

**DEADLINE FOR FILING CLAIMS IS: SEPTEMBER 15, 2018**

*McWilliams v. City of Long Beach*, Los Angeles Superior Court Case No. BC361469

**TELEPHONE UTILITY USERS TAX (UT) REFUND CLAIM FORM**

YOU CAN ALSO FILE AT: [www.LBTaxRefund.com](http://www.LBTaxRefund.com)

**1. Claimant Information - REQUIRED**

_____	_____	_____
Last Name (required)	First Name (required)	Middle Initial
_____		_____
Date of Birth <sup>1</sup> (required for non-business claims)		Current Telephone Number (required)
_____		
Current Mailing Address (required)		
_____		
_____		_____
Email (optional) <sup>2</sup>		Business Name (required for business claims)

**2. Telephone Account Information during the Period August 2005-December 2008 - REQUIRED**

Provide your Telephone Number and Telephone Service Address within the City of Long Beach for landlines, and/or your Telephone Number and Telephone Billing Address for mobile service within the City of Long Beach, during the time period from August 2005 to December 2008.

Billing/Service Address #1 during August 2005-December 2008 time period (required):

Phone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_ Zip code: \_\_\_\_\_

Billing/Service Address #2 during August 2005-December 2008 time period (if more than one address during the time period):

Phone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_ Zip code: \_\_\_\_\_

**3. Claim Options – CHOOSE ONE OR MORE OF THE FOLLOWING OPTIONS FOR EACH TYPE OF SERVICE**

**OPTION 1 – Standard Refund Amount**

**You can claim a standard refund amount for each type of service you paid for during the class period by checking the following boxes.** No additional documentation is required to claim these amounts:

- \$46.00 - Mobile Telephone Service<sup>3</sup>
- \$27.50 - Residential Landline Service
- \$46.00 – Business Landline Service<sup>4</sup>

<sup>1</sup> Date of birth is not required if you submit a copy of a phone bill from the time period August 2005-December 2008.

<sup>2</sup> If you provide an email address we will notify you whether your claim was accepted, update you when checks are mailed, and provide other settlement updates. We will not use your email for any other purpose.

<sup>3</sup> Please note: Prepaid mobile telephone service does not qualify for a refund claim.

<sup>4</sup> Only a business that was registered with the City of Long Beach during the August 2005-December 2008 time period is eligible to claim the business landline telephone amount.

**If you choose a standard amount for one type of service, you cannot receive a refund under Options 2 or 3 below for the same type of service** (e.g., you cannot receive a standard refund amount for mobile service and also another amount for mobile service under Options 2 or 3). You may, however, claim the standard amount for one kind of service and claim under Options 2 or 3 for another kind of service (e.g., you can claim a standard refund amount for mobile service and also file an Option 2 or 3 claim for landline service).

**OPTION 2 – Submit At Least 10 Phone Bills from August 2005-December 2008, or Other Carrier-Provided Documents, Reflecting UUT Paid**

You may claim a refund of the actual UUT paid from August 2005-December 2008 by submitting copies of phone bills or other carrier-provided documents reflecting the UUT paid during the August 2005-December 2008 time period.

**Submit either a full set of bills or a sample of at least 10 bills reflecting the telephone tax you paid to the City of Long Beach from August 2005-December 2008.**

If you elect to submit a sample, in order to claim a full refund for the entire Class period you must submit: (a) one bill from August 2005-December 2005; (b) three bills from 2006; (c) three bills from 2007, and (d) three bills from 2008. Your claim amount will be based on the average UUT reflected in the bills for each calendar year.<sup>5</sup>

Please note, if you had more than one telephone service account for which you seek a refund, you should submit ten bills for each account.

- Check this Box if you are submitting copies of bills or other proof of the actual UUT paid to the City of Long Beach between August 2005 and December 2008. **Remember, for each account, be sure to submit:**
  - At least one bill from August 2005-December 2005;
  - At least three bills from January-December 2006;
  - At least three bills from January-December 2007; *and*
  - At least three bills from January-December 2008.
  
- Optional** - Indicate the total amount of UUT you are claiming under Option 2 here: \_\_\_\_\_

**NOTICE TO T-MOBILE CUSTOMERS** – If you had phone service with T-Mobile during the August 2005 to December 2008 time period, T-Mobile will search for and send directly to you whatever UUT payment records they can locate. Email [UUTclaimLongBeach@T-Mobile.com](mailto:UUTclaimLongBeach@T-Mobile.com) for details, or call 1-877-453-1304, ask for “Representative”, then request historical tax information as described in T-Mobile’s C2 document #440883. Once you have the documentation, check the box under Option 2 and submit the documentation with your claim. If T-Mobile cannot locate your UUT payment data, you may utilize Options 1 or 3.

**NOTICE TO SPRINT AND VERIZON CUSTOMERS** – If you had telephone service with **Sprint** and/or **Verizon** during the time period August 2005 to December 2008, you can provide consent for Sprint and/or Verizon to search for your UUT payment data and provide it directly to the Claims Administrator. Check the boxes and complete the fields below to provide consent.

While they will make a good faith effort, there is no guarantee that Verizon or Sprint will find your UUT payment data, or that the data will be complete. If Sprint and/or Verizon is unable to locate any UUT payment data, your claim will be treated as if it were an Option 1 claim for that kind of service.

Data for accounts previously held with Verizon California Inc. (now known as Frontier California) will not be searched or provided by the Verizon companies. If you had an account through Verizon California (commonly residential landline accounts) you should choose another option for that account.

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<sup>5</sup> If you submit fewer than three bills from 2006, 2007, or 2008, your claim will be limited to the amount shown on the bill(s) for that year. If you do not submit a bill from August 2005-December 2005, you will not be entitled to claim any amount for that five month period.

**i. Provide Consent:**

- If you are an **individual claimant**, check this box, fill in the fields below and sign this form to provide consent to permit your telephone service provider(s) to search for your UUT data and transmit the total UUT paid to the City of Long Beach between August 2005 and December 2008 to the Claims Administrator.
- If you are a **representative of an organizational claimant** (e.g., corporation, company, partnership, non-profit organization, etc.) check this box, fill in the fields below and sign this form on your organization's behalf, including your title, to provide consent to permit your organization's telephone service provider(s) to search for your organization's UUT data and transmit the total UUT paid to the City of Long Beach between August 2005 and December 2008 to the Claims Administrator.

**AND,**

**ii. Identify Your Carrier(s) and Provide Information (Please attach additional pages or files if necessary to list all account numbers, addresses, and/or phone numbers where required):**

**Verizon:**<sup>6</sup> Check the following boxes if one or more of your telephone service providers from August 2005 to December 2008 was a Verizon company and fill in the applicable fields below.

- Search for Verizon Wireless Account(s):

All Wireless Phone Number(s):

\_\_\_\_\_

Optional – All Billing Addresses from August 2005 to December 2008:

\_\_\_\_\_

- Search for Verizon Landline Account(s):

All Account Number(s):

\_\_\_\_\_

Optional – All Billing Addresses from August 2005 to December 2008:

\_\_\_\_\_

**Sprint:** Check the following boxes if one or more of your telephone service providers from August 2005 to December 2008 was a Sprint company and fill in the applicable fields below:

- Search for Sprint Landline Account(s)

Account Number: \_\_\_\_\_; Primary Telephone Number: \_\_\_\_\_

- Search for Sprint Wireless Account(s)

Account Number: \_\_\_\_\_; Primary Telephone Number: \_\_\_\_\_

**OPTION 3 – Submit 10 Recent Phone Bills Showing Payment of the Long Beach UUT**

**If you are unable to provide copies of your bills from the period August 2005 through December 2008 (and you choose not to consent to data searches by Verizon and/or Sprint), you can provide copies of at least ten**

<sup>6</sup> The Verizon Companies (Verizon Wireless, MCI Communication Services, Inc., and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services) will search for tax data only from accounts with Verizon Wireless, MCI Communication Services, Inc., and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services.

**more recent bills reflecting payment of the UUT to the City of Long Beach.** The bills must reflect payment of the Long Beach UUT to qualify.

In order to claim a refund for the full class period under this option you must submit 3 bills from each of three different calendar years, plus one bill from a fourth calendar year (*e.g.*, three bills from 2013, three bills from 2014, three bills from 2015, and one bill from 2016). Your refund claim will be determined based on the average UUT paid to the City of Long Beach reflected on the bills for each calendar year for which you meet the criteria. So, for example, if you submit only three bills from 2014, you will be entitled to a refund for only one year of the Class Period.

- Check this Box if you are submitting copies of recent bills reflecting UUT paid to the City of Long Beach. **Be sure to include at least ten bills from four different calendar years, with at least three bills in each of three different years. By checking the box, you also agree to the following:**

I, or the company I represent, paid Long Beach utility users tax (“UUT”) on telephone service during the Class Period. I, or the company I represent, made a good faith effort to locate copies of the telephone bills, but no longer have/has copies of telephone bills or other documentary evidence reflecting the amount of UUT I paid. Accordingly, I am submitting copies of recent bills reflecting payment of the Long Beach UUT. To the best of my knowledge, my/our telephone usage during the Class Period on which the Long Beach UUT was collected was substantially similar to or greater than the telephone usage reflected in the copies of bills I am submitting. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my recollection and knowledge.

- Optional** - Indicate the total amount of UUT you are claiming under Option 3 here: \_\_\_\_\_

#### **4. Reimbursement of Expenses**

If you paid your telephone service provider for copies of bills in order to file a claim under Option 2 or Option 3, you may also seek reimbursement of those costs. Check the appropriate box below and provide documentary proof of payment to your telephone service provider for those costs.

- Check this Box if you are submitting a receipt or receipts for payments you made to your telephone service provider to obtain copies of your phone bills or other evidence of the UUT you paid during the Class Period.

Indicate the total amount of out-of-pocket expenses you are claiming here: \_\_\_\_\_

#### **5. Submission of Claims**

You can complete and submit a claim form by mail or submit a claim form online at the settlement website [www.LBTaxRefund.com](http://www.LBTaxRefund.com). If you are submitting proof with your claim, you can submit it with your claim form via mail or by uploading it on the settlement website.

Please be patient while the Claims Administrator processes the claims submitted. You can check [www.LBTaxRefund.com](http://www.LBTaxRefund.com) for updates on the status of claims processing and the timing of distribution of settlement checks.

By signing and submitting this claim form you certify under penalty of perjury that the above information is true and correct to the best of your knowledge and recollection. By checking the Consent Boxes you are also authorizing your carrier to provide the necessary UUT information for your claims.

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title (if claiming on behalf of an organization)