

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA, WESTERN DIVISION

DEBORAH MILES, et al.,
Plaintiffs,

v.

COUNTY OF LOS ANGELES;
LOS ANGELES SUPERIOR
COURT; and JOHN A. CLARKE,

Defendants.

CASE NO. CV-02-3932 DT
(JTLx)

SUMMARY NOTICE OF
PROPOSED CLASS ACTION
SETTLEMENT

TO: All qualified individuals with mobility or manual dexterity impairments who, since December 29, 2003, have used or attempted to use, or will in the future use or attempt to use, Defendants' services, programs or activities in the courthouses in Los Angeles County.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED BY LEGAL PROCEEDINGS IN THIS LITIGATION.

On May 16, 2002, this class action lawsuit was filed, alleging that Defendants County of Los Angeles and the Los Angeles Superior Court violated the Americans with Disabilities Act and other state and federal laws by failing to make the services, programs and activities that they offer in Los Angeles County courthouses accessible to individuals with mobility or manual dexterity disabilities. While the named plaintiffs also sought separate relief, the district court certified the class described above to seek injunctive and declaratory relief, but not money damages.

The parties to the lawsuit have now agreed to a settlement, which the attorneys representing the class have recommended that the district court approve as being fair, reasonable and adequate and in the best interests of the class. The named plaintiffs and the attorneys representing the class agreed to resolve all class claims before they entered into separate negotiations regarding the individual claims raised by the named plaintiffs. The settlement is not an admission of wrongdoing or liability by the Defendants, who have denied wrongdoing and have asserted that they have acted in accordance with all applicable laws. Nevertheless, to avoid the expense and uncertainty of protracted litigation, the settlement imposes a number of specific obligations, which remain in effect for four years, on Defendants with respect to the accessibility of the Los Angeles Superior Court Courthouses and Defendants' services, programs and activities conducted in them. Defendants will also pay the fees and costs of attorneys representing the class in an amount between \$292,171 and \$309,671.

A notice containing a more detailed description of the settlement agreement has been mailed to the Independent Living Centers in Los Angeles County. The shorter summary notice that you are now reading has been published in several newspapers and posted in the Los Angeles Superior Court Courthouses. If you believe that you are a class member and would like the more detailed notice, you may request one free of charge by writing to Johanna Pirko, Esq., Disability Rights

Legal Center, formerly Western Law Center for Disability Rights, 919 South Albany Street, Los Angeles, CA 90015. A copy of the detailed notice may also be obtained from the Disability Rights Legal Center's internet website, located at <http://www.wlcdr.org>. In the event of any conflict between the language of either this notice or the detailed notice and the language of the settlement agreement, it is the language of the settlement agreement that shall control. If you have a question regarding the settlement, you may either write to Ms. Pirko or leave a message at (866) 826-4424. Someone will answer your inquiry promptly. If you would like to see or copy the actual settlement agreement (called the "Master Stipulation and Order re: Class Action Settlement"), or any other papers on file in this case, you are referred to the papers on file under the caption Deborah Miles, et al. v. County of Los Angeles, et al., No. CV-02-3932 DT (JTLx), which may be inspected or copied during regular business hours at the office of the Clerk of the United States District Court for the Central District of California, 312 N. Spring Street, Los Angeles, CA 90012. In addition, you may view or download a copy of the settlement agreement at <http://www.wlcdr.org>. **Please do not direct questions to the court or the clerk's office.**

The Court will hold a fairness hearing at the United States District Court, Roybal Federal Courthouse, 255 E. Temple Street, Room 880, Los Angeles, CA 90012, on **Tuesday, January 31, 2006, at 10:00 a.m.**, to determine whether the proposed settlement should be approved as fair, reasonable and adequate. If the Court approves the settlement, the Court's decree incorporating it will be in full, complete, and final disposition and settlement of all claims of all class members for declaratory and injunctive relief alleged or that could have been alleged in this case against any Defendant. In addition, the Court's decree will order that with respect to each and every issue pertaining to mobility or manual dexterity accessibility, Defendants' compliance with the terms of the settlement will constitute on behalf of the class compliance with all local, state and federal laws, rules or regulations raised in the Complaint relating to nondiscrimination on the basis of disability or to the accessibility of Defendants' existing Courthouses and of Defendants' services, programs or activities conducted in them, unless future courthouse alterations are performed that would impose greater accessibility requirements. **Thus, if this settlement is approved, during the term of the settlement agreement no class member will be able to bring another lawsuit for injunctive or declaratory relief relating to any of these matters and, with respect to the injunctive relief granted pursuant to the settlement agreement, no class member will be able to contend in any proceeding that the agreed-upon resolution of any issue as set forth in the settlement agreement is inadequate under any state or federal law or regulation relating to nondiscrimination on the basis of mobility or manual dexterity disability or accessibility.** This settlement does not provide monetary damages to class members, and this settlement does not affect class members' rights to pursue damages claims that may otherwise exist that would not challenge or dispute the scope of injunctive relief provided by this settlement.

It is **NOT** necessary for you to appear at the hearing. Any class member who wishes to object to approval of the settlement may appear at the hearing in person or through his or her own attorney, but **ONLY** if such class member objects to the settlement in one of two ways. First, you may object by filing a written objection, including the case number [CV-02-3932 DT (JTLx)], your full name and an explanation of your objection, with the Clerk of the District Court, 312 N. Spring Street, Los Angeles, CA 90012 **AND ALSO** mailing a copy of the written objection to the Disability Rights Legal Center, formerly Western Law Center for Disability Rights (attn. Johanna Pirko, Esq.) at 919 South Albany St., Los Angeles, CA 90015. Alternatively, you may object by making an oral objection by calling (866) 826-4424 and leaving a message, stating your full name and a detailed explanation of your objection. **ALL** objections, whether written or oral, **MUST** state whether or not you or your attorney intend to appear at the fairness hearing and **MUST** be made **NO LATER THAN Monday, January 23, 2006**. **If you do not timely submit an objection as described above, you will be deemed to have forever waived making any objection to the settlement, including by appeal.**

By the Court: The Honorable Dickran Tevrizian