

**NOTICE OF CLASS ACTION, CLASS SETTLEMENT AND HEARING**

RE: *K.W., et al. v. Rutherford County*, Case No. 3:17-cv-1014, United States District Court, Middle District of Tennessee.

Currently a class action lawsuit is pending in the United States District Court, Middle District of Tennessee. If the proposed Settlement receives final court approval, the Court will certify the case as a class action, and APPROVED CLASS MEMBERS who have submitted timely, valid, approved claims will receive money. **It is estimated that Approved Claims by members of the Arrest Class may receive approximately \$1000 per valid Arrest claim timely submitted, and that Approved Claims by members of the Detention Class may receive approximately \$4800 per valid Detention claim timely submitted.**

**If you are the addressee of this Notice, it has been determined that you may have a valid claim or claims for financial compensation as a member of either or both of the classes. You are eligible for free legal assistance from class counsel in the evaluation and submission of your claim(s) for compensation.**

Eligibility for Class Membership is described below. Review this information and, if you need assistance, CONTACT CLASS COUNSEL AS SOON AS POSSIBLE FOR FREE HELP IN COMPLETING AND SUBMITTING YOUR CLAIM FORMS. Time is of the essence and claims that are filed too late will not receive compensation even if otherwise eligible.

**If on or before June 21, 2021 you were taken into custody by a Rutherford County Sheriff's deputy and transported to the Rutherford County Juvenile Detention Center (RCJDC) for either a juvenile unruly or a juvenile misdemeanor delinquent offense, and (a) you were born on or after July 26, 1998, or (B) such custody occurred on or after July 26, 2016, and if certain other circumstances were present, YOU MAY BE A MEMBER OF THE ARREST CLASS. NOTE THAT YOU DO NOT NEED TO HAVE BEEN DETAINED AT RCJDC TO BE A MEMBER OF THE ARREST CLASS, IF THE OTHER CRITERIA ARE MET.**

**If on or before June 21, 2021 you were detained at RCJDC on a juvenile delinquent or unruly charge, and (a) were born on or after October 14, 1997, or (b) such secure detention occurred at any time from and after October 14, 2015, and (c) if certain other circumstances were present, YOU MAY BE A MEMBER OF THE DETENTION CLASS. NOTE THAT YOU DO NOT NEED TO HAVE BEEN ARRESTED BY THE RUTHERFORD COUNTY SHERIFF'S OFFICE TO BE A MEMBER OF THE DETENTION CLASS.**

**IF YOU WERE ARRESTED AND/OR DETAINED ON MORE THAN ONE OCCASION THAT MEETS THE CRITERIA FOR CLASS MEMBERSHIP, YOU MAY BE ELIGIBLE FOR COMPENSATION FOR EACH SUCH ARREST AND/OR DETENTION EVENT IF YOU SUBMIT A TIMELY VALID CLAIM FORM FOR EACH SUCH EVENT.**

This matter arises from consolidated proposed class action lawsuits, the first of which was filed October 14, 2016. Plaintiffs have alleged that Rutherford County maintained (1) a de facto policy

wrongfully requiring certain juveniles charged with any delinquent or unruly offense be taken into custody and delivered to the RCJDC in violation of state law (“False Arrest Claims”) and (2) a de facto policy of placing juveniles in secure detention at the RCJDC in violation of state law restrictions permitting secure detention of juveniles only under the circumstances set forth in Tenn. Code Ann. § 37-1-114(c) (“Wrongful Detention Claims”). Rutherford County disputes these claims and denies any wrongdoing. To resolve this matter, Plaintiffs and Rutherford County have entered into a preliminary Settlement that does not contain any finding of wrongdoing by Rutherford County but does provide for possible payment to CLASS MEMBERS.

To be eligible to receive any money in this Settlement, **you must fill out and mail a Claim Form or submit a Claim Form online** for each arrest and/or detention that you seek compensation for, and the Claim Form must be approved in accordance with the Settlement procedure. You must submit the completed Claim Form(s) on the Settlement Administrator’s website ([www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com)) **NO LATER THAN 11:59 p.m. on October 29, 2021**, or mail this Claim Form to the Settlement Administrator at *Geerts v. Rutherford County*; Settlement Administrator, P.O. Box 10584, Tallahassee, FL 32302-2584, with a postmark **NO LATER THAN October 29, 2021** in order to be eligible to receive money from the class fund. If your Claim Form(s) is (are) not submitted or mailed by the deadlines above, you will not be considered a member of the classes even if you wish to be, but you will be bound by the settlement and will not receive any money.

Below are questions and answers designed to explain information about this lawsuit, including how to proceed to file a claim or otherwise participate in the Settlement process.

### **1. What is the Class Action lawsuit about?**

The lawsuit challenged policies and practices of Rutherford County involving certain juveniles who were taken into custody and/or placed in secure detention, which Plaintiffs alleged were in violation of state and federal law.

### **2. Who is a Member of the Arrest Class and the Detention Class?**

There are TWO separate classes in this lawsuit, the “Arrest Class” and the “Detention Class.” You may receive compensation by filing a valid, timely claim establishing your membership in the Arrest Class or the Detention Class. If you believe that you are a member of both the Arrest and Detention Classes, you may seek compensation for both by filing separate Arrest and Detention Claims. If you believe that you are entitled to compensation under this agreement for multiple instances of arrest and/or detention, you may seek compensation for all such instances by filing a separate claim for each arrest/detention event. If you do not file a timely, proper separate claim for each separate arrest and/or detention event for which you wish to receive compensation, you will not receive compensation for those events that you failed to file claims on. Your potential compensation depends on the number of timely valid claims you file, the type of claims they are (Arrest or Detention), and the number of other valid claimants who file claims.

a. Arrest Class

You are a member of the Arrest Class if you were taken into custody by a Rutherford County Sheriff's deputy<sup>1</sup> and transported to the RCJDC for either a juvenile unruly or a juvenile misdemeanor delinquent offense, and (a) you were born on or after on or after July 26, 1998, or such custody occurred on or after July 26, 2016, and (b) if certain other circumstances<sup>2</sup> were present.

b. Detention Class

You are a member of the Detention Class if you were detained at the RCJDC prior to a Juvenile Court detention hearing, on a juvenile delinquent or unruly charge, and (a) were born on or after October 14, 1997, or such secure detention occurred at any time from and after October 14, 2015 until June 21, 2021, and (b) if certain other circumstances<sup>3</sup> were present.

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<sup>1</sup> If you were arrested by an employee of another law enforcement agency other than the Rutherford County Sheriff's Office, that arrest event does not entitle you to compensation under this agreement. This does NOT apply to Illegal Detention Claims.

<sup>2</sup> Specifically, all of the following: (1) you were not taken into custody pursuant to an order finding that a summons would be ineffective due to the particular circumstances; (2) you were not charged with a felony; (3) you were not alleged to have committed a public offense or a threatened breach of the peace in the presence of law enforcement; (4) you were not taken into custody as a neglected, dependent or abused child; (5) you were not an allege runaway from parents, guardian, or other custodian; (6) you were not charged with stalking; (7) you had not attempted to commit suicide; (8) you were not charged with committing a traffic offense involving injury or property damage of at least \$1,000; (9) you were not charged with driving under the influence or similar offense; (10) you were not charged with domestic abuse; (11) you were not charged (A) as a driver in a vehicle accident resulting in serious bodily injury or death, or (B) with failure to have a valid driver license at the time of the accident, or (C) failure to have evidence of financial responsibility at the time of the accident; (12) you were not charged with violating the terms of probation, home placement supervision, or diversion; (13) you were not charged with violating the terms of a valid court order; (14) you were not alleged to be an escapee from a secure juvenile facility or institution; (15) you were not wanted in another jurisdiction for a felony offense; and, (16) you were not alleged to have committed a public offense or threatened breach of the peace in the presence of law enforcement (the terms "public offense" and "breach of peace" in the Agreement carry the same meaning as the terms have in Tennessee Code Annotated § 40-7-103).

<sup>3</sup> Specifically, all of the following: (1) you were not charged with a crime against a person resulting in and having as one of its statutory elements the serious injury or death of the victim or involving the likelihood of serious injury or death to such victim, or the unlawful possession of a handgun or carrying of a weapon, as prohibited by T.C.A., title 39, chapter 17, part 13, and in particular not any one or more of the following delinquent offenses (paragraph (1) shall be interpreted and applied consistently with Tennessee Code Annotated §§ 37-1-114(c)(1)(A) and (B): (a) Aggravated Assault, T.C.A. § 39-13-102; (b) Vehicular Assault, T.C.A. § 39-13-106; (c) Aggravated Vehicular Assault, T.C.A. § 39-13-115; (d) Criminal homicide, T.C.A. § 39-13-201; (e) First Degree murder, T.C.A. § 39-13-202; (f) Second Degree murder, T.C.A. § 39-13-210; (g) Voluntary manslaughter, T.C.A. § 39-13-211; (h) Criminally negligent homicide, T.C.A. § 39-13-212; (i) Vehicular homicide, T.C.A. § 39-13-213; (j) Reckless homicide, T.C.A. § 39-13-215; (k) Assisted suicide, T.C.A. § 39-13-216; (l) Aggravated vehicular homicide, T.C.A. § 39-13-218; (m) Robbery, T.C.A. § 39-13-401; (n) Aggravated robbery, T.C.A. § 39-13-402; (o) Especially aggravated robbery, T.C.A. § 39-13-403; (p) Aggravated rape, T.C.A. § 39-13-502; (q) Rape, T.C.A. § 39-13-503; (r) Aggravated sexual battery, T.C.A. § 39-13-504; (s) Sexual battery, T.C.A. § 39-13-505; (t) Aggravated Arson, T.C.A. § 39-14-302; (u) Prohibited weapons, T.C.A. § 39-17-1302; (v) Unlawful carrying or possession of weapon, T.C.A. § 39-17-1307; (w) Carrying weapons on school property, T.C.A. § 39-17-1309; (x) Carrying weapons on public parks, playgrounds, civic centers, and other public recreational buildings and grounds, T.C.A. § 39-17-1311; (y) Handgun possession prohibited, T.C.A. § 39-17-1319; or, (z) Possession of handgun while under the influence, T.C.A. § 39-17-1321; (2) you were not charged with a felony delinquent offense, probation violation, or aftercare violation while you: (a) were already on probation or (b) were already awaiting court action on a previously alleged delinquent offense or (c) were alleged to have escaped or absconded from a juvenile facility, institution, or other court-ordered placement or (d) had, within the previous twelve months, failed to appear at any juvenile court hearing or been charged with committing a violent felony

### **3. What is the purpose of this Notice?**

You have a right to know about a proposed Settlement of this class action lawsuit and about all your options before the Court decides whether to give final approval to the Settlement. Your rights may be affected by this lawsuit. This information is being sent to everyone who has been determined to be a possible member of the Arrest Class, the Detention Class, or both, based upon the records of the RCJDC, the Rutherford County Juvenile Court (RCJC) and the Rutherford County Sheriff's Office (RCSO), and is otherwise being publicized to reach class members. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible and how to file a claim. The Court in charge of this case is the United States District Court for the Middle District of Tennessee, located in Nashville, Tennessee. The case is known as *K.W. et al. v. Rutherford County, Tenn.*, Case No. 3:17-cv-01014. The people who brought the case are called Plaintiffs, and Rutherford County is the Defendant. The Judge is The Honorable Waverly D. Crenshaw, Jr.

### **4. Why is this a Class Action?**

In a class action, one or more persons (the Class Representative(s)) sue on behalf of a group of people who have similar claims – the Class Members. One court then resolves the issues for all Class Members, except for those who exclude themselves.

### **5. Why is there a Settlement?**

These lawsuits have been pending for more than four years. After the parties conducted extensive discovery, the Defendant filed motions for summary judgment seeking dismissal of all claims, and the Plaintiffs opposed those motions. The Court has not ruled on those motions. Pending a ruling of the Court on those motions, the parties engaged in mediation over several months. Instead of continuing the contentious and costly litigation, the parties arrived at a mutually agreeable Settlement providing for substantial payments to Class Members and certain injunctive relief. That way, both sides can avoid the risks and costs of further litigation regarding the injunctive relief and damages to which class members may be entitled, or an appeal from any such decisions by a court; the case can be resolved immediately; and the benefits of the Settlement can be made immediately available to the Class Members. The Class Representatives and their attorneys think that the proposed Settlement is fair to the Class Members and think that the terms of the Settlement are a fair, reasonable, and adequate resolution of this matter.

### **6. Are there lawyers representing you?**

The Court has approved lawyers (called "Class Counsel") to collectively represent you. These are the lawyers who have been handling the lawsuit for the past four years. You will not be asked to pay your own personal money for the services these attorneys and their staff have provided you in litigating this case and negotiating this Settlement. Instead, the lawyers will be paid separately by the Defendant, after approval by the Court, as described further below. Only Class Counsel may

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delinquent offense involving a risk of serious bodily injury or death or (e) had, within the previous twelve months, been adjudicated delinquent of a felony delinquent offense; (3) no court order was issued within 24 hours of the detention, excluding nonjudicial days, documenting "special circumstances" that justified your secure detention based on a risk of immediate harm to you due to issues of dependency, neglect, or abuse if you were not securely detained; (4) you were not alleged to be an escapee from a secure juvenile facility or institution; (5) you were not wanted in another jurisdiction for an offense that, if committed by an adult, would be a felony in that jurisdiction; and (6) you were not charged with violating a "valid court order" that was already in effect prior to the instant charge giving rise to the detention, and were not a runaway from another jurisdiction.

act on behalf of the class. However, that does not prevent you from hiring your own lawyer to advise you personally about your rights, options or obligations as a Class Member in this lawsuit. If you want to be represented by your own lawyer, you may hire one at your own expense.

**If you think you have a claim, send an email to [info@brazilclark.com](mailto:info@brazilclark.com) with (1) your full name, (2) date of birth, and (3) a phone number where you may be contacted. If you prefer to call, you may call (615) 730-8619 and ask to speak with Kyle Mothershead or Frank Brazil. Class Counsel will help you – FREE OF CHARGE – to understand your rights and submit your Claim(s), if eligible. Do not delay, as inquiries made near the end of the claims period may not be answered in time to comply with the deadline.**

## **7. What does the Settlement provide?**

The benefits under the Settlement fall into four primary categories --- payment of Approved Claims to Arrest Class Members, payment of Approved Claims of Detention Class Members, Injunctive Relief and payment of fees and expense of Class Counsel, summarized as follows.

(a) **Payment for Approved Claims of Arrest Class Members.** To be entitled to receive a distribution as an Arrest Class Member you must submit a timely claim that is finally determined to be an Approved False Arrest Claim in accordance with the Settlement terms. **As this is a claims-made Settlement, the amount paid out for each approved claim will vary depending upon the actual number of claims filed and determined to be Approved False Arrest Claims. Based on preliminary estimates, payment for an approved claim could be one thousand thirty-three and 33/100 dollars (\$1,033.33), but again the actual amount could be higher or lower depending on the circumstances.**

(b) **Payment for Approved Claims of Detention Class Members.** To be entitled to receive a distribution as a Detention Class Member you must submit a timely claim that is finally determined to be an Approved Illegal Detention Claim in accordance with the Settlement terms. **As this is a claims-made Settlement, the amount paid out for each approved claim will vary depending upon the actual number of claims filed and determined to be Approved Illegal Detention Claims. Based on preliminary estimates, payment for an approved claim could be four thousand eight hundred twenty-two and 22/100 dollars (\$4,822.22), but again the actual amount could be higher or lower depending on the circumstances.**

(c) **Injunctive Relief.** The Settlement provides that the Court will issue a permanent injunction providing that Rutherford County is permanently enjoined from using the Filter System to determine whether juveniles arrested shall be detained in the RCJDC pending a detention hearing and is further enjoined to follow the requirements set forth in T.C.A. §37-1-114 (c), as long as it is in place and remains applicable, to guide its detention decisions at RCJDC prior to the detention hearing. The injunction doesn't apply to detention decisions made by other jurisdictions.

(d) **Plaintiffs Attorneys' Fees and Litigation Costs.** Class Counsel will ask the Court to award them up to \$2,750,000.00 in attorneys' fees and \$110,000.00 in litigation costs, all to be paid by Defendant. Defendant has reserved the right to object to the fees. These fees and costs must ultimately be approved by the Court after satisfying itself that they are fair and reasonable.

The full description of the benefits is contained in the parties' Settlement Agreement, a copy of which is available on the settlement website [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com).

### **8. Will I receive anything from the Settlement?**

For each completed Arrest and/or Detention Claim Form that you file on or before the Claims Deadline, if your claim(s) is(are) determined to be valid, you will receive compensation for each approved claim as described in ¶7(a) or (b) above and in the parties' Settlement Agreement, a copy of which is available on the settlement website [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com). A full description of the process to determine whether a claim is an Approved False Arrest Claim or an Approved Illegal Detention Claim is contained in the parties' Settlement Agreement.

### **9. What do I do to get money?**

If you wish to receive money from the Settlement, you must complete and timely submit the accompanying, applicable Arrest or Detention Claim Form for the arrest/detention event that you seek compensation on. To receive compensation for multiple Arrest/Detention events, you must timely submit a complete claim for each such event. **All Claim Forms must be completed and postmarked (or received by the Settlement Administrator) no later than October 29, 2021**, but in order not to miss out on this opportunity, you should complete and submit your Claim Form as soon as possible. **If you do not timely and properly submit your Claim Form(s), you will not receive any money** from the Settlement, even if you would otherwise qualify. If you need a copy of a Claim Form, please call the Settlement Administrator (toll free) at 833-594-1996, or write to the Settlement Administrator, at *Geerts v. Rutherford County*; Settlement Administrator, P.O. Box 10584, Tallahassee, FL 32302-2584, or download and submit the Claim Form on the Internet at [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com).

### **10. What if I still don't know if I am a Class Member?**

If you are not sure whether you would be included in the Class, you may contact the Class Counsel for free assistance at [www.brazilclark.com](http://www.brazilclark.com) and [info@brazilclark.com](mailto:info@brazilclark.com). Class Counsel will assist you, free of charge, in determining whether you may have a valid claim or claims for the Arrest Class, the Detention Class, or both.

### **11. How much will the Plaintiffs' lawyers be paid?**

The Court will be asked to award Class Counsel up to \$2,750,000.00 in statutory attorneys' fees and \$110,000.00 in litigation costs. The Court can award less than that amount, but not more. You will not be asked personally to pay any attorneys' fees to Class Counsel. Only if you hire your own lawyer to represent you personally would you have to pay an attorney any fees.

### **12. Can I exclude myself from the Settlement?**

If you do not want to be a member of the Class, or if you want to be able to file your own lawsuit or be part of a different lawsuit against the Defendant raising the claims involved in this lawsuit, then you must take steps to get out of the Class. This is called "excluding yourself" from, and sometimes is referred to as "opting out" of, the class.

### **13. What do I do to exclude myself from the lawsuit?**

To exclude yourself, you must send a letter by First-Class mail clearly stating that you want to be excluded from *K.W., et al. v. Rutherford County*. Be sure to include your name, address, telephone

number and signature. The name and address of your attorney is not sufficient. **You must mail your Exclusion Request, postmarked no later than October 4, 2021, to:**

*Geerts v. Rutherford County*, Settlement Administrator  
P.O. Box 10584  
Tallahassee, FL 32302-2584

You cannot exclude yourself on the phone or by email. If you exclude yourself, you will not be entitled to get any money from the Settlement, and you cannot object to the Settlement. Nor will you be legally bound by anything that happens in this lawsuit.

Unless you exclude yourself from the class, you remain in the class and give up all of your rights against the Defendant for the conduct alleged in this complaint, except those available to you under this Settlement. That means that, if you don't exclude yourself and also don't file a claim, you will receive no money but will still lose your rights against the Defendants. **So be sure to file the Claim Form unless you are going to exclude yourself. (If you do exclude yourself, and you want to pursue other damages for the conduct alleged in the complaint, you will need to bring your own legal complaint against the Defendant within the time prescribed under the relevant statutes of limitations).**

#### **14. What is the Release of claims?**

As part of the Settlement, you release the claims covered by this lawsuit in exchange for the money you will be eligible to receive if you are a member of and do not exclude yourself from the class. The Proposed Final Order of Approval and Settlement (which you may view on the website for this lawsuit at [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com) ) describes the legal claims against the Defendant you will give up by staying in the class (that is, if you do not exclude yourself as described in the question above entitled "What do I do to exclude myself from the lawsuit?"). The Released Claims include all claims, demands, causes of action, whether class, individual or otherwise in nature, damages whenever incurred, liabilities of any nature whatsoever, including costs, expenses, penalties and attorneys' fees, that were or could have been asserted in the complaint based on the facts alleged in the Complaint, during the time covered by this Settlement. These Released Claims include any other related complaints, grievances, and/or claims, whether judicial or administrative, and whether actually filed or available. Released Claims do not include any other claim(s) that a Plaintiff or member of the classes may have against Defendant for conduct not covered by this Settlement.

#### **15. If I do not like the Settlement or object to the attorneys' fees, how do I tell the Court?**

If you are and choose to remain a Class Member, you can object to the Settlement if you do not like any part of it, or you may object to the request for attorneys' fees. You must give the reason why you think that the Court should not approve the Settlement or the requested attorneys' fees (i.e., a mere statement that "I object" will not be sufficient). Do not contact the Court orally to object. Rather, you must send a written statement with the case name and number (*K.W., et al. v. Rutherford County*, Case No. 3:17-cv-1014) at the top of the page. In addition, provide your name, your address (just giving the address of an attorney who represents you is not sufficient), your telephone number, your signature and the reason why you object. If you are represented by a lawyer, you should also give the name, address and telephone number of that lawyer. **You must**

**mail your objections and any supporting papers by First-Class mail, postmarked no later than October 4, 2021,** to the Court and counsel as follows:

Clerk of the District Court United States District Court Middle District of Tennessee U.S. Courthouse Estes Kefauver Federal Bldg & Courthouse 801 Broadway, Room 800 Nashville, TN 37203	Mark J. Downton Frank Brazil Kyle F. Mothershead Brazil Clark, PLLC 2901 Dobbs Ave Nashville, TN 37211	Jonathan P. Lakey Walk Cook & Lakey, PLC 431 South Main Street, Suite 300 Memphis, TN 38103  D. Randall Mantooth Hudson, Reed & Christiansen, PLLC 16 Public Square North P.O. Box 884 Murfreesboro, TN 37133
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If you are not filing a pre-prepared claim form, you should provide as much identifying information (such as Driver’s License, address, date of birth and last four digits of your Social Security Number) with the copies sent to the counsel listed above, so that your file can be located. To protect your privacy, do not send that information to the Court, as what you file with the Court is a public document. Submitting an objection will not extend the time within which a Class Member may request exclusion from this Settlement. (If you file an exclusion, you are no longer a member of the Class and any objection will not be considered.)

A full set of the settlement documents, including the Settlement Agreement, a Claim Form, the proposed Preliminary Order Approving Settlement Agreement, the proposed Final Order Approving the Settlement Agreement, and the Motion For Award of Attorneys’ Fees and Costs is available (or will be if the motion for attorneys’ fees has not yet been filed) on the case website, [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com) .

**16. What is the difference between objecting and excluding?**

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you are a Class Member and stay in the class. If you object and the Court rejects your objection, you remain a Class Member and will be bound by any outcome of the case and entitled to payment under the settlement if you make and have an Approved Claim. Excluding yourself is telling the Court that you do not want to be part of the class. If you exclude yourself, you have no basis to object because the case no longer affects you.

**17. When and where will the Court decide whether to approve the Settlement and Attorneys’ fees?**

The Court has scheduled the Fairness Hearing for December 3, 2021, at 9:30 a.m., in the United States District Courthouse for the Middle District of Tennessee, 801 Broadway, Nashville, TN 37203. At this Hearing, Judge Crenshaw or another federal district judge, will consider whether the Settlement is fair, reasonable and adequate, and will determine the amount of attorneys’ fees and costs to be awarded. If there are any objections, the Court will consider and rule on them. We do not know how long this process will take. We do not know if the Hearing will be continued.

There will not be a new notice if it is. You may speak at the Hearing, but only if you have submitted your comments or objections as provided in the question above entitled “If I do not like the Settlement or object to the attorneys’ fees, how do I tell the Court?” (See question no. 15).

**18. Do I have to come to the Hearing?**

No. You may, but need not, attend the Hearing. Class Counsel will answer any questions the Court may have. However, you may come if you choose, at your own expense. If you sent a written objection, you may, but do not have to, come to Court to talk about it. As long as you properly submitted your written objection, the Court will consider it. You may also pay your own lawyer to attend, but that also is not necessary.

**19. May I speak at the Hearing?**

You will not be heard unless you have submitted your comments or objections as provided in the question above entitled “If I do not like the Settlement or object to the attorneys’ fees, how do I tell the Court?” (See question no. 15) and have stated in your submission that you wish to be heard. You cannot speak at the Hearing if you exclude yourself. If you have submitted an objection, the Court will decide whether to hear from you verbally as well.

**20. What happens if I do nothing at all?**

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

**21. When will I receive money from the Settlement?**

No money will be paid until 1) after the Settlement Funds are deposited with the Settlement Administrator, which will only occur 30 days after the Settlement is approved and all possibilities of appeal are completed, and 2) after the date set by the Court as the last day to mail or file a claim. After that, it will take at least two months to process all the claims, calculate the amount due and send the money to the Class Members. If you file a claim and do not receive money within six months after October 29, 2021, which is the last day to mail or file a claim, check the website for this case about when payment mailings are expected, or contact the Settlement Administrator by either calling (toll free) 1-833-594-1996, or writing to: *Geerts v. Rutherford County*, Settlement Administrator, P.O. Box 10584, Tallahassee, FL 32302-2584.

**22. What happens if there is not a Final Settlement?**

Under certain circumstances, it is possible the settlement might not go through (for example, if the Court for some reason does not approve the settlement). In that situation, the case would move forward through further court litigation.

**23. Are there more details about the Settlement?**

This Notice merely summarizes the proposed Settlement. You can go to the website titled [www.rutherfordjuvenilesettlement.com](http://www.rutherfordjuvenilesettlement.com) to see the complete Settlement documents in the case and a copy of the Motion for Award of Attorneys’ Fees and Costs when it is filed. In the event that any description in this Notice of the terms in the Settlement documents conflict with the actual terms of the Settlement documents, the terms of the Settlement documents control.