

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
Notice of Class Action, Proposed Class Settlement, and Hearing  
*Schultz, et al. v. District of Columbia, et al.*, Case No. 1:18-cv-00120 (ABJ)

If you were arrested and detained at a location on or near 12th and L Street, NW in Washington, D.C., in connection with demonstrations against the inauguration of Donald Trump on January 20, 2017, you may be eligible to receive a cash payment, an order expunging your arrest record, or both.

*A court authorized this notice. This is not a solicitation from a lawyer.*

You may be affected by a class action settlement based on your arrest and detention by the District of Columbia. To claim payment and be eligible to have your arrest record expunged you **must take action by August 6, 2021**. These are the actions you can choose to take:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
You May Choose To:	What This Option Means:
Submit a Claim Form	You will get a payment, be eligible to have your arrest record expunged, or both if you qualify. This is the only way to get a payment or expungement from this settlement. <b>Deadline to submit a claim form: August 6, 2021</b>
Opt-Out	You will get no payment or expungement from this settlement, but you maintain the right to file your own lawsuit about the legal claims in this case if you do so in the time the law allows. <b>Deadline to Opt-Out: August 6, 2021</b>
Object in Writing	You may write to the Court about why you do not like the settlement. You may do this regardless of whether you submit a claim form. <b>Deadline to object in writing: August 6, 2021</b>
Request to Participate in a Hearing	You may ask to speak in a Court hearing about the fairness of the settlement. You may do this regardless of whether you submit a claim form. <b>Deadline to Request to Participate: August 6, 2021</b>
Do Nothing	You will get no payment AND will give up your right to file your own lawsuit. You will not be eligible to have your arrest record expunged as part of this settlement, but you will still have the right to seek expungement on your own.

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the settlement. Payments and record expungements will only be made if the Court approves the settlement, and only after any appeals are resolved. **Please be patient.**

## 1. Why did I get this notice package?

You may be identified in law enforcement or government records as having been subject to the mass arrest that is the focus of this class action settlement.

The Court has directed that you be sent this notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all your options, before the Court decides whether to approve the settlement. If the Court approves it, and after any objections and appeals are resolved, an administrator will make the payments that the settlement allows.

This package explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the District of Columbia, and the case is known as *Schultz, et al. v. District of Columbia, et al.*, Case No. 1:18-cv-00120 (ABJ). The people who have sued are called “Plaintiffs” and those that have been sued are called “Defendants.”

## 2. What is this lawsuit about?

The lawsuit alleges that the District of Columbia, former Metropolitan Police Department Chief Peter Newsham, and ten other police officials engaged in the false arrest of a group of individuals on the morning of January 20, 2017, and confined the individuals in an unconstitutional manner.

The individuals who filed the lawsuit claimed that the District of Columbia and eleven Metropolitan Police Department employees violated the First, Fourth, and Fifth Amendments to the United States Constitution, committed the torts of false arrest and negligence *per se*, and violated the District of Columbia First Amendment Assemblies Act by making arrests without individualized probable cause, failing to issue dispersal orders, and failing to provide access to food, water, and bathroom facilities within a reasonable time.

Money damages, the expungement of arrest records, and attorney’s fees and costs have been sought against the Defendants. The Defendants deny all of these allegations.

## 3. What does it mean that this is a “class action” lawsuit?

A “class action” lawsuit is a lawsuit in which a few people, called the Class Representatives, sue on behalf of people who have similar claims. The Class Representatives and the people with similar claims are together called a Class, or Class Members. One court resolves the issues for all Class Members, except those who expressly exclude themselves from the Class.

This case alleges two Classes: The Conditions of Confinement Class, and the False Arrest Class. These are described in more detail below. Alexander Stokes Contompasis was appointed by the Court as Class Representative for the Conditions of Confinement Class. Jesse Schultz and John Baker were appointed by the Court as Class Representatives for the False Arrest Class. The Class Representatives and Class Members are represented by attorney Jeffrey Light of the Law Office of Jeffrey L. Light. United States District Court Judge Amy Berman Jackson is presiding over this class action.

4. Does the class action involve persons who were arrested during protests at other locations on January 20, 2017?

No. This class action only involves those arrested and detained at a location on or near 12th and L Street, NW in the District of Columbia at approximately 10:50 A.M. on January 20, 2017.

5. What is the status of the lawsuit?

The Plaintiffs in this matter filed this lawsuit on January 19, 2018. The Defendants filed a motion to dismiss the allegations, but Judge Amy Berman Jackson denied most of the motion and ordered that the case could proceed.

After more than three years of litigation, the parties took part in a mediation and agreed to the proposed Settlement. The Class Representatives and their attorneys think the Settlement is fair and is best for everyone who had claims in this lawsuit. **Your rights could be affected by this Settlement. You should read this Notice carefully to decide whether you want to be part of one or both of the classes and whether you think the Settlement is fair.**

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

There are two classes in this case: The Conditions of Confinement Class, and the False Arrest Class.

You are part of the Conditions of Confinement Class if you were arrested at or near 12th and L Street, NW in the District of Columbia at approximately 10:50 A.M. on January 20, 2017, and you did not arrive at a booking facility less than two hours after the time of your arrest. If you meet these criteria, you are part of the Conditions of Confinement Class even if you were later convicted of a crime you committed that day.

You are part of the False Arrest Class if (1) you were arrested at a location on or near 12th and L Street, NW in the District of Columbia at approximately 10:50 A.M. on January 20, 2017, in connection with the protest of the inauguration of Donald Trump; and (2) you were not convicted of a crime in connection with the protest.

You do not need to have participated in the protest to be a member of either class.

Your membership in one class does not affect your eligibility for membership in the other class. You may be part of both classes or only one class.

7. What if I am not sure if I am part of the proposed Settlement?

If you are not sure whether you fall within either Class, you can call the Claims Administrator at 844-271-4786.

8. What are the terms of the proposed Settlement?

The District of Columbia has agreed to create a \$902,900 fund to be distributed among all Class Members who send in a valid Claim Form that meets all the requirements in the Settlement Agreement. Members of the False Arrest Class who send in a valid Claim Form attesting they were not committing any crimes the morning of their arrest will also be eligible to have the record of their arrest expunged.

#### 9. How much will my payment be?

If it is determined that you are a member of either the Conditions of Confinement Class or the False Arrest Class (or both), and you file a claim within the time set by the Court, you will be entitled to compensation from one or both of the Claimant's Funds.

Each eligible member of the False Arrest Class who files a valid claim form will receive an equal share of the \$800,000 False Arrest Claimants' Fund, subject to a maximum of \$5,000. For example, if 200 Class Members file valid claims, each would receive \$4,000; if 160 Class Members file valid claims, each would receive \$5,000; if fewer than 160 Class Members file valid claims, each would receive \$5,000. Eligible members of the False Arrest Class may have their record expunged of the January 20, 2017 arrest, and the Court grants the Class Counsel's unopposed request to expunge the eligible class members' records pertaining to their arrests on January 20, 2017.

Each eligible member of the Conditions of Confinement Class will receive shares of a \$102,900 Conditions of Confinement Claimants' Fund based on the length of time they were in custody without access to food, water, and bathroom facilities. Those held without access to food, water, and bathroom facilities for two or more hours, but less than four hours will receive two "shares" of the settlement; those held four or more hours, but less than six hours will receive three "shares"; those held for six or more hours will receive four "shares" of the settlement.

At this time, it is not possible to say precisely how much each Class Member will receive. However, payments from the Conditions of Confinement Claimants' Fund are subject to a maximum of \$680 per person.

#### 10. Who else gets money from the Settlement Agreement?

The three Class Representatives will receive an additional \$2,500 each for their role in bringing this lawsuit and for participating in various aspects of the litigation. The lawyer who represented the Class Representatives and Class Members will receive \$60,000 to cover the costs of litigation and services rendered. The Claims Administrator who provides notice to Class Members, maintains the website [www.j20settlement.com](http://www.j20settlement.com), and receives and processes the claims will receive \$24,600 for its services.

#### 11. How does the Settlement Agreement affect my arrest record?

If the Settlement Agreement is approved, the District of Columbia Office of the Attorney General, as the legal arm of the city government, will not oppose any request made by the False Arrest Class Members for the entry of a sealed order that all records pertaining to their arrests on January 20, 2017, be sealed and/or expunged. If the Court grants the False Arrest Class Members' request to expunge records of arrest, the arrests will be declared "null and void" by order of the United States District Court of the District of Columbia and will authorize each False Arrest Class Member to deny the occurrence of his or her arrest that day without penalty.

Regardless of whether this settlement is approved, you may still seek to have your arrest record expunged on your own if you qualify for expungement under District of Columbia law.

## 12. What are my rights as a member of each “Class”?

Members of either Class have the right to receive money from the Settlement. Eligible members of the False Arrest Class also have the right to have their arrest record expunged. If you are a member of either class, you give up your rights to bring a separate claim against the District of Columbia or its employees for any claim related to the events surrounding your arrest and confinement on January 20, 2017. If you do not want to give up these rights, you must opt out of the Settlement.

### **TO CLAIM YOUR MONEY YOU MUST FILE A CLAIM FORM.**

A Claim Form is included with this Notice. If you want to file a claim to receive your money, you have two options.

Option 1: Fill out the Claim Form and return it by mail to the Claims Administrator at:

**Schultz v. District of Columbia**  
**c/o Claims Administrator**  
**PO Box 662**  
**Warminster, PA**  
**18974-0662**

**OR**

Option 2: File a claim through the website [www.j20settlement.com](http://www.j20settlement.com) by using the unique alpha-numeric code contained on the Claim Form.

If you choose to mail your Claim Form, it must be postmarked or received in hand before August 6, 2021, for you to be eligible to receive payment. It is a good idea to call the Claims Administrator after you send your Claim Form to confirm that it was received.

Payments will be processed as soon as possible after the proposed Settlement becomes final. **Please be patient.**

**IF YOU DO NOT FILE A CLAIM ON OR BEFORE AUGUST 6, 2021, YOU WILL NOT BE ELIGIBLE TO RECEIVE PAYMENT OR HAVE YOUR ARREST RECORD EXPUNGED PURSUANT TO THIS SETTLEMENT.** If you do not make a Claim and you do not opt out of the Settlement, you are giving up your rights to receive money. You are also giving up your rights to ever bring a lawsuit against the District of Columbia or its employees for the claims and time periods alleged in this lawsuit.

## 13. How do I Opt-Out of this “class action” Settlement?

If you do NOT want to participate in this class action Settlement, you have the right to opt out of both Classes. If you Opt-Out, you will not receive any money from the Settlement or be eligible to have your arrest record expunged, and you will NEVER be able to make any claim for this Settlement money. However, by opting out you may have the right to bring your own lawsuit against the District of Columbia and its employees within the time period allowed under the law for the claims alleged in the lawsuit.

To Opt-Out from the class action you must mail a letter to the Claims Administrator, postmarked or received in hand on or before **August 6, 2021**, stating specifically that you want to Opt-Out of this case. You should mail this letter to:

**Schultz v. District of Columbia**

**c/o Claims Administrator**

**PO Box 662**

**Warminster, PA**

**18974-0662**

You should include in your letter the name of the case (*Schultz, et al. v. District of Columbia, et al.*) and the case number (1:18-cv-00120 (ABJ)). You must also include your name, address, and telephone number.

If you would like to Opt-Out, **you must do so before August 6, 2021**. If you fail to Opt-Out by **August 6, 2021**, you give up your right to be excluded from either Class, which means that you cannot bring a separate lawsuit against the District of Columbia and its employees for the same claims alleged in the current lawsuit. If you do not opt out, you will be bound by the Settlement Agreement and are eligible to file a claim for the settlement money and expungement of your arrest record. You cannot Opt-Out of the Class and be eligible to receive settlement money.

14. What if I think the Settlement is unfair?

There will be a hearing before United States District Court Judge Amy Berman Jackson on September 15, 2021, at 10:00 a.m., in Courtroom 3 (Fairness Hearing) to decide whether the settlement is fair, reasonable, and adequate. Because of modified court operations related to COVID-19, this hearing might be held via a telephone conference line rather than in-person. Information about the hearing will be posted on the Settlement Website as the hearing date approaches.

If you are a Class Member, you can object to the settlement if you do not like any part of it. **If you want to object to the settlement you must mail a letter to the Court, to class counsel, and to defense counsel, postmarked on or before August 6, 2021:**

<b>To the Court</b>	<b>To Class Counsel</b>	<b>To Defense Counsel</b>
Clerk of the Court United States District Court for the District of Columbia 333 Constitution Ave., NW Washington, D.C. 20001	Jeffrey Light Schultz Class Counsel 1712 Eye St., NW Suite 915 Washington, D.C. 20001	Micah Bluming Duane Blackman Assistant Attorneys General Office of the Attorney General for the District of Columbia 400 Sixth Street, N.W., Suite 10100 Washington, D.C. 20001

You should include in your letter the name of the case (*Schultz, et al. v. District of Columbia, et al.*) and the case number (1:18-cv-00120 (ABJ)). You must also include your name, address, and telephone number, and you must sign the letter. You should write out all of the reasons you believe the settlement should not be approved, with as much explanation as you desire to include. The hearing on September 15, 2021 will be your only opportunity to state an oral objection to the terms of the Settlement. The Judge will consider any timely objections you submit if you are a Class Member, even if you do not attend the fairness hearing.

You do not have to attend the hearing to receive your share of the settlement money. If you submit a valid claim to get your share of the Settlement, you will receive your share, provided the Settlement is approved by the Judge. **You may file an objection or speak at the hearing even if you also submit a claim form.**

15. What happens if I do nothing at all?

If you do nothing you will get no money and you will not be eligible to have your arrest record expunged as part of this Settlement. In addition, unless you opt out, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the District of Columbia or its employees about the issues and time period covered by this case ever again.

16. What if I want further information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement by writing to the Claims Administrator at Schultz v. District of Columbia c/o Claims Administrator, PO Box 662, Warminster, PA 18974-0662, or by visiting [www.j20settlement.com](http://www.j20settlement.com).

If you have further questions, you can call 844-271-4786; write to Schultz v. District of Columbia c/o Claims Administrator, PO Box 662, Warminster, PA 18974-0662; or visit [www.j20settlement.com](http://www.j20settlement.com) where you will find answers to common questions about the Settlement, a Claim Form, and other information to help you determine whether you are a Class Member and eligible to receive money and participate in the Settlement Agreement.

**DO NOT CALL THE COURT OR THE CLERK OF THE COURT for further information about this settlement.**