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# EXHIBIT D

## ALPHA LAW FIRM, LLC

Tel. (612) 234-5744

*Paul R. Hansmeier*

September 28, 2012

Dennis Stewart  
Hulett Harper Stewart LLP  
225 Broadway, Suite 1350  
San Diego, CA 92101

Re: *Shames v. Hertz Corp.*, No. 07-CV-02174 (S.D. Cal.)

Dear Mr. Stewart,

I have been retained by Gordon Hansmeier to vindicate his rights as a non-named class member who would be bound by final approval of the proposed settlement in *Shames v. Hertz Corp.*, No. 07-CV-02174, filed in the U.S. District Court for the Southern District of California.

On May 17, 2012, your firm and others proposed a class action settlement which, if approved, would vacate my client's rights in exchange for either a \$10 payment or one rental car voucher for a single day's time and mileage charges, while awarding your firm and others \$5.87 million in fees.

My client alleges that your proposed settlement is unfair, unreasonable and inadequate, and does not merit approval. As we have discussed in previous exchanges, the proposed settlement displays all of the red flags identified by the Ninth Circuit in *Bluetooth*. Yet, the settlement contains none of the information that the Court would need to accurately review the fairness of the settlement. Our rough calculations indicate that you will be profiting handsomely at the expense of my client and the class, having requested attorneys' fees constituting nearly *half* of the total value likely to be disbursed. This is despite ensuring that the vast majority of the class will be unnecessarily barred from recovery through a redundant claims process. We are prepared to fully participate in the judicial process to ensure that this settlement does not survive review.

This letter is to advise you that an objection will be filed to your proposed settlement. I am enclosing a draft of the objection to be filed, which you have previously had an opportunity to review. This (or a similar version) will be filed if you do not attempt to resolve this matter. We find that settlements like this are likely to be rejected following our participation, as was the result today in *In re Groupon*, No. 11-md-02238 (S.D. Cal.) (Dkt. No. 97).

I will extend to you an offer to settle this matter with my client for \$30,000.00 if the settlement terms are reached by 5:00 PM CST on Monday, Oct. 1, 2012. If you reject this settlement and the objection is filed, the offer to settle is revoked and will not be extended at the pre-filing settlement amount.

Govern yourself accordingly.

Sincerely,

Paul R. Hansmeier