

LEGAL NOTICE

IF YOU PURCHASED ITEMS AT A CACHE STORE FROM DECEMBER 4, 2006 TO APRIL 21, 2009.

You May Be Entitled To Benefits From A Class Action Settlement

*The District Court has authorized this Notice. It is not a solicitation from a lawyer.
You are not being sued.*

- There is a Proposed Settlement with Defendant Cache, Inc. (“Cache”) in a class action lawsuit pending in the U.S. District Court for the Central District of California.

The lawsuit generally alleges that Cache violated certain requirements imposed by the Fair and Accurate Credit Transactions Act (FACTA). Specifically Plaintiffs claim that Cache printed the account numbers of its customers’ credit or debit cards on receipts presented to them at a Cache store, in violation of FACTA, as specifically set forth in the Complaint on file.

Cache has agreed to provide to eligible customers a \$15.00 voucher to be used for the purchase of goods or merchandise at any Cache retail outlet or on Cache’s web site.

- Class Members include all Cache customers between December 4, 2006 and April 21, 2009 that were provided a receipt at Cache stores which printed the expiration date and/or more than five digits of the credit or debit card number.
- The name of the lawsuit is *Gloria Abiva and Esgouhi Babanian, et al. v. Cache, Inc., et al.*, Case No. 07-cv-00556 (SVW) (AJWx), United States District Court for the Central District of California.

**The Court will be asked to decide whether to order final approval of the
Proposed Settlement in this case.**

A Summary of Your Rights and Choices:

*Your Legal Rights Are Affected Even If You Do Not Act.
Read This Notice Carefully.*

You May:		Due Date:
<i>Receive a Benefit Upon Court Approval</i>	<i>Submit a Claim form to receive a benefit.</i> You must submit a claim form requesting benefits under the Proposed Settlement. Certain requirements apply as explained further below, section <u>8</u> .	<i><u>Claim form to be postmarked by 12/18/2009</u></i>
<i>Opt-out of the Proposed Settlement</i>	<i>Opt-out of the Proposed Settlement</i> You can request that you be excluded from the Proposed Settlement so that you may sue individually for any claims you might have. If you opt-out of the Proposed Settlement, you may receive none of the benefits provided thereunder. You must request exclusion in writing as explained further below, section <u>10</u> .	<i><u>Opt-out request to be postmarked by 9/19/2009</u></i>
<i>Object to the Proposed Settlement</i>	<i>Object or comment on the Proposed Settlement.</i> You can appear and speak in the lawsuit on your own or through your own lawyer to object or comment on the Proposed Settlement. Your objections must be submitted in advance and in writing as explained further below, section <u>11</u> .	<i><u>Objection filed and Postmarked by 9/19/2009</u></i>

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BASIC INFORMATION

1. What is the lawsuit about?

Plaintiffs filed the instant action on January 23, 2007. On behalf of themselves and other putative class members, Plaintiffs allege that Cache, Inc. violated 15 U.S.C. § 1681c(g) of the Fair Credit Reporting Act (“FCRA”), codified at 15 U.S.C. § 1681, *et seq.* Section 1681c(g) (“Truncation of credit card and debit card numbers”) is a provision of the Fair and Accurate Credit Transactions Act of 2003 (“FACTA”), a subset of the FCRA. Section 1681c(g)(1) provides, in pertinent part:

[N]o person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of sale or transaction.

Plaintiffs allege that Cache printed more than five digits of customers’ debit or credit card numbers on receipts provided at the point of sale thus violating FACTA.

3. What does Cache say about the lawsuit?

Cache denies any wrongdoing. The Proposed Settlement is not an admission of wrongdoing or an indication that any law was violated. Cache has entered into the Proposed Settlement to avoid the further expense, inconvenience, burden and uncertainty of such lawsuits.

4. Why is this a Class Action?

The Court has found that class action treatment is the superior method for the fair and efficient resolution of this litigation. In a class action lawsuit, one or more people called “class representatives” sue on behalf of people who have similar claims. The people together are a “class” or “class members.” A court must determine if it will allow a lawsuit to proceed as a class action. If it does, a trial of the claims then decides the lawsuit for everyone in the class, or the parties may settle without a trial.

5. Why is there a Proposed Settlement?

A settlement is the resulting agreement between a plaintiff and defendant following extended negotiation. Settlements end litigation but are not a result of the court ruling in favor of either the plaintiff or defendant. The settlement allows both parties to (a) avoid the cost and risk of a trial, and (b) establish a just, fair, and final resolution that is best for all involved.

The class representatives and their attorneys make the determination that the settlement is the best result for all class members. The Court then reviews the terms of the proposed settlement and holds a hearing on the fairness and adequacy of the settlement. If the Court approves the settlement, then the defendants are released from any liability based upon the alleged illegal behavior that is the basis of the lawsuit.

6. How do I know if I am included in the Proposed Settlement?

For purposes of the Proposed Settlement, the Class consists of all all other similarly situated persons in the United States within the scope of 15 U.S.C. Section 1681c(g) who, between December 4, 2006 and April 21, 2009, were provided a receipt at Cache stores which printed the expiration date and/or more than the last 5 digits of the credit or debit card number.

BENEFITS OF THE PROPOSED SETTLEMENT – WHAT YOU GET

7. What does the Proposed Settlement provide?

Cache has agreed to provide to Class Members who file a timely claim a voucher in the face amount of \$15.00, to be used in any Cache store or on Cache’s website. The vouchers are non-transferable. They may be used in combination with any other Cache promotions. They require no minimum purchase, are non-stackable (cannot be combined). Vouchers issued pursuant to their Agreement will expire 6 months from the date of receipt.

8. How do I obtain a benefit from this Settlement?

You must submit a completed claim either by mail or at the web site www.cachesettlement.com to obtain a benefit from this settlement. Claim forms may be obtained from the Claims Administrator, CPT Group, Inc., 16630 Aston, Irvine, CA 92606, or by calling 1-888-750-7960. Claim forms are also available at www.cachesettlement.com. Claim forms submitted by mail must be postmarked on or before **December 18, 2009**, and be sent to CPT Group, Inc., 16630 Aston, Irvine, CA 92606. Claim forms submitted electronically at the web site www.cachesettlement.com must be submitted on or before 12:00 midnight, pacific time on **December 18, 2009**. Certain types of relief may require documentation to be provided by mail in addition to the claim form.

OBTAINING A BENEFIT FROM THE SETTLEMENT

9. What am I giving up if the Settlement is approved?

The Proposed Settlement is intended to settle all claims against Cache that Class Members have asserted, or any claims against Cache. Persons who do not exclude themselves from the settlement (as discussed below) will forfeit the right to bring any claims against Cache relating to the inclusion of any debit or credit card information on receipts.

The Release is explained in more detail in the Settlement Agreement. For a copy of the Settlement Agreement, contact Class Counsel at the address below or go to www.cachesettlement.com.

J. Mark Moore
SPIRO MOSS LLP
11377 W. Olympic Boulevard, Fifth Floor
Los Angeles, CA 90064
(310) 235-2468

If the Proposed Settlement is not finally approved by the Court or does not become final for some other reason, the litigation will continue and you will not have released any claim or party.

OPTING-OUT OF THE PROPOSED SETTLEMENT

10. Can I exclude myself from the Proposed Settlement?

Yes, you can exclude yourself from the Proposed Settlement, take none of the benefits provided thereunder, and assert whatever claims you may have individually against Cache.

To exclude yourself you must submit a completed Exclusion form. Exclusion forms may be obtained from the Claims Administrator, CPT Group, Inc., 16630 Aston, Irvine, CA 92606, or by calling 1-888-750-7960. Exclusion forms are also available at www.cachesettlement.com. Exclusion forms submitted by mail must be postmarked on or before **September 19, 2009**, and be sent to CPT Group, Inc., 16630 Aston, Irvine, CA 92606. Exclusion forms submitted electronically at the web site www.cachesettlement.com must be submitted on or before 12:00 midnight, pacific time on **September 19, 2009**.

COMMENTING ON THE PROPOSED SETTLEMENT

11. Can I object to or comment on the Proposed Settlement?

Yes, you can object or comment on all or part of the Proposed Settlement. To object, you must file with the Court and serve on Class Counsel and Defendant's Counsel a written Notice of Objection.

Your Notice of Objection must be filed with the Court by **September 19, 2009**, and served on the following Class Counsel and Defendant's Counsel by mail postmarked on or before **September 19, 2009**:

Class Counsel:	Cache's Counsel:
J. Mark Moore SPIRO MOSS LLP 11377 W. Olympic Boulevard, Fifth Floor Los Angeles, CA 90064 (310) 235-2468 Jonathan Shub Seeger Weiss LLP 1515 Market Street, Suite 1380 Philadelphia, PA 19102 (215) 564-2300	Robert A. Weikert, Esq. NIXON PEABODY LLP One Embarcadero Center, Suite 1800 San Francisco, CA 94111 (415) 984-8200

The notice of objection must state each specific reason in support of your objection and any legal support for each objection. It must also state:

- (i) your full name;
- (ii) your address; and
- (iii) the approximate date of your purchase.

If you fail to file and serve timely written objections, you will waive any objections you may have.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer representing my interests in this case?

Yes. The Court has appointed the following law firms to represent you and other Class Members:

J. Mark Moore
SPIRO MOSS LLP
11377 W. Olympic Boulevard, Fifth Floor
Los Angeles, CA 90064
(310) 235-2468

Jonathan Shub
Seeger Weiss LLP
1515 Market Street, Suite 1380
Philadelphia, PA 19102
(215) 564-2300

These lawyers are called Class Counsel. You will not be charged personally for these lawyers, but they will ask the Court to award them a fee to be paid out of the Settlement Fund.

13. How will the lawyers be compensated?

At the Final Settlement Hearing, Class Counsel will request the Court to award Class Counsel attorneys' fees, costs, and expenses up to a maximum of \$95,000. The fee requested by Class Counsel would compensate Class Counsel for their efforts in achieving the Proposed Settlement for the benefit of the Class, and for their risk in undertaking this lawsuit.

14. Should I get my own lawyer?

You do not need to hire your own lawyer. If you want your own lawyer to speak for you or appear in Court, you must file a Notice of Appearance with the Court (see Section 17, below). If you hire a lawyer to appear for you in the lawsuit, you will have to make your own arrangement for that lawyer's compensation.

THE COURT'S FINAL APPROVAL HEARING

15. When and where will the Court decide whether to grant final approval of the Proposed Settlement?

The Court will hold the Final Settlement Hearing in Courtroom 6, at the United States District Court of the Central District of California, 312 North Spring Street, Los Angeles, California on October 5, 2009 at 1:30 p.m. to determine whether the Settlement Agreement should be finally approved as fair, reasonable and adequate. The Court will also be asked to approve Class Counsel's request for reasonable attorneys' fees and reimbursement of expenses.

The Final Settlement Hearing may be continued without further notice to the Class or Class Members. It is not necessary for Class Members to appear at the Final Settlement Hearing. Class Counsel will represent all Class Members at the Final Settlement Hearing except for those who choose to enter an appearance through counsel of their choice at their own expense.

16. Must I attend the Final Approval Hearing?

Attendance is not required, even if you properly mailed a written response. Class Counsel is prepared to answer the Court's questions on your behalf. If you or your personal attorney still want to attend the hearing, you are more than welcome to do so at your expense. However, it is not necessary that either of you attend. As long as the objection was postmarked before the deadline, the Court will consider it.

17. May I speak at the Final Approval Hearing?

If you want yourself or your own lawyer to speak at the Final Approval Hearing instead of Class Counsel, you must give the Court a paper that is called a "Notice of Appearance." The Notice of Appearance should include the name and number of the lawsuit and state that you wish to enter an appearance at the Final Approval Hearing. It also must include your name, address, telephone number, and signature. Your "Notice of Appearance" **must** be postmarked no later than **September 19, 2009**.

The Notice of Appearance must be filed with the Court at the following address:

Office of the Clerk of Court
United States District Court
Central District of California
312 North Spring Street
Los Angeles, California 90012

The Notice of Appearance must be filed using the following Civil Action Number:

Case No. 2:07-CV-00556 SVW (AJWx)

A copy of the Notice of Appearance must also be sent to:

Class Counsel:	Cache's Counsel:
J. Mark Moore SPIRO MOSS LLP 11377 W. Olympic Boulevard, Fifth Floor Los Angeles, CA 90064 Jonathan Shub Seeger Weiss LLP 1515 Market Street, Suite 1380 Philadelphia, PA 19102	Robert A. Weikert, Esq. NIXON PEABODY LLP One Embarcadero Center, Suite 1800 San Francisco, CA 94111

GETTING MORE INFORMATION

18. Where do I obtain more information?

More details are in the Complaint filed by Class Counsel and the other legal documents that have been filed with the Court in this lawsuit. You can look at and copy these legal documents at any time during regular office hours at the:

Office of the Clerk of Court
United States District Court
Central District of California
312 North Spring Street
Los Angeles, CA 90012

In addition, if you have any questions about the lawsuit or this Notice, you may:

- Visit the Settlement Website at www.cachesettlement.com
- Write to: Claims Administrator, CPT Group, Inc., 16630 Aston St., Irvine, CA 92606
- Call: Class Counsel at (310) 235-2468.

PLEASE DO NOT CALL THE COURT OR THE OFFICE OF THE CLERK FOR INFORMATION REGARDING THIS PROPOSED SETTLEMENT OR THE CLAIM PROCESS.

DATED: August 20, 2009

BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL
DISTRICT OF CALIFORNIA