

If you were arrested in Seattle, Washington, on December 1, 1999, on First Avenue between Broad and Eagle Streets, you could get a payment from a class action settlement.

* This settlement resolves a lawsuit over the legality of the arrest of a group of individuals on First Avenue between Broad and Eagle Streets in Seattle on December 1, 1999.

* Your legal rights will be affected whether or not you act.

YOUR RIGHTS AND OPTIONS	
SUBMIT A CLAIM FORM BY JUNE 22, 2004	The only way to get payment.
OBJECT	Write the Court about why you don't like the settlement.
GO TO A HEARING	Anyone can attend the hearing. If you have filed an objection, you can also ask to speak about the fairness of the settlement.
DO NOTHING	Get no payment. Give up your rights.

* These rights and options – **and the deadlines for exercising them** – are explained in this notice.

BASIC INFORMATION

1. Why did I get this notice package?

Records indicate that you were arrested on December 1, 1999, in Seattle, Washington, on First Avenue between Broad Street and Eagle Street. The Court has sent you this notice because you have a right to know about a proposed settlement of a class action lawsuit that was brought on behalf of all of those arrested at this location who were charged with the crime of violating Seattle Municipal Code § 12A.26.040 (this group is known as “the Class”). If the Court approves the settlement, and after any appeals have been resolved, payments will be made to Class members who have made valid claims. The Court in charge of this case is the United States District Court for the Western District of Washington, and the case is *Hickey, et. al. v. City of Seattle, et. al.*, 00-1672P.

2. What is the lawsuit about?

The lawsuit claimed that the City of Seattle violated the federal and state constitutional rights of the Class. In November 2002, the Court certified the Class and appointed Robert Hickey and Carroll Jackson as the Class Representatives. On December 29, 2003, the Court ruled that the City was unable to carry its burden of demonstrating that the City's officers had individualized probable cause to arrest any member of the Class, but left open the question of whether the City could be held liable for the arrests.

3. Why is there a settlement?

The Court's ruling did not decide the case in favor of either the Class or the City. Instead, both sides agreed to a settlement. That way, the parties avoid the costs and risk of a trial, and the Class members will receive compensation in addition to the Court's ruling that the City could not produce evidence of individualized probable cause. The attorneys for the Class believe the settlement is in the best interests of the Class.

WHO IS IN THE SETTLEMENT

4. How do I know if I am part of the settlement?

You are part of the settlement if: (1) you were arrested on December 1, 1999, in Seattle, Washington, on First Avenue between Broad and Eagle Streets, (2) you were charged with violating Seattle Mun. Code § 12A.26.040 (violation of a mayoral order), and (3) you have not filed your own suit.

5. I'm not sure if I am included.

If you are unsure whether you are included, you can ask for help. You can either call 1-877-694-0660 (press 9, then 7) or email allison@hagens-berman.com for more information.

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the settlement provide?

The City will pay \$250,000 to compensate the Class and pay attorneys' fees and costs.

7. How much will my payment be?

Your share of the fund will depend on the number of Class members who submit valid claims. After a deduction of an amount for attorneys' fees and costs (see question 11) and deduction of incentive awards for the Class Representatives (see question 11), the remaining fund will be distributed evenly among all Class members, depending on the number of claims made by Class members. There are 155 Class members. The anticipated total amount to be paid to the Class will be \$162,667. If that were so, and every Class member returned a valid claim form, each would receive \$1049.46.

HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

8. How can I get a payment?

To qualify for payment, you ***must*** mail or hand-deliver a claim form. A claim form is attached to this notice. Read the instructions carefully, fill out the form, sign it, and mail it **postmarked no later than June 22, 2004 or hand-deliver it by June 22, 2004.**

9. When will I get payment?

The Court will hold a hearing on July 15, 2004 at 9:00 a.m. to determine whether to approve the settlement. If Judge Pechman approves the settlement, there may be appeals. No payment can be made until the settlement is finally approved and any disputes are resolved.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Yes. The Court appointed Hagens Berman LLP, Seattle, Washington, and attorneys Steve Berman and Tyler Weaver, as lead counsel for the Class. The other lawyers for the Class are Arthur Bryant and Victoria Ni of Trial Lawyers for Public Justice in Oakland, California; Fred Diamondstone of Seattle; Mike Withey of Strittmatter Kessler Withey Whelan and Coluccio in Seattle; John Muenster of Muenster & Koenig in Seattle; Ben Schwartzman of Lovell, Stewart, Halebian & Barth LLP in Seattle; Erwin Cherminsky of the University of Southern California; and Yvonne Ward of Auburn, Washington.

11. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees and costs of \$83,333, to be deducted from the \$250,000 paid by the City under the terms of the settlement. Class Counsel will also ask that the Class Representatives each receive a \$2,000.00 incentive award in addition to the award they will receive as Class members. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

12. Can I object to the Settlement?

If you are a Class member, you can object to all or part of the settlement if you do not like it. You can give reasons why the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to the proposed settlement in *Hickey et. al. v. City of Seattle, et. al.*, 00-1672P. Be sure to

include your name, address, telephone number, your signature, and the reasons you object. Mail the objection to these three places and postmark it no later than June 22, 2004:

COURT	CLASS COUNSEL	DEFENSE COUNSEL
Clerk of the Court United States District Court for the Western District of Washington 1010 Fifth Street Seattle, WA 98104	Tyler Weaver Hagens Berman LLP 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101	Ted Buck Stafford Frey Cooper 3100 Two Union Square 601 Union Street Seattle, WA 98101

THE COURT'S FAIRNESS HEARING

13. When and where will the Court decide whether to approve the settlement?

The Court will hold a fairness hearing at 9:00 a.m. on July 15, 2004, at the United States District Court for the Western District of Washington, 1010 Fifth Street, Seattle, WA 98104. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Pechman will listen to people who have asked to speak at the hearing, and may decide how much to pay Class Counsel. After the hearing the Court will decide whether to approve the settlement.

14. Do I have to be at the hearing?

No. Class counsel will answer questions Judge Pechman may have. You are welcome to come at your own expense or pay for your own attorney to attend. If you have submitted a timely written objection, the Court will consider it and you do not need to also attend.

IF YOU DO NOTHING

15. What happens if I do nothing?

If you do nothing, you will not get any money from the settlement and will not be able to start a lawsuit or continue a lawsuit regarding the issues in this case.

GETTING MORE INFORMATION

16. Are there more details to the settlement?

This notice summarizes the proposed settlement, the details of which are set out in a settlement agreement. You can get a copy of the settlement agreement by visiting www.tlpj.org or by writing to Tyler Weaver, Hagens Berman LLP, 1301 Fifth Avenue, Suite 2900, Seattle, WA 98101.

17. How do I get more information?

You can call 1-877-694-0660 (press 9, then 7), write to WTO Settlement, Hagens Berman LLP, 1301 Fifth Avenue, Suite 2900, Seattle, WA 98101, or email allison@hagens-berman.com.

QUESTIONS? CALL 1-877-694-0660 (PRESS 9, THEN 7)