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9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 AMERICAN COUNCIL OF THE BLIND, a
14 District of Columbia non-profit corporation,
15 SCARLETT MILES, MARVELENA QUESADA,
16 ARLENE DOHERTY, ALICE MARJORIE
17 DONOVAN, BILLIE JEAN KEITH, and GEORGE
18 P. SMITH on behalf of themselves and all others
19 similarly situated,

20 Plaintiffs,

21 v.

22 MICHAEL ASTRUE, Commissioner of the Social
23 Security Administration, in her official capacity, and
24 SOCIAL SECURITY ADMINISTRATION

25 Defendants.

Case No.: 05-04696 WHA

**JOINT STATEMENT
REGARDING LETTER FROM
CLASS MEMBER**

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On April 16, 2012, the Court informed counsel that it had received a lengthy letter from class member Stephanie Ramey in *ACB, et al. v. Astrue, et al.*, concerning the Social Security Administration and information in Braille. The Court requested the parties' opinion about whether the Court has jurisdiction over this class member's particular claim. Counsel for the parties believe

1 that the proper way for issues raised by class members to be brought to the Court's attention is
2 through a motion by class counsel. *See* Fed. R. Civ. P. 23(g)(4) (recognizing that it is the duty of
3 class counsel to represent "fairly and adequately" the members of a class). Counsel for the parties
4 have been engaged in a meet and confer process as specified in the Revised Implementation Plan
5 and agree that any compliance concerns should be addressed through the process outlined therein.
6

7 Counsel for the parties reviewed the letter, met and conferred and will address the letter as
8 follows:

9
10 1. The class member's concerns as to the notices received in standard print only prior to the
11 *ACB v. Astrue* dates for implementation are not in violation of the Court's Order or the
12 Revised Implementation Plan.

13
14 2. SSA contends that it has sent the class member correspondence in Braille for all
15 communications and notices sent after September 30, 2010, with the exception of a letter
16 sent from the Office of General Counsel on January 27, 2011 in standard print. This letter
17 will be remediated in Braille and sent to Ms. Ramey for her records.¹
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20 3. On April 30, 2012, class counsel conferred with Ms. Ramey, to inform her that the letter
21 sent by the Office of General Counsel on January 27th, 2011 will be sent in Braille, that the
22 overpayment issue cannot be reopened by this Court, and that Ms. Ramey should contact
23 class counsel if she does not receive future notices and communications in a timely manner
24 and in Braille from SSA.
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DATED: April 30, 2012

Stipulated and Agreed,

ATTORNEYS FOR PLAINTIFFS

By: _____ /s/ *Charlotte Lanvers*

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By: _____ /s/ *Scott Risner*

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¹ To the extent Ms. Ramey seeks to challenge a determination as to her benefits, the Court lacks jurisdiction over such a claim pursuant to 42 U.S.C. § 405(g).