

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

ROBERT HICKEY, KENNETH HANKIN,
JENNIFER HUDZIEC, STEPHANIE LANE,
CARROLL JACKSON, DENISE COOPER,
NICOLE PEARSON, and EMILY MALONEY,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

CITY OF SEATTLE, et al.,

Defendants.

No. 00-1672R

NOTICE OF CERTIFICATION OF CLASS
ACTION

TO: ALL INDIVIDUALS ARRESTED ON DECEMBER 1, 1999, AT OR NEAR THE
INTERSECTIONS OF FIRST AVENUE AND BROAD STREET OR FIRST AVENUE AND CLAY
STREET IN SEATTLE, WASHINGTON.

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY

1. Why should I read this Notice?
2. What is this lawsuit about?
3. Who is a member of this class?
4. Who represents the class?
5. How does the class certification affect me?
6. Where do I obtain additional information?

1. WHY SHOULD I READ THIS NOTICE?

This Notice is given pursuant to an order of the United States District Court for the Western District of Washington (the "Court"). The purpose of this Notice is to inform you that a class has been certified in a suit against the City of Seattle that was filed on your behalf. This Notice is intended to inform you how this lawsuit may affect your rights and what steps you may take in relation to it. This Notice is not an expression of any opinion by the Court as to the merits of the claims or defenses by any of the parties to this class action.

2. WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs brought this action on behalf of themselves and all others who were allegedly wrongfully arrested by the City of Seattle during the meetings held by the World Trade Organization from November 30, 1999, through December 3, 1999. Plaintiffs allege in particular that the City's policies which declared a large, multi-block area of downtown Seattle (the "No-Protest Zone") off-limits to all political protesters violated the First Amendment and that therefore all arrests made pursuant to those policies were unconstitutional.

As noted in response to question 3, below, the Court has certified a class consisting of a subset of those arrested as a result of the City's policy. The portion of the case that has been certified concerns the specific mass arrest that occurred at First and Broad and First and Clay on December 1, 1999. Plaintiffs allege that the individuals taken into custody during that mass arrest were arrested for entering the No-Protest Zone even though they were well outside the Zone, in violation of their state and federal constitutional rights.

This suit seeks damages and declaratory relief for violations of class members' constitutional rights. It does not, however, seek any remedies for excessive force by the police or police brutality during the WTO meetings or demonstrations.

3. WHO IS A MEMBER OF THIS CLASS?

The Court has certified the following Class:

All individuals arrested on December 1, 1999, at or near the intersections of First Avenue and Broad Street or First Avenue and Clay Street in Seattle, Washington, whose arrest records indicate that a reason for arrest was a violation of Seattle Municipal Code § 12A.26.040.

You have received this Notice because records indicate that you are a possible member of the Class.

4. WHO REPRESENTS THE CLASS?

Robert Hickey and Carroll Jackson have been appointed as Class Representatives. The Court has appointed attorneys Steve W. Berman and Tyler Weaver of the law firm of Hagens Berman LLP as Lead Counsel for the Class and will represent the Class in this litigation. Additional Class Counsel are Arthur Bryant and Victoria Ni of Trial Lawyers for Public Justice, Fred Diamondstone, Michael Withey, Yvonne Kinoshita Ward, John Muenster, Benjamin Schwatzmann, and Erwin Chemerinsky.

5. WHAT IS THE EFFECT OF THE CLASS CERTIFICATION ON ME?

As a member of the Class, you will be represented in this case by Class Counsel unless you exclude yourself from the Class or appear in this action through your own counsel. If you do not exclude yourself from the Class, any judgment entered by the Court with regard to the Class, whether that decision is favorable to the Class or not, will be binding on you as a member of the Class.

If you want to be excluded from the Class for any reason, state your name, address, and request for exclusion in writing and mail your request to both of the following groups of attorneys:

<p>Steve W. Berman, Esq. Tyler S. Weaver, Esq. Hagens Berman LLP 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101 (206) 623-7292</p> <p><i>Lead Attorneys for Plaintiffs and the Class</i></p>	<p>Ted Buck, Esq. Stafford Frey Cooper, P.C. 1301 Fifth Avenue, Suite 2500 Seattle, WA 98101</p> <p><i>Attorneys for Defendants City of Seattle, Paul Schell, and Norman Stamper</i></p>
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Any request for exclusion must be postmarked no later than March 3, 2003. If you submit a timely request for exclusion from the Class, you will not be bound by any judgment entered by the Court but will also not share in any recovery by the Class.

If you do not exclude yourself from the Class, you may appear in this action through your own counsel.

6. WHERE DO I OBTAIN ADDITIONAL INFORMATION?

This Notice is only a summary. All pleadings and papers filed in this action are available for inspection during normal business hours at the offices of the Clerk of the Court, United States Courthouse, 1010 Fifth Avenue, Seattle, Washington. All inquiries regarding this Notice or the status of the case should be made to either your own attorney or to lead Class Counsel at the address listed in response to question 5.

PLEASE DO NOT CALL OR WRITE THE COURT OR THE CLERK'S OFFICE.

DATED THIS 17 day of December, 2002.

BY ORDER OF THE COURT

HONORABLE BARBARA ROTHSTEIN
United States District Court Judge