

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NOTICE OF PENDENCY OF CLASS ACTION, PROPOSED SETTLEMENT, AND HEARING

IF YOU (1) WERE ARRESTED OR INCARCERATED BY OR ON BEHALF OF THE CITY OF EDMUNDSON, MISSOURI, BETWEEN DECEMBER 12, 2013 AND JULY 1, 2021; (2) PAID A FINE, FEE, COST, SURCHARGE, OR OTHER MONETARY SUM TO THE CITY OF EDMUNDSON, MISSOURI, BETWEEN DECEMBER 12, 2013, AND JULY 1, 2021; OR (3) WERE THE SUBJECT OF AN ARREST WARRANT ISSUED BY THE CITY OF EDMUNDSON, MISSOURI, BETWEEN DECEMBER 12, 2013, AND JULY 1, 2021,

YOU MAY BE ELIGIBLE TO RECEIVE A PAYMENT FROM A CLASS ACTION SETTLEMENT.

*A Federal Court authorized this notice.
This is not a solicitation from a lawyer.*

PLEASE READ THIS NOTICE AND THE ENCLOSED CLAIM FORM CAREFULLY.

- You may be a class member in either or both of two proposed settlement classes. The first includes persons incarcerated by or on behalf of the City of Edmundson (the “City”) between December 12, 2013, and July 1, 2021. The second includes persons who (A) paid a fine, fee, cost, surcharge, or other monetary sum to the City between those dates, OR (B) were subject to an arrest warrant issued by the City between those same dates. The United States District Court for the Eastern District of Missouri (the “Court”) has ordered the issuance of this notice in the lawsuit entitled *Thomas, et al. v. The City of Edmundson, 4:18-CV-02071-RLW*. The Defendant denies any wrongdoing or liability of any kind in this lawsuit. The Court has not ruled on the merits of Plaintiffs’ claims.
- You may be eligible to obtain a payment based upon the number of days you spent incarcerated AND/OR if you paid a fine, fee, cost, surcharge, or other monetary sum to the City or were the subject of an arrest warrant issued by the City between the dates referenced above. You must qualify and submit a valid claim form in order to obtain a payment.
- **YOU WON’T RECEIVE COMPENSATION UNLESS YOU FILE A CLAIM WITHIN 120 DAYS OF THE DATE THE INITIAL NOTICE WAS FIRST SENT, JUNE 2, 2022. To file a claim, visit the Settlement Website www.EdmundsonClassAction.com to fill out the electronic claim form or call this number: 1-888-380-2225 It is a very quick process to file a claim.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM	This is the only way to get a cash payment. Postmark or submit your Claim Form by September 30, 2022.
EXCLUDE YOURSELF	Get no settlement benefits. Remove yourself from both the settlement and the lawsuit. Postmark your exclusion request by July 18, 2022.
OBJECT	Write to the Court about why you don't like the settlement. File and serve your objection by September 30, 2022.
GO TO A HEARING	Ask to speak in Court about the fairness of the settlement.
DO NOTHING	Get no cash payment. Give up your rights.

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

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BASIC INFORMATION

1. What is this Lawsuit about?

Plaintiffs filed this class action lawsuit (“Litigation”) against the Defendant The City of Edmundson, Missouri, (“Defendant”) alleging that Defendant violated Plaintiffs’ constitutional rights by arresting and incarcerating them and others similarly situated at the City of Edmundson, Police Department, the City of St. Ann Jail, and the St. Louis County Jail because they could not afford to pay money owed from traffic and other minor offenses; by causing the Plaintiffs and others similarly situated to pay fines and fees for traffic and other minor offenses; and by causing the Plaintiffs and others similarly situated to be the subjects of warrants for their arrest. Defendant has denied and continues to deny Plaintiffs’ claims, and Defendant denies any wrongdoing or liability of any kind to plaintiffs or to any member of the classes.

2. Who is included in the Settlement Classes?

There are three Settlement Classes.

The first class (“Class 1”) includes all persons, between December 12, 2013, and July 1, 2021, who were arrested or incarcerated by or on behalf of the City of Edmundson.

The second class (“Class 2”) consists of all persons who, between December 12, 2013, and July 1, 2021, paid a fine, fee, cost, surcharge, or other monetary sum to Defendant City of Edmundson.

The third class (“Class 3”) consists of all persons who were the subject of an arrest warrant issued between December 12, 2013, and July 1, 2021 by Defendant City of Edmundson.

A person can receive compensation for both Class 1 and Class 2 or Class 3, but a person cannot receive compensation for both Classes 2 and 3. If you meet the requirements of both Classes 2 and 3, then you will be compensated as a member of Class 2, which offers a larger award than does Class 3.

THE SETTLEMENT BENEFITS – WHAT YOU MAY GET

3. Cash from the claims process.

If you are a member of Class 1, you may obtain a cash payment in an amount calculated based upon the number of hours you served in jail during the Class Period of December 12, 2013, to July 1, 2021. You will not be compensated for the first six hours of your arrest. You will be compensated at a rate of \$7.50 per hour for hours 6-48 of your arrest. You will be compensated at a rate of \$15.00 per hour for any additional hours. If you are a member of Class 2, you will receive up to \$60.00. If you are a member of Class 3, you will receive up to \$20.00. If you meet the requirements of both Classes 2 and 3, then you will be compensated as a member of Class 2, which offers a larger award than does Class 3.

HOW YOU APPLY TO GET A CASH PAYMENT—SUBMITTING A CLAIM FORM

4. How can I get a payment?

You must return a Claim Form to get a cash payment. You can complete a paper or online version of a Claim Form. A copy of the Claim Form is included in this Notice Package. You can fill out and mail this form to the return address. You must do this by September 30, 2022. Alternatively, you can visit the settlement website at www.EdmundsonClassAction.com and fill out and submit the electric Claim Form by September 30, 2022. You can request a copy of the Claim Form by calling 1-888-380-2225 or sending an email to EdmundsonClassAction@atticusadmin.com. You can also submit the Claim Form to this address.

5. How do I submit a claim?

The Claim Forms are simply and easy to complete. The Claim Form requires that you provide:

1. Your name;

QUESTIONS? CALL 1-888-380-2225 TOLL-FREE, OR VISIT WWW.EDMUNDSONCLASSACTION.COM

2. Your current mailing address and telephone number;
3. Your agreement to a statement that you were arrested or incarcerated by or on behalf of the City of Edmundson between December 12, 2013, and July 1, 2021;
AND/OR
Your agreement to a statement that you paid a fine, fee, cost, surcharge, or other monetary sum to the City of Edmundson between those same dates; AND/OR
Your agreement to a statement that you were the subject of an arrest warrant issued by the City of Edmundson between those same dates; and
4. Your signature certifying that all of the information in your Claim Form is true and correct.

Please return a Claim Form if you think that you have a claim. Returning a Claim Form is the only way to receive a cash payment from this settlement. No claimant may submit more than one Claim Form.

The Settlement Administrator may request additional information if the Claim Form is insufficient to process your claim. Failure to provide any requested documentation may result in the denial of your claim and may limit the type of remedy you receive.

6. When is the Claim Form due?

You must mail your Claim Form so that it is postmarked no later than September 30, 2022 or submit it electronically or email it by that same date.

7. Who decides my claim?

The Claim Forms will be reviewed by an independent Settlement Administrator according to criteria agreed to by the parties.

The Claim Administrator may contact you if it needs additional information or otherwise wants to verify information in your Claim Form.

8. When would I get my payment?

The Court will hold a Final Fairness Hearing at 1:30 p.m. on November 9, 2022 in St. Louis, Missouri to decide whether to approve the settlement. If the Court approves the settlement, after that there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. If there are no appeals or other delays, you should be sent your cash payment in approximately 85 days after the Claim Form submission deadline.

9. What happens if I do nothing at all?

You must timely return a valid Claim Form to receive a cash payment from this settlement. If you do nothing, you will get no money from the settlement. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant about the legal issues in this case. You also will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the City of St. Ann, Missouri, or St. Louis County, Missouri, for incarceration on behalf of Edmundson in connection with the legal issues in this case.

EXCLUDING YOURSELF FROM THE SETTLEMENT

10. How do I get out of the settlement?

If you do not wish to be included in the Classes and receive settlement benefits, you must send a letter stating that you want to be excluded from this lawsuit. Be sure to include your name, address, and telephone number and a clear statement indicating you choose to be excluded from the settlement and do not wish to be a Settlement Class Member and choose to be excluded from any judgment entered pursuant to the settlement.

You must mail your exclusion request post-marked no later than July 18, 2022 to:

Edmundson Class Action
c/o Atticus Administration
PO Box 64053
Saint Paul, MN 55164

If you asked to be excluded, you will not get any settlement payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Defendant, the City of St. Ann, or St. Louis County in the future.

If you have a pending lawsuit against Defendant, the City of St. Ann, or St. Louis County, speak to your lawyer immediately. You may need to exclude yourself from this lawsuit in order to continue your own lawsuit. Remember, the exclusion deadline is July 18, 2022.

THE LAWYERS REPRESENTING YOU

11. Do I have lawyers in this case?

The Court appointed John M. Waldron, Maureen Hanlon, and Nathaniel Carroll of ArchCity Defenders, Inc., 440 North 4th Street, Ste. 390, Saint Louis, MO 63102 and S. Zachary Fayne of Arnold & Porter Kaye Scholer, LLP, 10th Floor, Three Embarcadero Center, San Francisco, CA 94111 to represent you and other class members. These lawyers are called Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense, and enter your appearance in the lawsuit through your own lawyer.

12. How will the lawyers be paid?

Class Counsel will ask the Court to award them attorneys' fees and expenses. Class Counsel will seek attorneys' fees and costs of up to \$47,500.00.

The Class Representatives will also ask the Court to award them an amount not to exceed \$7,500 to be distributed to each of the two (2) Class Representatives for being the faces of this Litigation and for the time and energy spent in assisting with the investigation, drafting, and negotiation of this litigation.

The costs to administer the settlement such as costs of settlement administration, mailing of Class Notice and Claim Forms to Class Members, providing adequate notification of Class Notice and Claim Form by way of mail, website, or other media, or other administrative costs will not be deducted from the funds paid to Class Members, but instead shall be paid by the Defendant.

OBJECTING TO THE SETTLEMENT

13. How do I tell the Court that I do not like the settlement?

If you are a member of any Class, you can object to the settlement if you do not like any part of it, and the Court will consider your views. To object, you must file an objection with the Court saying that you object to the settlement in *Thomas, et al. v. The City of Edmundson, 4:18-CV-02071-RLW*. The written objection must include: (a) your name, address, telephone number; (b) a detailed statement of each objection asserted, including the grounds for objection and reasons for appearing and being heard; and (c) any documents you wish to be considered in support of your objection. This objection must be filed with the Court and served on Class Counsel and Defense Counsel no later than September 30, 2022. Send your objection to:

Clerk of the Court United States District Court Eastern District of Missouri Thomas F. Eagleton Courthouse 111 South 10th Street, Ste. 3.300 St. Louis, MO 63102	ArchCity Defenders, Inc. John M. Waldron 440 North 4th Street, Ste. 390 Saint Louis, MO 63102	Hellmich, Hill & Retter, LLC Jason S. Retter 1049 North Clay Avenue Kirkwood, Missouri 63122
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14. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the settlement. You can object only if you stay in one or any of the Classes. Excluding yourself is telling the Court that you do not want to be part of the Classes or the lawsuit. You cannot request exclusion **and** object to the settlement. If you exclude yourself, you have no basis to object because the case no longer affects you.

RELEASE OF CLASS MEMBERS' CLAIMS AND DISMISSAL OF LAWSUIT

15. In return for these benefits, what am I giving up?

If the Court approves the proposed settlement and you do not request to be excluded from the Classes, you must release (give up) all claims related to this suit, and the case will be dismissed on the merits and with prejudice. The Release provides that Class Members will not be able to assert or continue certain claims against the City of Edmundson, the City of St. Ann, or St. Louis County, as described below. **This includes any other lawsuit or proceeding already in progress except for that described below.** Specifically, upon the Court's approval of the settlement, the Class Members who do not exclude themselves will release and forever discharge the City of Edmundson, Missouri and its past, present, and future appointed and elected officials, employees, agents, representatives, municipal court judges, municipal court administrators, municipal jail administrators, and insurers from any and all claims, demands, debts, liabilities, actions, causes of actions of every kind and nature, obligations, damages, losses, and costs, whether known or unknown, actual or potential, suspected or unsuspected, direct or indirect, contingent or fixed, that were or could have been asserted or sought in the lawsuit *Thomas, et al. v. The City of Edmundson, 4:18-CV-02071-RLW* relating in any way or arising out of a Class Member being arrested or incarcerated by or on behalf of the City of Edmundson between December 12, 2013, and July 1, 2021; paying a fine, fee, cost, surcharge, or other monetary sum to the City of Edmundson between those same dates; or being the subject of an arrest warrant issued by the City of Edmundson during those same dates. Class members who do not exclude themselves will also release and forever discharge the City of St. Ann, Missouri, (and its employees, agents, appointed and elected officials, insurers, indemnitors, contractors, police or other law enforcement officers, corrections officers, prosecutors, city/municipal attorneys, and persons participating in the operation of the Municipal Court of St. Ann, including municipal judges, clerks, and other personnel), and St. Louis County, Missouri, (and its employees, agents, appointed and elected officials, police or other law enforcement officers, corrections officers, prosecutors, county attorneys, and county judges and other county court personnel) from any and all claims, causes of action, liability, and demands, fixed or contingent, for incarceration of Class Members on behalf of the City of Edmundson, in connection with the claims from which the City of Edmundson will be released.

THE FINAL APPROVAL HEARING

16. When and where will the Court decide whether to approve the settlement?

The Judge will hold a Final Approval Hearing at 1:30 p.m. on November 9, 2022 at the United States District Court for the Eastern District of Missouri, 111 South 10th Street, Courtroom 10 South, St. Louis, MO 63102. At this hearing, the Judge will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Judge will consider them. The Judge will listen to people who have asked to speak at the hearing. After the hearing, the Judge will decide whether to approve the settlement. We do not know how long this decision will take.

17. Do I have to come to the hearing?

No. Class Counsel will answer questions the Judge may have. But, you are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it. As long as you deliver your written objection on time, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file with the Court a “Notice of Intention to Appear in *Thomas, et al. v. The City of Edmundson*, 4:18-CV-02071-RLW.” Be sure to include your name, address, telephone number, your signature *that you are a member of one of the Classes (i.e., that you were arrested or incarcerated by or on behalf of the City of Edmundson between December 12, 2013, and July 1, 2021; paid a fine, fee, cost, surcharge, or other monetary sum to the City of Edmundson between those dates; or were the subject of an arrest warrant issued by the City of Edmundson between those dates)*. The Notice of Intention to Appear must also include (i) how much time the Class Member and/or her/his attorney anticipates needing to present her or his objection; (ii) the name, address, and telephone number of the Class Member making the objection, and a summary of the testimony supporting the objection; (iii) the name, address, and telephone number of all witnesses the Class Member and/or her/his attorney intends to present testimony from, including a summary of the testimony, and (iv) the identity of all exhibits the Class Member and/or her/his attorney intends to offer in support of the objection(s), and a complete copy of all exhibits. Your Notice of Intention to Appear must be filed no later than October 25, 2022, and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the three addresses listed in paragraph 13.

GETTING MORE INFORMATION

19. Are there more details about the settlement?

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 Settlement Administrator or on the internet at www.EdmundsonClassAction.com.

If you have any questions about how to complete a Claim Form, you can call the Claim Administrator at 1-888-380-2225

EXCEPT FOR WRITTEN OBJECTIONS TO THE COURT, PLEASE DO NOT CONTACT THE COURT OR ANY REPRESENTATIVE OF DEFENDANT CONCERNING THIS NOTICE OR THIS LAWSUIT.

/s/ Ronnie L. White

DATED: June 2, 2022

BY ORDER OF THE U.S. DISTRICT COURT
EASTERN DISTRICT OF MISSOURI