

NOTICE OF CLASS ACTION SETTLEMENT

YOU ARE ENTITLED TO PAYMENT AS PART OF A SETTLEMENT

YOU ARE ENTITLED TO PAYMENT BECAUSE YOU WERE DETAINED AT THE SANTA CLARA COUNTY JAIL FOR 12 OR MORE HOURS AFTER THE DISTRICT ATTORNEY DECLINED TO PROSECUTE YOU BETWEEN APRIL 26, 2018 AND APRIL 26, 2021.

**THE CLASS ACTION SETTLEMENT IN *CAMARLINGHI V. SANTA CLARA COUNTY*, NO. 21-CV-03020-EJD (N.D. CAL.), ENTITLES YOU TO:
\$250.00 PER HOUR FOR THE FIRST 12-24 HOURS OF COMPENSABLE DETENTION AND
\$295.00 PER HOUR FOR EACH ADDITIONAL HOUR OF COMPENSABLE DETENTION**

PLEASE READ THIS NOTICE CAREFULLY.

A court authorized this Notice. This Notice is not a solicitation. This Notice is not a lawsuit, and you are not being sued, but this Notice describes a lawsuit that is being considered for settlement. However, your legal rights are affected whether you act or do not act.

- A settlement has been proposed in a class action lawsuit that challenged the County of Santa Clara’s detention of people at the Santa Clara County Jail for 12 or more hours after the District Attorney declined prosecution between April 26, 2018 and April 26, 2021.
- The County’s records indicate that between **April 26, 2018 and April 26, 2021**, you were detained at the Santa Clara County Jail for 12 or more hours after the District Attorney declined to prosecute you.
- The proposed settlement will provide you with monetary compensation. The settlement terms are described in detail below.
- **The Court has already granted preliminary approval of the class settlement. This Notice provides you with options and instructions as to how you may respond to the Notice.**

Your Legal Rights and Options in this Settlement	
Submit a Claim Form by <u>September 4, 2023</u> (The Claim Form is attached to this Notice and can also be found and completed on the settlement website)	The only way to receive compensation from this settlement is to submit a simple claim form (you can do this online or by mail). A check will be mailed to you after you submit the claim form.
Object by <u>October 28, 2022</u> (Object if you do not like all or part of the settlement)	Write to the Court to explain why you don’t like the settlement. Ask to speak in Court about the fairness of the settlement.
Go to a Hearing	

<p>Opt Out by <u>October 28, 2022</u></p> <p>(Opt Out if you do not want to be part of the settlement)</p>	<p>Write to the Court to ask that you not be included in the settlement.</p>
<p>Do Nothing</p>	<p>You receive no payment. You waive your right to object to or opt out of the settlement.</p>

YOUR ESTIMATED PAYMENT UNDER THIS SETTLEMENT:

The amount you receive will be calculated based on the number of hours you were detained at the Santa Clara County Jail after the District Attorney declined to prosecute you. The calculation begins at 12 hours after the District Attorney declined prosecution until you were released from custody. You will receive a check for this amount if you submit the claim form below by **September 4, 2023**.

BACKGROUND INFORMATION

1. WHAT IS THE PURPOSE OF THIS NOTICE?

The purpose of this Notice is to let you know that the Court has granted preliminary approval of the settlement of a class action lawsuit pending in the United States District Court for the Northern District of California, Case No. 21-cv-03020-EJD(LB), entitled *Camarlinghi v. Santa Clara County*, and that you are entitled to payment as part of the settlement.

This Notice is also meant to inform you that you can object to or opt out of the settlement.

A hearing addressing the fairness, adequacy, and reasonableness of the settlement will be held on **December 8, 2022 at 9:00 AM** to determine whether the settlement should receive final approval.

2. WHAT IS THIS LAWSUIT ABOUT?

The lawsuit alleges that between April 26, 2018 and April 26, 2021, the County of Santa Clara detained Class Members at the Santa Clara County Jail for more than 12 hours after the District Attorney declined to prosecute them and no other reason justified the person's continued detention. The lawsuit alleges that the County of Santa Clara violated the Fourteenth Amendment to the United States Constitution.

3. WHAT IS THE COUNTY OF SANTA CLARA'S POSITION ON THE CLAIMS?

The County of Santa Clara denies liability and all the allegations in the case.

4. WHY DOES THE PLAINTIFF SEEK SETTLEMENT APPROVAL?

Plaintiff and his attorneys seek approval of the settlement because they believe the proposed class settlement with the County of Santa Clara is fair, reasonable, adequate, and in the best interests of the members of the Class. Further, they believe that the settlement will provide substantial compensation to each Class Member.

5. WHY DID I GET THIS NOTICE?

You received this Notice because between April 26, 2018 and April 26, 2021, you were detained at the Santa Clara County Jail for more than 12 hours after the District Attorney declined to prosecute you.

6. WHO ARE THE ATTORNEYS REPRESENTING THE PARTIES?

Counsel for Plaintiff and Class Members

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7. WHAT IS THE PROPOSED SETTLEMENT?

The following is a summary of the proposed settlement. The complete terms of the proposed settlement are stated in the Class Settlement Agreement and General Release (“Settlement Agreement”) between Plaintiff and the County of Santa Clara, which is on file at the United States District Court for the Northern District of California, located at 280 South 1st Street, San José, CA 95113, and available at santaclaraoverdetention.com.

Under the Settlement Agreement, the County of Santa Clara has agreed to pay an aggregate amount of \$2,375,000.00 as the “Settlement Fund” to settle all of the claims asserted in this lawsuit. The Settlement Fund will be used for payment of the following: (a) individual settlement payments to Class Members with valid claims; (b) notice and administration costs incurred by the Settlement Administrator; (c) incentive award to Plaintiff Dylan Camarlinghi; and (d) attorney’s fees, costs, and expenses.

Individual Settlement Payments

\$1,980,000.00 of the Settlement Fund will be allocated to pay Class Members. (You are a Class Member!)

Payments to Class Members who submit timely and valid claims will be calculated based on the following formula: \$250.00 per hour for each hour of compensable detention from 12 to up to 24 hours and \$295.00 per hour for each hour of compensable detention over 24 hours.

Class Counsel Attorney's Fees and Costs, Class Representative Incentive Payment, and Administration Costs

Subject to Court approval, \$395,000.00 of the Settlement Fund will be allocated to settlement administration costs, Plaintiff's incentive award, and attorney's fees, and litigation costs, and expenses.

- An amount not to exceed \$50,000.00 will be allocated to pay the cost of administering the settlement to the Settlement Administrator.
- An amount not to exceed \$20,000.00 will be allocated to pay the Plaintiff Dylan Camarlinghi, as Class Representative, for his service to the Class.
- The remainder of the \$395,000.00 sum will be allocated to pay Class Counsel's attorney's fees, costs, and expenses.

The motion for final approval of the settlement, which will include Class Counsel's application for an award of attorney's fees, costs, and expenses will be filed with the Court by November 28, 2022, and may be viewed in the court file or online at santaclaraoverdetection.com.

8. WHAT ARE MY OPTIONS/RIGHTS?

A. Submit a claim form by September 4, 2023, and receive a settlement check (Claim Form is attached to this Notice and available on the settlement website -santaclaraoverdetection.com)

In order to receive money from this settlement, you must **submit a claim form by September 4, 2023**.

You can submit the claim form online or by sending the completed claim form to the Settlement Administrator using the prepaid envelope included in this Notice package.

B. Object to the settlement

You may ask the Court to deny approval of the settlement in whole or in part by filing an objection to the proposed settlement or any part of it. You cannot ask the Court to order a different settlement; the Court can only approve or reject the settlement the parties have agreed to. If the Court denies approval, no settlement payments will be distributed, and the lawsuit will continue.

Any objection to the proposed settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying for that attorney.

All written objections and supporting papers must be **filed or postmarked on or before October 28, 2022**. They must be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 280 South 1st Street, San José, CA 95113, or by filing them in person at any location of the United States District Court for the Northern District of California.

Any objection **must** state all of the reasons for your objection. In addition, any objection **must** include the following: (a) case name and number of this lawsuit (*Camarlinghi v. Santa Clara County*, No. 21-cv-03020-EJD); (b) your first and last name, address, phone number, and last four digits of your social security number

for verification purposes; and (c) your signature, or your attorney's signature if you have one. While the Court may, in its discretion, permit objections to be filed up until the date of the Final Approval Hearing, you will only be assured that your objection will be considered if you submit it to the Court by **October 28, 2022**.

The attorneys for the Class and for the County of Santa Clara will be allowed to file with the Court a written response to any submitted objections.

C. Opt-out or exclude yourself from the settlement

If you do not wish to participate in the settlement and wish to retain your right to bring your own claims within the scope of the lawsuit as an individual, you must send a request for exclusion to the Settlement Administrator, set forth below. The request for exclusion must be mailed to the Settlement Administrator and **post-marked on or before October 28, 2022**.

The request for exclusion from the settlement **must** include the following: (a) case name and number of this lawsuit (*Camarlinghi v. Santa Clara County*, No. 21-cv-03020-EJD); (b) your first and last name, address, phone number, and last four digits of your social security number for verification purposes; (c) your signature, or your attorney's signature if you have one; and (d) a statement that you wish to exclude yourself from the settlement of the case or words to that effect.

No form is provided for an exclusion request. Any Class Member who requests an exclusion will not be entitled to any portion of the settlement and will not be providing a release of claims to the County of Santa Clara. If you exclude yourself from the settlement, you will not have any right to object, appeal, or comment on the settlement. Class Members who fail to submit a valid and timely exclusion request shall be bound by all terms of the Settlement Agreement and any judgment entered in the lawsuit if the settlement is approved by the Court.

D. Do Nothing

If you do nothing, your rights will be affected. You will be bound by the terms of the Settlement Agreement, and you will be agreeing to a release of the claims that are contained in the Settlement Agreement. However, because you did not file a claim, you will not be entitled to any money from the settlement.

9. FINAL APPROVAL HEARING ON PROPOSED SETTLEMENT

The Final Approval Hearing on the fairness and adequacy of the proposed settlement, the plan of distribution, the incentive award to the Plaintiff, and Class Counsel's request for attorney's fees, costs, and expenses, and other issues will be held on **December 8, 2022 at 9:00 AM** in Courtroom 4 (5th floor) of the United States District Court for the Northern District of California, located at 280 South 1st Street, San José, CA 95113.

You may attend the Final Approval Hearing and be heard even if you do not submit an objection to the settlement. The Final Approval Hearing may be continued to another date without further notice. If you plan to attend the Final Approval Hearing, it is recommended that you check the settlement website to confirm the date, time, and location.

10. GETTING MORE INFORMATION

Visit the website, santaclaraovertention.com, where you will find the Settlement Agreement, the claim form, and all other relevant documents about this case.

You may also view the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 280 South 1st Street, San José, CA 95113, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

You may also contact the Settlement Administrator at info@santaclaraoverdetection.com by email. Include the case name (*Camarlinghi v. Santa Clara County*) in the subject line of your email.

You may also contact Akeeb Dami Animashaun, one of the lawyers for the Class. You can call him at 929.266.3971 or email him at animashaun@pm.me.

If your address changes or is different from the address on the envelope enclosing this Notice, please promptly notify the Settlement Administrator.