

**MERCHANT ADVISORY**  
**ON PROPOSED DISTRIBUTION OF MORE THAN \$1 BILLION**  
**OF RESIDUAL SETTLEMENT FUNDS**

New York City, October 12, 2009

Dear Merchants,

Constantine Cannon LLP and Hagens Berman Sobol Shapiro LLP, Co-Lead Counsel for United States merchants in the *In re Visa Check/MasterMoney Antitrust Litigation*, CV 96-5238, advise Class Members as follows:

On October 9, 2009, Lead Counsel filed a request with the District Court for the Eastern District of New York to make a distribution of more than \$1 billion to eligible class members. The distribution would be primarily funded from the proceeds of the prepayment deals recently approved by the Court and would include payment of residual monies remaining in the settlement funds after accounting for the payment of all approved claims.

The distribution payments will be made on a pro rata basis to class members who received and cashed their checks for signature debit, PIN debit, and credit card overcharges. Lead Counsel anticipates mailing distribution checks within four weeks of the Court's determination of the total residual payment amount to be made in this distribution.

Lead Counsel's letter seeking Court approval of the proposed distribution of residual settlement funds is available by clicking [here](#) and on the case website, [www.inrevisacheckmastermoneyantitrustlitigation.com](http://www.inrevisacheckmastermoneyantitrustlitigation.com), by clicking on the link entitled "Lead Counsel's October 9, 2009 letter seeking authorization to distribute more than \$1 billion of residual settlement funds."

Details concerning merchant rights under the Settlement are available on the case website by clicking on the sidebar option entitled “Merchant/Class Member Rights Under the Settlement.” You may also call 1-888-641-4437 for additional assistance.

Sincerely,  
CONSTANTINE CANNON LLP (formerly Constantine & Partners)  
*Co-Lead Counsel for the Class*  
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