

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

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

**IF YOU WERE KEPT IN THE CITY OF JENNINGS JAIL
ON A WARRANT FROM THE CITY OF JENNINGS MUNICIPAL COURT
ARISING FROM THE NONPAYMENT OF A FINE OR COURT COSTS
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 a proposed settlement class of persons incarcerated in the City of Jennings Jail because they could not afford to pay debts allegedly owed from traffic and other minor offenses and who were allegedly subjected to inhumane conditions of confinement. The United States District Court for the Eastern District of Missouri (the “Court”) has ordered the issuance of this notice in the lawsuit entitled *Jenkins, et al. v. The City of Jennings, 4:15-CV-00252-CEJ*. 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 in the City of Jennings jail under the conditions described above during the Class Period of February 8, 2010 to September 16, 2015 if you qualify and submit a valid Claim Form.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	The only way to get a cash payment. Postmark or submit your Claim Form by November 24, 2016.
EXCLUDE YOURSELF	Get no settlement benefits. Remove yourself from both the settlement and the lawsuit. Postmark your exclusion request by September 12, 2016.
OBJECT	Write to the Court about why you don’t like the settlement. File and serve your objection by October 25, 2016.
GO TO A HEARING	Ask to speak in Court about the fairness of the settlement. File a Notice of Intent to Appear by November 29, 2016.
DO NOTHING	Get no cash payment. Give up your rights.

- Your 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 Jennings (“Defendant”) alleging that Defendant had violated Plaintiffs’ constitutional rights by incarcerating them and others similarly situated in the City of Jennings Jail because they could not afford to pay debts allegedly owed from traffic and other minor offenses and by causing the Plaintiffs and others similarly situated to be allegedly subjected to inhumane conditions of confinement in the City of Jennings Jail. 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 class.

2. Who is included in the Settlement Class?

The Settlement Class Members include all persons, between February 8, 2010 and September 16, 2015 who:

were placed and/or kept in the custody of the City of Jennings Jail after being detained pursuant to a warrant issued by the City of Jennings Municipal Court arising from the nonpayment of a previously imposed fine or court costs and who were allegedly subjected to inhumane conditions of confinement in the City of Jennings Jail.

SETTLEMENT BENEFITS – WHAT YOU MAY GET

3. Cash from the claims process.

Defendant will create a fund of \$4.75 million to pay Class Members’ claims, Class Representative Incentive Awards, certain administrative costs, and attorneys’ fees and expenses. You may obtain a cash payment in an amount calculated based upon the number of days you served in jail during the Class Period of February 8, 2010 to September 16, 2015 divided by the total number of days served in jail by potential Class Members during that period if you submit a valid Claim Form postmarked by November 24, 2016. These awards may be subject to *pro rata* upward or downward adjustment depending on the number of claims approved. Details appear below.

4. What else does the settlement provide?

As part of this settlement, Defendant will forgive all fines and costs assessed by the City of Jennings Municipal Court against all Class Members identified in the summary of the State of Missouri REJIS records attached as Exhibit B to the Settlement Agreement who receive a distribution from the Settlement Fund pursuant to a valid claim approved by the Settlement Administrator.

HOW YOU GET A CASH PAYMENT – SUBMITTING A CLAIM FORM

5. How can I get a payment?

You must return a Claim Form to get a cash payment. A copy of the Claim Form is included in this Notice Package. Claim Forms may be downloaded from the Settlement website at www.JenningsSettlement.com or you may request a Claim Form by calling 1-866-236-6721 or sending an email request to info@JenningsSettlement.com.

6. How do I send in a claim?

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

1. Your name;
2. Your current mailing address and telephone number;
3. Your agreement to a statement that you were placed and/or kept in the custody of the City of Jennings Jail after being detained pursuant to a warrant issued by the City of Jennings Municipal Court arising from the nonpayment of a previously imposed fine or court costs between February 8, 2010 to September 16, 2015; and

4. Your signature certifying under penalty of perjury 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 and potential fine or cost forgiveness 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.

7. When is the Claim Form due?

You must mail your Claim Form so that it is postmarked no later than November 24, 2016. Or you must email it by November 24, 2016.

8. 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.

9. When would I get my payment?

The Court will hold a Final Fairness Hearing at 10:00 a.m. on December 14, 2016 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 65 days after the Claim Form submission deadline.

10. What if the fund is too large?

After the initial calculations for distribution to Class Members who submit a valid claim are deducted from the Settlement Fund, attorney fees and costs are paid from the Settlement Fund, and Class Representative Incentive Awards are paid from the Settlement Fund, the remaining funds not to exceed the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) will be donated to the Friends of Jennings School District Foundation.

If there is any amount of the Settlement Fund remaining after payment of attorneys' fees and costs, Class Representative Incentive Awards, the amount calculated for Class Member distributions, and the donation to the Friends of Jennings School District Foundation, the Parties shall proportion the remaining amount to those Class Members who made claims, again proportioning the calculated distribution based on the number of days spent by each Class Member in jail.

11. What happens if I do nothing at all?

You must timely return a valid Claim Form to receive a cash payment or potential fine or cost forgiveness 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.

EXCLUDING YOURSELF FROM THE SETTLEMENT

12. How do I get out of the settlement?

If you do not wish to be included in the Class 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 September 12, 2016 to:

CITY OF JENNINGS SETTLEMENT
c/o Dahl Administration
P.O. Box 3614
Minneapolis, MN 55403-0614

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 in the future.

If you have a pending lawsuit against Defendant, 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 September 12, 2016.

THE LAWYERS REPRESENTING YOU

13. Do I have lawyers in this case?

The Court appointed Alec Karakatsanis of Equal Justice Under Law, 601 Pennsylvania Avenue, NW, South Building, Suite 900, Washington, D.C. 20004; Thomas Harvey, Michael-John Voss and Blake Strode of ArchCity Defenders, 1210 Locust St, St. Louis, MO 63103; and John Ammann, Stephen Hanlon and Brendan Roediger of St. Louis University School of Law Legal Clinic, 100 North Tucker Blvd., St. Louis, MO 63101 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.

14. 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 \$1,187,500.

The Class Representatives will also ask the Court to award them an amount not to exceed \$10,000 to be distributed to each of the eight (8) 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.

These amounts, if approved by the Court, will be paid from the Settlement Fund before any distributions to Class Members who submit a valid claim.

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 above Settlement Fund, but instead shall be paid by the Defendant through personal funds outside of the Settlement Fund.

OBJECTING TO THE SETTLEMENT

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

If you are a Class Member, 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 *Jenkins, et al. v. The City of Jennings*, 4:15-CV-00252-CEJ. 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 October 25, 2016.

Send your objection to:

<i>The Court:</i>	<i>Class Counsel:</i>	<i>Defense Counsel:</i>
Clerk of the Court United States District Court Eastern District of Missouri Thomas F. Eagleton Courthouse 111 South 10th Street, Suite 3.300 St. Louis, MO 63102	Alec Karakatsanis Equal Justice Under Law 601 Pennsylvania Ave NW, Suite 900 Washington, D.C. 20004 Thomas Harvey Arch City Defenders 1210 Locust St. St. Louis, MO 63103 Brendan Roediger St Louis University School of Law 100 N. Tucker Blvd. St Louis, MO 63101	D. Keith Henson Paule, Camazine, & Blumenthal, P.C. 165 N. Meramec Ave, Suite 110 Clayton, MO 63105

16. 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 the Class. Excluding yourself is telling the Court that you do not want to be part of the Class 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

17. 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 Class, you must release (give up) all claims that are subject to the Release, and the case will be dismissed on the merits and with prejudice. **If you remain in the Class, you may not assert any of those claims in any other lawsuit or proceeding. This includes any other lawsuit or proceeding already in progress.** Upon the Court's approval of the settlement, the Class Members who do not exclude themselves, will release and forever discharge the City of Jennings, 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 action 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 Jenkins, et al. v. The City of Jennings, 4:15-CV-00252-CEJ relating in any way or arising out of a Class Member being arrested and incarcerated in the City of Jennings Jail for the failure to pay debts owed to the City of Jennings for traffic and other offenses, including claims for conditions of confinement in the Jennings Jail from February 8, 2010 to September 16, 2015.

THE FINAL APPROVAL HEARING

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

The Judge will hold a Final Approval Hearing at 10:00 a.m. on December 14, 2016 at the United States District Court for the Eastern District of Missouri, Thomas F. Eagleton Courthouse, 111 South 10th Street 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.

19. 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.

20. 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 *Jenkins et al. v. The City of Jennings, 4:15-CV-00252-CEJ*." Be sure to include your name, address, telephone number, your signature and *a statement under penalty of perjury that you are a member of the Class* (i.e., that you were placed and/or kept in the custody of the City of Jennings Jail during the relevant time period). The Notice of Intention to Appear must also include (i) how much time the Class Member and/or his/her attorney anticipates needing to present his or her 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 his/her attorney intends to present testimony from, including a summary of the testimony, and (iv) the identity of all exhibits the Class Member and/or his/her 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 November 29, 2016, and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the addresses listed in paragraph 15.

GETTING MORE INFORMATION

21. 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.JenningsSettlement.com.

If you have questions about how to complete a Claim Form, you can call the Claim Administrator at 1-866-236-6721.

PLEASE DO NOT CALL OR WRITE TO THE COURT FOR INFORMATION OR ADVICE.

/s/ Carol E. Jackson

DATED: July 27, 2016

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