

**IN THE CIRCUIT COURT FOR THE 17th JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

GOLF CLUBS AWAY LLC, Individually and
On Behalf of a Class of Persons Similarly
Situated,

Plaintiff,

vs.

HOSTWAY CORPORATION, HOSTWAY
SERVICES, INC. and VALUEWEB,

Defendants.

Case No. 09-29596-13

SUPPLEMENTAL NOTICE OF PENDENCY OF CLASS ACTION

**(To Potential Class Members Who Were
Not Sent the Court's February 4, 2016 Notice,
and to Additional E-Mail Addresses of Certain Potential
Class Members Who Were Sent the February 4, 2016 Notice)**

To Potential Members of the Following Class: Customers who directly or indirectly subscribed to e-mail services provided by Hostway Corporation, Hostway Services, Inc., and/or ValueWeb ("Hostway" or "Defendants"), including e-mail services provided by Defendants' predecessors, affiliates, subsidiaries, and/or parents, and whose e-mail accounts utilized Hostway's shared servers located in Florida that were blacklisted at any time from November 1, 2008 through March 31, 2009 (the "Class" or "Class Members"). You are being sent this Notice either because: (i) Defendants recently identified you as a Potential Class Member; or (ii) you were sent the Court's February 4, 2016 Notice of Pendency of Class Action at another e-mail address.

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

YOU HAVE NOT BEEN SUED.

Plaintiff, on behalf of all similarly situated Class Members, alleges that Defendants have violated the Florida Deceptive and Unfair Trade Practices Act, breached the covenant of good faith and fair dealing, and unjustly enriched themselves through certain alleged deceptive actions with regard to the e-mail services (the "Lawsuit").

The Circuit Court for Broward County (the "Court") has certified that this litigation proceed as a class action on behalf of all those customers: (i) who paid subscription fees for e-mail services provided between November 1, 2008 and March 31, 2009 (the "Class Period"); and (ii) whose e-mail accounts utilized Hostway's shared servers located in Florida that were "blacklisted" at any

time during the Class Period. When a server was blacklisted, a Class Member's e-mail account(s) may have been prevented from sending or receiving email without notice of such failure.

Your options are explained in this Notice. To summarize: (i) any Class Member sent this Notice, and who completes and returns an Exclusion Request Form postmarked no later than March 6, 2019 asking to be excluded shall be excluded from the Class; (ii) any judgment, whether favorable or not, will include all Class Members who do not request exclusion; and (iii) any Class Member who does not request exclusion may make a separate appearance in the Lawsuit.

Unless this case is resolved by settlement or otherwise dismissed, Class Counsel must prove the claims against Defendants before the Court. If money or other relief is obtained from Defendants, you will be notified how to seek a share of the recovery.

Any questions not answered by this Supplemental Notice of Pendency of Class Action (the "Notice") should be directed to Class Counsel, not to the Court.

WHY THIS NOTICE WAS SENT TO YOU

Defendants have indicated that you are someone who may have subscribed to Defendants' e-mail service(s) at any time from November 1, 2008 to March 31, 2009; experienced interrupted e-mail service because certain of Hostway's shared servers in Florida were blacklisted, and may be therefore, a member of the Class. This Notice is being sent to you pursuant to Rule 1.220(d)(2) of the Florida Rules of Civil Procedure. That rule requires that, upon the certification of a Class, all members of the Class who can be identified and located through reasonable effort shall be provided with certain information regarding the Lawsuit and their rights.

BACKGROUND OF THE LAWSUIT

Plaintiff, Golf Clubs Away LLC, has sued Hostway Corporation, Hostway Services, Inc., and ValueWeb. Plaintiff alleges that Defendants agreed to provide the Class with e-mail services for a subscription fee. However, Plaintiff alleges that Defendants failed to detect and permitted fraudulent and spam accounts to be used to send email to other email service providers, such as AT&T, Yahoo!, and MSN, until those email service providers blacklisted "or stopped accepting email" from Hostway's shared servers in Florida. Further, Plaintiff alleges that Defendants did not timely correct the issue and failed to alert its customers that their email service was interrupted.

Plaintiff has requested that the Court declare these actions unlawful, order the payment of damages to the Class, and enjoin Defendants from this course of conduct. Defendants deny Plaintiff's claims and deny that Plaintiff and the Class are entitled to any recovery.

No money or benefits are available now because the Court has not yet decided the merits of Plaintiff's claims, and because the two sides have not settled the Lawsuit. There is no guarantee

that money or other relief will ever be obtained. If they are, you will be notified about how to ask for a share of any recovery.

CLASS CERTIFICATION

This Court ruled that this lawsuit may be maintained as a class action on behalf of the following Class:

Customers, who directly or indirectly subscribed to Defendants' e-mail services, including e-mail services provided by Defendants' predecessors, affiliates, subsidiaries and/or parents, and whose e-mail accounts utilized Hostway's shared servers located in Florida that were "blacklisted" at any time from November 1, 2008, through and including March 31, 2009.

The Court appointed as Class Representative, Golf Clubs Away LLC (the "Class Representative"). The Class Representative seeks relief on behalf of itself and all Class Members. Wolf Haldenstein Adler Freeman & Herz LLP and Saxena White P.A. have been appointed Class Counsel.

RIGHT TO SEPARATE COUNSEL

You have the right to hire your own attorney and unless you retain your own counsel to enter an appearance on your behalf, you will be represented by Class Counsel. If you choose to hire your own attorney, you will have to pay that attorney.

ATTORNEY'S FEES

As a Class Member, you will not be directly charged by Class Counsel to represent you in this Lawsuit. In the event of a judgment in favor of the Class in this Lawsuit, Class Counsel will apply to the Court for payment of reasonable attorney's fees and costs which will either be deducted from the funds recovered before net proceeds are distributed to the Class Members or paid directly by Defendants.

YOUR OPTIONS

The Court has not decided the merits of the Lawsuit. The purpose of this Notice is to advise you of the existence of this Lawsuit and how it may affect your rights. You have to decide whether to stay in the Class or ask to be excluded before the Court enters judgment, and you have to decide this before March 6, 2019. Your options regarding this lawsuit are as follows:

DO NOTHING	By doing nothing, you will remain a member of the Class. Your interests will be represented by Class Counsel and you will be bound by the outcome of this Lawsuit. In the event of a favorable judgment, you will share in the recovery. In the event of an unfavorable judgment, you will be precluded from bringing
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	<p>the same or similar claims against the Defendants on your own behalf. You will be entitled to notice of and an opportunity to be heard regarding any proposed settlement or dismissal of this Lawsuit. You will be entitled to share in any settlement proceeds obtained on behalf of the Class.</p> <p>If you want to remain a member of the Class, you should NOT sign the “Exclusion Request Form.”</p>
<p style="text-align: center;">OPT OUT</p>	<p>By opting out of the Class, your interests will not be represented by Class Counsel and you will not be bound by the outcome of this Lawsuit unless you seek to intervene in this Lawsuit. In the event of a favorable judgment, you will not share in the recovery. In the event of an unfavorable judgment, you may still assert the same or similar claims you have against the Defendants. You will not be entitled to notice of or an opportunity to be heard regarding any proposed settlement or dismissal of the Lawsuit. You will not be entitled to share in any settlement proceeds obtained on behalf of the Class.</p> <p>If you want to be excluded from the Class, you must complete the enclosed form (“Exclusion Request Form”) and return it by mail, postmarked no later than March 6, 2019, to:</p> <p>Patrick Donovan, Esquire Wolf Haldenstein Adler Freeman & Herz LLP 270 Madison Avenue New York, NY 10016</p> <p>If you request exclusion on behalf of any person or entity other than yourself, you must state your legal authority to execute the request on behalf of that other person or entity.</p>

FURTHER COURT PROCEEDINGS

This Lawsuit is not presently set for trial. Defendants deny Plaintiff’s allegations and deny that Plaintiff and the Class are entitled to any recovery. You may communicate with Class Counsel if

you have any evidence you believe would be helpful to establish the Class claims, and you may be asked by the parties to provide information relevant to this case.

If it becomes necessary to hold a hearing or trial in order to resolve this class action, there is no guarantee that the Plaintiff will win, or that it will get any money for the Class. You do not need to attend the hearing or trial. Class Counsel will present the case for Plaintiff, and Defendants will present their defenses. You (or your own attorney) are welcome to attend at your own expense.

ADDITIONAL INFORMATION

If the Plaintiff obtains any money or benefits as a result of this class action, you will be notified how to participate in the recovery. We do not know how long this will take.

Any questions you have concerning the matters contained in this Notice should NOT be made to the Court, but should be directed to:

Patrick Donovan, Esquire
Wolf Haldenstein Adler Freeman & Herz LLP
270 Madison Avenue
New York, NY 10016
(212) 545-4600

REMINDER AS TO TIME LIMIT

If you wish to be excluded from the Class, you must return a completed “Exclusion Request Form” to Class Counsel by mail postmarked no later than March 6, 2019.

Dated: November 6, 2018

BY ORDER OF THE COURT IN THE 17TH
JUDICIAL COURT IN AND FOR BROWARD
COUNTY, FLORIDA

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EXCLUSION REQUEST FORM

If you want to remain a member of the Class, you should not fill-in this form and are not required to do anything at this time. This form is only used if you want to exclude yourself from this case.

If you want to opt-out of the class, you must fill-in this Exclusion Request Form and return it to Mr. Patrick Donovan, Esq., Wolf Haldenstein Adler Freeman & Herz LLP, 270 Madison Avenue, New York 10016 by mail postmarked no later than March 6, 2019.

If you exclude yourself from the class: (1) You will not share in any recovery that might be paid claimants as a result of any settlement or successful outcome of this lawsuit. (2) You will not be bound by any decision in this lawsuit. (3) You may pursue any claims you have against the defendants by filing your own lawsuit.

If you have any questions regarding this case, please call class counsel at 212-545-4650, or write for information that class counsel will send to you. Class Counsel can be contacted via mail at: Mr. Patrick Donovan, Esq., Wolf Haldenstein Adler Freeman & Herz LLP, 270 Madison Avenue, New York 10016. **DO NOT CALL THE CLERK OF COURT FOR INFORMATION.**

I hereby certify that I believe myself to be a member of the class.

Further, I want to exclude myself from this lawsuit.

Please print legibly:

Name _____ Date _____

Address _____ Phone _____

City _____ State _____ Zip Code _____

Signature of Class Member _____