

If You Were Physically Disabled While Housed at the Western Region Detention Facility, a Settlement Has Been Reached that May Affect Your Rights

Para ver este aviso en español, visita www.GEOSettlementSanDiego.com

*The San Diego Superior Court authorized this notice.
This is not a solicitation from an attorney.*

- A settlement has been reached in a class action lawsuit against The GEO Group, Inc. (“GEO”) and SDCC Middle Block, LLC (“Middle Block”), regarding alleged violations of disability antidiscrimination laws by failing to provide accessible accommodations to persons with medical conditions or disabilities requiring ambulatory aids.
- The settlement provides payments based in part on each day you had a disability that affected your mobility while housed at the Western Region Detention Facility and had a problem because of an architectural barrier at this facility.

Please read this Notice carefully.

Your legal rights are affected, whether you act or not.

If Your Mailing Address or Contact Information Has Recently Changed, It Is Important to Update It with The Settlement Administrator by Visiting www.GEOSettlementSanDiego.com, Calling (855) 678-0651 or Emailing info@GEOSettlementSanDiego.com

A. BASIC INFORMATION

1. What is this Notice about?

A court authorized this notice to inform you about a proposed settlement of a class action lawsuit and about all your options and associated deadlines. The name of the lawsuit is *Stout, et al. v. The GEO Group, Inc., et al.*, San Diego Superior Court Case No. 37-2019-00000650-CU-CR-CTL.

This notice explains the lawsuit, the settlement, and your legal rights. You are NOT being sued. The court still must decide whether to approve the settlement. If the settlement is approved, money will be available.

YOUR LEGAL RIGHTS AND OPTIONS		
SUBMIT A CLAIM FORM TO RECEIVE A SETTLEMENT AWARD	To receive a settlement award, you must submit a Claim Form no later than August 24, 2023 . If your Claim is accepted, you give up your right to sue defendants separately concerning the same legal claims as this lawsuit and you will be bound by the result in this lawsuit.	August 24, 2023
OBJECT	Write to the court about why you do not like the proposed settlement.	August 30, 2023
EXCLUDE YOURSELF	Ask to opt out of the settlement. If you opt out, you are not entitled to any settlement benefits, but you keep your right to sue GEO and SDCC Middle Block, LLC in your own personal lawsuit. If you do not opt out of the settlement, you will be bound by the result in this lawsuit. If you opt out of the settlement you cannot object to the settlement.	August 30, 2023

2. What is the lawsuit about?

The lawsuit contends that GEO and Middle Block violated disability antidiscrimination laws by failing to provide accessible accommodations to persons with medical conditions or disabilities requiring ambulatory aids. GEO and Middle Block deny that they have violated any law or engaged in any wrongdoing. The parties agreed to resolve the case before these issues were decided by the court.

The detention facility is the Western Regional Detention Facility located in downtown San Diego. The defendants in the lawsuit are GEO and Middle Block (the “Defendants”). The case is *Stout, et al. v. The GEO Group, Inc.*, No. 37-2019-00000650-CU-CR-CTL.

To view the class action complaint, go to www.bholaw.com/geo/.

To view defendants’ answers to the complaint, go to www.bholaw.com/geo/.

3. Who is included in the Class?

On July 24, 2020, the Court issued an order certifying this case as a class action. Class certification means that the claims will be resolved for all class members at once, except for those persons who ask to be excluded from the class.

The class includes “All disabled persons and persons with medical conditions that require the use of ambulatory aids and who were housed at the Western Region Detention Facility” on or after January 4, 2017. An ambulatory aid includes any device needed to assist mobility, such as a wheelchair, cane, walker, crutches or walking boot.

If you received a summary of this notice by mail, it is because records indicate you may be a class member. If you believe you are a class member but did not receive a mailed notice, please contact (855) 678-0651 or (619) 338-1100 as soon as possible to request more information and learn how to submit a Claim.

The Court designated Scott Stout and Derrick Felton as the Class Representatives and appointed the law firm of Blood Hurst & O’Reardon, LLP as Class Counsel.

To view the order granting class certification, go to www.bholaw.com/geo/.

4. Why is this a class action?

In a class action, a person or entity called the “class representative” sues on behalf of others who have similar claims. If the class settlement is approved by the court, the settlement resolves the case for all class members, except for those who exclude themselves from the Class.

5. Why is there a settlement?

The Class Representatives and Defendants agreed to a settlement to avoid the cost and risk of further litigation and so that the class members may receive payments more quickly. The Class Representatives and Class Counsel believe that the settlement is in the best interests of all class members.

B. THE SETTLEMENT BENEFITS—WHAT YOU GET AND HOW TO GET IT

6. What does the settlement provide?

If you are a class member, the settlement provides you with a proportionate share of the settlement money, which is \$8 million, gross, based on (i) the total number of days you had a Mobility Disability while housed at the Facility and encountered one or more architectural barriers that caused you difficulty, discomfort, and/or embarrassment, (ii) divided by the total number of days all Class Members had a Mobility Disability while housed at the Facility and encountered architectural barriers that caused them difficulty, discomfort, and/or embarrassment, (iii) multiplied by the Net Settlement Fund.

Claims will be graded based on certain categories, including the nature and likely severity of the physical disability as it relates to encounters with the alleged architectural barriers, as well as the likelihood of experiencing difficulty, discomfort or embarrassment as a result.

Class Members will need to sign and return a Claim Form in order to receive their payment, if they are eligible. Documents supporting your Claim must be provided if the documents are reasonably available to you.

The Claim Form can be found at the end of this Notice and on the Settlement Website at www.GEOSettlementSanDiego.com. The Claim Form must be signed and postmarked or returned by [date] to the following address:

Stout v. The GEO Group
c/o JND Legal Administration
P.O. Box 91420
Seattle, Washington 98111

It is important to keep the Settlement Administrator informed of your current mailing address and contact information. Please visit the Settlement Website at www.GEOSettlementSanDiego.com, call (855) 678-0651 or email info@GEOSettlementSanDiego.com to provide updates.

“Identified Class Members” do not need to submit a Claim Form, and will be informed of this separately. Their payment will be automatically provided.

The Defendants have also agreed to fix the alleged architectural barriers at the Facility that Plaintiffs’ expert identified.

7. What am I giving up in exchange for the settlement benefits?

If the settlement becomes final, class members who do not exclude themselves from the class will release Defendants from liability and will not be able to sue the Defendants about the issues in the lawsuit. Section 3 of the Settlement Agreement describes the released claims in necessary legal terminology, so read it carefully. The Settlement Agreement is available at www.GEOSettlementSanDiego.com. You can talk to one of the lawyers listed in Question 13 below for free or you can, of course, talk to your own lawyer at your own expense if you have questions about the released claims.

C. EXCLUDING YOURSELF FROM THE SETTLEMENT

If you want to keep the right to sue or continue to sue Defendants over the legal issues in the lawsuit, then you must take steps to exclude yourself from this settlement. This is also known as “opting out” of the Class.

8. If I exclude myself, can I get anything from this settlement?

If you exclude yourself, you do not get settlement benefits, but the settlement will not prevent you from suing, continuing to sue or remaining or becoming part of a different lawsuit against Defendants in the future about the issues in the lawsuit. If you exclude yourself, you will not be bound by anything that happens in this lawsuit.

9. If I do not exclude myself, can I sue later?

Unless you exclude yourself, you give up the right to sue Defendants for the claims resolved by this settlement. If the settlement is finally approved, you will be permanently barred from initiating or continuing any lawsuit or other proceeding against Defendants about the issues in the lawsuit.

10. How do I exclude myself from the settlement?

To exclude yourself from the settlement, you must mail a written, signed request for exclusion postmarked or received no later than **August 30, 2023**. Please include the case name in the exclusion request: *Stout, et al. v. The GEO Group, Inc., et al.*

Mail the request for exclusion to:

Stout v. The GEO Group
c/o JND Legal Administration
P.O. Box 91420
Seattle, Washington 98111

The letter needs to include a statement indicating your intent to opt out such as: “I request exclusion from the class in Stout v. GEO.” The letter must be signed by you and: (i) provide your full name; and (ii) your contact information.

You have the right to seek independent legal advice on whether to stay in or opt-out of the class.

D. OBJECTING TO THE SETTLEMENT

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

11. How do I tell the court if I do not like the settlement?

If you are a Class Member, and you do not exclude yourself from the Class, you can object to the settlement if you do not like some part of it or all of it.

To object, you must send a written objection signed by you.

The objection must include: (a) the name of the lawsuit *Stout, et al. v. The GEO Group, Inc.*, San Diego Superior Court Case No. 37-2019-00000650-CU-CR-CTL.; (b) the objector’s full name, telephone number, and address; (c) if represented by counsel, the full name, telephone number, and address of all such counsel; (d) all of the reasons for his or her objection; (e) whether the objector intends to appear at the Final Approval Hearing on his or her own behalf or through counsel; and (f) the objector’s dated, handwritten signature (an electronic signature or attorney’s signature is not sufficient).

Objections must be mailed to three places:

Clerk of Court

Superior Court of the State of California, County of San Diego

330 West Broadway

San Diego, CA 92101

Timothy G. Blood
Blood Hurst & O'Reardon, LLP
501 West Broadway, Suite 1490
San Diego, CA 92101

Valentine S. Hoy
Allen Matkins Leck Gamble Mallory & Natsis LLP
One America Plaza
600 West Broadway, 27th Floor
San Diego, California 92101-0903

Objections must be filed with the court and received by the attorneys no later than **August 30, 2023**.

12. What is the difference between objecting and excluding myself?

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

If you are a class member and you do nothing, you will remain a class member and all the court's orders will apply to you, you will be eligible for settlement benefits, and in exchange for the benefits you will release Defendants from further liability regarding the issues in the lawsuit.

E. THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

The court has appointed lawyers to represent the Class Members. These lawyers are called "Class Counsel": Timothy G. Blood and Leslie E. Hurst of Blood Hurst and O'Reardon, LLP are Class Counsel. If you want to be represented by another lawyer, you may hire one at your own expense. Class Counsel's information is as follows:

Timothy G. Blood

Leslie E. Hurst

Blood Hurst & O'Reardon, LLP

501 West Broadway, Suite 1490

San Diego, CA 92101

Tel: (619) 338-1100

Web: www.bholaw.com

14. How will Class Counsel be paid?

Class Counsel will ask the court for an award of attorneys' fees of \$2,640,000 (which is 33% of the Settlement Fund obtained for the Class) and reimbursement of litigation expenses in the amount of \$275,000, for a total of \$2,915,000.

Class Counsel will also ask the court to award each of the two Class Representatives a service award in the amount of \$10,000 for the time and effort they spent representing Class Members. Defendants will not oppose the request for service awards in this amount.

The court must approve the request for attorneys' fees and expenses and the request for the service awards. The amounts awarded will be paid out of the Settlement Fund.

F. THE FAIRNESS HEARING

The court will hold a hearing to decide whether to grant final approval to the settlement. If you have filed an objection on time and attend the hearing, you may ask to speak (provided you have previously filed a timely notice of intention to appear), but you do not have to attend or speak.

15. When and where will the court decide whether to grant final approval of the settlement?

The court will hold a Fairness Hearing at **9:30 a.m.** on **September 29, 2023**, in Department C-66 of the Superior Court for the State of California, County of San Diego, located at 330 West Broadway, San Diego, California. At this hearing, the court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the court will consider them. After the hearing, the court will decide whether to grant final approval of the settlement, and, if so, how much to pay the lawyers representing class members. We do not know how long these decisions will take.

16. Do I have to come to the hearing?

No. Class Counsel will answer any questions the court 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

– but you can if you provide advance notice of your intention to appear (*see* Question 17). As long as you filed and served a written objection with all of the required information on time, the court will consider it. You may also pay another lawyer to attend, but it is not required.

17. May I speak at the hearing?

You or your attorney may ask the court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your “Notice of Intention to Appear in *Stout et al. v. The GEO Group, Inc. et al.*, No. 37-2019-00000650-CU-CR-CTL” to the Clerk of Court so that it is received by the court no later than **August 30, 2023**. You must include the name, address, and telephone number, and signature of the Class Member, and, if represented by an attorney, the full name, telephone number, and address of all such counsel. You must also send a copy of your Notice of Intention to Appear to Class Counsel and Defendants’ Counsel at:

Class Counsel

Timothy G. Blood

Blood Hurst & O’Reardon, LLP

501 West Broad, Suite 1490

San Diego, CA 92101

Defendants’ Counsel

Valentine S. Hoy

Allen Matkins Leck Gamble Mallory & Natsis LLP

One America Plaza

600 West Broadway, 27th Floor

San Diego, California 92101-0903

G. GETTING MORE INFORMATION

18. How do I get more information?

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement and other information about the settlement at

www.GEOSettlementSanDiego.com. You can also look at the documents filed in the lawsuit at the court at the address provided above in response to Question 11.

19. When will the settlement be final?

The settlement will not be final unless and until the court grants final approval of the settlement at or after the Fairness Hearing and after any appeals are resolved in favor of the settlement. Please be patient and check the website identified in this notice for updates.