

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

MAHALA AULT, STACIE RHEA and)
DAN WALLACE,)

Plaintiffs,)

v.)

WALT DISNEY WORLD CO.,)

Defendant.)

Case No.: 6:07-CV-1785-GAP-KRS

NOTICE OF CLASS ACTION SETTLEMENT AND HEARING

TO: THOSE INDIVIDUALS WHO: (1) SUFFER FROM A MOBILITY
DISABILITY; (2) RELY UPON A SEGWAY OR SUBSTANTIALLY
SIMILAR STAND-UP MOBILITY DEVICE FOR ASSISTANCE WITH THEIR
MOBILITY; AND (3) INTEND TO VISIT THE WALT DISNEY WORLD
RESORT OR THE DISNEYLAND RESORT

This notice is given pursuant to Federal Rule of Civil Procedure 23(e). A hearing
on the matters set forth herein is scheduled before The Honorable Gregory A. Presnell, United
States District Judge, on the ____ day of _____, 2009, at _____ in Courtroom
#5A, George C. Young United States Courthouse and Federal Building, 401 W. Central
Boulevard, Orlando, Florida 32801-0120.

This notice is to inform you of a settlement of all claims in a nationwide class
action captioned *Mahala Ault, et al. v. Walt Disney World Co.*, Case No. 6:07-CV-1785-GAP.
Plaintiffs Mahala Ault, Stacie Rhea and Dan Wallace, who have mobility impairments, filed this
lawsuit in November 2007 alleging that Walt Disney World Co. (“Worldco”) prohibits all guests
from using Segways in its theme parks and transportation systems in violation of Title III of the
Americans With Disabilities Act (“ADA”). Worldco has denied these allegations and denied any
fault or wrongdoing whatsoever.

The parties have negotiated a settlement and the Court has certified a settlement class consisting of “those individuals who: (1) suffer from a mobility disability; (2) rely upon a Segway or substantially similar stand-up mobility device for assistance with their mobility; and (3) intend to visit the Walt Disney World Resort or the Disneyland Resort.” No monetary relief of any type was sought or is available in this case. The Court has given preliminary approval of the settlement. Because this is a class action for injunctive and declaratory relief only, you may not opt-out of this settlement.

The parties have agreed to the terms of the settlement, which are set forth in a Joint Stipulation of Settlement and Release (“Stipulation of Settlement”), to avoid the expense and uncertainty of continued litigation. By entering into this settlement, Worldco does not admit any fault or wrongdoing. Under the terms of the Stipulation of Settlement, Worldco is developing its own four-wheeled electrically-powered vehicle designed for operation while standing (“ESV”). This unique and innovative device is intended to replicate in dimension, purpose and operation a common wheelchair or motorized scooter while allowing individuals with a mobility impairment or disability to stand upright instead of sitting down. The ESVs will be permitted within the Disney Resorts (composed of the Walt Disney World Resort in Florida and the Disneyland Resort in California) and will be available to qualified guests on the same rental terms as sit-down electric vehicles. Delivery of the devices to Worldco is expected to begin on April 1, 2009, with use beginning reasonably soon thereafter.

Under the terms of the Stipulation of Settlement, plaintiffs have agreed that the new ESVs satisfy their claims to the benefits which a Segway allegedly provides, while meeting Worldco’s concern for the safety of all its guests. Plaintiffs have also agreed that Worldco may

continue to prohibit all guests from using two-wheeled vehicles including Segways at the Disney Resorts.

All the parties believe that the settlement is fair, reasonable and adequate and the Court has given preliminary approval of the settlement. If the Court grants final approval of the settlement, you will be barred from ever contesting the fairness, reasonableness or adequacy of the settlement, or from pursuing any claims against Worldco related to the use of Segways or other two-wheeled vehicles at the Disney Resorts. If you believe that the Court should not approve the settlement, you may object to it by appearing in person at the hearing. Within 30 days prior to the hearing, or no later than _____, 2009, you must mail to the Court and serve upon all counsel listed below (a) a written notice of your intention to appear; (b) a written statement of your objection; and (c) the reasons for your desire to appear and be heard, including any briefs or other documents that you wish the Court to consider.

The Court's address is Clerk's Office, United States District Court for the Middle District of Florida, George C. Young United States Courthouse and Federal Building, 401 W. Central Boulevard, Suite 1200, Orlando, Florida 32801-0120. The counsel to be served are:

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| John | A. Baker |
| 415 | Baker, Baker & Krajewski, LLC |
| Springfield, | South Seventh Street |
| Attorney | Illinois 62701 |
| | for Plaintiff Dan Wallace |

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| J. Baker, | Phillip Krajewski |
| 415 | Baker & Krajewski, LLC |
| Springfield, | South Seventh Street |
| Attorney | Illinois 62701 |
| | for Plaintiff Dan Wallace |

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| Bernard | H. Dempsey, Jr. |
| De | mpsey & Associates, P.A. |
| W | 1560 Orange Avenue, Suite 200 |
| | inter Park, Florida 32789 |

Attorney for Plaintiff Mahala Ault

Jason
O'Donnell,
450
Houston,
Attorney

M. Medley
Ferebee, Medley & Keiser, P.C.
Gears Road, 8th Floor
Texas 77067
for Plaintiff Stacie Rhea

Kerry
Kaye
901
Washington,

Alan Scanlon
Scholer LLP
15th Street, NW
DC 20005
Attorney for Defendant Walt Disney World Co.

Any person who fails to object in the manner prescribed above shall be deemed to have waived such objection, and will be barred from ever raising such objection in this action. **IF YOU DO NOT OPPOSE THIS SETTLEMENT, YOU DO NOT NEED TO APPEAR AT THE HEARING, OR FILE ANYTHING IN WRITING.**

The pleadings and other records in the litigation, including a complete copy of the Stipulation of Settlement, may be inspected and copied during regular office hours at the Clerk's Office, United States District Court for the Middle District of Florida, George C. Young United States Courthouse and Federal Building, 401 W. Central Boulevard, Suite 1200, Orlando, Florida 32801-0120.

DONE and ORDERED in Chambers, Orlando, Florida on _____.

Gregory A. Presnell
United States District Judge