

SETTLEMENT TERMS

As more fully described in the Settlement Agreement, if the Settlement Agreement is given final approval, the following will result:

- (a) Class Members who participate will be reimbursed up to 66% of the paid Amenity Fee plus interest on the paid sum at the rate of 2.5% per annum since the date of payment.
- (b) Archstone will not charge the Amenity Fee in Massachusetts unless there is a change in the law to permit it to do so.
- (c) Participation in the settlement (assuming Final Approval) requires only the completion and return of the Proof of Claim form and verification of your status as a Class Member.
- (d) Up to \$25,000.00 in unclaimed funds will be paid to a tenant rights group.
- (e) Any unclaimed funds after administration expenses will belong to Archstone.
- (f) Class Members who do not specifically opt-out of the settlement will release Archstone from all claims and damages relating to the Amenity Fee.
- (g) The Plaintiffs will receive \$1,000.00 each for their release of all claims and their services as class representatives.
- (h) The attorneys for the Class will receive fees and expenses in an amount to be set by the Court.
- (i) Class Members who want to claim a refund must complete and return the Proof of Claim form which is included with this Notice. The time for filing a Proof of Claim expires on June 9, 2014 at 5:00 p.m. Eastern Standard Time.

FAIRNESS HEARING

The Court will make a final decision on whether the Class should be certified and whether the settlement should be approved for the Class on: June 16, 2014. This "Fairness Hearing" will be conducted at:

Fifth Floor
U.S. District Court
1 Courthouse Way
Boston, MA 02210
Courtroom Of Judge William G. Young

At the Fairness Hearing, the Court will consider comments and objections to the proposed settlement.

WHAT CLASS MEMBERS CAN DO

(1) IF YOU DO NOT OBJECT TO THE SETTLEMENT, THEN:

- (a) If you are a member of the Class and want to make a claim for a refund of the Amenity Fee you paid, you **MUST COMPLETE AND SUBMIT THE ATTACHED PROOF OF CLAIM BEFORE 5:00 P.M. EST ON June 9, 2014.**
- (b) If you do not timely submit a Proof of Claim, you will lose your right to claim a refund if the settlement is approved.

(2) IF YOU OBJECT TO THE SETTLEMENT, THEN:

- (a) If you are a member of the Class and want to object to any part of the proposed settlement, then you must file your objection in writing with the Court at least five (5) days prior to the date of the Fairness Hearing. You must also serve copies of your objection on Class Counsel

and Archstone's Counsel. The Court's address is shown above, and the addresses of Class Counsel and Archstone's Counsel appear below.

- (b) If you wish to appear at the Fairness Hearing, you may do so, but you will not be allowed to speak unless you have filed an objection in writing as set forth above and included your name and address in it. Any documents you want the Court to consider must be included with your objection.

(3) IF YOU WANT TO OPT-OUT OF THE SETTLEMENT, THEN:

- (a) You should complete the portion of the Proof of Claim form entitled "ELECTION NOT TO PARTICIPATE" and return the signed form to the Settlement Administrator by 5:00 p.m. EST on June 9, 2014.

(4) IF YOU WANT MORE INFORMATION, THEN:

If you want to discuss the Action, the settlement, your options, or obtain copies of any documents relating to the settlement, please contact:

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MISCELLANEOUS

PLEASE DO NOT CALL OR WRITE THE CLERK OF THE COURT. THE CLERK CANNOT ANSWER QUESTIONS ABOUT THE CASE OR THE SETTLEMENT.

Counsel For The Plaintiffs And The Class Are:

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