UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

JOANN BLACKSTAR, et al.,

Plaintiffs,

V.

ORANGE COUNTY, et al.,

Defendants.

Case No. 09-0568 DSF (MLGx)

NOTICE OF SETTLEMENT OF CLASS-WIDE CLAIMS AGAINST COUNTY OF ORANGE AND OTHERS

The proposed settlement may affect your rights. Please read carefully.

PURPOSE OF THIS NOTICE

This Notice informs you about the proposed settlement of claims in a class action lawsuit against County of Orange, Orange County Social Services Agency ("SSA"), SSA's Director, and current members of the Orange County Board of Supervisors. This notice summarizes the terms of the settlement and sets forth what you must do if you object to the terms of the settlement. You are receiving this notice because you have been identified as a possible member of the class.

BRIEF DESCRIPTION OF THIS LAWSUIT

Plaintiffs Joann Blackstar, Monique Galvan and Alina Iban were among those who filed this lawsuit on January 23, 2009. Celso Ibarra later became an additional Plaintiff in this lawsuit. The Named Plaintiffs brought this action as alleged representatives of a proposed class of individuals who are current or future applicants for and/or recipients of Food Stamps, Medi-Cal, and/or General Relief benefits in the County of Orange. The lawsuit alleges, among other things, deficiencies on the part of SSA in the timely processing of Food Stamps, Medi-Cal (not based on disability), and General Relief applications in the County of Orange. Plaintiffs are only seeking declaratory and injunctive relief. Plaintiffs have presented no claims for monetary damages.

Defendants deny all of the claims against them. As of this date, the Court has not ruled on the merits of Plaintiffs' claims or on the denials and other defenses made by Defendants. This proposed settlement shall <u>not</u> be interpreted as an admission of liability by Defendants.

DESCRIPTION OF THE CLASS

The Court has given its preliminary approval to the settlement. If the settlement receives final approval from the Court, this case will be certified as a class action on behalf of all current and future applicants in Orange County for Food Stamps benefits, both Regular and Expedited, during the duration of the Consent Decree. If the proposed settlement is not approved, this lawsuit will proceed as though there had been no certification of the class for Plaintiffs' Food Stamp claims.

SUMMARY OF THE TERMS OF THE SETTLEMENT

Below is a summary of the terms of the proposed settlement.

- A Consent Decree will be entered and remain in effect for three years.
- During the three years the Consent Decree is in effect, Orange County Social Services Agency (SSA) shall process Regular Food Stamps applications as follows: (a) approve at least 93% of eligible applications within 30 days of the date of application; (b) approve or deny at least 90% of all applications within 30 days of the date of application; and (c) approve or deny 97% of all applications within 60 days of the date of application.
- During that same three-year period, SSA shall process expedited Food Stamps applications as follows: (a) approve at least 90% of eligible Expedited Food Stamps applications within 3 days of the date of application; and (b) approve at least 95% of eligible Expedited Food Stamps applications within 14 days of the date of application. There are some exceptions to these standards for the processing of Expedited Food Stamps. If these exceptions apply, SSA still must take corrective measures and try to comply again with these standards for processing of Expedited Food Stamps.
- During the three-year period, SSA shall provide Class Counsel with reports regarding SSA's monthly processing times for Regular and Expedited Food Stamp applications plus Medi-Cal applications not based on disability.
- In the event that SSA does not meet the required compliance levels in any given month, SSA shall implement appropriate corrective measures. If SSA does not thereafter meet the required percentages for a third month following implementation of corrective measures, Plaintiffs may then file a motion to enforce the compliance levels set forth in this Consent Decree.
- Up to \$750,000 will be paid to Class Counsel for all their work, costs and expenses incurred in the case.
- Upon entry of the Consent Decree, Plaintiffs shall request that the Court dismiss without prejudice all claims and allegations in this lawsuit relating to: (a) SSA's processing of non-disability based Medi-Cal applications and the allegedly improper termination of non-

disability based Medi-Cal benefits; and (b) SSA's processing of General Relief applications and/or the alleged improper termination of General Relief and/or Food Stamp benefits.

Plaintiffs and their counsel believe that the settlement of the claims against the County is fair, reasonable and adequate to members of the class.

PROCEDURES FOR OBJECTING TO THE SETTLEMENT AGREEMENT

IF YOU AGREE WITH THE PROPOSED SETTLEMENT WITH THE COUNTY, YOU DO NOT NEED TO TAKE ANY ACTION.

IF YOU HAVE OBJECTIONS TO THE PROPOSED SETTLEMENT WITH THE COUNTY OF ORANGE AND THE OTHER DEFENDANTS IDENTIFIED ABOVE, THEN PLEASE MAIL THESE OBJECTIONS NO LATER THAN THE DEADLINE OF **AUGUST 30**, **2010**, to: (1) Clerk of the District Court for the Central District of California, 255 East Temple Street, Los Angeles, CA 90012, (2) Nicole M Walsh, Deputy County Counsel, Office of the Orange County Counsel, 333 W. Santa Ana Boulevard, Suite 407, Santa Ana, CA 92701 (Defendants' counsel), and (3) Robert D. Newman, Western Center on Law & Poverty, 3701 West Sixth Street, Suite 208, Los Angeles, California 90010 (Plaintiffs' counsel). Your objection must list your name and address and, if applicable, the name, address and telephone number of your attorney. Your objection must be accompanied by any supporting papers or brief you intend to submit in support of your objection and the specific grounds for the objection. If you do not mail the objections to the Clerk of the Court and to counsel for the parties by the deadline of **AUGUST 30, 2010**, then you will be barred from making any objections (whether by written objection, appearance at the fairness hearing, appeal or otherwise) to the settlement.

HEARING ON THE FAIRNESS OF SETTLEMENT AND REASONABLENESS OF ATTORNEYS' FEES

The Court will hold a hearing to review the proposed settlement with Defendants and to decide whether the agreement is fair, reasonable and adequate and should be finally approved on **SEPTEMBER 13**, **2010 at 1:30 p.m.** (the "Fairness Hearing") The Fairness Hearing will be held in the Courtroom of the Honorable Dale S. Fischer, United States District Judge, located in Courtroom 840, United States District Court, 255 East Temple Street, Los Angeles, CA 90012. *You may attend this hearing, whether you agree with or object to the proposed settlement.* If the Court finally approves the settlement agreement with Defendants, it will be binding upon all members of the class. On the same date and at the same location, immediately after the Fairness Hearing, a hearing will also be held with respect to the application of an award of attorneys' fees of Class Counsel ("Attorneys' Fees Hearing"). Although the Attorney Fees Hearing will be heard after the Fairness Hearing, the application for Attorney's Fees shall be considered by the Court separately from the Court's consideration of the fairness, reasonableness and adequacy of the Settlement provided for herein.

The Fairness Hearing and the Attorneys' Fee Hearing may be rescheduled by the Court.

OBTAINING ADDITIONAL INFORMATION

A copy of the entire settlement agreement and accompanying Consent Decree can be found at each SSA intake office and at the following Social Services Agency website: http://www.ssa.ocgov.com.

The settlement agreement, pleadings and other records of this lawsuit may also be examined and copied during regular office hours at:

United States District Court, Central District of California Clerk of the Court 255 East Temple Street Los Angeles, California 90012

United States District Court, Central District of California Southern Division—Santa Ana Courthouse 411 West Fourth Street, Room 1053 Santa Ana, CA 92701-4516

If you have questions about this Notice or the settlement, you may additionally contact Plaintiffs' counsel by sending a letter addressed to Blackstar Counsel, P.O. Box 1764, Santa Ana, California 92707, or calling the following toll-free number – (877) 707-7888 – and leaving a message.

Any questions you may have concerning the matters contained in this notice or changes in address should <u>not</u> be presented to the Court.

Dated: June 7, 2010 Honorable Dale S. Fischer.
United States District Judge