

EXHIBIT 1

If you do not want emails about this matter, please unsubscribe [_____].

NOTICE OF PENDENCY OF CLASS ACTION: You have received this notice because you made a claim on a vehicle that was adjusted to be a total loss by Progressive, and Progressive may have undervalued your claim. Your rights may be affected by a class action lawsuit pending in the Northern District of Georgia.

A court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

This notice explains important rights you may have. Please read it carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Remain a Member of the Certified Classes	<p>Do nothing. Stay in the lawsuit. Await the outcome.</p> <p>If you wish to remain a member of the certified Classes, you are not required to do anything at this time. By doing nothing, you are choosing to stay in the Classes. You will be permitted to share in any recovery that may result from this class action, but you will give up your rights to sue Defendants in a separate lawsuit for any claims made in this action.</p>
Ask to be Excluded from the Certified Classes	<p>Get out of this lawsuit. Keep your rights to sue Defendants in a separate lawsuit.</p> <p>If you do not wish to participate in the class action, you must send a letter requesting to be excluded postmarked no later than [date]. If you exclude yourself from this lawsuit, you will not be entitled to any recovery that may result from this class action, but you will be free to pursue any claim you may have against Defendants on your own or as part of a different lawsuit (but you should consult with a lawyer to determine whether those claims are timely).</p>

These rights and options are further explained below.

What is a Class Action and who is involved? In a class action, one or more people called “Class Representatives” file a lawsuit on behalf of other people who have similar claims. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way.

What is this Class Action about? This class action (the “Class Action”) alleges that Progressive Mountain Ins. Co., and Progressive Premier Ins. Co. of Illinois (collectively referred to as “Progressive” or “Defendants”) systematically paid their insureds less than the actual cash value of their vehicles for total loss claims, in breach of Progressive’s policies and in breach of the covenant of good faith and fair dealing. Plaintiffs assert that Progressive did this by basing the compensation for insureds’ total loss claims on valuation reports that applied Projected Sold Adjustments, which Plaintiffs allege are improper.

Why did I get this notice? Progressive’s records show that during the time period of October 11, 2015 to August 3, 2023 you were a Georgia resident and policyholder with Progressive Mountain, or, during the time period of June 8, 2016 to August 3, 2023 you were a Georgia resident and policyholder with Progressive Premier, and you made a claim on a vehicle that was determined by Progressive to be a total loss. You may be a member of the

certified Classes if (a) Progressive based its claim payment on an Instant Report from Mitchell International, Inc. and (b) a Projected Sold Adjustment was applied to at least one comparable vehicle in the Instant Report.

What has happened in the Class Action so far? On October 11, 2021, the first of two related class actions was filed against Progressive in United States District Court for the Northern District of Georgia. Defendants sought to dismiss the Class Action, but the Court denied Defendants' motion and allowed the Class Action to proceed. On October 4, 2022, the related class actions were consolidated. Plaintiffs filed an Amended Consolidated Class Action Complaint on October 18, 2022, asserting claims for breach of contract and breach of the covenant of good faith and fair dealing. On February 17, 2023, Plaintiffs filed a motion for class certification. After briefing on Plaintiffs' motion for class certification, the Court granted the motion on August 3, 2023.

The Court's Class Certification Order. The Court's August 3, 2023 certified the following Classes: (1) "[a]ll persons who made a first-party claim on a policy of insurance issued by Progressive Mountain Insurance Company to a Georgia resident where the claim was submitted from October 11, 2015, through the date of this Order [August 3, 2023], and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle;" and (2) "[a]ll persons who made a first-party claim on a policy of insurance issued by Progressive Premier Insurance Company of Illinois to a Georgia resident where the claim was submitted from June 8, 2016, through the date of this Order [August 3, 2023], and Progressive determined that the vehicle was a total loss and based its claim payment on an Instant Report from Mitchell where a Projected Sold Adjustment was applied to at least one comparable vehicle." The Court also appointed Plaintiffs Kedrick Brown and Michelle Bost as the Class Representatives for the Classes. The Court's order can be viewed at [\[link\]](#).

What type of recovery are the Class Representatives seeking? The Class Representatives seek to recover money to compensate members of the Classes for the alleged underpayment of their total loss claims, as well as pre- and post-judgment interest. The Class Representatives are only challenging application of the "projected sold adjustment" as part of the valuation process. The Class Representatives are not contesting or challenging any other aspect of the valuation process. If you wish to challenge an aspect of the valuation process other than application of a "projected sold adjustment," you should opt out of the Classes and separately file your own claim.

Is there any money available now? No money or benefits are available now because the Court has not yet decided whether Defendants did anything wrong, and the two sides have not settled the case. There is no guarantee that any money or benefits will be obtained. If they are, you will receive a notice describing how to receive a share of any recovery in which you may be eligible to participate.

Your options as a Member of the Certified Classes. As a potential member of the certified Classes, you have a choice to (a) remain a member of the Classes, or (b) request exclusion from the Classes.

- a) **If you wish to remain a member of the certified Classes, you are not required to do anything at this time.** By remaining a class member, you are agreeing that the claims against Progressive will be determined on a classwide basis. As a member of the Classes, you will be bound by the outcome of this lawsuit. If the lawsuit results in a judgment favorable to the Classes, you would be entitled to share in the benefits of that judgment. If the outcome is favorable to Progressive, your rights will be determined by the decision rendered in this lawsuit, and you will receive nothing.
- b) **If you do not wish to participate in this Class Action, you can request exclusion from the Classes.** If you choose to be excluded, you will (1) not share in the benefits, if any, that members of the Classes may be entitled to as a result of this lawsuit; and (2) not be bound by any decision in this lawsuit favorable to Progressive. If you request exclusion, you will have the right to pursue individually, at your own expense, any claim you may have against Progressive. To request exclusion, you must send a written and signed notification entitled "Request for Exclusion" to the

following: [insert administrator's information]. To be valid, your "Request for Exclusion" must be postmarked by [date], and must include the case name (*Brown et al. v. Progressive Mountain Ins. Co. et al.*), date, your printed name, current address, and your signature. If your Request for Exclusion is not postmarked by [date], it will be invalid and you will be included as a member of the Classes automatically and be bound by any final judgment.

As a Member of the Certified Classes, do I have a lawyer representing my interests in the lawsuit? Yes.

The Court appointed the law firms of Carney Bates & Pulliam PLLC ("Carney Bates"); Shamis & Gentile, P.A.; Normand PLLC; Edelsberg Law, P.A.; Lober & Dobson, LLC; and Irby Law, LLC, collectively referred to as Class Counsel, to represent you and other members of the certified Classes. If you have any questions for Class Counsel, you may direct those to Carney Bates at 519 W. 7th St., Little Rock, AR, 72201, or by visiting www.cbplaw.com.

Should I get my own lawyer? You do not need to hire your own lawyer. However, you are free to hire your own lawyer, at your own expense, and enter an appearance in this action through your lawyer if you so desire.

How do I get more information? This notice contains only a summary of the Class Action and proceedings to date. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at the office of the Clerk of the Court for the United States District Court for the Northern District of Georgia, 2211 United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia, between 8:00 a.m. and 4:45 p.m., Monday through Friday, excluding Court holidays. Additional information is also available at the website maintained for this Class Action, [link], or by contacting Class Counsel at the address provided above.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANTS, OR DEFENDANTS' COUNSEL TO ASK QUESTIONS ABOUT THIS CLASS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE CLASS ACTION.