

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JAVAR CALVIN, et al., )  
)  
*Plaintiff,* )  
) No. 03 CV 3086  
-vs- )  
) (*Judge Kendall*)  
SHERIFF OF WILL COUNTY, )  
)  
*Defendant.* )

**NOTICE OF HEARING  
ON SETTLEMENT OF CLASS ACTION**

TO: All persons who were in custody at the Will County Jail on a traffic or misdemeanor charge (or on a warrant issued for failure to appear on a traffic or misdemeanor charge) after May 7, 2001.

A proposed settlement of the "Will County Jail strip search case" has been submitted to the Court for approval. This document describes the proposed settlement and gives instructions about what you must do if you believe that the proposed settlement should not be approved.

**INTRODUCTION**

The plaintiffs in this action are all persons who were in custody at the Will County Jail on a traffic or misdemeanor charge (or on a warrant issued for failure to appear on a traffic or misdemeanor charge) after May 7, 2001. The defendants are the Sheriff of Will County and the Will County, Illinois.

On May 12, 2004, the Court ordered that the case may proceed as a class action. Thereafter, on April 14, 2006, the Court granted plaintiffs' motion for summary judgment and entered a finding of liability against the Sheriff of Will County. On April 14, 2006, the Court granted defendants' motion to certify the order granting summary judgment for an immediate appeal. The parties, with assistance from a settlement attorney of the United States Court of Appeals for the Seventh Circuit, were able to negotiate a settlement.

**THE PROPOSED SETTLEMENT**

Counsel for the parties have agreed to a settlement of all claims at issue in this case. With respect to the claims asserted on behalf of the class, the plaintiff class will waive its right to individual damage trials, defendants will waive their right to appeal from the district court's finding of liability and defendants will pay the sum of two million one hundred and fifty thousand dollars in full satisfaction of all claims for damages, expenses, and attorneys' fees. Attorneys' fees and expenses will be paid

from this common fund, in an amount to be set by the Court and not to exceed 40% of the total. The three named plaintiffs will each receive \$25,000. The remainder of the fund, less the costs of administering the settlement, will be paid to each class member in an equal amount. Class counsel estimates that each class member will receive at least four hundred dollars; based on experience in other, similar cases, class counsel believes that each member of the each class will receive about seven hundred dollars.

**NOW, THEREFORE, TAKE NOTICE:**

1. A hearing will be held before this Court in Courtroom 1719, United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_:\_\_\_ p.m., or as soon thereafter as counsel can be heard. The hearing shall be for the purpose of determining whether the terms of the proposed consent decree are fair, reasonable, and adequate, and whether the proposed consent decree should be approved by the Court. This hearing may be adjourned from time to time without further written notice to the class.
2. Any class member who wishes to be heard either in support or in opposition to the proposed settlement must file his or her written objection or comment with the Clerk of the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604 on or before \_\_\_\_\_, \_\_\_\_\_. The written objection or comment must be received in the Clerk's office on or before \_\_\_\_\_, \_\_\_\_\_. Written objections or comments will be considered whether or not the class member attends the hearing.

The foregoing references to the lawsuit and the settlement agreement are only summaries. The settlement agreement and all other papers filed in this action may be examined and copied in the Office of the Clerk, 219 South Dearborn Street, 20th floor, Chicago, Illinois between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday. **Do not call either the Office of the Clerk or Judge Kendall for information about the case.**

Michael Dobbins  
Clerk, United States District Court