

## LEGAL NOTICE

### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

#### NOTICE OF PROPOSED SETTLEMENT AND HEARING

**You are receiving this notice because you may have entered the Union County Correction Facility from May 1, 2006, to June 30, 2008, and were strip searched. Your rights could be affected by a proposed class settlement. This Notice explains your rights to receive Settlement monies and other rights.**

Visit the Settlement website at [www.UnionCountyStripSearch.com](http://www.UnionCountyStripSearch.com) for additional details about the Settlement. You may also get additional information by calling the Settlement Help Line at 1-866-778-9623, or by writing to:  
Union County Settlement, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217

**Your legal rights are affected whether you act or do not act. Read this Notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
<b>SUBMIT A CLAIM FORM</b>	You must submit a Claim Form to receive payment under the Settlement. You must submit a Claim Form by <b>February 28, 2017</b> , to get any money.
<b>EXCLUDE YOURSELF</b>	If you exclude yourself from the Settlement, you will not be bound by the Settlement or Final Judgment and will not be entitled to a cash payment. You will be free to pursue your claims against the Defendants. This is the only option that allows you to bring or be part of any other lawsuit against the Defendants in this Litigation about the same legal claims that are advanced in this Litigation. You must exclude yourself from the Settlement by <b>November 14, 2016</b> .
<b>OBJECT</b>	If you do not exclude yourself, you may write to the Court about why you do not like the Settlement or the request for attorneys' fees and costs. You must send a written objection to the Court postmarked no later than <b>November 14, 2016</b> . You may ask to speak in Court about the fairness of the Settlement or the request for attorneys' fees and costs.
<b>DO NOTHING</b>	You get no payment. You give up your right to sue Defendants on these claims later.

**These rights and options – and the deadlines to exercise them – are explained in this Notice.**

#### BASIC INFORMATION

##### 1. WHY DID I GET THIS NOTICE PACKAGE?

You or someone in your family may have been admitted to the Union County Correctional Facility on a non-indictable offense between May 1, 2006, and June 30, 2008. The Court sent you this Notice because you have the right to know about a proposed Settlement of a class action lawsuit and about your options before the Court decides whether to approve the Settlement. If the Court approves it and after objections and appeals are resolved, an Administrator appointed by the Court will make the monetary payments that the Settlement allows. This package explains the Litigation, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of this Litigation is the United States District Court for the District of New Jersey, Newark Vicinage, United States Magistrate Judge Cathy Waldor presiding. The case is called *Takacs/Allen v. Union County*, Civil Action No. 08-CV-711. The people who sued are called Plaintiff and Settlement Class Members, and Union County, its correctional employees, and its elected officials are called the Defendants.

##### 2. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff and Settlement Class Members claim in this Litigation that individuals admitted to the Union County Correctional Facility between May 1, 2006, and June 30, 2008, who were charged with non-indictable offenses were illegally strip searched.

##### 3. WHY IS THIS A CLASS ACTION?

A class action resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Class.

##### 4. WHY IS THERE A SETTLEMENT?

The Court did not decide in favor of Plaintiff and the Settlement Class Members or Defendants. Instead, both sides agreed to a Settlement. That way, they avoid the costs and risks of a trial, and the people affected will get compensation. The Class Representative and his attorneys think the Settlement is best for everyone who is alleged to have been illegally strip searched.

## 5. HOW DO I KNOW IF I AM PART OF THE SETTLEMENT?

Everyone who fits the following description is a Class Member:

All persons who were placed into the custody of the Union County Correctional Facility as a result of a non-indictable matter and were strip searched in the absence of reasonable suspicion upon their entry into Union County Correctional Facility pursuant to the policy, custom and practice of the County of Union. The class period commences on, May 1, 2006 and extends until June 30, 2008.

The Settlement does not cover individuals charged with an indictable offense – a crime that is subject to punishment in excess of six months and for which there is a right to indictment. Violations of parole or probation for indictable matters are indictable matters and not part of the Class.

## 6. WHAT DOES THE SETTLEMENT PROVIDE?

Defendants have agreed to establish a fund in the amount of \$2,286,000.00 (two million two hundred eighty-six thousand dollars) to pay claims arising from this Litigation. Ronald Allen will be entitled to receive \$10,000.00 (ten thousand dollars) as an incentive award for his participation in this Litigation. Any unclaimed funds shall revert to Union County and/or its insurer. Defendants have agreed to establish a fund in the amount of \$379,000.00 (three hundred seventy-nine thousand dollars) to identify and notify persons who qualify to receive money under the terms of this Settlement Agreement. Class Counsel shall be entitled to apply for reasonable attorneys' fees and costs incurred as a result of this Litigation in an amount not to exceed \$1,200,000.00 (one million two hundred thousand dollars). Any monies remaining after payment to the Class, Costs of Administration, and Attorneys' Fees and Costs shall revert to Union County and/or its insurer.

## 7. WHAT CAN I GET FROM THE SETTLEMENT?

The Settlement provides that each Class Member who makes a claim will receive \$300.00 for each admission of the claimant into the Union County Jail during the Class Period if strip searched upon admission.

## 8. HOW CAN I GET A PAYMENT?

To qualify for a payment, you **MUST** send in a Claim Form, one of which is attached, and mail it back by **February 28, 2017**, to: Union County Settlement, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217

You may also get a Claim Form on the internet at [www.UnionCountyStripSearch.com](http://www.UnionCountyStripSearch.com).

## 9. WHEN WOULD I GET MY PAYMENT?

The Court will hold a hearing on **November 17, 2016**, to decide whether to approve the Settlement. If Judge Waldor approves the Settlement, there may be appeals. Everyone who sends in a Claim Form will be informed of the progress of the Settlement. Please be patient.

## 10. WHAT AM I GIVING UP TO GET A PAYMENT OR STAY IN THE CLASS?

Unless you exclude yourself, you are staying in the Class, and that means you can't sue, continue to sue, or be part of any other lawsuit against Union County, its employees, or its elected officials about the legal issues in this Litigation. It also means that all of the Court's orders will apply to you and legally bind you. If you sign the Claim Form, you will agree to release all claims that you have relating to having been strip searched.

## 11. EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this Settlement, but you want to keep the right to sue or continue to sue Union County on your own about the legal issues in this case, then you must notify the Settlement Administrator in writing only. This is called excluding yourself from, or "opting out" of, the Settlement Class. To exclude yourself from the Settlement, you must send a letter by mail saying that you want to be excluded from *Takacs/Allen v Union County*. Be sure to include your name, address, and telephone number and your signature. You must mail your exclusion request, postmarked no later than **November 14, 2016**, to:

Union County Settlement – EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217

You may be able to sue (or continue to sue) Union County by filing suit within 90 days after Final Approval or be subject to possible statute-of-limitations or other time-bar defenses.

### THE LAWYERS AND INDIVIDUALS REPRESENTING YOU

## 12. DO I HAVE A LAWYER IN THIS CASE?

The Court approved and appointed Carl Poplar, Esquire and William Riback, Esquire to represent you and other Settlement Class Members as "Class Counsel." You will not be charged for these lawyers' services. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 13. HOW WILL THE LAWYERS AND THE CLASS REPRESENTATIVE BE PAID?

Class Counsel will ask the Court for reasonable attorneys' fees and expenses not to exceed \$1,200,000.00 (one million two hundred thousand dollars), based upon their hourly rate and their amount of work that was expended in resolving this case and cross-checked as a percentage of the Settlement. Ronald Allen will receive \$10,000.00 (ten thousand dollars) as an incentive for his participation as Class Representative.

#### OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

### 14. HOW DO I TELL THE COURT THAT I DO NOT LIKE THE SETTLEMENT?

If you are a Settlement Class Member, you can object to the Settlement if you do not like any part of it. You can give objections why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to *Takacs/Allen v. Union County*, Civil Action No. 08-CV-711, to the addresses below. Be sure to include your name, address, and telephone number, your signature, and the reasons why you object to this Settlement. Mail the objection to these three different places postmarked no later than **November 14, 2016**:

Clerk of the Court  
U.S. District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

Robert F. Varady, Esq.  
Christopher J. Kinsella, Esq.  
LaCorte, Bundy, Varady & Kinsella, Esqs.  
989 Bonnel Court  
Union, New Jersey 07083

Carl Poplar, Esquire  
1010 Kings Highway S.  
Building One  
Cherry Hill, NJ 08034

### 15. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND EXCLUDING MYSELF

Objecting is simply 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 a part of the Class. If you exclude yourself, you have no basis to object because the Litigation no longer legally affects you. If you exclude yourself, you must file your own lawsuit to recover.

#### THE COURT'S FINAL APPROVAL (FAIRNESS) HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to do so.

### 16. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

On **November 17, 2016**, at **10:00 a.m.** the United States District Court for the District of Jersey will hold a Final Approval Hearing at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101 in Courtroom 4C to determine whether the Class was properly certified and whether the proposed Settlement is fair, adequate, and reasonable. The Court will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel. Your attendance is welcome but not necessary. The hearing may be postponed to a later date without notice.

#### IF YOU DO NOTHING

### 17. WHAT HAPPENS IF I DO NOTHING AT ALL?

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 Union County about the legal issues in this Litigation. Unless you exclude yourself, you need to file a Claim Form to receive a monetary payment under the Settlement.

#### GETTING MORE INFORMATION

### 18. ARE THERE MORE DETAILS ABOUT THE SETTLEMENT?

You may get a copy of the Settlement Agreement or any other information you would like by writing to the Settlement Administrator, A.B. Data, at Union County Settlement, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217, or by visiting [www.UnionCountyStripSearch.com](http://www.UnionCountyStripSearch.com). You may also call the Settlement Help Line at 1-866-778-9623.