

District Judge William H. Pauley, III
U.S. District Court for the Southern District of N.Y.
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St., Rm. 2210
New York, NY 10007-1312

**Re: In re Currency Conversion Fee Antitrust Litigation
(Master File No. M 21-95, MDL No. 1409)**

As a member of the settlement class in this lawsuit, I object to the proposed settlement, plan of allocation, and attorneys' fee award.

The proposed algorithm for allocating the settlement is unfair and unjustified. It is based on incorrect assumptions that show a complete lack of travel expertise. The attorneys, "representational" plaintiffs, and "experts" who have proposed this plan do not understand me, the way I travel, or the way I pay for my trips. They do not represent me or my interests.

The proposed algorithm for allocating the settlement is based on the assumption that all cash spent abroad is brought from the U.S. This is obviously wrong. Especially for longer trips, most of the cash I have spent abroad has been obtained (in foreign currency) from ATMs abroad. Typically, I have used an ATM card with a "Visa" or "Mastercard" logo at an ATM abroad, to withdraw cash in local currency (not U.S. Dollars) from my U.S. bank account.

The algorithm is also based on the assumption that "persons living abroad for extended periods obtain lodging which is not paid for with credit cards (such as apartments, ... etc.)" This is also obviously wrong. When I have traveled or lived abroad, I have not usually been able to open a local bank account, either because I wasn't staying in any one place or country long enough, or because I did not have the necessary status (residence, employment, etc.) to open a local bank account. Instead, contrary to the false assumptions underlying the proposed algorithm, I have paid for my own lodging – even during lengthy trips abroad – mostly either with credit or debit cards, or with cash obtained using ATM cards, issued in the U.S. When I have been outside the U.S. for a longer period of time, I haven't wanted or been able to bring enough cash or travelers' checks with me to last for my entire trip. So I have used credit, debit, and ATM cards for purchases in foreign currency, and withdrawals of cash in foreign currency, more when I traveled for a longer period of time outside the U.S. than for short trips. Long-term travelers and expatriates typically put a larger fraction of their expenses on U.S.-issued credit, debit, and ATM cards (especially ATM cards) than short-term travelers – not less.

For these reasons, I request that the Court not approve the proposed settlement or any settlement, plan of allocation, or fee award unless and until (1) independent long-term travelers like me are adequately represented, (2) the proposed settlement has been revised, with the participation of actual travel experts, and (3) there has been another hearing and opportunity to comment on a revised settlement, plan of allocation, and fee award. I further request that, in light of the failure of class counsel to represent the entire class, the proposed fee award be substantially reduced.

Respectfully submitted,

cc: Office of the Clerk of Court
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