

IF YOU WERE ENROLLED IN A SCHOOL IN THE POMONA UNIFIED SCHOOL DISTRICT STARTING AUGUST 1, 2013, YOU MAY BE ELIGIBLE FOR A PAYMENT FROM A CLASS ACTION SETTLEMENT.

A Federal court authorized this Notice. This is not a solicitation from a lawyer.

You are receiving this Notice because you or your child was enrolled in the Pomona Unified School District (“PUSD”) between August 1, 2013 and September 28, 2018, and during that time period you or your child was a Special Education Student who was designated by their Individualized Education Program (“IEP”) team as eligible for special education under one or more of the categories of Intellectual Disability, Autism (or Autistic-Like Behaviors), or Multiple Disabilities. This Notice relates to a proposed settlement (“Settlement”) of a class action filed against PUSD and others about its Special Education Program for students with developmental disabilities (the “Litigation”). A total of \$900,000.00 is available in the Settlement Fund for payments to eligible Damages Settlement Class Members. Each eligible Damages Settlement Class Member is entitled to receive \$750.00.

YOUR LEGAL RIGHTS AND OPTIONS	
Submit a Claim	You must submit a timely and valid claim by December 12, 2018, in order to be eligible to receive a payment.
Exclude Yourself	If you want to retain the ability to file your own lawsuit pursuing the claims sought in this Litigation, exclude yourself by December 12, 2018.
Object	You will be required to write to the Court, making your objection by December 12, 2018.
Go to the Fairness Hearing	The Court will consider the Settlement, the request for attorneys’ fees and expenses, and the Plaintiff’s request for an incentive award for pursuing the Litigation on March 18, 2019.
Do Nothing	You will not receive a payment from the Settlement Fund, you will give up your right to bring your own lawsuit, and to object to the Settlement.
Damages Settlement Class Member Number:	<<ClaimID>>

What is the Litigation about?

The Litigation is related to civil rights allegations that PUSD violated the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Unruh Civil Rights Act as well as other claims, and that students with developmental disabilities suffered injury as a result. PUSD and the other defendants deny any wrongdoing and, neither this Notice nor the Settlement is a determination or admission that any of the defendants did anything wrong.

How do I know if I am a Damages Settlement Class Member?

If you received this Notice, you are a potential Damages Settlement Class Member. This Settlement includes all students enrolled in PUSD schools, for any period of time, between August 1, 2013 and September 28, 2018, who fit within the following definition: all students designated by their Individualized Education Program team as eligible for special education under one or more of the categories of Intellectual Disability, Autism (or Autistic Like Behaviors), or Multiple Disabilities, who attended a school operated by PUSD at any time between August 1, 2013 and September 28, 2018.

How do I receive payment from the Settlement Fund?

To receive a payment from the Settlement Fund, you must (1) meet the definition of the Damages Settlement Class, which is defined above, and (2) submit a timely and valid claim.

What benefits does the Settlement provide?

In addition to the \$900,000.00 available for payments to eligible Damages Settlement Class Members, the Settlement includes an agreement to improve and enhance PUSD's special education programming for the benefit of all students through ongoing collaboration with its families and independent expert consultants. **The Settlement also provides \$150,000.00 in payments to each of the two Class Representatives for each of their respective individual claims, which include personal injuries that are independent from the civil rights claims included in the Damages Settlement Class. The Settlement also provides for an award of reasonable attorneys' fees and expenses. Class Counsel will make an application to the Court for an award of reasonable attorneys' fees and costs to be paid by PUSD on behalf of all defendants, separate and apart from, and in addition to, the settlement funds. The parties have agreed that the application will request payment of \$1,650,000, and that that amount represents the reasonable attorneys' fees and costs to be paid.**

How do I submit a Claim?

You must submit a valid claim by December 12, 2018, and if the Court approves the Settlement, a payment shall be issued to you in the amount of \$750.00. Claims can be filed online at www.PUSDSettlement.com, or you may request that a form be mailed to you by calling 1-800-403-3716. PUSD has the right to audit each Claim Form submitted by the Damages Settlement Class Members.

If I submit a Claim, can I still sue PUSD?

By submitting a valid claim, you will be releasing your claims arising out of or relating to the civil rights claims and allegations raised in the Litigation related to violations of the Americans With Disabilities Act, Section 504 of the Rehabilitation Act, and the Unruh Civil Rights Act. This includes claims related to the denial of full and equal access to, and use and enjoyment of, the facilities, programs, services, and activities offered by PUSD that put students at risk of serious injury due to deficient policies, practices, and procedures regarding staff training, supervision, and parental notification. **You will not be releasing any independent tort claims for personal injuries. You will not be releasing any other claims arising out of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Unruh Civil Rights Act that fall outside the claims and allegations of this Litigation. A full copy of the Settlement Agreement can be viewed at: www.PUSDSettlement.com. If you have questions about the scope of the release or whether you have claims independent of those included in the Damages Settlement Class, you should consult with a licensed attorney.**

What are my other options?

If you want to retain the ability to file your own lawsuit pursuing the claims sought in this Litigation, you must ask **in writing** to be excluded from the Damages Settlement Class by **December 12, 2018**. If you stay in the Settlement, you may object to it by **December 12, 2018**. The Court has scheduled a hearing on **March 18, 2019** to consider whether to approve the request by Class Counsel for attorneys' fees and expenses and whether to grant final approval of the Settlement. For detailed information on how to exclude yourself from or object to the Settlement, or file a claim, call or visit the website.