

Circuit Court of City of St. Louis, Missouri

**NOTICE OF PENDENCY OF CLASS ACTION,  
PROPOSED SETTLEMENT AND HEARING**

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

- If you paid a warrant cancellation fee related to the municipal court of the City of St. Louis from December 11, 2009 until February 15, 2016 you are entitled to a partial refund. Alternatively, if you owe a warrant cancellation fee that was charged to you from December 11, 2009 to February 15, 2016, you are entitled to forgiveness of the amount owed.
- The settlement will provide class members approximately a 50% refund of the warrant cancellation fee paid. The City of St. Louis will also forever forgive any outstanding warrant cancellation fees. Finally, the City of St. Louis agreed not to charge the warrant cancellation fee in the future unless the law changes to allow it, and the City of St. Louis agreed to audit all fees charged in the municipal court to see if they are permissible.
- The settlement resolves a lawsuit concerning whether warrant cancellation fees charged by the City of St. Louis municipal court were legal. The two sides disagree about whether the warrant cancellation fee was proper, and if it was improper, how much the plaintiff would have been entitled to. The parties have agreed to resolve this case by a settlement.
- Your legal rights are affected whether you act or don't act. Read this notice carefully.
- The rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court still has to decide whether to approve this settlement, which may take some time. Please be patient.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
<b>Do Nothing and Remain in Class</b>	A partial refund check will be sent to your last known address, or if you have updated your address in public records, to that address.
<b>Exclude Yourself</b>	Get no benefit. This is the only option that allows you to ever be part of any other lawsuit against the City of St. Louis about the same issues.
<b>Object</b>	Write to the Court about why you don't like the settlement.
<b>Go To A Hearing</b>	Ask to speak in Court about the fairness of the settlement.

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# BASIC INFORMATION

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

You are receiving this notice because you have been identified as a potential member of a Settlement Class consisting of:

All people who paid a warrant recall fee to Defendant or who were assessed a warrant fee and now owe the fee during the class period.

The “class period” is from December 11, 2009 until February 15, 2016. The “Defendant” is the City of St. Louis. The warrant recall fee had to be assessed in the Municipal Court.

The Court sent you this Notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all of your options before the Court decides whether to approve the settlement. If the Court approves the settlement, and objections or appeals relating to that settlement are resolved, the benefits provided for by the settlement will be available to qualified persons.

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

The case this addresses is *Wann v. City of St. Louis* and it is in the Circuit Court for the City of St. Louis, State of Missouri, Cause No. 1422-CC10272.

## 2. What is this lawsuit about?

The lawsuit asserts that the City of St. Louis illegally charged a warrant cancellation fee. The fee was charged to cancel warrants issued for a failure to appear in municipal court. Plaintiff asserted that the fee violated Missouri statutory law – Missouri Revised Statute §488.005 and following statutory sections and that creating the fee exceeded the City’s authority. The City of St. Louis denies the allegations and asserts the fees are proper. This Notice does not imply that there has been any finding of any violation of the law by City of St. Louis. Although the Court has authorized Notice to be given of the proposed settlement, this Notice does not express the opinion of the Court on the merits of the claims or defenses asserted by either side in the Lawsuit.

## 3. Why is this a class action?

Class actions are lawsuits in which the claims and rights of many people are decided in a single court proceeding. Representative Plaintiffs (“Class Representatives”) are named in the lawsuit to assert the claims of the entire class. This avoids the necessity for a large number of people to file similar individual lawsuits and enables the court system to resolve similar claims in an efficient and economical way. Class actions provide a vehicle whereby people with similar claims are

treated alike. In a class action, the court is guardian of class interests and supervises the prosecution of the class claims by class counsel to assure that the representation is adequate. Class members are not individually responsible for the costs or fees of counsel, which are subject to court award.

#### 4. Why is there a settlement?

Class Counsel has investigated the facts and applicable law regarding the Class Representative's claims and the defenses of the City of St. Louis. The parties have engaged in lengthy and "arms-length" negotiations in reaching this settlement. The Class Representative and Class Counsel believe that the proposed settlement is fair, reasonable and adequate and in the best interests of the class. Both sides want to avoid the uncertainties and high cost in time and money in litigation of this type.

## Who Is in the Settlement?

To see if you will get a benefit from this settlement, you first have to decide if you are a Class Member.

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

If you paid a warrant cancellation fee related to the municipal court of the City of St. Louis from December 11, 2009 until February 15, 2016, OR, if you owe a warrant cancellation fee that was charged to you from December 11, 2009 to February 15, 2016, you are a member of the class.

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

If you are still not sure whether you are included, you can ask for free help. You can visit [www.StLouisWarrantFeeSettlement.com](http://www.StLouisWarrantFeeSettlement.com) for more information.

## The Settlement Benefits – What You Get

#### 7. What does the settlement provide?

Members of the class will receive a check for approximately 50% of the total amount of warrant cancellation fees they paid to the City of St. Louis relating to the municipal court during the class period. For those who owe a warrant cancellation fee, the amount will be forgiven.

In addition, the City of St. Louis has agreed to two forms of injunctive (non-money) relief. First, the City of St. Louis will audit all fees charged in the municipal court to determine whether any are impermissible. Second, the City of St. Louis agrees it will not charge the warrant cancellation fee in the future unless the law changes to authorize it.

## How You Receive Settlement Benefits

### 8. How can I get a benefit?

You do not have to do anything to receive a benefit. Checks will be mailed to the last known address for each person in the class.

### 9. When would I get my benefit?

The Court will hold a hearing on July 18, 2016 at 9:00 a.m. to decide whether to approve the settlement. If the settlement is approved, there may be appeals. Once the settlement is approved and all appeals have been resolved, the City of St. Louis will be required to mail out checks within 60 days. This may take some time, so please be patient.

### 10. What am I giving up to get a benefit or stay in the class?

Upon the Court's approval of the settlement, the class members who do not exclude themselves, will release and forever discharge City of St. Louis and all City officials, agents, and representatives from any and all claims, demands, debts, liabilities, actions, causes of action of every kind and nature, obligations, damages, losses, and costs, whether known or unknown, actual or potential, suspected or unsuspected, direct or indirect, contingent or fixed, that were or could have been asserted or sought in the Action, relating in any way or arising out of the charging of the warrant recall fee.

## Excluding Yourself from the Settlement

### 11. How do I get out of the settlement?

If you choose to be excluded from the Settlement Class, you will not be bound by any judgment or other final disposition of this lawsuit. You will retain any claims against the City of St. Louis you might have. To request exclusion, you must state in writing your desire to be excluded from the Settlement Class. You must sign your request for exclusion personally or by legal counsel. Your request must include: (1) your full name and current address, (2) your signature; and (3) a specific statement that "I want to be excluded from the Settlement Class." **The request for exclusion must be sent by first class mail, postmarked on or before June 16, 2016**, addressed to:

John E. Campbell  
Campbell Law LLC  
20 S. Sarah St.  
St. Louis, MO 63108

**If the request is not postmarked on or before June 16, 2016, your request for exclusion will be invalid**, and you will be included in the Settlement Class automatically. If you do not request exclusion, you will be bound by the terms of the settlement approved by the Court, including without limitation, the judgment ultimately rendered in the Lawsuit, and you will be barred from bringing any claims which arise out of or relate in any way to the warrant cancellation fee charged by the City of St. Louis.

**12. If I don't exclude myself, can I sue the City of St. Louis later?**

No. Unless you exclude yourself, you give up any right to sue the City of St. Louis. If you have a pending lawsuit, speak to your lawyer in that case immediately.

## **The Lawyers Representing You**

**13. Do I have a lawyer in this case?**

The Court has appointed Brandon Wann as Class Representative. The Court has appointed the following attorneys as "Class Counsel:"

John E. Campbell  
Erich Vieth  
Campbell Law LLC  
20 S. Sarah St.  
St. Louis, MO 63108

Class Counsel represents the interests of the Class, and you will not be charged for their services. You may hire your own attorney to advise you, but if you hire your own attorney, you will be responsible for paying that attorney's fees.

**14. How will the lawyers be paid?**

Class Counsel will apply to the Court for an award of reasonable attorneys' fees and Class Representative's compensation to be paid for out of the total amount paid by the City of St. Louis. The total amount requested will not exceed \$249,889. This amount comes out of a total fund (cash plus the value of future injunctive relief) estimated at \$1,750,420. It represents approximately 14.2% of the total fund.

## Objecting to the Settlement

### 15. How do I tell the Court that I don't like the settlement?

You can object to any aspect of the proposed settlement, including the fairness of the settlement, the attorneys' fees, the Class Representative compensation, the adequacy of Class Counsel, the Class Representative, or notice by filing and serving a written objection. You must sign your objection personally or by legal counsel. Your objection must state your full name, current address, and date. Your objection must state why you object to the proposed settlement and any reasons supporting your position.

If you intend to appear in person or through your own attorney at the July 18, 2016, Fairness Hearing described below, you must include with your objection a notice of your intention to appear at the hearing.

**You must mail any objection, along with any notice of intent to appear, postmarked on or before June 16, 2016,** to Class Counsel and counsel for City of St. Louis. The address for Class Counsel is:

John E. Campbell  
Erich Vieth  
Campbell Law LLC  
20 S. Sarah St.  
St. Louis, MO 63108

The address for Counsel representing the City of St. Louis is:  
CITY OF ST. LOUIS LAW DEPARTMENT  
Mark Lawson  
1200 Market St., Room 314  
St. Louis, MO 63103

Any Settlement Class member who does not file and serve an objection in the time and manner described above will not be permitted to raise that objection later.

### 16. What's the difference between objecting and excluding?

Objecting is simply telling the Court that you don't like something about the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

## The Court's Fairness Hearing

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

There will be a hearing to consider approval of the proposed settlement on July 18, 2016, beginning at 9:00 a.m., at the City of St. Louis Civil Court at 10 N. Tucker, St. Louis, MO 63101. The hearing may be postponed to a later date without further notice. The purpose of the hearing is to determine the fairness, reasonableness, and adequacy of the terms of settlement; whether the Settlement Class is adequately represented by the Class Representative and Class Counsel; and whether an order and final judgment should be entered approving the proposed settlement. The Court also will consider Class Counsel's application for an award of attorneys' fees and Class Representative's compensation.

You will be represented at the hearing on the fairness of the settlement by Class Counsel, unless you choose to enter an appearance in person or through your own counsel. The appearance of your own attorney is not necessary to participate in the hearing on the fairness of the settlement. As a member of the Class, you will not be personally responsible for attorneys' fees or cost disbursements except those of your own counsel.

### 18. Do I have to come to the hearing?

No. Class Counsel will represent the Class at the hearing. If you send any objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

### 19. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send with your objection a notice of intention to appear at the hearing as described above. You cannot speak at the hearing if you excluded yourself.

## Getting More Information

### 20. Are there more details about the settlement?

This Notice is meant to be a fairly extensive summary; however, it does not include everything in the settlement agreement. For a more detailed statement of the matters involved in the Lawsuit or the Settlement, you may refer to the papers on the website at [www.StLouisWarrantFeeSettlement.com](http://www.StLouisWarrantFeeSettlement.com). You may also obtain even more information regarding the Lawsuit during regular business hours at the office of the Clerk of the Court, Circuit Court for the City of St. Louis, 10 N. Tucker Blvd, St. Louis, Missouri, 63101. In addition, the full settlement agreement and the pleadings filed in the Lawsuit can be requested, in writing, from Class Counsel identified above.

**PLEASE DO NOT CONTACT THE COURT FOR INFORMATION.**

Dated: May 16, 2016

Circuit Court Judge For The Twenty-Second  
Judicial Circuit, State of Missouri