

**Legal Notice
United States District Court for the Western District
of Tennessee**

**NOTICE OF PROPOSED SETTLEMENT AND
HEARING**

If You were arrested in Jackson, Tennessee, charged in the Jackson City Court, and detained in jail for more than 48 hours following your arrest between January 18, 2016 to January 18, 2019, Then Your Rights Could Be Affected By A Proposed Class Action Settlement.

*The United States District Court for the Western District of Tennessee authorized this notice.
It is not a solicitation from a lawyer. You are not being sued.*

This is a proposed settlement of a class action lawsuit alleging that the Jackson, Tennessee City Court, engaged in the practice of illegally detaining individuals arrested in Jackson, Tennessee and detaining them for more than 48 hours without a probable cause determination made upon sworn testimony by a qualified judge or clerk between January 18, 2016 until January 18, 2019.

Qualified class members will each receive up to \$100 for each 24-hour period that they were detained (after the initial 48-hour period of confinement) without having had a probable cause determination made by either a judge or certified clerk or for which there was no other legally valid basis for detention, up to a maximum of 21 days. The amount of the daily rate could be less if the total owed on the qualified claims exceeds the amount of “the net settlement fund” (defined as \$1,050,000 less the court approved attorney’s fees for class counsel, named plaintiff incentive fees and the costs of administration of the class) in which case, the daily rate will be reduced by the same percentage that the total of the qualified claims exceeds the net settlement fund.

Visit the Settlement website at www.rg2claims.com/jackson.html for additional details about the settlement. You may also get additional information by calling 1-866-742-4955 or by writing to City of Jackson Illegal Detention Settlement, RG/2 Claims Administration LLC, P.O. Box 59479, Philadelphia, PA 19102-9479.

Your legal rights are affected whether you act or don't act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
Submit a Claim Form	You must submit a Claim Form to receive payment under the settlement. You must submit a Claim Form by May 20, 2021 to get any money.

Exclude Yourself	If you exclude yourself from the settlement, you will not be bound by the Settlement or judgment and will not be entitled to a cash payment. You will be free to pursue your claims against the Defendant. This is the only option that allows you to bring or be part of any other lawsuit against the Defendants in this case about the same legal claims that are advanced in this case. You must exclude yourself from the Settlement by April 20, 2021.
Object	If you do not exclude yourself, you may write to the Court about why you do not like the Settlement or the request for legal fees and costs. You must send a written objection to the Court postmarked no later than April 20, 2021. To complete a valid objection, you must follow the procedure set forth in the Court's Order Preliminarily Approving the Settlement and the Settlement Agreement.
Go to a Hearing	You may ask to speak in Court about the fairness of the settlement or the request for fees and costs. To do so, you must follow the procedure set forth in Court's Order Preliminarily Approving the Settlement and the Settlement Agreement.
Do Nothing	You don't get a payment. You give up your right to sue Defendant on these claims later.

These rights and options - **and the deadlines to exercise them** - are explained in this notice.

The Court in charge of this case still must decide whether to give final approval to the Settlement. Likewise, payments to class members will be distributed only if the Court grants final approval of the Settlement and after any appeals are resolved.

I. WHAT IS THE PURPOSE OF THIS NOTICE?

This Notice has been generated because you have the right to know about a proposed settlement of a class action lawsuit, and if you qualify to participate in the proposed settlement, about your options, before the Court decides whether to approve the settlement. If the Court approves it and after objections and appeals are resolved, an administrator appointed by the Court will make the monetary payments that the settlement allows. You will be informed of the progress of the settlement. You should understand that the process of Court approval may take a good deal of time.

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 this case is the United States District Court for the Western District of Tennessee, United States District Judge J. Daniel Breen presiding. The case is called *Cox et, al v. City of Jackson*, Docket NO. 1:19-cv-01026-JDB-jay. The people who sued are called Plaintiffs, and the municipality they sued, the City of Jackson, is called the Defendant.

II. WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs claim in this lawsuit that the City of Jackson, Tennessee City Court, engaged in the practice of illegally detaining individuals arrested in Jackson, Tennessee for more than 48 hours without a probable cause determination made after receiving sworn testimony before a qualified judge or clerk or for which there was no other legally valid basis for detention. Defendant denies that it did anything wrong and contends that even if it did do anything wrong, Plaintiffs are not entitled to any money as a result of being detained.

III. WHAT IS A CLASS ACTION?

In a class action, one or more people, called Class Representatives, sue on behalf of all people who have similar claims. All of these people are potential Class Members. A class action resolves the issues for all Class Members, except for those who exclude themselves from the Class. United States District Judge J. Daniel Breen is in charge of this class action.

IV. WHY IS THERE A SETTLEMENT?

The Court did not decide in favor of Plaintiffs or Defendants. Instead, both sides agreed to a settlement. That way, they avoid the costs and risks of a trial, and the people affected will get compensation. The Class Representatives and their attorneys think the settlement is best for the settlement class, who are alleged to have been illegally detained between January 18, 2016 and January 18, 2019.

V. HOW DO I KNOW IF I AM PART OF THE SETTLEMENT?

Judge Breen decided that everyone who fits this description is a Class Member: All persons arrested in Jackson, Tennessee and detained for more than 48 hours without a probable cause determination made after receiving sworn testimony before a qualified judge or clerk or for which there was no other legally valid basis for detention between January 18, 2016 until January 18, 2019.

VI. DO I NEED TO PROVE THAT I WAS ILLEGALLY DETAINED, AND WHAT DOES THAT MEAN?

No, you do not need to prove that you were illegally detained. In filling out the Claim Form, you will affirm, under penalty of perjury, that you were arrested and charged with a

crime in Jackson City Court and detained without the required probable cause determination. Your information will be confirmed through public records. Once your information is confirmed, your affirmation will entitle you to payment. If your name is not contained in the City of Jackson records, you may be asked to provide additional documentation before being allowed to participate in the settlement.

An illegal detention occurred if you were arrested and charged with a crime in Jackson City Court and not provided with a probable cause determination made by a qualified judge or clerk of court, based on sworn testimony, within 48 hours of your arrest or for which there was no other legally valid basis for detention, such as an unrelated valid arrest warrant. If you were detained by the Jackson City Court for more than 48 hours during the relevant time period and there was no probable cause determination made by a qualified judge after receiving sworn testimony or there was no other legally valid basis for detention, then you are a qualified member of the class and entitled to make a claim. You will need to provide an affirmation on the Claim Form confirming that your detention during this period of time without the required probable cause determination.

VII. HOW DO I KNOW IF I WAS ILLEGALLY DETAINED BY THE JACKSON CITY?

You must have been arrested and charged with a crime in Jackson City Court and held in jail for more than 48 hours during the period of time between January 18, 2016 and January 18, 2019. There must have been no other outstanding arrests warrants issued for you or any other legitimate holds placed on you by any court at the time you were detained. You must have actually been held in the jail for 48 hours or more and not had a preliminary hearing conducted by the court within the 48 hours after your arrest. Everyone who meets these qualifications is eligible under this settlement agreement.

VIII. WHAT IF I WAS ARRESTED AND DETAINED ON CHARGES IN JACKSON CITY COURT BUT I CAN'T REMEMBER HOW LONG I WAS HELD, IF I HAD A PROBABLE CAUSE HEARING WITHIN 48 HOURS OF MY ARREST OR IF MY ARREST AND DETENTION WAS WITHIN DATES COVERED BY THE SETTLEMENT?

If you believe you may fit the criteria to be a class member, but aren't sure, please contact the Settlement Administrator at the toll-free number, website or Facebook page provided in this Notice and we will check the court records to determine if you qualify as a class member. You may be asked to provide information necessary for the Administrator to make the determination.

IX. I PLED GUILTY TO A CRIME. HOW DOES THIS AFFECT MY RIGHT TO PARTICIPATE IN THE SETTLEMENT?

If you otherwise qualify for the settlement upon the criteria set out in this Notice, you can participate in the settlement regardless of how you resolved your criminal

charges, including if you pled guilty to those charges. If, at the time you were arrested and detained, you had an active valid arrest warrant, capias, or other valid hold on you from any court, you are not a class member.

X. WHAT IF I WAS ARRESTED IN JACKSON, CHARGED, AND DETAINED BY JACKSON CITY COURT ON MORE THAN ONE OCCASION? CAN I GET COMPENSATED FOR EACH PERIOD OF DETENTION?

Yes. Individuals who were arrested, charged and detained by Jackson City Court on more than one occasion during the class period can be members of the class and can recover money. They can recover payment for each time they were illegally detained during the class period, as long as, each period of detention meets the qualifications for class participation. However, the maximum recovery for any individual is 21 days.

XI. I AM STILL NOT SURE IF I AM INCLUDED.

If you are still not sure if you are included, you can ask for help. You can call **1- 866-742-4955** and the Settlement Administrator can help answer your questions. For more information, you can also visit the website, www.rg2claims.com/jackson.html, or you can just fill out the Claim Form and return it to the Settlement Administrator to see if you qualify.

THE SETTLEMENT BENEFITS - WHAT YOU GET

XII. WHAT DOES THE SETTLEMENT PROVIDE?

Defendants have agreed to pay a total of \$1,050,000 to resolve this litigation. That money will be used to: 1) compensate Settlement Class Members who have been illegally detained; 2) pay for notifying Settlement Class Members and administering the Settlement; 3) pay service awards to the qualifying named Plaintiffs, and 4) pay attorneys' fees and expenses. A complete description of the Settlement is provided in the Settlement Agreement. You can get a copy of the Settlement Agreement by visiting www.rg2claims.com/jackson.html, or by calling **1-866-742-4955**.

XIII. WHAT CAN I GET FROM THE SETTLEMENT?

The settlement provides that qualified class members who make claims will receive \$100 for each day (24 hours) after the first 48 hours of incarceration, up to a maximum of 21 days. The amount of the daily rate could be less if the total owed on the qualified claims exceeds the amount of "the net settlement fund" (defined as \$1,050,000 less the court approved attorney's fees and expenses for class counsel, named plaintiff incentive fees and the costs of administration of the class) in which case, the daily rate will be reduced by the same percentage that the total of the qualified claims exceeds the net settlement fund. Class Counsel anticipates, based on claims rates from other settlements, that all individuals who make a claim on the settlement will receive between \$100.00 and \$2,100 as a settlement

payment. These amounts are dependent on how many claims are received by the Settlement Administrator during the claims period and are subject to change based the number of claims received. No amount is guaranteed.

HOW YOU GET A PAYMENT - SUBMITTING A CLAIM FORM

XIV. HOW CAN I GET A PAYMENT?

To qualify for a payment, you **MUST** send in a Claim Form. The claim form is attached to this Notice. You can also get a claim form on the internet at www.rg2claims.com/jackson.html. Read the instructions carefully, fill out the form, sign it, and mail it postmarked no later than May 20, 2021.

You may be asked for additional documents and will be contacted in writing. You may want to send in your claim form by Certified Mail, Return Receipt Requested, to ensure that it is received by the Settlement Administrator.

XV. WHEN WOULD I GET MY PAYMENT?

The court will hold a hearing on **July 21, 2021** to decide whether to approve the settlement. If Judge Breen approves the settlement, there may be appeals. It is always uncertain whether those appeals can be resolved, and resolving them can take time, perhaps more than a year. Everyone who sends in a claim form will be informed of the progress of the settlement. Please be patient.

XVI. WHAT AM I GIVING UP TO GET A PAYMENT OR STAY IN THE CLASS?

Unless you exclude yourself, you are staying in the Class, and that means you can't sue, continue to sue, or be part of any other lawsuit against the City of Jackson, its employees, or its elected officials about the legal issues in *this* case. It also means that all the Court's orders will apply to you and legally bind you. If you sign the claim form, you will agree to release all claims that you have relating to having been illegally detained.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this settlement, but you want to keep the right to sue or continue to sue the City of Jackson on your own about the legal issues in this case, then you must take steps to preserve these rights. This is called excluding yourself - or is sometimes referred to as "opting out" of the Settlement Class.

XVII. HOW DO I GET OUT OF THE SETTLEMENT?

To exclude yourself from the settlement, you must send a letter by mail saying that you want to be excluded from *Cox v. City of Jackson*. Be sure to include your name, address, telephone number and your signature. Your request for exclusion must comply with the requirements set forth in the settlement agreement. You must mail your exclusion request postmarked no later than **April 20, 2021** to City of Jackson Illegal Detention Settlement, RG/2 Claims Administration LLC, P.O. Box 59479, Philadelphia, PA 19102-9479.

You can't exclude yourself on the phone or by email. If you ask to be excluded, you will not get any settlement payment, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) the City of Jackson in the future.

XVIII. IF I DO NOT EXCLUDE MYSELF, CAN I SUE THE CITY OF JACKSON FOR THE SAME THING LATER?

No. Unless you exclude yourself, you give up the right to sue the City of Jackson for the claims that this settlement involves. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. You must exclude yourself from *this* class action to continue your own lawsuit. Remember, the exclusion deadline is **April 20, 2021**.

XIX. IF I EXCLUDE MYSELF, CAN I GET MONEY FROM THE SETTLEMENT?

No. If you exclude yourself, do not send in a claim form to ask for money. But, you may sue, continue to sue, or be part of a different lawsuit against the City of Jackson.

THE LAWYERS AND INDIVIDUALS REPRESENTING YOU

XX. DO I HAVE A LAWYER IN THIS CASE?

The Court approved Michael L. Weinman, of Weinman and Associates in Jackson, Tennessee, J. Russ Bryant, Robert E. Morelli, III and Robert Emmett Turner, IV of Jackson, Shields, Yeiser, Holt, Owen and Bryant of Memphis, Tennessee, and J. Colin Morris of Jackson, Tennessee to represent you and other Class Members. Together, the lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

XXI. HOW WILL THE LAWYERS AND THE CLASS REPRESENTATIVES BE PAID?

Class Counsel will ask the Court for attorneys' fees and expenses as a percentage of the \$1,050,000 settlement, and payments of \$2,500 for Class Representatives Rufus Irving and Keith Fason. The Settlement Agreement provides that one-third of the gross settlement fund will be paid to class counsel as an award of attorneys' fees, together with an award for the reimbursement of expenses. These amounts will be deducted from the

Settlement Fund before payments are made to Class Members. The costs of administering the settlement will also be deducted from the Settlement Fund.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the settlement or some part of it.

XXII. HOW DO I TELL THE COURT THAT I DO NOT LIKE THE SETTLEMENT?

If you are a Class Member, you can object to the settlement if you don't like any part of it. You can give objections why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to *Cox v. City of Jackson*. Be sure to include your name, address, telephone number, your signature, and the factual and/or legal reasons why you object to this settlement, including any documents you wish the Court to consider in support of your objection. Mail the objection to these three different places postmarked no later than **April 20, 2021**.

COURT

Clerk of the Court
U.S. District Court for the Western
District of Tennessee, Room 262, 111 South
Highland, Jackson, TN 38301

CLASS COUNSEL

Robert E. Morelli
Jackson, Shields,
Yeiser, Holt,
Owen and Bryant
262 German Oaks, Pkwy
Memphis, TN 38018

DEFENSE COUNSEL

John D. Burleson
Rainey, Kizer, Reviere and
Bell, P.L.C. 209 East Main
Street Jackson, TN 38301

XXIII. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND EXCLUDING MYSELF?

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

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. You may attend and you may ask to speak, but you do not have to do so.

XXIV. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

On **July 21, 2021 at 1:30 p.m.** the United States District Court for the Western District of Tennessee will hold a fairness hearing in the U.S. Courthouse, 111 S. Highland, Jackson, TN 38301 **Courtroom 1**, to determine whether the Class was properly certified and whether the proposed Settlement is fair, adequate, and reasonable. The Court will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel. This hearing may be continued or rescheduled by the Court without further notice. We do not know how long it will take the Court to give its decision.

XXV. DO I HAVE TO COME TO THE HEARING?

No. Class Counsel will answer questions Judge Breen may have. But you are welcome to come at your own expense. If you send an objection, you do not 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 is not required.

XXVI. MAY I SPEAK AT THE HEARING?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *Cox v. City of Jackson*." Be sure to include your name, address, telephone number and your signature. Your Notice of Intention to Appear must be postmarked no later than **April 20, 2021** and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel, at the three addresses in question XXIII. You cannot speak at this hearing if you excluded yourself.

IF YOU DO NOTHING

XXVIII. WHAT HAPPENS IF I DO NOTHING AT ALL?

If you do nothing, you will get no money from the settlement. But, unless you exclude yourself, if you meet all of the qualifications to be a class member, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the City of Jackson about the legal issues in this case, ever again. Unless you exclude yourself, you need to file a claim to receive a monetary payment under the settlement.

GETTING MORE INFORMATION

XXIX. ARE THERE MORE DETAILS ABOUT THE SETTLEMENT?

This Notice summarizes the proposed settlement. More details are in a Settlement Agreement. You can get a copy of the Settlement Agreement by writing to the Settlement Administrator at City of Jackson Illegal Detention Settlement Administrator, P.O. Box 59479, Philadelphia, PA 19102-9479 or by visiting www.rg2claims.com/jackson.html.

XXX. HOW DO I GET MORE INFORMATION?

You can call 1-866-742-4955, write to the Settlement Administrator at City of Jackson Illegal Detention Settlement Administrator, P.O. Box 59479, Philadelphia, PA 19102-9479, or visit the website at www.rg2claims.com/jackson.html, where you will find answers to common questions about the settlement, a claim form, plus other information to help you determine whether you are a Class Member and whether you are eligible for payment.