

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
 Notice of Class Action, Proposed Class Settlement, and Hearing
Alexander v. District of Columbia, Case No. 1:17-cv-1885 (ABJ)

If you were arrested for incommoding or blocking passage on or after September 18, 2014, you may be eligible to receive a cash payment.

A court authorized this notice. This is not a solicitation from a lawyer.

Este documento está disponible en español. Llame al 1-844-975-1785 o visite www.DCBlockingPassageSettlement.com

You may be affected by a class action settlement based on your arrest by the District of Columbia. To claim payment, you must take action by **July 25, 2023**. These are the actions you can choose to take:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:		
You May Choose To:	What This Option Means:	Deadline:
Submit a Claim Form	You will get a payment if you qualify. This is the only way to get a payment from this settlement.	Claim Form must be postmarked by July 25, 2023
Opt Out	You will get no payment from this settlement, but you maintain the right to file your own lawsuit about the legal claims in this case if you do so in the time the law allows.	Requests to opt out must be postmarked by April 26, 2023
Object in Writing	You may write to the Court about why you do not like the settlement. You may do this regardless of whether you submit a claim form.	Objections must be postmarked by June 14, 2023
Request to Participate in a Hearing	You may ask to speak in a Court hearing about the fairness of the settlement. You may do this regardless of whether you submit a claim form.	Requests to participate in the hearing must be postmarked by April 26, 2023
Do Nothing	You will get no payment AND will give up your right to file your own lawsuit.	None

- These rights and options – and the deadlines to exercise them – are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the settlement. Payments will only be made if the Court approves the settlement, and only after any appeals are resolved. Please be patient.

QUESTIONS? CALL 1-844-975-1785 OR VISIT www.DCBlockingPassageSettlement.com

1. Why did I get this notice package?

You were identified in government records as having been arrested for incommoding or blocking passage in the District of Columbia. A class-action lawsuit called *Alexander v. District of Columbia*, Case No. 1:17-cv-1885 (ABJ) was filed in the United States District Court for the District of Columbia, raising claims about arrests like yours. The parties to the lawsuit have reached a class-action settlement agreement, which now requires Court approval before it can become final.

The Court has directed that you be sent this notice because you have a right to know about the proposed settlement, and about all your options, before the Court decides whether to approve it. If the Court does approve it, and after any objections and appeals are resolved, an administrator will make the payments that the settlement allows. This package explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

2. What is this lawsuit about?

The lawsuit alleges that the District of Columbia has a policy or practice of arresting people without probable cause for blocking passage or incommoding and doing so in a racially discriminatory way.

The individual who filed the lawsuit is called the “Plaintiff.” The Plaintiff in this case sued the District of Columbia, known as the “Defendant.” The Plaintiff claimed that the Defendant violated the Fourth Amendment and the Equal Protection Clause of the United States Constitution.

Money damages, declaratory judgment, the expungement of arrest records, and attorney’s fees and costs have been sought against Defendant. The Defendant denies all of these allegations.

3. What does it mean that this is a “class action” lawsuit?

A “class action” lawsuit is a lawsuit in which someone, called the Class Representative, sues on behalf of many other people who have similar claims. The Class Representative and the people with similar claims are together called a Class, or Class Members. One court resolves the issues for all Class Members, except those who expressly exclude themselves from the Class.

The Class in this case is described in more detail below. Joseph Alexander was appointed by the Court as Class Representative for this case. The Court appointed attorney William Claiborne as Class Counsel to represent the Class Representative and the Class Members. United States District Court Judge Amy Berman Jackson is presiding over this class action.

4. What is the status of the lawsuit?

The Plaintiff filed this lawsuit on **September 18, 2017**. The Defendant filed a motion to dismiss the case, but Judge Amy Berman Jackson denied part of the motion and ordered that the case could proceed.

After several years of litigation, the parties took part in a mediation and negotiated the proposed Settlement. The Class Representative and his attorney think the Settlement is fair and is best for everyone who had claims in this lawsuit. **Your rights could be affected by this Settlement. You should read this Notice carefully to decide whether you want to remain part of the Class and whether you think the Settlement is fair.**

5. How do I know if I am part of the proposed Settlement?

You are part of the Class in this case if you meet the following three criteria: (1) you were arrested in the District of Columbia on at least one occasion solely for blocking passage (also known as incommoding); (2) your arrest occurred on or after **September 18, 2014**; and (3) you were never criminally charged for blocking passage, or any charges against you were dropped by prosecutors. If you meet these criteria based on the District's records, you are part of the Class.

6. What if I am not sure if I am part of the proposed Settlement?

If you are not sure whether you qualify as a Class Member, you can call the Claims Administrator at 1-844-975-1785.

7. What are the terms of the proposed Settlement?

The District of Columbia has agreed to create a fund of up to \$290,000 to be distributed among all Class Members who send in a valid Claim Form that meets all the requirements in the Settlement Agreement. Class Members who send in a valid Claim Form may also be eligible to seek expungement of their arrest records.

8. How much will my payment be?

If it is determined that you are a member of the Class, and you file a claim within the time set by the Court, you will be entitled to compensation from the Class Fund.

Each eligible member of the Class who files a valid claim form will receive an equal share of the Class Fund, subject to a maximum of \$4,000. For example, if the total Class Fund is \$290,000, and if 145 Class Members file valid claims, each would receive \$2,000; if 100 Class Members file valid claims, each would receive \$2,900; if fewer than 73 Class Members file valid claims, each would receive \$4,000.

At this time, it is not possible to say precisely how much each Class Member will receive.

9. Who else gets money from the Settlement Agreement?

The Class Representative will receive an additional \$5,000 for his role in bringing this lawsuit and for participating in various aspects of the litigation. The lawyer who represented the Class Representative and Class Members will receive \$130,000 to cover the costs of litigation and services rendered. The Claims Administrator who provides notice to Class Members, maintains the website www.DCBlockingPassageSettlement.com, and receives and processes the claims will receive \$25,000 initially for its services and currently estimates needing an additional \$7,315 for the cost of administering the class fund.

10. How does the Settlement Agreement affect my arrest record?

If you are a member of the Class, the Settlement Agreement may impact your arrest record. Once the Settlement Agreement is final, the attorney for the Class intends to ask the Court to seal and expunge the records for Class Members' arrests that are covered by the Settlement Agreement. The District of Columbia has agreed not to argue against this request.

11. What are my rights as a member of each “Class”?

Members of the Class have the right to receive money from the Settlement and to seek expungement of their blocking passage arrest without opposition. If you are a member of the Class, you give up your rights to bring a separate claim against the District of Columbia or its employees for any claim related to the arrest covered by this lawsuit. If you do not want to give up these rights, you must opt out of the Settlement. If you would like, you can have a lawyer appear in this case on your behalf.

TO CLAIM YOUR MONEY YOU MUST FILE A CLAIM FORM.

A Claim Form is included with this Notice. If you want to file a claim to receive your money, you will need to fill out the Claim Form and return it by mail to the Claims Administrator at:

Alexander v. District of Columbia
c/o JND Legal Administration
P.O. Box 91209
Seattle WA, 98111

You may elect to receive a check or an electronic payment.

Your Claim Form must be postmarked before **July 25, 2023**, for you to be eligible to receive payment. Payments will be processed as soon as possible after the proposed Settlement becomes final.

Please be patient.

IF YOU DO NOT FILE A CLAIM ON OR BEFORE JULY 25, 2023, YOU WILL NOT BE ELIGIBLE TO RECEIVE PAYMENT PURSUANT TO THIS SETTLEMENT.

If you do not make a Claim and you do not opt out of the Settlement, you are giving up your rights to receive money. You are also giving up your rights to ever bring a lawsuit against the District of Columbia or its employees for the claims and time periods alleged in this lawsuit.

12. How do I opt out of this “class action” Settlement?

If you do NOT want to participate in this class action Settlement, you have the right to opt out of the Class. If you opt out, you will not receive any money from the Settlement, and you will NEVER be able to make any claim for this Settlement money. However, by opting out you may have the right to bring your own lawsuit against the District of Columbia and its employees within the time period allowed under the law for the claims alleged in the lawsuit.

To opt out from the class action you must mail a letter to the Claims Administrator, postmarked on or before **April 26, 2023**, stating specifically that you want to opt-out of this case. You should mail this letter to:

Alexander v. District of Columbia
c/o JND Legal Administration
P.O. Box 91209
Seattle WA, 98111

You should include in your letter the name of the case (*Alexander v. District of Columbia*) and the case number (1:17-cv-1885 (ABJ)). You must also include your name, address, and telephone number.

If you would like to opt out, **you must do so before April 26, 2023**. If you fail to opt out by **April 26, 2023**, you give up your right to be excluded from the Class, which means that you cannot bring a separate lawsuit against the District of Columbia and its employees for the same claims alleged in the current lawsuit. If you do not opt out, you will be bound by the Settlement Agreement and are eligible to file a claim for the settlement money. You cannot opt out of the Class and be eligible to receive settlement money.

13. What if I think the Settlement is unfair?

There will be a hearing before United States District Court Judge Amy Berman Jackson on **July 14, 2023** at 2:00 p.m., to decide whether the settlement is fair, reasonable, and adequate. Because of modified court operations related to COVID-19, this hearing might be held via a telephone conference line rather than in-person. Information about the hearing will be posted on the Settlement Website as the hearing date approaches. The hearing will be held in Courtroom 3, or it may be held online. The Court may change the hearing date or location without further notice by mail. Please check the Settlement Website for updates.

If you are a Class Member, you can object to the settlement if you do not like any part of it. **If you want to object to the settlement you must mail a letter to the Court, to class counsel, to defense counsel, and to the Claims Administrator, postmarked on or before June 14, 2023:**

To the Court	To Class Counsel
Clerk of the Court United States District Court for the District of Columbia 333 Constitution Ave., NW Washington, D.C. 20001	William Claiborne Alexander Class Counsel 717 D Street, N.W. #300 Washington, D.C. 20001
To Defense Counsel	Claims Administrator
Helen Rave Assistant Attorney General Office of the Attorney General for the District of Columbia 400 Sixth Street, N.W., Suite 10100 Washington, D.C. 20001	Alexander v. District of Columbia c/o JND Legal Administration P.O. Box 91209 Seattle WA, 98111

You should include in your letter the name of the case (*Alexander v. District of Columbia*) and the case number (1:17-cv-1885 (ABJ)). You must also include your name, address, and telephone number, and you must sign the letter. You should write out all of the reasons you believe the Settlement should not be approved, with as much explanation as you desire to include. The hearing on **July 14, 2023** will be your only opportunity to state an oral objection to the terms of the Settlement. The Judge will consider any timely objections you submit if you are a Class Member, even if you do not attend the fairness hearing.

You do not have to attend the hearing to receive your share of the settlement money. If you submit a valid claim to get your share of the Settlement, you will receive your share, provided the Settlement is approved by the Judge. **You may file an objection or speak at the hearing even if you also submit a claim form.**

14. What happens if I do nothing at all?

If you do nothing you will get no money as part of this Settlement. In addition, unless you opt out, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the District of Columbia or its employees about the issues and time period covered by this case ever again.

15. What if I want further information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement by writing to the Claims Administrator at Alexander v. District of Columbia Settlement, c/o JND Legal Administration, P.O. Box 91209, Seattle WA, 98111, or by visiting www.DCBlockingPassageSettlement.com.

If you have further questions, you can call 1-844-975-1785; write to Alexander v. District of Columbia Settlement, c/o JND Legal Administration, P.O. Box 91209, Seattle WA, 98111; or visit www.DCBlockingPassageSettlement.com, where you will find answers to common questions about the Settlement and other information to help you determine whether you are a Class Member and eligible to receive money and participate in the Settlement Agreement.

DO NOT CALL THE COURT OR THE CLERK OF THE COURT for further information about this settlement.