

**Amendment to Settlement Agreement and Release**

WHEREFORE, the Parties executed a Settlement Agreement and Release in October 2021 to settle *Jay Sherrard, et al. v. American Credit Acceptance, LLC*, Los Angeles County Superior Court Case No. 19STCV43101, and the arbitration *entitled Sherrard, Jay, et al. v. American Credit Acceptance, LLC*, JAMS Ref. No. 1220065564 (collectively, “the Action”)

WHEREFORE, Paragraph 9.9 of the Settlement Agreement and Release requires that any modification must be in a writing signed by the Parties.

For good cause, and based on agreement of the Parties, the Parties amend the Settlement Agreement and Release *nunc pro tunc* as follows:


Paragraph 1.5 is amended as follows: “Conditional Sale Contract” means any retail installment sale contract for the sale of a motor vehicle ~~entered into in California~~ and for which a Statutory Notice under Paragraph 1.19 was issued by ACA.

Paragraph 1.18 is amended as follows: “Settlement Class” means all persons (a) who entered into a Conditional Sale Contract ~~in California~~, (b) who were issued a Statutory Notice by ACA at any time from December 2, 2015 through and including February 11, 2021, and (c) against whose account ACA assessed a Deficiency Balance. Excluded from the Settlement Class are any persons against whom a final court judgment with respect to a Deficiency Balance was entered prior to December 2, 2019, who have filed for bankruptcy without a dismissal of the bankruptcy case, or who are deceased.


Any other provisions of the Settlement Agreement and Release, exhibits, proposed motions, proposed orders, and/or notices shall be amended consistent with the amendments to paragraphs 1.5 and 1.18 above. All other provisions of the Settlement Agreement and Release shall remain in force and effect.

IN WITNESS HEREOF the undersigned, being duly authorized, have caused this amendment to the Settlement Agreement and Release to be executed on the dates shown below.

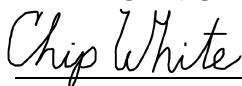
DATED: January 12, 2022

  
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Jay Sherrard, as an Individual and as a Proposed Representative Class Plaintiff

DATED: January 12, 2022

  
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Dolly West, as an Individual and as a Proposed Representative Class Plaintiff

DATED: January 12, 2022

AMERICAN CREDIT ACCEPTANCE  
  
\_\_\_\_\_  
By (print name): Chip White  
Title: Senior Counsel, Litigation