

THE DISTRICT COURT OF
DENVER COUNTY, COLORADO

**If You Were A Tenant At The Mint Urban Infinity Apartment
Complex In Denver, Colorado,
From October 22, 2018, To June 30, 2022,
Or If You Paid an Administrative Fee After August 2, 2019,
You May Be A Member Of A Certified Class Action**

DATE FILED: June 3, 2024 6:34 PM
JUDGE: DC8CDD142FED2
CASE NUMBER: 2021CV33357

A State Court in Colorado authorized this notice. This is not a solicitation from a lawyer.

Para ver este aviso en español, visite www.muiclassaction.com

- A class action has been certified in a lawsuit about whether conditions at the Mint Urban Infinity Apartment Complex in Denver (Glendale), Colorado, breached the warranty of habitability and tenant lease agreements and whether and whether Administrative Fees charged by Defendants were a violation of Colorado law.
- The Defendants, Cardinal Group Management and Advisory, LLC d/b/a Cardinal Group Management (“Cardinal”) and Glendale Properties I, LLC, and Glendale Properties II, LLC (collectively referred to as “Mint Urban”) deny the allegations made in the class action.
- The Court has not determined who is right. Rather, two Classes have been certified, meaning that your legal rights may be impacted.
- **Please read this notice carefully.** Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
EXCLUDE YOURSELF	You will receive no benefits, but you will retain any rights you currently have to sue the Defendants about the claims in this case. You must opt out by July 29, 2024.
DO NOTHING	You will be included in the case and will be bound by any Order entered by the Court in favor or against either Party following summary judgment or trial.

These rights and options – **and the deadlines to exercise them** – are explained in this Notice. For complete details, view the Case Website, available at www.muiclassaction.com or call 1-866-742-4955.

**CALL 1-866-742-4955 for the Case Administrator or
720-213-0676 for Class Counsel**



BASIC INFORMATION

1. Why was this Notice issued?

A state court seated in Denver County, Colorado authorized this notice because you have a right to know about this Lawsuit and all of your options. This Notice explains the lawsuit and your legal rights.

Judge Olafson of the District Court of Denver County, Colorado is overseeing this case (the “Lawsuit”). The Lawsuit is known as *Smith et al. v. Cardinal Group Management and Advisory, LLC d/b/a Cardinal Group Management et al.*, Case No. 2021-cv-33357 (Dist. Ct., Denver). Brandon Smith, Kendra Raylene Keely, Lynette Rhodes, and Shivani Mohan, the tenants who sued Cardinal and Mint Urban, are called the Class Representatives. The Defendants are Cardinal Group Management and Advisement, LLC d/b/a Cardinal Group Management (“Cardinal”) and Glendale Properties I, LLC, and Glendale Properties II, LLC (the Glendale Defendants are collectively referred to as “Mint Urban”).

2. What is a Class Action?

In a class action, one or more people called Class Representatives (in this case, Brandon Smith, Kendra Raylene Keely, Lynette Rhodes, and Shivani Mohan) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all Class Members, except for those who exclude themselves from the Class. In the lawsuit, the Court certified 2 Classes defined below (see Paragraph 5).

3. What is this Lawsuit about?

This Lawsuit alleges that the Defendants failed to maintain the Mint Urban Infinity Apartment Complex in accordance with their duties under Colorado’s Warranty of Habitability law and their lease agreements. The Lawsuit also alleges that Defendants charged Administrative Fees in violation of Colorado’s Rental Application Fairness Act and other applicable law. Defendants deny the allegations made in this class action. If the Class Representatives prevail, Class Members could be entitled to damages.

The Court has not determined who is right. Rather, the Parties continue to litigate the matter.

4. Why is this Notice Being Sent?

The Court has not decided whether the Plaintiff or the Defendants should win this case. It has decided that the case should proceed as a class action. When a case seeking damages receives certification from a court, notice must be provided to the Class Members alerting them to the case.

WHO’S INCLUDED IN THE LAWSUIT?

5. How do I know if I am in the Class?

You are in the Class if you fall into either Class Definition. The Court certified two Classes as follows:

The “MUI Class”: (1) All persons in the United States (2) who leased a residence from Defendants at Defendants’ Mint Urban Infinity Apartment site (3) from the date three years prior to the filing of the initial Complaint in this case (October 22, 2018) through June 30, 2022.

The Cardinal Administrative Fee Class: (1) All persons in the United States (2) who, from the date three years prior to the filing of the initial Complaint in this case through the date notice is sent to the Class, (3) leased a residence at Defendant’s Mint Urban Infinity Apartment site, (4) using Cardinal’s Form Lease, and (4) who Cardinal caused to be charged any Administrative Fee on or after August 2, 2019.

You are a Member of the Class if you fall into either definition. The Order certifying the Class is available by clicking the “Class Certification Order” link under the “Important Documents Tab” on the Case Website, located at www.muiclassaction.com.

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REMAINING IN THE LAWSUIT

6. What am I giving up if I stay in the Class?

If you remain in the lawsuit, you will give up your right to sue Cardinal or Mint Urban for the claims being litigated in this case. The Second Amended Complaint, available at www.muiclassaction.com by clicking the “Second Amended Complaint” link under the “Important Documents Tab” on the Case Website, describes the claims with specific descriptions, so read it carefully. If you have any questions you can talk to Class Counsel listed in Question 12 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

7. What happens if I do nothing at all?

If you do nothing, you will get to share in whatever benefits the Class Members ultimately receive and give up your right to sue Cardinal or MUI over conditions at the property and its charging of Administrative Fees. Unless you exclude yourself, you won’t be able to start a lawsuit or be part of any other lawsuit against the Defendants.

THE LAWYERS REPRESENTING YOU

8. Do I have a lawyer in the case?

The Court has appointed Steven Woodrow of Woodrow & Peluso, LLC and Jason Legg of Cadiz Law, LLC to be the attorneys representing the Classes. They are called “Class Counsel.” You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense. You may also enter an appearance though an attorney if you so desire.

EXCLUDING YOURSELF FROM THE LAWSUIT

9. How do I get out of the Lawsuit?

If you do not want to participate in this Lawsuit, or you want to keep the right to sue or continue to sue Defendants on your own, then you must take steps to get out of the Lawsuit. This is called “excluding yourself” from or “opting out” of the Lawsuit. If you exclude yourself from the Lawsuit, you will not be entitled to any relief the Lawsuit provides.

To exclude yourself from the Lawsuit, you may:

- Submit your request for exclusion by email at info@rg2claims.com or utilize the portal on the case website at www.muiclassaction.com prior to **July 29, 2024**. Your email request for exclusion must include your name, address, and phone number; or you may
- Send a letter (or request for exclusion) by mail stating that you want to be excluded from the Class in *Smith et al. v. Cardinal Group Management and Advisory, LLC d/b/a Cardinal Group Management et al.*, Case No. 2021-cv-33357 (Dist. Ct., Denver).

You must mail your exclusion request so that it is postmarked no later than **July 29, 2024** to:

Case Administrator
Smith et al. v. Cardinal Group Management and Advisory, LLC d/b/a
Cardinal Group Management et al.,
Case No. 2021-cv-33357 (Dist. Ct., Denver)
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479

**Call 1-866-742-4955 for the Case Administrator or
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Your letter requesting exclusion must also include your name, address, and phone number.

The Court will exclude from either Class any Class Member who timely requests exclusion.

10. If I don't exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to separately sue the Defendants for the claims being litigated in the Lawsuit.

11. If I exclude myself, can I get anything from this Lawsuit?

No. If you exclude yourself, you may no longer be eligible to receive benefits from the Lawsuit.

GETTING MORE INFORMATION

12. Where do I get more information about the Lawsuit?

This Notice summarizes the Lawsuit. You can call the Case Administrator at 1-866-742-4955 or Class Counsel at 1-720-213-0676, if you have any questions. Before doing so, however, please read this full Notice carefully.

Many of the Court papers, including this Notice and the Order granting class certification, are posted on the Case Website www.muiclassaction.com. You also can review any other public papers relating to the lawsuit by examining the records of this case, *Smith et al. v. Cardinal Group Management and Advisory, LLC d/b/a Cardinal Group Management et al.*, Case No. 2021-cv-33357 (Dist. Ct., Denver) at the Clerk's office at 1437 Bannock Street, Room 256, Denver, Colorado 80202. The clerk's office has the ability to make copies of any such public documents for a fee. Also, all filed documents in the case are available for viewing online for a fee through the Court's online filing system, (<https://www.jbits.courts.state.co.us/>). Any questions that you may have about this Notice should not be directed to the Court but should be directed to the Case Administrator or Class Counsel.

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