

**If You Were Charged With “Loitering” In New York City
Under 3 Loitering Laws During The Years Covered By This Lawsuit,
You May Be Entitled To Money.**

You must file a claim by October 9, 2012 to be included in this Class Action Settlement.

1. What is this lawsuit about? Am I included?

- This is a proposed Settlement of a Class Action lawsuit.
- The City of New York (“City”) has agreed to pay \$15 Million in money damages to approximately 20,000 people who were charged with violations of three New York State loitering laws, after courts said these laws were unconstitutional.
- If you were charged under any of the 3 loitering laws listed below, you may be entitled to money:
 - loitering in a public place for the purpose of **begging** under N.Y.P.L. § 240.35(1) after September 30, 1992
 - loitering in a public place for the purpose of engaging in **sexual behavior of a deviate nature** under N.Y.P.L. § 240.35(3) after February 23, 1983
 - loitering in a **transportation facility** and unable to give a satisfactory explanation of your presence under N.Y.P.L. § 240.35(7) after February 17, 1988

2. What does the Settlement provide?

- The Settlement would entitle each Class Member to a share of the \$15 Million Class Fund (after payment of up to \$3.5 Million for administrative costs, service awards to the Named Plaintiffs, and attorneys’ fees and costs).
- You recover the same amount no matter how many times you were charged. The amount Class Members receive depends on how many people file valid Claim Forms. The amount also depends on whether you were arrested, received a summons, or were issued a warrant for missing a court appearance, and on when you were charged.

3. How do I get money from the Settlement?

- **You must fill out and mail a Claim Form by October 9, 2012 to be eligible for any payment.**
- To get a Claim Form, go to www.nycloitering.com or contact the administrator at the address or number below. Include your name, date of birth, address, social security number (if any), NYSID # (if known), alias (if any), and phone (if any) on all requests to the Administrator.

4. What are my rights and options in this Settlement?

You May		Due Date
Submit a Claim Form	<u>The only way to get a payment.</u> By submitting a Claim Form, you give up your legal rights to bring further claims against Defendants about charges under the loitering laws.	Postmarked By: October 9, 2012.
Exclude Yourself From The Settlement	Get no payment from the Settlement. This is the only option that allows you to ever be part of any other lawsuit against the Defendant(s) about the claims in this case.	Postmarked By: October 9, 2012.
Object to Settlement	Remain a Class Member but write to the Court about why you don’t like the Settlement. You must still submit a Claim Form if you wish to object.	Postmarked By: October 9, 2012.
Go to the Fairness Hearing	Ask to speak in Court about the fairness of the Settlement.	November 15, 2012 At 4:30 p.m.
Do Nothing	Get no payment and give up all rights to sue the Defendants on these claims.	N/A

This is only a Summary of the proposed Settlement. For more information and a Claim Form:

Call: 1-800-846-0798 or 1-718-874-6000 Visit: www.nycloitering.com

Write: NYC Loitering Settlement, c/o Rust, P.O. Box 2692, Faribault, MN 55021-9692.

Claims will be handled by an independent administrator. Do not contact the Court or Defendants.