resolves the issues and legal claims in the lawsuit for all Class Members, **except** for those who exclude themselves from the Class by following the steps explained below.

Once a settlement is reached, the Class Members become the "Settlement Class Members" and the Settlement structures the detail of the case resolution and the "Settlement Class," pending approval by the Court.

Additional information about the Court's reasons for allowing this lawsuit to proceed as a class action is set forth in the Court's Order, dated June 22, 2026, which is available at www.MillerTextSettlement.com in the Documents section.

THE LEGAL CLAIMS IN THE LAWSUIT

4. What are the Plaintiff's legal claims in this lawsuit?

The legal claims that are made by Class Representative in this lawsuit are described above in Question 2. For additional information, you may read a copy of Plaintiff's Class Action Complaint, available at www.MillerTextSettlement.com in the Documents section.

5. What does Davison say about the Plaintiff's legal claims?

Davison denies that it did anything wrong or violated any law. Specifically, it also contends that it did not violate Washington law when sending the text messages and that it made a good-faith effort to comply with the law.

6. Did the Court decide who is right?

The Court has not decided whether the Class Representative or Davison is correct, whether there is any liability on the asserted claims, or who is the winning party. Instead, the Class Representative and Davison have reached a settlement after considering the risk, cost, and time of continuing the lawsuit through trial and potential appeals.

7. Why is there a Settlement?

As discussed in Question 6, the Court has not decided in favor of either Party. Accordingly, the Class Representative and Davison have both considered the risks and uncertainty that comes with continuing the lawsuit along with the additional time litigation would necessitate and agreed to a Settlement. Class Counsel and the Class Representative believe the Settlement is in the best interests of the Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT CLASS

8. Am I part of the Settlement Class?

You are a Settlement Class member if you were a Washington resident during the Class Period and fall within the Settlement Class. The Settlement Class, as defined by the Court, includes:

All Washington residents who (1) did not sign up for Defendant's text messages, but (2) Defendant texted, (3) at a Washington-area-code cellular number, (4) after the number was last disconnected and reassigned.

Signups and text messages must have occurred between November 15, 2021, to December 10, 2025. The last disconnection date is determined utilizing the Reassigned Number Database or "RND" (the version last updated as of February 16, 2026).

If you had a Washington-area-code cellular number between November 15, 2021 and December 10, 2025 ("Class Period") that appeared in Davison's text message records, you may have received a text message and/or a postcard identifying you as a potential class member and notifying you of this lawsuit prior to this Notice.

If you did not receive a text message or a postcard, you may still be part of the Settlement Class if your telephone number appears in Davison's records. You may be able to obtain your telephone bill and/or records from your telephone carrier, but you do not need to submit that information at this time. If you have any questions about how to obtain this information, or if you are still not sure if you are included in the Settlement Class, you may go to www.MillerTextSettlement.com, or call the Class Action Administrator toll-free at 1-800-975-0597. You may also receive free help by calling Class Counsel, the lawyers in this lawsuit, at the telephone number in Question 27.

SETTLEMENT BENEFITS: WHAT YOU QUALIFY FOR

9. What does the Settlement provide?

Davison has agreed to create a Settlement Fund of \$30,000.00.

If you are a Settlement Class Member and you submit a timely and valid Claim Form, you may be eligible to receive a cash payment from the Settlement Fund after the deduction of attorneys' fees and other expenses that are approved by the Court.

The actual amount paid to each Settlement Class Member who submits a timely and valid Claim Form will not be determined until after the Claim Form filing deadline has passed. The actual amount each participating member of the Settlement Class will receive may be more or less depending on the number of Settlement Class Members who submit timely, valid claims. Cash payments will not be provided to Settlement Class Members unless and until the Court approves the Settlement and it becomes final.

10. What am I giving up by staying in the Settlement Class to receive a cash payment?

By remaining in the Settlement Class, the releases provided in the Settlement Agreement, all Court orders, and any judgments regarding the Settlement will apply to you and legally bind you upon final approval of the Settlement. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.” Unless you exclude yourself, as explained below, you will remain in the Settlement Class.

11. What are the Released Claims?

Section 8 of the Settlement Agreement describes the Releases, Released Claims, and Released Parties, in necessary legal terminology, so please read those sections carefully.

The Settlement Agreement is available at www.MillerTextSettlement.com in the Documents section. For questions regarding the Releases or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Question 22 (telephone number in Question 27) for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

12. How do I make a claim for a cash payment?

Your Claim Form must be submitted online at www.MillerTextSettlement.com by **October 13, 2026**, or mailed to the Class Action Administrator at the address on the Claim Form, **postmarked by October 13, 2026**. Claim Forms are also available by calling 1-800-975-0597 or writing to:

Miller v. Davison Design & Development, Inc.
c/o Class Experts Group, LLC
P.O. Box 995
Mequon, WI 53092

13. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Class Action Administrator of your updated information. You may notify the Class Action Administrator of any changes by writing to the address in Question 12.

14. How will I receive my payment from the settlement?

If you file a timely and valid Claim Form, cash payments will be provided by the Class Action Administrator if the Settlement is approved by the Court and after that approval becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check www.MillerTextSettlement.com for updates. The Settlement Website is your best source of up-to-date information.

YOUR RIGHTS AND OPTIONS

You have a choice to make now about whether to stay in the Settlement Class or pursue one of your other options.

15. What happens if I do nothing?

If you are a Settlement Class Member, by doing nothing you will remain in the Settlement Class but you will not receive a cash payment. Despite not receiving payment out of the Settlement Fund, you will still give up the Released Claims as described in Question 11 above. This means by doing

nothing, you will not receive any payment and will not be able to file your own lawsuit or continue to sue Davison for any of the legal claims subject to this class action. In other words, if you do nothing, you will not be able to sue Davison for the alleged CEMA violations related to the text messages you may have received during the Class Period. You will also be legally bound by all of the Orders the Court issues and any judgments the Court may make in this class action.

16. Why would I ask to be excluded?

If you already have filed, or want to file, your own lawsuit against Davison for the same types of text messages it sent during the same time period, and want to continue pursuing your individual lawsuit, you need to ask to be excluded from the Settlement Class. If you exclude yourself from the Settlement Class—sometimes referred to as “opting-out” of the Class—you will not get any money or benefits from this class action as a result of the settlement between the Plaintiff/Class Representative and Davison. However, you will be able to continue to pursue your own lawsuit, or separately file your own lawsuit, against Davison for the text messages that are at issue in this class action. If you exclude yourself from the Settlement Class, you will not be legally bound by the Court’s judgments in this class action. If you start your own lawsuit against Davison after excluding yourself from this Class, you will need to hire and pay your own lawyer for your lawsuit (if needed), and you will need to prove your individual legal claim(s).

17. How do I ask to be excluded from the Settlement Class?

To exclude yourself from the Class, you must mail a written request for exclusion stating that you want to be excluded from *Miller v. Davison Design & Development, Inc.*, Civil Action No. 2:25-cv-459.

Your request for exclusion must include:

- 1) your name and address,
- 2) the telephone number(s) that received the text messages at issue in this lawsuit, and
- 3) your signature.

Your exclusion request must be **mailed** to the Class Action Administrator at the following address **postmarked by September 13, 2026**:

Miller v. Davison Design & Development, Inc.
c/o Class Experts Group, LLC
P.O. Box 995
Mequon, WI 53092

You cannot opt out (exclude yourself) by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class members or multiple Settlement Class members where the request for exclusion has not been signed by each and every individual Settlement Class Member will not be allowed.

18. If I exclude myself from the Settlement Class, can I get anything from the Settlement?

No. If you exclude yourself, you will not be able to receive a cash payment, but you will not be bound by the Settlement or any judgment in this lawsuit. You can only get a cash payment if you remain in the Settlement Class and submit a timely and valid Claim Form.

19. If I do not exclude myself from the Settlement Class, can I sue Davison for the same thing later?

No. Unless you exclude yourself, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves, and you remain bound by the Releases relating to the lawsuit. If you have a separate pending lawsuit against Davison, speak to your lawyer in that case immediately.

OBJECTING TO THE SETTLEMENT

20. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class member, you can tell the Court you do not agree with all or any part of the Settlement.

To object, you must file timely written notice with the Court as provided below, no later than **September 13, 2026**, with copies sent to Class Counsel and Defendant's Counsel postmarked by **September 13, 2026**, stating you object to the Settlement in *Miller v. Davison Design & Development, Inc.*, Case No. 2:25-cv-459.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

- 1) Your full name, address, telephone number(s), and email address (if any);
- 2) The specific grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
- 3) The number of times you have objected to a class action settlement within the five (5) years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- 4) The identity of any lawyers representing you in connection with the objection (if any);
- 5) The number of times in which your lawyer or your lawyer's law firm have objected to a class action settlement within the five (5) years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made such objection and a copy of any orders related to or ruling upon your lawyer's or the lawyer's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which your lawyer's counsel and/or lawyer's law firm have objected to a class action settlement within the preceding (5) years;
- 6) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any); and
- 7) Your signature as the objector (an attorney's signature is not sufficient).

To be timely, written notice of an objection including all of the information above must be filed with the Court by **September 13, 2026**.

Court	Class Counsel	Defendant's Counsel
U.S. District Court Attn: District Judge Rebecca L. Pennell <i>Re: Objection in Miller v. Davison Design & Development, Inc.</i> P.O. Box 1493 Spokane, WA 99210-1493	The HQ Firm, P.C. Attn: Thomas Alvord <i>Re: Objection in Miller v. Davison Design & Development, Inc.</i> 7533 S Center View Ct #4424 West Jordan, UT 84084	Foster Garvey PC Attn: Tim Filer and Asti Gallina <i>Re: Objection in Miller v. Davison Design & Development, Inc.</i> 1111 Third Avenue, Suite 3000 Seattle, WA 98101

If you fail to comply with the requirements for objecting as detailed above, you will waive and forfeit any rights you may have to appear separately and/or to object to the Settlement, and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments entered in the lawsuit.

21. What is the difference between objecting and asking to be excluded (or opting out)?

Objecting is simply telling the Court you do not like something about the Settlement or the requested attorneys' fees and costs. You can object only if you stay in the Settlement Class (meaning you do not opt out of the Settlement). Opting out of the Settlement, also known as asking to be excluded from the Settlement, is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you opt out, you cannot also object to the Settlement.

THE LAWYERS REPRESENTING YOU

22. Do I have a lawyer in this lawsuit?

The Court has appointed a team of lawyers from the law firm The HQ Firm, P.C. to represent the Settlement Class. They are called "Class Counsel." They are experienced in handling similar class action lawsuits and legal claims.

23. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf in this lawsuit and was appointed by the Court to do so. If you want someone else to represent you in this lawsuit, you may hire your own lawyer at your own expense.

24. How will Class Counsel be paid?

You will not personally pay Class Counsel. Class Counsel will file a motion asking the Court to award attorneys' fees in an amount equal to 33% of the Settlement Fund. This amount includes the costs Class Counsel has incurred litigating this case. If awarded by the Court, the attorneys' fees and costs will be paid from the Settlement Fund. The Court may also award less than the amounts Class Counsel asks for.

Class Counsel's application for the attorneys' fees and costs will be made available on the Settlement Website at www.MillerTextSettlement.com.

THE FINAL APPROVAL HEARING

25. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **November 17, 2026**, at 11:00 a.m. before the Honorable Judge Rebecca L. Pennell of the United States District Court for the Eastern District of Washington, Thomas S. Foley US Courthouse, 920 West Riverside Avenue, Spokane, WA 99201, Courtroom 901. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement and Class Counsel's application for attorneys' fees and costs.

Note: The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website www.MillerTextSettlement.com for updates and to confirm the date, time, and format of the Final Approval Hearing has not changed.

26. Do I need to attend the Final Approval Hearing?

You do not need to attend the Final Approval Hearing. Class Counsel will represent you there and will answer any questions the Court may have. You are welcome to attend or to have your personal lawyer attend at your own expense.

GETTING MORE INFORMATION**27. Where can I get more information?**

This Notice summarizes the proposed Settlement. Complete details about the Settlement, the class action, and relevant Court Orders can be found at the website www.MillerTextSettlement.com. The website will be updated with the most current information about the lawsuit as it becomes available.

You may also get additional information by calling toll-free at 1-800-975-0597, or by writing to:

Miller v. Davison Design & Development, Inc.
c/o Class Experts Group, LLC
P.O. Box 995
Mequon, WI 53092

You may also call Class Counsel at 385-440-4100 if you have further questions.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK'S OFFICE REGARDING THIS NOTICE. THEY CANNOT ANSWER QUESTIONS.