

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Martin v. Brighthouse Life Insurance Company, Case No. 1:21-cv-02923 (MMG)

NOTICE OF CLASS ACTION

*PLEASE READ THIS NOTICE CAREFULLY.
YOU HAVE RIGHTS RELATING TO A PENDING LAWSUIT.
YOU MAY BENEFIT FROM READING THIS NOTICE. THIS IS NOT A LAWSUIT AGAINST YOU.*

WHY ARE YOU RECEIVING THIS NOTICE?

You have been sent this Notice of Class Action (the “Notice”) because you have been identified as a potential class member in a pending class action lawsuit filed against Brighthouse Life Insurance Company (“Brighthouse”) by Plaintiff Lawrence E. Martin on behalf of a class as defined below. The lawsuit is *Martin v. Brighthouse Life Insurance Company*, Case No. 1:21-cv-02923, pending in the United States District Court for the Southern District of New York (the “Lawsuit”). Brighthouse’s records show that you own or owned a Form ULX or Form ULXP universal life (“UL”) insurance policy issued by Brighthouse (or were identified as the legal representative of such an owner).

On September 25, 2025, Judge Margaret M. Garnett of the United States District Court for the Southern District of New York certified a class of certain policyholders of Form ULX and Form ULXP policies issued in any of the 50 states, Puerto Rico or any U.S. territory and later approved the attached Notice that describes the Lawsuit, how the case will proceed, and your rights.

The class that has been certified by the Court includes only (the “Class”):

All persons who own or owned a UL insurance policy with the product codes ULX or ULXP in any of the 50 states, Puerto Rico or any United States territory issued and/or currently administered by Brighthouse Life Insurance Company that contains the following language: “We will base these [cost of insurance] rates only on our future outlook for mortality and expenses.”

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT		DEADLINE
DO NOTHING – STAY IN THE LAWSUIT	Stay in this Lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement in this case. But you give up any right to file a separate lawsuit against Brighthouse on any claim that is or could have been included in this Lawsuit, and you will be bound by any final judgment entered in this case.	
EXCLUDE YOURSELF (OPT OUT) FROM THE LAWSUIT	Get out of this Lawsuit. Get no benefits from it. Keep your rights. By excluding yourself from this Lawsuit, you will not be bound by the outcome in this Lawsuit. This means that if there is an award of damages or a settlement that provides certain benefits to class members, you won’t share in those damages or benefits. You will maintain your rights to file a separate lawsuit against Brighthouse, if you so choose.	Postmarked by: April 20, 2026

The Court limited the Class to policyholders whose claim in the Lawsuit was not barred by the applicable state statute of limitations as of the date of the filing of the Complaint, April 6, 2021.

If someone who would otherwise be a member of the Class (a “Class Member”) is deceased, his or her legal representatives may be Class Members.

Excluded from the Class is any entity in which Brighthouse has a controlling interest; any of the officers, directors, or employees of Brighthouse; the legal representatives, heirs, successors, and assigns of Brighthouse; anyone employed with Plaintiff’s counsel’s firms; and any Judge to whom this case is assigned, and his or her immediate family.

**DO NOT CONTACT THE COURT OR THE JUDGE REGARDING THIS NOTICE.
QUESTIONS? CALL 1-877-318-7068 TO CONTACT THE CLAIMS ADMINISTRATOR**

If you are not sure whether these exclusions apply to you or whether you are in the Class, you should consult the “Inquiries” section below, which contains information on how to contact Class Counsel with questions. You will not be charged for contacting Class Counsel.

WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

Hon. Margaret M. Garnett, the judge overseeing the Lawsuit, has determined that the Lawsuit can proceed as a class action. In a class action, one or more people called “Class Representatives” (in this case there is one Class Representative, Plaintiff Lawrence E. Martin) sue on behalf of other people who are alleged to have similar claims. Together, those other people are “Class Members” and comprise a “Class”. The company they sued (in this case Brighthouse) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class. The Class is represented by lawyers called “Class Counsel”.

WHAT IS THIS LAWSUIT ABOUT?

This Lawsuit is brought by Plaintiff Lawrence E. Martin and is about whether Brighthouse’s cost of insurance rates, which are used to calculate cost of insurance charges, complied with the policy language in the Form ULX and ULXP universal life insurance policies issued in any of the 50 states, Puerto Rico, or any U.S. territory (the “Policies”).

Plaintiff alleges that Brighthouse breached the Policies by failing to decrease cost of insurance (“COI”) rates despite improved mortality expectations and reduced expenses. The Lawsuit alleges that Brighthouse should have, but did not, lower the COI rates that Brighthouse charged policyholders. In other words, the Lawsuit claims that the Class Members paid more to Brighthouse than they should have paid to keep their life insurance policies in force, and the Lawsuit seeks the return of any such overpayments. There is one legal claim in this action for breach of contract, under the laws of every state, Puerto Rico, and US territory where there are class members.

Brighthouse has denied that it is liable to Plaintiff for Plaintiff’s claims and has asserted multiple defenses to the Lawsuit. Brighthouse contends, among other things, that it was not required to lower COI rates. Brighthouse asserts that Plaintiff and the Class Members did not suffer damages from any of Brighthouse’s alleged conduct.

The Court has not decided whether Brighthouse did anything wrong and has not suggested who will win this case. If the Court ultimately finds that Brighthouse did not violate the Policies, the Class Members will receive nothing. If Plaintiff prevails in this Lawsuit and you do not exclude yourself from this Lawsuit, you may be entitled to damages as a result of Brighthouse’s failure to lower your COI rates.

WHAT ARE YOUR OPTIONS?

There is no decision that Brighthouse did anything wrong, no judgment against Brighthouse, no money available now, and no certainty there will be. However, as a member of the Class, you have the choice of remaining in or excluding yourself from the Class. Please review your options below. Each choice has certain risks and consequences. You have the right to discuss your decision with Class Counsel or your own attorney.

Remain in the Class: You do not need to take any further action if you want to remain a member of the Class. You will be represented by an attorney at the law firm that brought this action on behalf of the Plaintiff, which has been designated as the Class Counsel by Judge Garnett. That attorney is:

Mitchell Breit
Milberg Coleman Bryson Phillips Grossman PLLC (n/k/a Milberg PLLC)
405 East 50th Street
New York, New York 10022
www.milberg.com

If you stay in the Class, **you will be bound by the result of the Lawsuit, whether the result is favorable or unfavorable.** This means, for example, if the Court enters a final judgment against Brighthouse, you might receive money from the Lawsuit. On the other hand, if the Court finds that Brighthouse is not liable in this Lawsuit, you will lose any claim that is or could have been included in the Lawsuit, and you will be bound by any final judgment entered in this case.

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- a) **Exclude Yourself from the Class:** If you exclude yourself from the Class, you: (i) will not be bound by any judgment or disposition of the Lawsuit; (ii) will retain any rights you may have to sue Brighthouse; and (iii) will not share in any recovery that may be awarded or obtained under any settlement of the Lawsuit with Brighthouse.

If you exclude yourself from the Class, you may be able to file your own lawsuit against Brighthouse. If you want your own lawyer to represent you in an individual case, the terms of such representation are for you and your lawyer to negotiate, and you will still have to prove your claims.

There are deadlines for you to exercise your rights to bring your own lawsuit. If you exclude yourself from the Class because you want to start your own lawsuit against Brighthouse, you should talk to your lawyer soon, because your claims cannot be brought after certain deadlines have passed.

To ask to be excluded, also sometimes referred to as “opting out” of the Class, you must notify Class Counsel that you want to be excluded from the Class in *Martin v. Brighthouse Life Insurance Company*. To be effective as an exclusion from this Lawsuit, you must send the Exclusion Request Form (including your name, policy number, and address) to Epiq at the address set forth below. You understand that by asking to be excluded from the Class, you will not be eligible to receive any recovery that may result from this Lawsuit, if there is any such recovery. If you own more than one policy, list all relevant policy numbers in your Exclusion Request Form. Your request to exclude yourself using the Exclusion Request Form must be postmarked by **April 20, 2026**, and sent to Epiq at the address set forth below:

Martin v. Brighthouse Life Insurance Co.
Notice Administrator
PO Box 2477
Portland, OR 97208-2477

YOUR ADDRESS

If this Notice was sent to you at your current address, you do not have to do anything to receive any further notices concerning this case.

If, however, it was forwarded by the postal service, or if it was otherwise addressed to you at an address which is not current, you should immediately send a letter to Class Counsel at the address listed above with your name, policy number, and updated address in order to ensure that you receive further notices concerning this case.

If the person who would otherwise be a Class Member is deceased and you are their legal representative who received this notice on their behalf, you should send a letter to Class Counsel with your name, the deceased policyholder’s name, policy number, and include any supporting documentation surrounding your relationship to the deceased policyholder.

INQUIRIES

Any questions you have concerning this Notice should be directed to Epiq at the address or phone number listed below. For mail inquiries, please include the case name and number (“*Martin v. Brighthouse Life Insurance Company*, Case No. 1:21-cv-02923”), your name and your address on any letters, and not just on the envelope. Please utilize the following address for all mail inquiries:

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Notice Administrator
PO Box 2477
Portland, OR 97208-2477

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