

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

ELIZABETH LEYBA, NATASHA  
APODACA, NANCY ELLIN, MONICA  
GARCIA, LUCY M. MARQUEZ, MARK  
MILLER, COPPER PERRY, DAVID  
SANDOVAL, KRISTI SEIBOLD, RUSSELLA  
SERNA, and KIMBERLY WRIGHT,  
on their own behalf and on behalf of a class of  
similarly situated persons,

Plaintiffs,

vs.

No. CIV-05-0036 BB/ACT

SANTA FE COUNTY BOARD OF  
COMMISSIONERS; MANAGEMENT  
AND TRAINING CORPORATION;  
SANTA FE COUNTY SHERIFF GREG  
SOLANO, in his individual and official  
capacities; FORMER SANTA FE COUNTY  
SHERIFF RAYMOND L. SISNEROS, in his  
individual and official capacities; and KERRY  
DIXON, in his individual and official capacities,

Defendants.

**AFFIDAVIT OF MARK PATTON IN SUPPORT  
OF JOINT UNOPPOSED MOTION FOR FINAL  
APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT**

STATE OF FLORIDA        )  
                                  ) ss:  
COUNTY OF LEON        )

Mark Patton, being first duly sworn upon his oath, deposes and states as follows:

1. This Affidavit is submitted in support of the Joint Unopposed Motion for Final Approval of Class Action Settlement Agreement and Memorandum in Support of Award of Reasonable Attorneys Fees, Costs and Incentive Payments.


2. On June 24, 2006, Settlement Services, Inc. ("SSI") was appointed by the Court as Administrator in the above-captioned matter.
3. I am an employee of SSI and have participated in or supervised the performance of the settlement administration tasks by SSI. I have personal knowledge of the facts set forth herein and would competently testify thereto if called upon to do so.
4. SSI's responsibilities include but are not limited to: printing and mailing the Notice and Claim Forms to potential Class Members, processing Claim Forms, publication and broadcasting of Summary Notice, establishing a Website for the purpose of downloading Claim Forms, and establishing a toll-free number for the purpose of requesting Claim Forms.
5. On or before September 7<sup>th</sup>, 2006, SSI established a toll free telephone number for class members to call for information about the settlement and to request a Claim Form. The phone script provided the website address and informed callers of the option to download and print a copy of the Notice and Claim Form.
6. On or before September 7<sup>th</sup>, 2006, SSI established a website [www.santafestripsearch.com](http://www.santafestripsearch.com). The site included Spanish translations of the English text and posted the Stipulation of Settlement, Order of Preliminary Approval, Notice of Proposed Settlement, the Claim Form, and the List of Example Offenses Involving Drugs, Weapons or Violence.

7. On September 7<sup>th</sup>, 2006, SSI caused to be mailed 19,927 Notice and Claim Form packets to potential Class Members. Each packet included the Notice and Claim Form in English and Spanish.
8. SSI caused the Summary Notice to be published in the following newspapers: Albuquerque Journal (published in both English and Spanish on 09/07/06, 09/13/06), The Santa Fe New Mexican (published in both English and Spanish on 09/07/06, 09/15/06), and the Rio Grande Sun (published in both English and Spanish on 09/07/06, 09/14/06).
9. SSI caused to be broadcast a version of the Summary Notice on the following radio stations: KABQ (on six different occasions between 09/07/06 and 09/15/06), KDCE (on six different occasions between 09/07/06 and 09/13/06), KKSS (on six different occasions between 09/07/06 and 09/14/06), KJFA (on six different occasions between 09/07/06 and 09/14/06).
10. SSI received (via mail and the toll free phone number) and fulfilled a total of approximately 125 requests for Claim Forms from potential Class Members prior to the November 27, 2006 filing deadline.
11. On Approximately October 2, 2006, SSI caused to be mailed approximately 189 Notice and Claim Form packets to potential Class Members at addresses provided by Class Counsel.
12. A total of 9,556 Notice and Claim Form packets mailed on September 7, 2006 were returned as undeliverable by the USPS, and traced (in four separate batches) utilizing our vendor Locator Service. The traces resulted in possible current addresses for 6,849 of those traced, and Notice and Claim Forms were

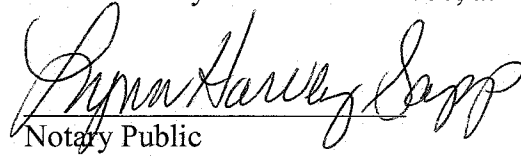
mailed to those addresses in four separate batches, on 10/06/06, 10/13/06, 10/24/06, and 11/15/06.

13. As of this date, SSI has received Claim Forms from approximately 3,402 potential Class Members postmarked on or before November 27, 2006.
14. As of this date, SSI has received three timely Opt-Outs, and no Objections.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
MARK PATTON

*Tallahassee*, Florida. SUBSCRIBED AND SWORN TO before me this 29th day of November 2006, at

  
\_\_\_\_\_  
Notary Public

My commission expires:



Lynn Harvey Sapp  
MY COMMISSION # DD190823 EXPIRES  
June 25, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.