

Circuit Court of County of St. Louis, Missouri

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

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

PLEASE READ THIS NOTICE AND THE ENCLOSED CLAIM FORM CAREFULLY.

- If you paid a Warrant Fee related to the municipal court of the City of Jennings from December 8, 2009 to August 29, 2016 you are entitled to a partial refund of the fees you paid, but only if you file a claim for refund. The Circuit Court of St. Louis County has ordered the issuance of this Notice in the lawsuit entitled *Lampkin v. City of Jennings*, Cause No. 14SL-CC04207, Division 12 (the “Lawsuit”).
- The City of Jennings will pay a partial refund of the Fee or Fees paid not to exceed 75% of the total fee paid by a Class Member, but only if the Class Member timely files a claim for refund with the Claims Administrator. The exact amount of the refund will depend upon the number of Class Members making claims.
- As part of this settlement, the City of Jennings has also agreed to significant injunctive relief. It will do each of the following:
 - forgive any outstanding Warrant Fees not yet paid
 - not charge the Warrant Fee in the future unless state law authorizes a Warrant Fee, and
 - conduct a legal audit of all fees charged in the municipal court of the City of Jennings to determine if those fees are authorized by state law.
- This settlement resolves the Lawsuit concerning whether Warrant Fees charged by the City of Jennings municipal court were legal. The two sides disagree about whether the Warrant Fee was proper, and if it was improper, how much of the Warrant Fee should be refunded. The Defendant City of Jennings has denied liability for the claims in the Lawsuit. The parties have agreed to resolve this case by a settlement.
- The rights and options - **and the deadlines to exercise them** - are explained in this notice.
- Your legal rights are affected whether you act or don’t act. Read this Notice carefully.
- The Court still has to decide whether to approve this settlement, which may take some time. Please be patient.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

<p>Submit a Claim Form for a Refund</p>	<p>The only way to get a cash payment, postmark or submit your Claim Form by October 28, 2016.</p> <p>You <u>MUST</u> file a claim for the refund by October 28, 2016. You can file your claim for refund with the Claims Administrator and/or through the Claims Website.</p>
<p>Exclude Yourself</p>	<p>Get no settlement benefits. Remove yourself from both the settlement and the lawsuit. Postmark your exclusion request by October 28, 2016.</p>
<p>Object to this Settlement</p>	<p>If you want to object to this settlement and discuss your objection with the Court, you must <u>both</u> file a claim for a refund AND follow the procedure for objecting and appearing in Court as outlined in this Notice.</p>
<p>Attend the Final Fairness Hearing</p>	<p>Any person has the right to attend and observe the Final Fairness Hearing regarding this settlement. You must file a Notice of Intent to Appear by November 13, 2016.</p>
<p>Do Nothing</p>	<p>If you do nothing, you will not be eligible for a cash payment. But you will still be a Settlement Class Member and bound by the settlement, and you will release the City of Jennings from liability for the payment of any Warrant Fees and for the claims in the Lawsuit.</p>

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	4
1. Why did I get this notice package?	4
2. What is this lawsuit about?	4
3. Why is a class action?	5
4. Why is there a settlement?	5
WHO IS IN THE SETTLEMENT	5
5. How do I know if I am part of the settlement?	5
6. I'm still not sure if I am included.....	5
THE SETTLEMENT BENEFITS – WHAT YOU GET	5
7. What does the settlement provide?	5
HOW YOU RECEIVE A CASH PAYMENT - SUBMITTING A CLAIM FORM.....	6
8. How can I get a payment?.....	6
9. When would I get my payment?	6
10. In return for this payment, what am I giving up?	7
EXCLUDING YOURSELF FROM THE SETTLEMENT	7
11. What happens if I do nothing at all?	7
12. If I don't file a claim for reimbursement can I sue the City of Jennings on my own for the Warrant Fee?	7
13. How do I exclude myself from the settlement?	7
THE LAWYERS REPRESENTING YOU	8
14. Do I have a lawyer in this case?.....	8
15. How will the lawyers be paid?.....	8
OBJECTING TO THE SETTLEMENT	9
16. How do I tell the Court that I don't like the settlement?	9
17. What is the difference between objecting and excluding?.....	10
THE COURT'S FAIRNESS HEARING.....	10
18. When and where will the Court decide whether to approve the settlement?.....	10
19. Do I have to come to the hearing?	10
20. May I speak at the hearing?	10
GETTING MORE INFORMATION	11
21. Are there more details about the settlement?	11

Basic Information

1. Why did I get this notice package?

You are receiving this Notice because you have been identified as a potential member of a Settlement Class consisting of:

**All Missouri citizens who paid any Warrant Fee
to the City of Jennings on or after December 8, 2009**

If you are a member of the Settlement Class, you are entitled to file a claim to receive a partial refund of up to 75% of the total amount of each Warrant Fee you paid to the City of Jennings from December 8, 2009 to August 29, 2016. You only need to file one claim form to collect a partial refund of any Warrant Fees you paid Jennings since December 8, 2009. The City of Jennings will create a Settlement Fund of \$412,500.00 to pay Class Member claims, a Class Representative incentive award, and attorney fees. The exact amount of the refund will depend on the number of Class Members making claims.

The City of Jennings has agreed to stop charging Warrant Fees and to evaluate all other municipal court fees to determine whether or not the fees are permitted by law. In addition, Jennings has agreed to forgive the payment of any Warrant Fees not yet paid.

YOU WON'T RECEIVE A REFUND UNLESS YOU FILE A CLAIM FOR REFUND. To file a claim for a partial refund of Warrant Fees you paid since December 8, 2009, fill out the Claim Form and mail it to the Class Administrator or complete the electronic Claim Form at JenningsWarrantFeeSettlement.com. It is a very quick process to file this claim electronically.

If you are eligible and you timely file your claim for a reimbursement, you will receive a check by mail if the settlement is approved by the Court.

For more information, to learn how to file a claim or update your address, you can call the Claims Administrator at 1-866-918-0079 or review the information on the Claims Website. At the Claims Website, you can view all of the class action settlement court filings and read additional information about this settlement.

2. What is this lawsuit about?

Marlo Lampkin (“Plaintiff”) commenced the Lawsuit alleging that a Warrant Fee charged by the City of Jennings (“Defendant”) was illegal pursuant to Missouri Revised Statutes § 488.005 et seq. Plaintiff is an individual who paid a Warrant Fee to the Defendant. The Defendant denies each of the allegations in the Lawsuit and asserts that it has at all times complied with all laws. Class Counsel has conducted and continues to conduct a thorough investigation and evaluation of the facts and law relating to the matters set forth in this case. Plaintiff and Defendant desire to avoid the further expense of litigation and to settle and voluntarily compromise any and all claims or causes of action between them that have arisen or that may arise in the future which in any way relate to Plaintiff’s claims or the facts alleged in the Lawsuit individually and on behalf of the Settlement Class. In consideration of the foregoing, the above parties agreed to settle this

case. The lawsuit is entitled *Lampkin v. City of Jennings*, Cause No. 14SL-CC04207 (the “Lawsuit”).

3. What is a class action?

Class actions are lawsuits in which the claims and rights of many people are decided in a single court proceeding. Representative Plaintiffs (“Class Representatives”) are named in the lawsuit to assert the claims of the entire class. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way. Class actions provide a vehicle whereby people with similar claims are treated alike. In a class action, the Court is guardian of class interests and supervises the prosecution of the class claims by Class Counsel to assure that the representation is adequate. Class Members are not individually responsible for the costs or fees of counsel, which are subject to court award.

4. Why is there a settlement?

Class Counsel has investigated the facts and applicable law regarding the Class Representative’s claims and the defenses of the City of Jennings. The parties have engaged in lengthy and arms-length negotiations in reaching this settlement. The Class Representative and Class Counsel believe that this proposed settlement is fair, reasonable and adequate and in the best interests of the Class. Both sides want to avoid the uncertainties and high cost in time and money in litigation of this type.

Who is in the Settlement?

To see if you will get a benefit from this settlement, you first have to decide if you are a Settlement Class Member.

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

You are entitled to a partial refund of Warrant Fees if you paid one or more \$35.00 Warrant Fees to the municipal court of the City of Jennings from December 8, 2009 to the present and if you timely file a Claim Form.

6. I’m still not sure if I am included.

If you are still not sure whether you are included, you can ask for free help. You can call the Claims Administrator at 1-866-918-0079 for more information or review the information on the Claims Website at JenningsWarrantFeeSettlement.com.

The Settlement Benefits – What You Get

7. What does the settlement provide?

REFUND. Approximately **6,321** people paid a Warrant Fee to the City of Jennings during the Class Period. This settlement requires the City of Jennings to pay a partial refund of the total Warrant Fees paid by each Settlement Class Member on and after December 8, 2009 not to

exceed 75% of the total Warrant Fees paid by a Settlement Class Member as long as they timely file a claim for reimbursement. If you paid multiple Warrant Fees, you only need to file one Claim Form. The City of Jennings will create a Settlement Fund of \$412,500.00 to pay Settlement Class Member claims, an incentive award of \$1,200.00 to the Class Representative, and attorney fees of \$137,500.00 to Class Counsel. In this opt-in settlement, the potential cash value of these refunds to the class is approximately **\$273,800.00**. The amount of the cash refund to each Settlement Class Member submitting a timely claim for the partial refund of Warrant Fees will depend upon the number of claims filed by Settlement Class Members. Any settlement checks not cashed by a Settlement Class Member after 90 days from date the Settlement Administrator mails them out will revert to the City of Jennings.

REVIEW. The City of Jennings agrees to review all fees charged by the municipal court of Jennings within six (6) months of final judgment approving the settlement and to provide a report of the results of the review to Class Counsel. The review shall be conducted by competent counsel and shall consider whether fees violate § 488.005 R.S.Mo., et seq. and whether fees violate any other applicable laws. Appropriate recommendations by the City of Jennings will follow to appropriate parties.

CESSATION. The City of Jennings agrees to not charge any Warrant Fee in the future unless state law authorizes a Warrant Fee. Based on the aggregate amount of Warrant Fees that Defendant charged in 2013 and 2014, Plaintiff and the City of Jennings estimate the total value of this injunctive relief at approximately **\$850,000.00** from the time this suit was filed from December, 2014 (at which time the City ceased charging the fee) until July, 2021 (five years from the date the settlement was preliminarily approved by the Court). That is the amount the City of Jennings was likely to collect during that time period had the Warrant Fee continued.

FORGIVENESS. The City of Jennings agrees to forgive the payment of any Warrant Fees by a Class Member who was charged the Warrant Fee, but who has not paid it.

How You Receive a Cash Payment - Submitting a Claim Form

8. How can I get a payment??

You are entitled to a partial refund for each Warrant Fee you paid to the City of Jennings from December 8, 2009 to August 29, 2016, but only if you timely file a Claim Form.

9. When would I get my payment??

The Court will hold a hearing on November 28, 2016 to decide whether to approve the settlement. If the settlement is approved, there may be appeals. Once the settlement is approved and all appeals have been resolved, the City of Jennings through the Settlement Administrator will be required to mail out checks within twenty-one (21) days of the settlement being approved and all appeals being resolved. This may take some time, so please be patient.

10. In return for this payment, what am I giving up?

If the Court approves the proposed settlement and you do not request to be excluded from the Settlement 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 Settlement Class, you may not assert any claims relating to the payment of a Warrant Fee to the City of Jennings 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 Settlement 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 court prosecutors, attorneys, 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 styled *Lampkin. v. City of Jennings* filed in the Circuit Court of St. Louis County, Cause No. 14SL-CC04207 relating in any way or arising out of a Settlement Class Member paying a Warrant Fee to the City of Jennings and the City of Jennings charging a Warrant Fee from December 8, 2009 to August 29, 2016.

Excluding Yourself from the Settlement

11. What happens if I do nothing at all?

You must timely file a valid Claim Form to receive a cash payment. If you do nothing, you will get no money from the settlement. But, unless you exclude yourself, you will not be able to file a lawsuit, continue with a lawsuit, or be a part of any other lawsuit against the City of Jennings, or any City of Jennings' elected or appointed official, employee, municipal court judge, municipal court administrator, municipal court prosecutor, attorney, agent, or representative in any way relating to the City of Jennings charging Warrant Fees and the payment of Warrant Fees to the City of Jennings. If you do not file a claim and do not exclude yourself from the settlement, you will not be eligible for a payment, but you will still be a Settlement Class Member and bound by the settlement, and you will release the City of Jennings from liability for the payment of Warrant Fees and for the claims in the Lawsuit.

12. If I don't file a claim for reimbursement can I sue the City of Jennings on my own for the Warrant Fee?

Yes. In other words, you are not under any obligation to file a claim for the partial refund offered by this settlement. However, to preserve your legal rights, you must exclude yourself from the settlement.

13. How do I exclude myself from the settlement?

If you do not wish to be included in the Settlement 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 October 28, 2016 to:

Jennings Warrant Fee Settlement
c/o Dahl Administration, LLC
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 October 28, 2016.

The Lawyers Representing You

14. Do I have a lawyer in this case?

The Court has appointed Marlo Lampkin as Class Representative. The Court has appointed the following attorneys as “Class Counsel”:

John E. Campbell
Erich Vieth
Campbell Law LLC
20 South Sarah Street
St. Louis, MO 63108-2819

Class Counsel represents the interest of the Class, and you will not be charged for their services. You may hire your own attorney to advise you, but if you hire your own attorney, you will be responsible for paying your own attorney fees. If you have a lawyer, you may enter your appearance in the Lawsuit through your lawyer.

15. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of reasonable attorney fees and Class Representative compensation to be paid out of the total amount paid by the City of Jennings regarding trial court and appellate court work regarding this litigation, which began in December, 2014. The total amount requested for attorney fees will not exceed \$137,500.00 and there will be \$1,200.00 for a Class Representative incentive payment. These amounts will be paid from the Settlement Fund of \$412,500.00. The fees requested represent less than 11% of the total value of this settlement. These amounts, if approved by the Court, will be paid from the Settlement Fund before any distributions to the Settlement Class who submits a valid claim. The costs to administer the settlement such as costs of settlement administration, mailing of Class Notice and Claim Forms by mail, website, or other media, or other administrative costs will not

be paid from the Settlement Fund, but instead shall be paid by the City of Jennings through personal funds not included in the Settlement Fund.

Objecting to the Settlement

16. How do I tell the Court that I don't like the settlement?

You can object to any aspect of the proposed settlement, including the fairness of the settlement, the attorneys' fees, the Class Representative compensation, the adequacy of Class Counsel and the Class Representative, or notice by filing an Objection with the Court and serving a written objection upon the attorneys listed below. To object, you must file an Objection with the Court stating your objection to the settlement in *Lampkin v. City of Jennings*, Cause No. 14SL-CV04207. You must sign your Objection personally or by legal counsel and the Objection must be verified by sworn affidavit. Your Objection must state your full name, current address, and date. Your Objection must state why you object to the proposed settlement, any legal and factual reasons supporting your position, and attach any documents you wish to be considered in support of your Objection.

Note: You must timely file a Claim for Reimbursement of a Warrant Fee to be eligible to file an Objection to this settlement.

You must file your Objection on or before October 28, 2016 with the Clerk of the Circuit Court of St. Louis County at St. Louis County Courts Building, 105 South Central Avenue, Clayton, MO 63105. If you intend to appear in person or through your own attorney at the Final Fairness Hearing described below, you must also include with your Objection a notice of your intention to appear at the hearing.

You must also mail any Objection and Notice of Intent to Appear postmarked on or before November 13, 2016 to Class Counsel and counsel for City of Jennings, or e-mail any such Objection and Notice of Intent to Appear as a legible pdf attachment to counsel listed below. The address and e-mail for Class Counsel is:

CAMPBELL LAW LLC
John E. Campbell
Erich Vieth
20 South Sarah Street
St. Louis, MO 63108-2819
john@campbelllawllc.com
erich@campbelllawllc.com

The address and e-mail for counsel representing the City of Jennings is:

PAULE, CAMAZINE & BLUMENTHAL, P.C.
D. Keith Henson, #31988
165 North Meramec Ave., Suite 110
Clayton (St. Louis), MO 63105-3772
khenson@pcblawfirm.com

Any Settlement Class Member who does not file and serve an objection in the time and manner described above will not be permitted to raise that Objection later and all Objections will be deemed waived when the Court finally approves the settlement.

17. 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 file a claim for a partial refund of the Warrant Fee. Excluding yourself is telling the Court that you do not want to be part of the Settlement 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.

The Court's Fairness Hearing

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

There will be a hearing to consider approval of the proposed settlement on November 28, 2016, beginning at 9:00 a.m., at the Circuit Court for St. Louis County, 105 South Central Avenue, Clayton, MO 63105, Division 12. The hearing may be postponed to a later date without further notice. The purpose of the hearing is to determine the fairness, reasonableness, and adequacy of the terms of settlement; whether the Settlement Class is adequately represented by the Class Representative and Class Counsel; and whether an order and final judgment should be entered approving the proposed settlement. The Court also will consider Class Counsel's application for an award of attorney fees and Class Representative compensation. If there are objections, the Court will consider them, and the Court will listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the settlement. We do not know how long this decision will take.

You will be represented at the hearing on the fairness of the settlement by Class Counsel, unless you choose to enter an appearance in person or through your own counsel. As a member of the Class, you will not be personally responsible for attorneys' fees or cost disbursements except those of your own counsel. You do not need to have your own attorney to participate in the hearing on the fairness of the settlement, as long as you follow the procedures regarding objecting to the settlement and appearing at the hearing outlined herein.

19. Do I have to come to the hearing?

No. Class Counsel will represent the entire Class at the hearing. If you send any objection, you don't have to come to Court to talk about it. As long as you filed your written Objection with the Court on time, the Court will consider it. You may also pay your own lawyer to attend, but that is not necessary or required.

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 *Lampkin v. City of Jennings*, 14SL-CC004207." 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 Settlement Class (*i.e.*, that you

paid a Warrant Fee to the City of Jennings during the relevant time period). The Notice of Intention to Appear must also include (i) how much time the Settlement Class Member and/or his/her attorney anticipates needing to present his or her objection, (ii) the name, address, and telephone number of the Settlement 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 Settlement 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 Settlement Class Member and/or his/her attorney intends to offer in support of the objection(s), and attach a complete copy of all exhibits. Your Notice of Intention to Appear must be filed no later than November 13, 2016, and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the addresses listed in paragraph 16.

Getting More Information

21. Are there more details about the settlement?

This Notice is meant to be a fairly extensive summary; however, it does not include everything in the Settlement Agreement. For a more detailed statement of the matters involved in the Lawsuit or the Settlement, you may refer to the official paperwork on the claim website - JenningsWarrantFeeSettlement.com, including the Settlement Agreement. If you have questions about how to complete a Claim Form, you can call the Claim Administrator at 1-866-918-0079. You can request a copy of the full Settlement Agreement and the pleadings filed in the Lawsuit by writing to the Settlement Administrator at Jennings Warrant Fee Settlement, c/o Dahl Administration, LLC, P.O. Box 3614, Minneapolis, MN 55403-0614 or by downloading copies from the internet at JenningsWarrantFeeSettlement.com.

PLEASE DO NOT CALL, WRITE, OR CONTACT THE COURT FOR INFORMATION.

By Order of the Circuit Court of St. Louis County,
Missouri

Dated: August 29, 2016

/s/ Judge Stephen Goldman, Circuit Court Judge For
The Twenty-First Judicial Circuit, State of
Missouri, Division 12