

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IF YOUR CRIMINAL HISTORY RECORD INFORMATION WAS MADE AVAILABLE ON THE BUCKS COUNTY CORRECTIONAL FACILITY INMATE LOOKUP TOOL BEFORE JUNE 18, 2013, YOU ARE ENTITLED TO BENEFITS

IF YOU WERE BOOKED, OR OTHERWISE DETAINED FOR ANY REASON, AT THE BUCKS COUNTY CORRECTIONAL FACILITY (BCCF) BETWEEN 1938 AND JUNE 18, 2013, YOU ARE A MEMBER OF THE CLASS AND ENTITLED TO BENEFITS

A FEDERAL COURT AUTHORIZED THIS NOTICE

- * A Settlement has been reached in a class action lawsuit against Bucks County and Bucks County Correctional Facility alleging a violation of the Pennsylvania Criminal History Record Information Act.
- * If you are included in the Settlement, *you may qualify for compensation.*

IF YOU ARE A MEMBER OF THIS CLASS OF PERSONS, YOU SHOULD READ THIS NOTICE CAREFULLY BECAUSE IT WILL AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
SUBMIT A CLAIM FORM THAT CONFIRMS YOU WERE BOOKED IN THE BCCF BEFORE JUNE 18, 2013	This is the only way to get a Settlement Payment under the Settlement. You may submit a claim form in one of two ways: 1. Mail 2. Internet	Deadline: September 17, 2020
OBJECT	You may write to the Court about why you object to (i.e., do not like) the Settlement and think it should not be approved. Filing an objection does not exclude you from the Settlement.	Deadline: September 17, 2020
DO NOTHING	You will not receive a Settlement Payment under the Settlement. You will also give up your right to object to the Settlement and you will be not be able to be part of any other lawsuit about the legal claims in the Action.	N/A

- These rights and options—**and the deadlines to exercise them**—are explained in more detail below.
- The Court in charge of this Action has preliminarily approved the Settlement and must decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals of the settlement approval, after the appeals are resolved in favor of the Settlement. *Please be patient.*
- The issuance of this Notice is not an expression of the Court’s opinion on the merits or the lack of merits of the Representative Plaintiff’s claims in the lawsuit.

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Questions? Call 1-844-960-2170, email info@chrialitigation.com or go to www.chrialitigation.com.

BACKGROUND INFORMATION

1. Why did I get this notice?

You received this Notice because a Settlement has been reached between the parties in the Action. According to Buck County's available records, you were booked, or otherwise detained for any reason, by the Bucks County Correctional Facility (BCCF), between 1938 and June 2013. This makes you a member of the Settlement Class and entitled to the relief detailed below.

This Notice explains the nature of the Action, the general terms of the proposed Settlement, and your legal rights and obligations. To obtain more information about the Settlement, including information about how you can see a copy of the Settlement Agreement (which defines certain capitalized terms used in this Notice), see Section 18 below.

2. What is the lawsuit about?

This settlement resolves a class action in the Eastern District of Pennsylvania against Bucks County and the Bucks County Correctional Facility, entitled *Taha v. County of Bucks* (No. 12-6867). Plaintiff Daryoush Taha (the "Representative Plaintiff") sued Bucks County individually and on behalf of all other individuals that the BCCF booked, or otherwise detained for any reason, between 1938 and June 2013. He alleges that Bucks subsequently disseminated, or made available to the public, criminal history information about himself and the other class members in violation of the Pennsylvania Criminal History Record Information Act (CHRIA). Bucks denies any and all liability and/or any wrongdoing alleged.

Before trial, the Court decided the case could be brought as a class action. That means the lawsuit decided the rights of all people that were by booked in the BCCF between 1938 and June 2013.

On May 28, 2019, a jury in federal court decided that Bucks County willfully violated the CHRIA law. The jury awarded damages in the amount of \$1,000 to each class member.

Bucks County has filed an appeal with the Federal Court of Appeals. Bucks County denies that it violated the CHRIA law and believes that the verdict in favor of class members will be overturned, and that class members will receive nothing. The Court of Appeals has not decided the case yet. If the Settlement is approved, the appeal by Bucks County will be withdrawn and dismissed.

3. Why is the lawsuit a class action?

In a class action lawsuit, one or more people called "Representative Plaintiff(s)" (in the Action, Daryoush Taha) sue individually and on behalf of other people who have similar claims. The entities sued in the Action, Bucks County and Bucks County Correctional Facility, are called the Defendants.

4. Why is there a Settlement?

The Representative Plaintiff has made claims against Bucks County. Bucks County denies that it has done anything wrong or illegal and admits no liability. The Court of Appeals has not decided that the Representative Plaintiff and the Class, or Bucks County, should win the lawsuit. Instead, both sides agreed to a Settlement. That way, they both avoid the risks and cost of the appeal, and the Class Members will receive relief now rather than perhaps years from now, if at all.

5. How do I know if I am part of the Settlement?

The Court has decided that everyone who fits this description is a Class Member for purposes of the proposed Settlement: All persons whose criminal history record information was made available on the Bucks County Correctional Facility Inmate Lookup Tool before June 18, 2013.

Excluded from the Class is any person who has previously elected not to be part of this lawsuit in accordance with the Notice of Class Certification that was sent out to the Class in 2018.

6. I'm still not sure if I am included.

If you are still not sure whether you are included, you can contact the Claims Administrator for free help to determine whether you are a Class Member. The Claims Administrator will review a database provided by Bucks County to determine if you are a Class Member. The email address of the Claims Administrator is info@chrialitigation.com; the U.S. postal (mailing) address is Bucks County CHRIA Claims Administrator, P.O. Box 2004, Chanhassen, MN 55317-2004; and the toll-free telephone number is 1-844-960-2170.

THE PROPOSED SETTLEMENT

7. What relief does the Settlement provide to the Class Members?

Bucks County will pay all class members who verify under penalty of perjury that they were booked in the Bucks County Correctional Facility between 1938 and June 2013 and submit a valid claim on a timely basis. The total amount that Bucks County will pay to each class member is anticipated to be \$600. The amount that Bucks County will pay to all class members combined is \$10,000,000. Included in that amount is the cost of notice and administration, programmatic relief for the Bucks County Public Defender's Office, and a Service Award to the Representative Plaintiff.

The amount that each class member will receive depends upon the total number of claims submitted. Therefore, the exact amount each class member will receive is not certain at this time. Counsel reasonably expect that each class member who submits a claim will receive \$600. The amount could be more, and could be less, depending upon the total number of claims submitted. In no event will a class member receive more than \$1,000.

The proposed settlement does not mean that any law was violated or that Bucks County did anything wrong. Plaintiff and Class Counsel think the proposed settlement is fair and in the best interests of all Class members.

HOW TO REQUEST A SETTLEMENT PAYMENT

8. How can I get a Settlement Payment?

To qualify for a Settlement Payment, you must verify under penalty of perjury that you were booked in the Bucks County Correctional Facility between 1938 and June, 2013. You may verify this by either mailing in a claim form, or by visiting www.chrialitigation.com/file-your-claim and following the instructions. Your verification will be checked by the Claims Administrator against a database provided by the BCCF. *Only those Class Members that appear in the BCCF database will be eligible to be paid as part of the Settlement.* You will be required to provide the last four digits of your social security number and the PIN number assigned to you in this Notice, and verify your current address. You must do this by the deadline

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of **September 17, 2020**. You received a Claim Form with this Notice. The Claim Form may be completed and submitted by mail, or electronically submitted on the settlement website.

9. When will I get a Settlement Payment?

The Court will hold a Fairness Hearing on October 1, 2020 at 10 a.m., to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It's always uncertain whether such appeals can be resolved, and resolving them can take time, perhaps more than a year. You can check on the progress of the Action on the website dedicated to the Settlement at www.chrialitigation.com. Please be patient.

THE LAWYERS IN THIS ACTION AND THE REPRESENTATIVE PLAINTIFF

10. Do I have a lawyer in this case?

The Court has ordered that the law firms of Shub Law Firm LLC, Abramson & Denenberg, P.C., and Kohn, Swift & Graf, P.C. ("Class Counsel"), will represent the interests of all Class Members. You will not be separately charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will the lawyers be paid?

Bucks County has agreed not to oppose Class Counsel's request for attorneys' fees and expenses of up to \$4,000,000, subject to approval by the Court. The payment of attorneys' fees and expenses by Bucks County will not affect the amounts paid to class members. You will **not** be required to pay any attorneys' fees or costs or expenses. The Court will make the final decision as to the amount to be paid.

12. Will the Representative Plaintiff receive any compensation for his efforts in bringing the Action?

The Representative Plaintiff will request a service award (also known as "Named Plaintiff Enhancement Award") of up to \$30,000 for his service as class representative and effort in bringing the Lawsuit. The Court will make the final decision as to the amount to be paid to the Representative Plaintiff.

NO EXCLUSIONS ALLOWED

13. Can I exclude myself from the Settlement?

No. If you did not file a timely request to be excluded from this Action in 2018, you are prohibited from excluding yourself from this Settlement. You may still object to the Settlement as described in the paragraph below.

HOW TO OBJECT TO THE SETTLEMENT

14. How do I tell the Court that I do not like the Settlement?

At the date, time, and location stated in Section 16 below, the Court will hold a Fairness Hearing to determine if the Settlement is fair, reasonable, and adequate, and to also consider Class Counsel's request for an award of attorneys' fees and costs, and a service award to the Representative Plaintiff.

Questions? Call 1-844-960-2170, email info@chrialitigation.com or go to www.chrialitigation.com.

If you wish to object to the fairness, reasonableness, or adequacy of the proposed Settlement, or the request for attorney’s fees and costs, or the Plaintiff’s requested service award, you must submit a written objection to the Court, Class Counsel, and Bucks County’s Counsel listed below, postmarked no later than **September 17, 2020**.

COURT	CLASS COUNSEL	BUCKS COUNTY’S COUNSEL
Clerk of Court Eastern District of Pennsylvania James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106 Re: <i>Taha v. Bucks County</i> , No. 12-6867	Jonathan Shub Shub Law Firm LLC 134 Kings Hwy. E. 2nd Floor Haddonfield, NJ 08033 Alan Denenberg Abramson & Denenberg, P.C. 1315 Walnut Street Suite 500 Philadelphia, PA 19103 Joseph C. Kohn Robert J. LaRocca Kohn, Swift & Graf, P.C. 1600 Market Street 25th Floor Philadelphia, PA 19107	Burt M. Rublin Ballard Spahr LLP 1735 Market Street 51st Floor Philadelphia, PA 19103

Any Objection must (a) provide information sufficient to allow the Parties to confirm that the objector is a Class Member; (b) include a statement of such Class Member’s specific Objection; (c) state the grounds for the Objection; and (d) identify any documents such objector desires the Court to consider. You may, but need not, submit your objection through counsel of your choice. If you make your objection through an attorney, you will be responsible for your personal attorney’s fees and costs.

IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FAIRNESS HEARING.

If you submit a written objection, you may appear at the Fairness Hearing, either in person or through personal counsel hired at your expense, to object to the Settlement Agreement. You are not required, however, to appear.

THE FAIRNESS HEARING

15. What is the Fairness Hearing?

The Court has preliminarily approved the Settlement and will hold a Fairness Hearing (also known as a “Final Approval Hearing”) to decide whether to give final approval to the Settlement. The purpose of the

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Fairness Hearing will be for the Court to determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Class; to consider the award of attorneys' fees and expenses to Class Counsel; and to consider the request for a service award to the Representative Plaintiff.

16. When and where is the Fairness Hearing?

The Court (Judge Wendy Beetlestone) will hold the Fairness Hearing at 10 a.m. on October 1, 2020 in Courtroom 10-A of the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, PA 19106. The hearing may be postponed to a different date or time or location without notice. Please check www.chrialitigation.com for any updates about the Settlement generally or the Fairness Hearing specifically. If the date or time of the Fairness Hearing changes, an update to the Settlement website will be the only way you will be informed of the change.

17. May I speak at the Fairness Hearing?

At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

You may attend, but you do not have to. As described above in Section 14, you may speak at the Fairness Hearing only if you have timely served and filed an objection.

ADDITIONAL INFORMATION

18. How do I get more information?

To see a copy of the Settlement Agreement, the Court's Preliminary Approval Order, and the Complaint filed in the Lawsuit, please visit the Settlement website located at: www.chrialitigation.com. Alternatively, you may contact the Claims Administrator at the email address: info@chrialitigation.com; the U.S. postal address (mailing): Bucks County CHRIA Claims Administrator, P.O. Box 2004, Chanhassen, MN 55317-2004; or the toll-free telephone number: 1-844-960-2170.

The description of the Lawsuit is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file you should access the docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.paed.uscourts.gov> or visit the Clerk's office at 601 Market Street, Second Floor, Room 2609, Philadelphia, PA 19106. The Clerk will tell you how to obtain the files for inspection and copying at your own expense.

19. What if my address or other information has changed or changes after I submit a Claim Form?

Contact the Claims Administrator at:

Bucks County CHRIA Claims Administrator
P.O. Box 2004
Chanhassen, MN 55317-2004
1-844-960-2170
info@chrialitigation.com

Questions? Call 1-844-960-2170, email info@chrialitigation.com or go to www.chrialitigation.com.

DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.

Dated: June 29, 2020

By Order of the Court
CLERK OF THE COURT
United States District Court
Eastern District of Pennsylvania