

**IN THE CIRCUIT COURT FOR THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

GOLF CLUBS AWAY LLC, Individually and
On Behalf of a Class of Persons Similarly
Situated,

Plaintiff,

v.

HOSTWAY CORPORATION, HOSTWAY
SERVICES, INC. and VALUEWEB,

Defendants.

Case No. 09-29596-13

AMENDMENT NO. 1 TO SETTLEMENT AGREEMENT AND RELEASE

This AMENDMENT NO. 1 to Settlement Agreement and Release (“Amendment”) is made as of September 17, 2020, by and between: (a) Golf Clubs Away LLC (the “Settlement Class Representative”), on behalf of itself and the Settlement Class, and (b) Hostway Corporation and Hostway Services, Inc. (“Defendants”) (collectively, the “Parties”).

WHEREAS, each of the Parties is a party to that certain Settlement Agreement and Release, made as of April 28, 2020 (the “Settlement Agreement”).

WHEREAS, capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the Settlement Agreement.

WHEREAS, pursuant to Section 16.11 of the Settlement Agreement, the Parties desire to amend the Settlement Agreement as set forth herein.

NOW, THEREFORE, in consideration of the promises, covenants, and agreements described herein and for other good and valuable consideration acknowledged by each of them to

be satisfactory and adequate, and intending to be legally bound, the Parties do hereby mutually agree as follows:

1. Section 3.1 of the Settlement Agreement is hereby replaced in its entirety by the following:

3.1 Defendants agree to deposit the following amount into the Escrow Account within ten (10) calendar days after the Court enters the Final Approval Order and Judgment:

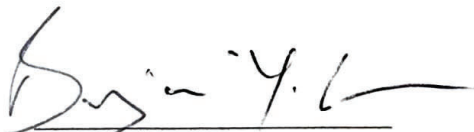
The amount calculated by multiplying (i) the number of Paid User Claim Forms received by the Settlement Administrator by October 12, 2020, wherein a Paid User elected to receive a payment of \$9.95 (nine dollars ninety-five cents); by (ii) \$9.95; and then by (iii) two (2).

IN WITNESS WHEREOF, the Parties have caused this Amendment to be duly executed by their duly authorized counsel:

Dated: September 13, 2020

**CO-CLASS COUNSEL ON BEHALF
OF THE SETTLEMENT CLASS**

**DEFENSE COUNSEL ON BEHALF
OF HOSTWAY CORPORATION AND
AND HOSTWAY SERVICES, INC.**



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