

UNITED STATES DISTRICT COURT
District of Maine

LAURIE TARDIFF, on behalf of herself and)
on behalf of others similarly situated,)

Plaintiffs)

vs.)

Docket No. 02-251-P-C

KNOX COUNTY, et al.,)

Defendants)

FINAL SETTLEMENT AGREEMENT

I. SUMMARY

The parties agreed to settle this case on Friday, September 29, 2006 at the Judicial Settlement Conference with Chief Judge Singal. This case has been in litigation for four years. It has been to the First Circuit Court of Appeals where the Court's Certification Order of November 5, 2003 was upheld and then through extensive discovery culminating in partial Summary Judgment in favor of the Plaintiff on issues of liability. In April of 2005, the Court rolled back the Summary Judgment Order to leave the issue open with respect to custom and practice allegations relating to strip searches conducted by the County during the period September 1, 2002 through December 31, 2004, inadequate training of guards throughout the entire class period, November 19, 1996 through December 31, 2004 and supervisory responsibility of Sheriff Davey for the

period September 1, 2002 through December 31, 2004.

On September 19, 2006, the Court rebifurcated issues of liability and damages and then decertified the class for purposes of determining damages through individual trials. In the light of the complications decertification posed for trial including inordinate expense, time and risk to both parties, the parties agreed to a settlement conference with Chief Judge Singal on Friday, September 29, 2006. That settlement resulted in five point agreement wherein the Defendants will pay three million dollars (\$3,000,000.00) to the case settlement fund; Plaintiffs agree to a 30% legal fee including out-of-pocket disbursements to be paid out of the fund; the parties will file a Joint Motion for Class Recertification only for purposes of facilitating settlement and disbursing the balance of the settlement fund to qualifying class members; the Court will issue an injunction and, the parties will submit, using the Second Amended Settlement Agreement approved in *Nilsen v. York County*, (02-CV-212-P-H) their final written Settlement Agreement. (Docket Item No. 318, *supra*).

Pursuant to the Court's October 4, 2006 "Remark" (Docket Item No. 334), the parties will either jointly agree on language to be included in the injunctive Order, or will separately submit proposed orders to the Court.

The Agreement also settles all claims of the class, including, without limitation on the generality of the foregoing, claims of the class representatives and absent class

members who have not opted out for compensatory damages, punitive damages, attorneys fees and costs, and interest by establishing a common fund of Three Million Dollars (\$3,000,000.00), to be shared among participating class members after payment of attorneys fees, costs, claims administration expenses, and class representative bonuses. Under this Agreement, class members will receive one payment regardless of the number of times that they were booked into the jail and searched during the class period.

II. TERMS

A. Procedural History

1. Plaintiff filed this action on or about November 19, 2002. On November 5, 2003, Judge Gene Carter of the United States District Court for the District of Maine granted Plaintiff's motion for class certification and certified this case as a class action under Fed.R.Civ.P. 23(b)(3). The class was defined as follows:

All people who after November 19, 1996, were subjected to a strip search and/or visual body cavity search without evaluation for individualized reasonable suspicion while being held at the Knox County Jail:

- (1) after having been arrested on charges that did not involve a weapon, drugs, or a violent felony; or
- (2) while waiting for bail to be set on charges that did not involve a weapon, drugs, or a violent felony; or
- (3) while waiting for an initial court appearance on charges that did not involved a weapon, drugs, or a violent felony; or
- (4) after having been arrested on a warrant that did not involve a weapon, drugs, or a violent felony.

The decision to certify the class was affirmed on appeal by the United States Court of Appeals for the First Circuit.

2. Plaintiffs alleged that all arrestees or pre-trial detainees at the Knox County Jail were subjected to a strip search, sometimes to include a visual body cavity search, as part of the booking procedure. The Defendants have denied those allegations and have asserted that both their officially promulgated policies and their actual practices and procedures were at all times consistent with constitutional requirements.

B. Agreement

1. The parties agree that the class period begins on November 19, 1996, and ends December 31, 2004.

2. Knox County agrees that it will adhere to the permanent Injunctive Order issued by the Court, and to any subsequent modifications to that Order.

3. An approved class action notice was sent to potential class members at their last known addresses and notices were published as required by the Court after class certification. No class members asked to be excluded by the opt out deadline.

4. The Defendants will pay Three Million Dollars (\$3,000,000.00) to settle all claims brought by Plaintiff and class in this action including claims for attorneys' fees, costs, administrative costs, and interest by check made out to the "Tardiff Settlement Fund" and delivered to class counsel no later than November 15, 2006. Defendants agree to pay interest at the current money market rate of 4.55% compounded daily for each day it fails to make payment after November 15, 2006. If Defendants fail to make payment

on or after January 15, 2007, they will pay interest at the rate stated in Paragraph 9, *infra*.

5. The parties agree and acknowledge that the Defendants have denied liability in whole and that the payment was made and other agreements contained herein were given without admission of liability, which is expressly denied, and which payment was made and other agreements were given by the Defendants solely for the purpose of buying their peace and freedom from litigation. No language contained in this Settlement Agreement or any language contained in any motions for approval of settlement filed by Plaintiffs or in any orders by the Court approving or denying either preliminary or final approval to the Settlement Agreement shall in any way be construed as acknowledgments or admissions of liability, all of which are expressly denied by the Defendants.

6. The Defendants and their counsel agree to provide reasonable assistance to facilitate the administration of this settlement including providing access to data and documents necessary to determine class membership if a person disputes denial of a claim by the claims administrator.

7. The Defendants understand that this agreement will require approval of the Court. The Defendants will ask the Court to approve the terms of the settlement.

8. If Plaintiff has to incur any additional attorney time or costs to seek collection of the settlement fund because of a default by the Defendants in the timely performance of its obligations to pay under this Agreement, the Defendants may be responsible for payment of reasonable attorneys fees and costs under 42 U.S.C. § 1988. Any request for such additional fees and costs shall be by application to the Court with opportunity for

objection by the Defendants.

9. Class counsel will establish the “Tardiff Settlement Fund” as a qualified settlement fund. Once the Court grants final approval of the settlement, the entire fund and all interest or income resulting from the investment of the fund shall be part of the fund. If the Defendants do not pay all or part of their obligation on time, the amount owed by that Defendant will accrue interest at the rate of twelve percent (12%) per year, compounded daily. Interest will only apply to the unpaid portion of the Defendant’s obligation.

10. The Settlement Fund and any money earned by the fund will be invested in the Marshall Money Market fund which is AAA rated by Fitch, unless and until otherwise ordered by the Court. Class Counsel, Class Representatives, Defendants and Defense Counsel shall not have any responsibility or liability for the investment of the Settlement Fund. If the Court does not give final approval to the settlement, the Plaintiffs will return the amount paid to the Defendants.

III. COURT SUPERVISION

1. The Court will retain jurisdiction over the settlement and may enter orders as appropriate to enforce it, to adjudicate the rights and responsibilities of the parties, and to effect fair and orderly administration.

2. Any deadlines, dates, or other details in this Settlement Agreement may be changed by the Court on a showing of good cause.

IV. HEARING

1. The Court has scheduled a hearing for 9:30 a.m., October 11, 2006, to decide whether to grant approval to the settlement, recertify the class for settlement purposes and to issue a permanent Injunctive Order. If approval is granted, the parties will begin to implement the settlement. The Defendants will make their payment as specified hereinabove, and the Plaintiffs will send the approved notice to the class.

2. The Court will hold a final fairness hearing to decide whether to grant final approval of settlement on April 2, 2007.

3. If the Court grants final approval of the settlement, the Tardiff Settlement Fund will belong to the Plaintiff and the class, and the Defendants will no longer have any right to, title to, or interest in the funds. The funds will then be distributed pursuant to orders of the Court.

V. CLAIMS ADMINISTRATOR

1. Class counsel requests that the firm of Analytics, Inc. of Chanhassen, Minnesota to be approved by the Court as Claims Administrator. The Declaration of Richard Simmons and the qualifications of Analytics, Inc. are attached hereto as Exhibit E.

2. Class counsel recommends that the Claims Administrator be permitted to designate an attorney as agent in Knox County to distribute checks to any claimants who wish to pick up their check. This agent will be paid by the Claims Administrator for performing this service.

3. The Claims Administrator will administer notice to class members in the

manner prescribed by the Court; shall accept and docket all claims; shall send all notices that a claim has been accepted or rejected to class members; shall resolve any appeals of claim denials; shall calculate the amount of each claim pursuant to the formula set out in this Agreement; and shall report to the Court as necessary, including providing a final report.

4. Class counsel will oversee settlement administration and will provide direction to the Claims Administrator as needed.

VI. NOTICE, OBJECTIONS, AND CLAIM

1. Class counsel will send a Notice of Class Action Settlement and of the Hearing to Approve the Settlement (“Notice of Settlement”), a Settlement Claim Form, and a Frequently Asked Questions sheet, by first class mail postage prepaid to all potential class members, whose addresses are known to class counsel, at their last known address within three weeks after the Court’s order granting preliminary approval. If any mail is returned by the post office with notice of a more current address, class counsel will resend the notice to that address. Class counsel is not required to make any further efforts to send mail directly to class members. A Notice of Settlement and Settlement Claim Form will be made available to anyone who requests such information. Claim Forms will be available to be downloaded from the web site or on request to the Claims Administrator including through a toll free number.

2. The Notice of Settlement will include the terms of the settlement (attached as Exhibit A) and the class member’s right to contest the settlement. This Notice includes

Frequently Asked Questions which explain the settlement terms and answer anticipated questions. Attached as Exhibit F is the envelope to be used for mailing the proposed Notice of Settlement.

3. The Settlement Claim Form requests the class member's contact information, affirmation that he or she meets the class definition, instructions for check delivery, and a Form W-9. The proposed settlement claim form is attached as Exhibit B.

4. Class counsel will also publish notice of the settlement in the Portland Press Herald, Rockland Courier Gazette and the Bangor Daily News. This notice is attached as Exhibit C. The Defendant agrees to post the notice for publication attached as Exhibit C in the intake/booking area as well as in one area frequented by inmates in each of the separate pods at the jail. The notices will be posted as soon as the Court approves the mailing of a class wide notice of proposed settlement attached as Exhibit A, and will remain up until the last day that the settlement claim forms can be filed. In addition, the Defendant has agreed to make available during the same timeframe defined in the prior sentence, to inmates (or anyone else) who requests it, a copy of the Notice of the Settlement attached as Exhibit A and counsel for the class will provide the County with 500 copies.

5. In addition to the legal notices, class counsel will issue a press release informing the public of the settlement. The press release is attached as Exhibit D.

6. Class counsel, through the Claims Administrator, will establish a website (www.knoxcountyjailclass.com) which will include the Notice of Settlement (Exhibit A)

and the Settlement Claim Form (Exhibit B).

7. The Claims Administrator will send a claim form to anyone who requests one before the time for filing claim forms has expired. In addition, the Claims Administrator will maintain updated documents regarding this settlement on the website including a claim form which can be printed and mailed. The Claims Administrator will also maintain a toll-free number for claimants to call with questions about the claim form. This number will be operational for at least five (5) months.

8. In order for a class member to claim a share of the settlement, he or she must submit a valid and complete Settlement Claim Form postmarked no later than January 5, 2007. This deadline is called the “Claims Deadline”.

9. In order for a class member to object to the proposed settlement, he or she must submit written notice of the objection to the Claims Administrator. In addition, an objector may also appear in person or through counsel at the final fairness hearing when the objection will be considered by the Court. The Claims Administrator will forward all letters of objection to the Court and to counsel for all parties. (The class member may also submit a Settlement Claim Form if he or she wishes to be eligible to share in the settlement should it be approved despite his or her objection.)

10. Settlement Claim Forms received by the Claims Administrator within two weeks after the Claims Deadline will be treated as if postmarked by the Claims Deadline. This two-week grace is the Amnesty Period.

11. Notwithstanding paragraph 10 above, claim forms will be treated as filed in a

timely manner if either (1) the form is received by the Claims Administrator by no later than January 5, 2007, or (2) if a request to permit additional time to file a claim form is received by the Court by no later than January 5, 2007 and the related claim form is received by the Claims Administrator by no later than January 19, 2007. Claim forms received after this date will be denied as untimely.

VII. APPROVALS AND APPEALS

1. The Claims Administrator will review each claim form to determine that the claimant is a class member by confirming (a) that the Settlement Claim Form is timely and valid, (b) that the information on the form is consistent with available booking data previously provided by the Defendants, and (c) that the Form is completely filled out and signed.

2. The Claims Administrator may, in its discretion, waive a technical defect in the Claim Form to achieve substantial justice.

3. If the booking data indicates that the person does not meet the class definition, the Claims Administrator will send a Notice of Claim Denial to the claimant. The denial notice will, if possible, indicate the reason or reasons for the denial. These would include (a) not at the jail during the class period, (b) no booking for an offense within the class definition, or (c) that the person was not strip searched while being held awaiting bail or a first court appearance. Because the booking data is sometimes inaccurate or non-descriptive as to whether a person was strip searched, the Claims Administrator may accept the Claimant's affirmation of strip search.

4. In order to object to the Claims Administrator's determination that he or she is not a class member, a claimant must file a written notice of appeal to the Claims Administrator postmarked no later than two (2) weeks after the date of the mailing on the Notice of Claim Denial. He or she may include written documentation that shows that he or she is a class member, and he or she may also include a written statement. Those objections claiming that a person who otherwise met the class definition were strip searched will be reviewed against available records of the Defendants to determine if the person was strip searched. The Claims Administrator will make a determination on each appeal no later than eight (8) weeks after the deadline for class members to file such appeals. The Claims Administrator will inform the class member in writing of their determination and will provide copies to all counsel. Rulings by the Claims Administrator will be final and binding, except that a Claimant is allowed to appeal a denial of a claim directly to the Court.

5. The Claims Administrator will send a Notice of Claim Approval ("Notice of Claim Approval") to each approved claimant promptly but in no event later than one week after the Court grants final approval of the settlement.

6. A claimant who used a different name at booking must present documentation establishing that he or she is the person referred to in the booking records.

VIII. EXPENSES AND ATTORNEYS FEES

1. Administrative costs, including the Claims Administrator's fees and expenses,

will be paid from the Settlement Fund.

2. Class counsel ask the Court to approve payment of Plaintiff's attorneys fees and out-of-pocket costs in the amount of thirty percent (30%) of the settlement fund. These fees and costs shall be paid at the same time as the distribution of the Settlement Fund to class members. In addition, class counsel will ask the Court to deduct from the settlement an amount sufficient to pay the costs of further litigation and the expenses of claims administration.

IX. DISTRIBUTION TO CLASS MEMBERS

1. Class counsel recommends to the Court that the Claims Administrator pay bonuses from the Settlement Fund to compensate the class representative for the time that she spent on this case and her loss of privacy as a result of serving as a Class Representative. Class counsel also recommends a bonus to compensate the 19 class members whose depositions were taken by defense counsel for the time they spent. Class counsel recommends a bonus of \$50,000.00 to Laurie Tardiff, the class representative. Class counsel recommends a bonus of \$500.00 to each of the 19 class members who were deposed by the Defendants. These checks will be issued at the same time as payments to class members.

2. Class members will receive payment from the common fund after deducting attorneys fees, costs, expenses of administration, and bonuses to the class representative and those class members who were deposed by the Defendants.

3. The Claims Administrator will calculate the amount of money due each class

member by providing one share for every class member with an approved claim. The Claims Administrator will total the number of approved shares and then divide the amount remaining in the Settlement Fund (after the payments made as provided in Paragraph 2 above) by the number of shares to determine the amount each approved participating class member will receive.

4. Class members will receive one payment even if they were booked into the jail and strip searched more than one time during the class period.

5. Each class member's check will be made payable only in his or her name or, upon the death of a class member, to the personal representative of the deceased class member's estate or the person filing an affidavit in compliance with the Maine Procedure for Collection of Personal Property by Affidavit of the Rightful Heir under 18-A M.R.S.A. § 3-1201, or the equivalent procedure of the law of another state that governs the estate of the deceased class member. A check will be mailed to the class member at their mailing address or it may be picked up. Any change of address request must be made in writing and must be signed by the claimant.

6. If a participating class member is confined in a prison, hospital or other institution and has provided the address of such institution for payment, the settlement check will be sent to that address unless the class member makes other acceptable arrangements in writing with the Claims Administrator.

X. POST-DISTRIBUTION ADMINISTRATION

1. Marshall and Ilsley Bank, a nationally chartered bank, will prepare all Forms

1099 for class members who receive a settlement check during the bank's next regular tax-form processing following distribution. The Claims Administrator will prepare all other necessary tax forms relating to the Settlement Fund account.

2. The Claims Administrator will provide a report to the Court and to counsel for all parties accounting for the distribution of settlement funds, including attorneys fees and expenses, once the distribution is complete.

3. Any balance in the settlement fund after all settlement checks have been distributed and all bonuses, expenses, and attorneys fees have been paid and will be distributed under the *Cy Pres* doctrine on order of the Court.

XI. DECEASED CLASS MEMBERS

1. If a class member is deceased, an authorized representative may file a Settlement Claim Form on behalf of the estate. However, the representative must provide to the Claims Administrator documentation that an estate has been established in accordance with the law and with Paragraph IX (5), above.

XII. RELEASE AND AGREEMENT TO DEFEND, INDEMNIFY AND HOLD

HARMLESS

1. In consideration of the settlement amount, all Defendants, including individual defendants in both their official and individual capacities, and the Maine County Commissioners Association Self-Funded Risk Management Pool will be released from all liability for the class members' claims for unlawful strip searches that were part of this lawsuit, including class members who do not file claims, except for any class members

who requested exclusion, opted out, and filed a claim within the applicable statute of limitations. The parties have expressly agreed that the release of claims arising from the settlement includes all visual inspections, including without limitation visual body cavity inspections, that otherwise fall within the scope of the claims certified as a class action by the Court in this case. The parties further agree that their settlement does not release any other claims, such as those involving alleged or wrongful conduct such as wrongful arrest, excessive force, or searches that were not part of the intake procedure (such as strip searches after a lockdown).

2. In further consideration of payment of the settlement amount, each class member shall be obligated to satisfy all liens, subrogation interests or claims of any doctor, hospital, insurance carrier, state or governmental agency, or any other person, firm, or corporation, which have been made or may in the future be made against the payment to that class member described herein, or against any Defendant, arising out of the claims, demands, actions or causes of action set forth in the First Amended Complaint and released as part of this Settlement Agreement. Each class member further agrees to hold harmless and to defend and indemnify the Defendants, including their officers, officials, employees, attorneys, agents, or any of them, to the fullest extent possible, from and for any claims, demands, actions, causes of action, suits, judgments, costs or expenses of any kind, brought by that class member as a result of any search within the scope of this class action as certified by the Court in any orders approving this Settlement Agreement, whether or not the class member actually made a claim, except any class

member who opted out of the settlement.

XIII. EXHIBITS

The following exhibits are attached to this Agreement:

Exhibit A - Notice of Settlement

Exhibit B - Settlement Claim Form;

Exhibit C - Notice of Settlement to be published in newspaper;

Exhibit D - Press release; and

Exhibit E - documents regarding Analytics, Inc., the proposed Claims

Administrator

Exhibit F – Postage Paid envelope

Dated:

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Attorney for Plaintiffs
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Dated:

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UNITED STATES DISTRICT COURT
District of Maine

LAURIE TARDIFF, individually, and)
on behalf of others similarly situated,)
)
Plaintiffs,)
)
v.) Civil No. 02-251-P-C
)
KNOX COUNTY, et al.,)
)
Defendants.)

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2006 I electronically filed the Final Settlement Agreement With The Clerk Of Court Using The CM/ECF System, Which will send notification of such filing(s) to the following:

Peter Marchesi, Esq.- pbear@wheelerlegal.com

John Wall, Esq. – Jwall@monaghanleahy.com

George Dilworth, Esq. – tdilworth@lawmmc.com

and I hereby certify that on October 10, 2006, I mailed the above-mentioned documents by U.S. Postal Service to the following non-registered participant(s):

None

Dated: October 10, 2006

_____s/Robert J. Stolt_____

Robert J. Stolt, Esq.

LIPMAN, KATZ & McKEE, P.A.
227 Water Street, P.O. Box 1051
Augusta, ME 04332-1051
(207) 622-3711

You could get a payment from a \$3 million dollar class action settlement if you meet all of the following conditions:

1. You were held at the Knox County Jail after November 19, 1996 and before December 31, 2004
2. You were held at the Knox County Jail after an arrest but before a bail hearing or first court appearance. This includes arrests on default and other warrants.
3. You were **not** charged with a crime involving drugs, weapons or a violent felony.
4. You were strip searched without evaluation to determine if there was a reason to Suspect possession of hidden contraband.

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

- A \$3 million settlement has been proposed in a class action lawsuit about alleged illegal strip searches that took place when people were strip searched at the Knox County Jail while being held prior to trial.
- The settlement fund will pay cash to those who submit valid claims after deducting attorney's fees, and the costs and expenses for this case.
- The settlement prohibits the Knox County Jail from continuing the policy, custom and practice of strip searching people held prior to trial, charged with crimes not involving drugs, weapons or a violent felony.

Your legal rights are affected if you act or do not act. **Please Read this Notice Carefully**

You are receiving this notice because records show that you **may** be a class member. To see if you qualify, you must submit a complete Settlement Claim Form, postmarked by January 5, 2007, to:

Tardiff Claims Administrator, P.O. Box 2006, Chanhassen, MN 55317-2006

If you submit a claim form and qualify as a class member, you will share in this settlement. The amount of money you will receive depends on how many people submit claim forms. The money will be divided by the number of claims. Lawyers for the plaintiffs believe that over seven thousand people are eligible members of the Class.

THESE ARE YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
Submit a Claim Form	This is the only way to get a payment. Remember: Claim Forms postmarked after January 5, 2007 will not be considered for payment.

Questions? Call Toll Free (877) 797-5732 or visit www.knoxcountyjailclass.com.

Object	You must write to the Court explaining why you believe the settlement is not fair by January 19, 2007. Second, you must appear in Court at the Fairness Hearing on April 2, 2007. Third, you must also submit a claim form.
Do Nothing	You get <u>no</u> payment. You will still be bound by the settlement and you give up your right to sue the defendant on these claims later.

THE SETTLEMENT BENEFITS – WHAT YOU GET AND HOW TO GET IT

How much will my payment be?

We do not know the amount of the payments. If you are eligible you will get a payment for only one strip search. The amount will depend on how many people submit claim forms. The amount per person will decrease as the number of forms submitted increases. Each participating person will receive an equal amount.

The settlement money will be distributed after payment of attorneys' fees, expenses and bonuses. Counsel requests a 30% attorney's fee, which includes all costs, expenses and disbursements. Class counsel requests payment of a bonus to the class representative and class members who were deposed to compensate them for the time they spent helping to bring about this settlement and for the loss of privacy to the class representative. The requested bonuses range from \$500.00 for participating in a deposition to \$50,000.00 for serving as class representative. The total amount of the requested bonuses is \$59,500.00, less than 2% of the total settlement.

How can I get a payment?

You must fill out the Settlement Claim Form completely and mail it to the Claims Administrator. A Claim Form is included with this notice. You can also obtain a Claim Form from the Settlement Website at www.knoxcountyjailclass.com. **The envelope must be postmarked no later than January 5, 2007; if it is not, your claim will be denied.**

The settlement check will be written in your name with your social security number. Your check will be sent to your mailing address. If you move, you must notify the Claims Administrator in writing of your new address or the check will be sent to your old address.

When will I get my payment?

You cannot be paid until the settlement is approved by the Court and any appeals are over. The Court will hold a hearing on April 2, 2007, to decide whether to approve the settlement. If the Court approves the settlement and all appeals are completed promptly, you should receive your settlement check by June 1, 2007, unless there are any unforeseen delays.

Will I have to pay taxes on my payment?

You may have to pay taxes on your payment. You should consult your tax preparer when you file your tax returns. The Claims Administrator will send you a 1099 Form. (If you have questions about backup withholding, Form W-9 or Form 1099, call your tax preparer or the IRS Information Reporting Program Customer Service Section, toll free at (866) 455-7438, 8:30 am to 4:30 p.m., Monday through Friday.)

Questions? Call Toll Free (877) 797-5732 or visit www.knoxcountyjailclass.com.

What should I do if I do not want to participate in the class action?

If you do not wish to participate in the class action, do nothing. If you do not send in a claim form you will not be a participating Class Member and you will not receive a payment. You will also be barred from filing a case on these claims in the future.

WHO IS IN THE SETTLEMENT

What is a Class Action and who are Class Members?

In a class action, one or more people, called Class Representatives (in this case, Laurie Tardiff), sued on behalf of all people who have similar claims. All of the people who were similarly treated are known as the Class or Class Members. One court resolves the issues for all Class Members.

How do I know if I am a Class Member and part of the settlement?

The Court has ruled that you are a Class Member if you meet all four factors below:

1. You were held at the Knox County Jail after November 19, 1996 and before December 31, 2004.
2. You were held at Knox County Jail after an arrest but before a bail hearing or first court appearance. This includes arrests on default and other warrants.
3. You were not charged with a crime involving drugs or weapons or a violent felony.
4. You were strip searched before a first court appearance or while awaiting bail.

NOTE: You are **not** a class member if you were either (1) strip searched while you were serving a sentence, (2) you were strip searched after an evaluation which determined there was reason to suspect possession of hidden contraband., or (3) you were arrested for and/or charged with a crime involving drugs, weapons or a violent felony.

What crimes are considered to be violent felonies?

The following crimes are violent felonies: aggravated assault, arson, assault on an officer, criminal restraint, elevated aggravated assault, gross sexual assault, kidnapping, manslaughter, murder, rape, and robbery. This list is non-exclusive, and other felony level crimes may be determined to be “violent”.

What if I was arrested for more than one crime?

The most serious charge for an arrest will determine your class membership. If any one of the charges was a crime involving weapons or drugs or was a violent felony, you are not a class member for that arrest. You might be eligible for another arrest.

What if I was arrested on a default warrant of violation of probation or parole?

You are a class member if you were arrested on a default or other warrant or for violating the terms of probation or parole so long as the crime for which you were on probation did not involve weapons, or drugs, or a violent felony.

Who makes the final decision about who qualifies as a Class Member?

The Class Administrator makes the final decision about who qualifies as a Class Member subject to Court review. The booking records kept by the Knox County Jail will help determine if you are a class member. You can help by listing the date or dates when you feel you met the class definition. If the records do not show that you fit the class definition, your claim will be denied. You can appeal your denial to the claims administrator by sending documentation and information regarding the dates you believe you were held and strip searched. A decision by the Claims Administrator can be appealed to the Judge. (If you are not a class member, you are not bound by this settlement. You can take action as an individual if you wish.)

What if I was arrested and strip searched more than once, can I still participate?

Yes. If you were arrested and brought to the Jail more than once during the class period you are a member of the class and can recover money. You can only recover one payment, however, as you will not be provided with extra payments if you were arrested and strip searched at the jail more than one time.

What if I was at the jail on or before November 18, 1996 or after December 31, 2004?

The time period for being a class member is based on the legal requirement that a case must be filed within a certain time period; this is called the statute of limitations. The law in Maine only allows a person to bring a claim within six years after his or her rights were violated. Because this case was filed by Laurie Tardiff on or about November 19, 2002, class members include anyone strip-searched in the six years before that date. If you were strip-searched on or before November 18, 1996, it may be too late to bring a lawsuit. The time period for the class ends on December 31, 2004. If you were strip-searched after this date, that search is not a part of this lawsuit; you must file your own lawsuit.

What if I was found not guilty of the crime for which I was arrested?

You are entitled to the same settlement amount whether you were found guilty or not guilty of the crime.

What if I am still unsure about whether I am part of the settlement?

If you are still unsure as to whether you are a member of the class, you may fill out and return the Settlement Claim Form. If the settlement is approved, you will be notified if you do not qualify. If you qualify you will receive a check. You may also visit the settlement website on the Internet at www.knoxcountyjailclass.com or call (877) 797-5732 to speak to a Settlement Administrator or Class Counsel to answer your questions.

How did the lawyers in this case find me and how can I protect my privacy?

After you were arrested, you gave your name and address at the Knox County Jail during booking. This information was given to the lawyers for the plaintiffs by Knox County pursuant to a court order. The lawyers for the plaintiffs will do everything they can to protect your privacy. Only the lawyers in the case and the Court appointed Claims Administrator will know your name and, in most cases, only the Claims Administrator will see your Claim Form.

THE COURT'S FAIRNESS HEARING

What is a Fairness Hearing?

The Court will hold a hearing to decide whether to approve the settlement. The Court will consider whether the settlement is fair, reasonable and adequate. The Court will also decide whether to approve the request for attorney's fees, costs, expenses and the bonuses to class representatives. If the Court approves the proposed settlement, it will affect all class members.

When and where is the hearing?

The Hearing will be at tba a.m./p.m. on day, April 2, 2007 in the U.S. District Court of Maine, 156 Federal Street, Portland, ME.

Do I have to come to the hearing?

Class counsel will answer any questions the Court may have. You are welcome to come at your own expense. If you object to the settlement and you want to explain the objection to the Court you can attend the hearing or hire your own lawyer to attend for you.

May I or my lawyer speak at the hearing?

Yes, but only if you or your lawyer filed a written objection before the hearing.

OBJECTING TO THE SETTLEMENT

What if I think the proposed settlement is not fair? What can I do?

If you wish to object to the proposed settlement, you must state your objections to the Court in a letter sent to the Tardiff Settlement Claims Administrator, postmarked by January 19, 2007. The Claims Administrator will forward your objection to the Court and to the lawyers for the plaintiffs and for Knox County. If you want to explain the written objection to the court you, or a lawyer on your behalf, can appear in the U.S. District Court of Maine, 156 Federal Street, Portland, ME on April 2, 2007 to present your objections.

You may object to the proposed settlement and still be eligible to receive a payment. ***You must submit a valid Settlement Claim Form even if you object to the settlement, if you wish to claim money should the settlement be approved.***

THE LAWYERS IN THIS CASE

Who are the lawyers in this case?

The lawyers for the plaintiffs are Robert Stolt, Esq., and Sumner Lipman, Esq., Lipman, Katz & McKee, 227 Water Street, P.O. Box 1051, Augusta, ME 04332-1051, and Dale Thistle, Esq., 103 Main Street, P.O. Box 160, Newport, ME 04953.

Questions? Call Toll Free (877) 797-5732 or visit www.knoxcountyjailclass.com.

Defendant Knox County is represented by attorney Peter Marchesi, Wheeler and Arey, P.A., 27 Temple Street, PO Box 376, Waterville, ME 04901, and John J. Wall, III, Monaghan Leahy LLP, 95 Exchange Street, PO Box 7046, Portland, ME 04112-7046.

How will the plaintiffs' lawyers be paid?

The lawyers for the plaintiffs will request that the Court award an attorney's fee of 30% of the settlement fund, which will include out-of-pocket costs.

OTHER INFORMATION

If you wish to view the Court file or a copy of the proposed settlement agreement, you may go to the Clerk of the U.S. District Court of Maine, 156 Federal Street, Portland, ME during regular business hours. You can also view the settlement papers on the web at www.knoxcountyjailclass.com.

To obtain more information or ask questions about the settlement, you can call the Claims Administrator toll-free at (877) 797-5732 ; write to the Claims Administrator at Tardiff Claims Administrator, **P.O. Box 2006, Chanhassen, MN 55317-2006**; or visit the Internet website at www.knoxcountyjailclass.com. On the website you will find answers to frequently asked questions, a downloadable claim form, plus additional information that may help you determine if you are a Class Member.

Important – Please do not call the Court directly with questions about the settlement.

Questions? Call Toll Free (877) 797-5732 or visit www.knoxcountyjailclass.com.

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

LAURIE TARDIFF,)
Plaintiff)
v.)
KNOX COUNTY, et al)
Defendants)

Docket No. 02-251-PC

CLAIM FORM

Must be postmarked by January 5, 2007

***Late claims will be denied. You must complete and mail this Claim Form, postmarked by January 5, 2007 to: Tardiff Claims Administrator
P.O. Box 2006
Chanhasen, MN 55317-2006***

Please see below to learn how to file for a deceased class member.

STEP ONE - PROVIDE YOUR BASIC INFORMATION. Please note that it is your responsibility to notify the Claims Administrator in writing at the above address if the address you provide changes.

First Name: _____ Middle Initial: ____ Last Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone: (_____) _____

Work Phone: (_____) _____

Cell Phone: (_____) _____

E-mail: _____ SSN: _____ Date of Birth: ____/____/____

Provide the following information about someone who will always know how to contact you.

Name: _____ Relation to you: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone: (____) _____ Work Phone: (____) _____ Cell Phone: (____) _____

FILE FOR A DECEASED CLASS MEMBER:

You may submit a Claim Form on behalf of a deceased class member. To do so, in **Step One**, give the class member's name and your own contact information. In **Step Three**, sign your own name and note your relationship to the class member. A settlement check can only be issued to a deceased class member's *estate*. To participate for a deceased class member, you must be appointed *administrator or executor of the class member's estate*, and you must send *documentation* of your appointment to the Claims Administrator by *[date]*, or the claim will be denied.

CONTINUED ON BACK

Please Check One Box To Indicate How Your Check Should Be Handled If Your Claim Is

Approved:

Mail the check to my address above.

If you do not select any of these options, the check will be sent to your address.

Hold the check for me to pick up in person.

If you select this option, a letter to the address you entered for yourself above will inform you of when and where to pick up the check. You will need to provide a reliable photo ID when you pick up your check.

Mail the check to this address:

Address: _____

City: _____

State: _____ Zip Code: _____

STEP TWO - PLEASE ANSWER THE FOLLOWING QUESTIONS TRUTHFULLY.

If you do not select Yes or No, then the form will be treated as if you selected No.

(1) I was held at the Knox County Jail between **November 19, 1996**, and **December 31, 2004**, waiting for bail to be set or for a first court appearance after I was arrested on charges that did not involve a weapon or drugs or a violent felony; or while waiting for a first court appearance after being arrested on a default or other warrant that did not involve a weapon or drugs or a violent felony.

Yes **No**

(a) If you answered Yes above, were you strip searched at that time?

Yes **No**

(b) It will help us if you can list the date or dates when the above happened to you and you feel you fit the class definition. (This is optional. Answer to the best of your ability.):

(attach an additional sheet if necessary)

STEP THREE – SUBSTITUTE W-9 REQUEST FOR TAXPAYER IDENTIFICATION NUMBER.

(This should be your Social Security Number, unless you have been given a different number by the IRS for this purpose.)

□□□ - □□ - □□□□

(9 digits)

The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

If you have been notified by the IRS that you are subject to backup withholding, you must cross out the word “not” and check here.

STEP FOUR - PLEASE SIGN UNDER PENALTY OF PERJURY THAT ALL OF THE INFORMATION YOU PROVIDED IN THIS FORM IS TRUE AND ACCURATE TO THE BEST OF YOUR KNOWLEDGE AND BELIEF.

It is important that your answers are truthful. If you sign this and you know that the statement is not true, you can be charged with perjury pursuant to 18 U.S.C.A. § 1621, 28 U.S.C. § 1746.

Under penalty of perjury, I certify that all of the information provided on this form is true and correct:

(Signature)

(Date)

STEP FIVE - MAIL THIS FORM, POSTMARKED BY _____.

TARDIFF CLAIMS ADMINISTRATOR

P.O. BOX 2006

CHANHASSEN, MN 55317-2006

KNOX COUNTY JAIL

CLASS ACTION SETTLEMENT

A federal court authorized this notice. This is not an advertisement from a lawyer.

You could get a payment from a \$3 million class action settlement if you meet ALL of the following conditions:

1. You were held at the Knox County Jail after November 19, 2006 and December 31, 2004,
2. You were held at Knox County Jail after an arrest but before a bail hearing or first court appearance. This includes arrests on default and other warrants.
3. You were not charged with a crime involving drugs or weapons or a violent felony.
4. You were strip searched without evaluation to determine if there was a reason to suspect possession of hidden contraband.

To see if you qualify, you must submit a complete Settlement Claim Form, postmarked January 5, 2007. You may obtain the Form by writing to Tardiff Claims Administrator, P.O. Box 2006, Chanhassen, MN 55317-2006 or downloading the form at www.knoxcountyjailclass.com.

PRESS RELEASE

Date:

Contacts: Attorney Robert Stolt (207) 622-3711 (Plaintiffs' lawyer)
Attorney Dale Thistle (207) 368-7755 (Plaintiffs' lawyer)

Court Approves Notice to Class of Strip Search Settlement

Portland, ME— Today U.S. District Court Judge Gene Carter approved notice to class members of the settlement of a class action on behalf of people who alleged that they were illegally strip searched at the Knox County Jail while being held prior to trial. Knox County has agreed to pay \$3 million dollars to settle the case.

As a result of this ruling, the claims administrator will send notice of the settlement and a claim form to class members. The Court has scheduled a final hearing on the fairness of the settlement to take place on April 2, 2007. If the Court grants final approval, money will be sent to those class members who submit claim forms.

The amount of money class members will receive depends on how many people submit claim forms. The money will be divided by the number of claims. The settlement fund will also pay for attorney's fees and the costs of the case and claims administration. Plaintiffs' attorney's will seek a fee of 30% of the settlement fund.

A person is a class member if he or she was arrested only for crimes that did not involve drugs, or weapons, or violent felonies, and was at the Knox County Jail before his or her first court appearance, on or after November 19, 1996 and on or before December 31, 2004. Class members will need to submit a claim form by January 5, 2007 in order to obtain a share of the settlement. A copy of the claim form may be obtained from www.knoxcountyjailclass.com or by writing to Tardiff Claims Administrator, P.O. Box 2006, Chanhassen, MN 55317-2006.

The case is Tardiff v. York County, Civil Action Number 02-251-PH.

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

LAURIE TARDIFF, et al.)	
)	
Plaintiffs)	
)	Civil Action No. 02-CV-251-P-C
v.)	
)	
KNOX COUNTY, et al.)	
)	
Defendants.)	

DECLARATION OF RICHARD W. SIMMONS

I, Richard W. Simmons, declare as follows:

1. I am over the age of 21 and reside in the State of Minnesota. I make this declaration based upon personal knowledge and am competent to testify regarding the following facts.

2. I am the President of Analytics, Incorporated (“Analytics”). As such, I am responsible for Analytics’ class action consulting practice, including the dissemination of class notices, claims processing, and the distribution of settlement funds.

3. Analytics is the oldest class action settlement administration firm in the country, having administered settlements for over thirty years. These engagements have included civil rights (strip search), securities, consumer fraud, racial and sexual discrimination, and antitrust settlements.

4. Analytics clients include law firms, Fortune 500 companies, and the Federal Government. Analytics has a ten-year contract with the Federal Trade Commission to administer, and to provide expert advice regarding, their settlements.

5. Analytics engagements have run from less than 100 to over 40 million class members. Analytics administered the largest mailed notice campaign in U.S. history, the RAL Litigation (No. 98 C 2178, N. D. Illinois), where over 17.5 million claim forms were mailed in under three weeks, and have administered some of the largest and most complex settlements nationwide. We have administered large, complex settlements involving more than 10,000 claimants. A partial list of Analytics' class action administration experience is attached as Exhibit A.

6. Each member of the senior management team proposed to oversee Analytics' administration of this settlement has more than 15 years of direct experience administering class action settlements. The senior staff that Analytics proposes be assigned to this engagement have direct experience in the administration of class action settlements regarding strip-searches.

I declare under penalty of perjury that the foregoing
Is true and correct this 3rd day of October 2006.



Richard W. Simmons

Exhibit A

Analytics, Incorporated

Partial List of Class Action Notification and Settlement Administration Experience

Alan Freberg, et al. v. Merrill Corporation, et al.
No. 99-010063 (Minn 4th Jud Dist)

American Golf Schools, LLC, et al. v. EFS National Bank, et al.
CT-005208-00 Div. 3 (Tenn 13th Jud. Dist)

Anderson v. Investors Diversified Services
Civ. 4-79-266 (D. Minn)

Andrew J. Hudak, et al. v. United Companies Lending Corporation
Case No. 334659 (Cuyahoga County, Ohio)

Angela Doss, et al. v. Glenn Daniels Corporation
No. 02 C 0787 (E. Dist. IL)

Ann Castello v. Allianz Life Insurance Company
No. 03-20405 (Minn 4th Jud Dist)

Anthony Talalai, et al. v. Cooper Tire & Rubber Company
L-008830-00-MT (Middlesex County, NJ)

AVR, Inc. and Amidon Graphics v. Churchill Truck Lines
Civ. 4-95-401 (Minn 4th Jud Dist)

Ballard, et al. v. A A Check Cashiers, Inc., et al.
Civ. 2001-351 (Washingotn County, AR)

Belinda Peterson, et al. v. H & R Block Tax Services, Inc.
No. 95 CH 2389 (Cook County, IL)

Bernice Samples, et al. v. Conoco, Inc., et al.
Case No.: 01-0631-CA-01 (Escambia Country, FL)

Boyd Demmer, et al. v. Illinois Farmers Insurance Company
No. MC 00-017872 (Hennepin County, MN)

Chandler Glover and Dean Albrecht, et al., v. John E. Potter
EEOC No. 320-A2-8011X; Agency No. CC-801-0015-99

Christopher Carmona, et al. v. Henry I. Bryant, et al. (Albertson's Securities Litigation)
No. CV OC 0601251 (Ada County, ID)

Claudine Wilfong, et al. v. Rent-A-Center, Inc.
Case No. 00-680-DRH (S. Dist. IL)

Cummins, et al. v. H&R Block, et al.
No. 03-C-134 (Kanawha County, WV)

Exhibit A

Analytics, Incorporated

Partial List of Class Action Notification and Settlement Administration Experience

Daryl L. Cooper, et al. v. Miller Johnson Steichen Kinnard, Inc.
No.02-CV-1236 RHK/AJB (D. Minn)

David Andino, et al. v. The Psychological Corporation, et al.
No. A457725 (Clark County, NV)

Don C. Lundell, et al. v. Dell, Inc.
No. 05-03970 (N. D. CA)

Duffy v. Security Pacific Automotive Financial Services Corp., et al.
Civ. 53-729 IEG (BTM) (S.D.C.)

Edith Gottlieb v. Xcel Energy, Inc., et al.
Civ No. 02-2931 (D. Minn)

Edward Hawley, et al. v. American Pioneer Title Insurance Company
No. CA CE 03-016234 (Broward County, FL)

Family Medicine Specialists, et al. v. Abatix Corp., et al.
No. 3:04 CV 872B (N.D. TX)

Federal Trade Commission v. 1st Beneficial Credit Services LLC
No. 02-CV-1591 (N.D. Ohio)

Federal Trade Commission v. Affordable Media LLC
No. 98-16378 (9th Cir.); No. CV-S-98-669-LDG(RLH) (D. Nev.)

Federal Trade Commission v. AmeraPress, Inc.
(N. Dist. TX, Fort Worth Div.)

Federal Trade Commission v. American International Travel Services Inc.
No. 99-6943 (S.D. Fla.)

Federal Trade Commission v. Bigsmart.com, L.L.C., et al.
CIV 01-466-PHX-RCB (D. Az)

Federal Trade Commission v. Cella
No. CV-03-3202 GAF (SHSx)

Federal Trade Commission v. Certified Merchant Services, Ltd., et al.
No. 4:02cv44 (E.D. Texas)

Federal Trade Commission v. Chierico et al.
No. 96-1754-CIV- (S.D. Fla.)

Federal Trade Commission v. Christopher Enterprises, Inc.
Civ No. 2:01 CV-0505ST (D. UT, C. Div.)

Exhibit A

Analytics, Incorporated

Partial List of
Class Action Notification and Settlement Administration Experience

Federal Trade Commission v. Clickformail.com, Inc.
No. 03C-3033 (N.D. Ill.)

Federal Trade Commission v. Consumer Credit Services
No. 96 CIV 1990 (S.D.N.Y.)

Federal Trade Commission v. Discovery Rental, Inc.
Civ No: 1057-ORL-19B (M.D. of FL)

Federal Trade Commission v. Enforma Natural Products, Inc.
No. 00-04376 JSL (CWx) (C.D. Cal.)

Federal Trade Commission v. Eureka Solutions
Civ No. 97-1280 (W. Dist. PA)

Federal Trade Commission v. Federal Data Services
Case No. 00-6462-CIV-Ferguson

Federal Trade Commission v. First Alliance Mortgage Co.
Civ No. 00-964

Federal Trade Commission v. First Capitol Consumer Membership Services Inc., et al.
Civ No. 1:00cv00905 (W.D.N.Y.)

Federal Trade Commission v. Franklin Credit Services, Inc.
Civ. No. 98-7375-CIV-GOLD (S.D. Fla.)

Federal Trade Commission v. Granite Mortgage, LLC
No. 99-289 (E.D. Ky.)

Federal Trade Commission v. ICR Services, Inc.
No. 03C 5532 (N.D. Ill.)

Federal Trade Commission v. iMall, Inc. et al.
Civ No. 99-03650 (C.D. Cal.)

Federal Trade Commission v. Ira Smolev, et al.
Civ No. 01-8922 CIV-ZLOCH (S.D. FL.)

Federal Trade Commission v. Jewelway International, Inc.
CV-97-383 TUC JMR (D. Arizona)

Federal Trade Commission v. LAP Financial Services, Inc.
No. 3:99 CV-496-H (W.D. Ky.)

Federal Trade Commission v. Marketing & Vending, Inc. Concepts, L.L.C., et al.
Civ No. 00-1131 (S.D.N.Y.)

Exhibit A

Analytics, Incorporated

Partial List of Class Action Notification and Settlement Administration Experience

Federal Trade Commission v. Mercantile Mortgage
Civ No. 02C-5078 (N. Dist of IL. E. Div.)

Federal Trade Commission v. Meridian Capital Management
Civ No. CV-S-96-63 PMP (D. Nev.)

Federal Trade Commission v. Minuteman Press Int'l
No. CV 93 2496 (E.D.N.Y.)

Federal Trade Commission v. National Credit Management Group
No. 98-6043 (3d Cir.); Civ. No. 98-936 (D.N.J.)

Federal Trade Commission v. National Supply & Data Distribution Services
Civ No. 99-128-28 HLH (Central Dist. of CA.)

Federal Trade Commission v. Nationwide Information Services, Inc.
Civ No. CV-00-06505 TJH

Federal Trade Commission v. Pace Corporation
Civ No. 94C 3625 (N.D. IL.)

Federal Trade Commission v. Paradise Palms Vacation Club
Civ No. 81-1160D (W.D. Wash.)

Federal Trade Commission v. Raymond Urso
No. 97-2680-CIV-Ungaro-Benages (S.Dist FL)

Federal Trade Commission v. Robert S. Dolgin
No-CIV-97-0833 (MHP) (D. N. CA)

Federal Trade Commission v. Southern Maintenance Supplies
No. 99 Civ 0975 (N.D. Ill.)

Federal Trade Commission v. Star Publishing Group, Inc.
No. 00 CV 023D (D. Wy.)

Federal Trade Commission v. Stuffingforcash.com Corp.
No. 02 C 5022 (N.D. IL)

Federal Trade Commission v. Success Masters International
Civ No. 02-04566 LGB

Federal Trade Commission v. Target Vending Systems, L.L.C., et al.
Civ No. 00-0955 (S.D.N.Y.)

Federal Trade Commission v. The Crescent Publishing Group, Inc., et al.
Civ Action No. 00-6315 (LAK) (S D.N.Y.)

Exhibit A

Analytics, Incorporated

**Partial List of
Class Action Notification and Settlement Administration Experience**

Federal Trade Commission v. Think Achievement Corp.
Civ. No. 2:98 CV12 JM (N.D. Ind.)

Federal Trade Commission v. United Fitness of America, LLC
CV-S-02-0648-KJD-LRL (D. Nevada)

Federal Trade Commission v. Wellquest International, Inc.
(W. D CA)

Federal Trade Commission v. Wolf Group
No. 94-8119 CIV-Ferguson (S. Dist FL, West Palm Beach Div.)

Fernando N. Lopez and Mallory Lopez, et al. v. City Of Weston
Case No. 99-8958 CACE 07 (FL 17th Jud Dist)

FMS, Inc. v. Dell, Inc. et al.,
No. 03-2-23781-7SEA (King County, WA)

Frank Rose, et al. v. United Equitable Insurance Company, et al.
CV-00-02248 (Cass County, ND)

Frankie Kurvers, et al. v. National Computer Systems
No. MC00-11010 (Hennepin County, Minn)

FTC and The People of the State of New York v. UrbanQ
(E. D. New York)

Galatis, et al. v. Psak, Graziano Piasecki & Whitelaw, et al.
No. L-005900-04 (Middlesex County, NJ)

Garrison, et al., v. Auto-Owners Insurance Company
Case No. 02CV324076 (Cole County, MO)

Greg Benney, et al. v. Sprint International Communications Corp. et al.
No. 02CV-1422 (Wyandotte County, KS)

Gregory Hernandez v. The Children's Place
No. CGC 04-4300989 (San Francisco, CA)

Harold Hanson, et al. v. Acceleration Life Insurance Company, et al.
3:97cv152 (D. ND S.E. Div)

Harris, et al. v. Roto-Rooter Services Company
No. 00-L-525 (Madison County, IL)

Harrison, et al. v. Pacific Bay Properties
No. BC285320 (Los Angeles County, CA)

Exhibit A

Analytics, Incorporated

**Partial List of
Class Action Notification and Settlement Administration Experience**

In re Broadwing Inc ERISA Litigation
No. 02-00857 (S.D. OH)

In re E.W. Blanch Holdings, Inc. Securities Litigation
Civ. No. 01-258 (JNE/JGL) (D. Minn)

In Re High Sulfur Content Gasoline Products Liability Litigation
MDL 1632

In Re McCleodUSA Incorporated Securities Litigation
No. 02-0001 (N.D. IA)

In re Raytheon Company Securities Litigation
Civ No. 99-12142 (D. MA)

In Re Tellium Inc Securities Litigation
02-CV-5878 (D. NJ)

In Re VistaCare, Inc. Securities Litigation
04 1661 (A. AZ)

In Re: Aluminum Phosphide Antitrust Litigation
93-2452 (D. KS.)

In Re: American Adjustable Rate Term Trust Securities Litigation
CIVIL FILE NOS. 4-95-666 and 4-95-667 (D. Minn, 4th Div)

In Re: Ancor Communications, Inc Securities Litigation
97-CV-1696 ADM/JGL (D. Minn)

In re: Asia Pulp & Paper Securities Litigation
No. 01-CV-7351 (S.D. NY)

In Re: Bancomer Transfer Services Mexico Money Transfer Litigation
BC238061, BC239611(Los Angeles County, CA)

In Re: Beef Antitrust Litigation
MDL No. 248 (N. Dist TX Dallas Div)

In Re: Bioplasty Securities Litigation
4-91-689 (D. Minn 4th Div)

In Re: Bromine Antitrust Litigation
MDL No. 1310 (S. Dist IN)

In Re: Citi-Equity Group, Inc. Securities Litigation
MC 94-012194 (D. Minn, 3rd Div)

Exhibit A

Analytics, Incorporated

Partial List of
Class Action Notification and Settlement Administration Experience

In Re: Citi-Equity Group, Inc., Limited Partnerships Securities Litigation
MDL Docket No. 1082 (Central D. Cal)

In Re: Control Data Corporation Securities Litigation
Civ. 3-85-1341 (D. Minn, 3rd Div)

In Re: Cray Research Securities Litigation
Civ. 3-89-508 (D. Minn, 3rd Div)

In Re: Duluth Superior Chemical Spill Litigation
92-C-503-C (W. Dist. WI)

In Re: Encore Computer Corporation Shareholder Litigation
No. 16044 (New Castle County, DE)

In Re: Flight Transportation
MDL 517 (D. Minn)

In Re: Hennepin County 1986 Recycling Bond Litigation
CT-92-22272 (Minn 4th Jud Dist)

In Re: High Carbon Concrete Litigation
No. 97-20657 (Minn 4th Jud Dist)

In Re: Industrial Silicon Antitrust Litigation
95-2104 (W. Dist. PA)

In Re: Lutheran Brotherhood Variable Insurance Products Co. Sales Practices Litigation
No. 99-MD-1309 (PAM/JGL) (D. Minn)

In re: McKesson HBOC, Inc. Securities Litigation
No. 99-CV-20743 (N. D. CA)

In Re: Micro Component Technology, Inc. Securities Litigation
4-94-346 (D. Minn)

In Re: Ria Telecommunications and Afex Mexico Money Transfer Litigation
CV 990759 (San Louis Obispo, CA)

In Re: Salmonella Litigation
PI 94-016304 (Minn 4th Jud Dist)

In Re: Scimed Life Systems, Inc. Shareholders Litigation
MC-94-17640 (D. Minn)

In Re: SS&C Technologies, Inc. Shareholders Litigation
Case 1525-N (Deleware)

Exhibit A

Analytics, Incorporated

Partial List of
Class Action Notification and Settlement Administration Experience

In Re: Tonka Corporation Securities Litigation
Civ. 4-90-2 (D. Minn, 4th Div)

In Re: Tonka II Securities Litigation
Civ. 3-90-318 (D. Minn, 3rd Div).

In Re: Tricord Systems, Inc. Securities Litigation
3-94-746 (D. Minn 3rd Div.)

In Re: U.S. Bank National Association Litigation
Civ 99-891

In Re: Williams Securities Litigation
Case No. 02-CV-72-SPF-FHM (N. D. OK)

In Re: Workers Compensation Insurance Antitrust Litigation
Civ. 4-85-1166 (D. Minn, 4th Div)

In re: Xcel Energy, Inc. ERISA Litigation
Civ No. 03-2218 (D. Minn)

In re: Xcel Energy, Inc. Securities Litigation
Civ No. 02-2677 (D. Minn)

Irene Milkman, et al. v. American Travellers Life Insurance Company, et al.
No. 03775 (Philadelphia Court of Common Pleas)

Ivy Shipp, et al. v. Nationsbank Corp.
19,002 (TX 12th Jud Dist)

Jacobs v. State Farm General Insurance Company
No. CJ-96-406 (Sequoyah County, OK)

James M. Wallace, III, et al. v. American Agrisurance, Inc., et al.
LR-C-99-669 (E. D. AR)

James Ralston, et al. v. Chrysler Credit Corporation, et al.
No. 90-3433 (Lucas County, Ohio)

Jamet Figueroa, et al. v. Fidelity National Title
No. 04-08980-CA-01 (Miami Dade County, FL)

Jerome H. Schlink v. Edina Realty Title
No. 02-18380 (Minn 4th Jud Dist)

Joel E. Zawikowski, et al. v. Beneficial National Bank, et al.
No. 98 C 2178 (N. Dist. IL)

Exhibit A

Analytics, Incorporated

Partial List of Class Action Notification and Settlement Administration Experience

John Babb, et al. v. Wilsonart International, Inc.
CT-001818-04 (Memphis, TN)

Karl E. Brogen and Paul R. Havig, et al. v. Carl Pohlad, et al.
Civ. 3-93-714 (D. Minn, 3rd Div.)

Kelly Marie Camp, et al. v. The Progressive Corporation, et al.
No. 01-2680 (E. D. La)

Kenneth Toner, et al. v. Cadet Manufacturing Company
No. 98-2-10876-2SEA (King County, WA)

Kiefer, et al. v. Ceridian Corporation, et al.
No. 3-95-818 (D. Minn)

Lori Miller, et al. v. Titan Value Equities Group Inc., et al.
MC94-106432 (D. Minn.)

Louis Thula, et al. v. Lawyers Title Insurance Corporation
No. 0405324-11 (Broward County, FL)

Lynnette Lijewski, et al. v. Regional Transit Board, et al.
4-93-Civ-1108 (D. Minn, 4th Div.)

Mark Laughman, et al. v. Wells Fargo Leasing Corp. et al.
No. 96 C 0925 (N. Dist. IL)

Mark R. Lund v. Universal Title Company
No. 05-00411 (Minn 4th Jud Dist)

McCain, et al. v. Bloomberg, et al.
No. 41023/83 (New York)

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Michael Stoner, et al. v. CBA Information Services
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Michael T. McNellis, et al. v. Pioneer Life Insurance Company, et al.
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Exhibit A

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**Partial List of
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Morris v. Liberty Mutual Fire Insurance Company
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Nilsen v. York County
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Patricia Faircloth, et a. v. Certified Finance, Inc., et al.
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Raymond Arent, et al. v. State Farm Mutual Insurance Company
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Red Eagle Resources Corporation, Inc., et al. v. Baker Hughes Inc., et al.
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Regayla Loveless, et al. v. National Cash, Inc, et al.
CIV 2001-892-2 (Benton County, AR)

Resendes, et al.; Maher, et al.; Hawkins, et al.; Schooley, et al. v. Thorp, et al.
84-03457, 84-11251, 85-6074, 86-1916L (Minn 4th Jud Dist)

Rob'n I, Inc., et al. v. Uniform Code Coundel, Inc.
Civil Action No. 03-203796-1 (Spokane County, WA)

Robert Trimble, et al. v. Holmes Harbor Sewer District, et al.
No. 01-2-00751-8 (Island County, WA)

Rocher, et al. v. Sav-on Drugs, et al.
Case No. BC 227551 (Los Angeles County, CA)

Ronnie Haese, et al. v. H&R Block, et al.
No. CV-96-423 (Kleberg County, TX)

Roy Whitworth, et al. v. Nationwide Mutual Insurance Company, et al.
No. 00CVH-08-6980 (Franklin County, OH)

Exhibit A

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Partial List of Class Action Notification and Settlement Administration Experience

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Svenningsen, et al. v. Piper Jaffray & Hopwood, et al.
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Thomas Losgar, et al. v. Freehold Chevrolet, Inc., et al.
L-3145-02 (Monmouth County, NJ)

Three Bridges Investment Group, et al. v. Honeywell, et al.
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Trudy Latman, et al. vs. Costa Cruise Lines, N.V., et al
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Vicente Arriaga, et al. v. Columbia Mortgage & Funding Corp, et al.
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William R. Richardson, et al., v. Credit Depot Corporation of Ohio, et al.
No. 315343 (Cuyahoga County, Ohio)

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Williams, et al. v. Dollar Financial Group, et al.
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United States District Court
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