

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

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

**IF YOU (1) WERE DETAINED IN THE CITY OF ST. ANN, MISSOURI JAIL  
BETWEEN AUGUST 9, 2011 AND NOVEMBER 14, 2022; OR (2) WERE ARRESTED  
OR INCARCERATED IN THE CITY OF ST. ANN FOR NONPAYMENT OF A  
MONETARY SUM ARISING OUT OF A MUNICIPAL ORDINANCE VIOLATION  
BETWEEN AUGUST 9, 2011 AND NOVEMBER 14, 2022  
YOU MAY BE ELIGIBLE TO RECEIVE A PAYMENT FROM A CLASS ACTION  
SETTLEMENT.**

*A Federal Court authorized this Notice.  
This is not a solicitation from a lawyer.*

**PLEASE READ THIS NOTICE AND THE ENCLOSED CLAIM FORM CAREFULLY.**

- You may be a Class Member in either or both of two proposed Settlement Classes. The first is all persons who were detained in the St. Ann jail between August 9, 2011, and November 14, 2022; and the second is persons who were held in jail by or on behalf of the City of St. Ann, Missouri (“St. Ann”) for nonpayment of a monetary sum arising out of a municipal ordinance violation between August 9, 2011, and November 14, 2022. The United States District Court for the Eastern District of Missouri (the “Court”) has ordered the issuance of this Notice in the lawsuits entitled Thomas et al v. City of St. Ann, Missouri, 4:16-cv-1302 and Walker et al v. City of St. Ann, Missouri, 4:18-cv-1699. The Defendant denies any wrongdoing or liability of any kind in these lawsuits. The Court has not ruled on the merits of Plaintiffs’ claims.
- You may be eligible to obtain a payment based upon the number of days you spent incarcerated in the St. Ann jail AND a payment based on the number of days you spent incarcerated in the St. Ann jail for nonpayment of a monetary sum arising out of a municipal ordinance violation. You must qualify and submit a valid Claim Form in order to obtain a payment.
- **YOU WON’T RECEIVE COMPENSATION UNLESS YOU FILE A CLAIM WITHIN 120 DAYS OF THE DATE OF THIS NOTICE, FEBRUARY 28, 2024. To file a claim, visit the Settlement Website ([www.StAnnClassAction.com](http://www.StAnnClassAction.com)) to fill out the electronic Claim Form or call this number: 1-800-372-8104. It is a very quick process to file a claim.**

QUESTIONS? CALL 1-800-372-8104 TOLL-FREE, OR VISIT [WWW.STANNCLASSACTION.COM](http://WWW.STANNCLASSACTION.COM)

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	This is the only way to get a cash payment. Postmark or submit your Claim Form by February 28, 2024.
<b>EXCLUDE YOURSELF</b>	Get no Settlement benefits. Remove yourself from both the Settlement and the lawsuit. Postmark your exclusion request by December 18, 2023.
<b>OBJECT</b>	Write to the Court about why you don't like the Settlement. File and serve your objection by February 14, 2024.
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the Settlement.
<b>DO NOTHING</b>	Get no cash payment. Give up your rights.

- These rights and options – *and the deadlines to exercise them* – are explained in this Notice.
- The Court in charge of this litigation still must decide whether to approve the Settlement of this case. Distribution of Settlement benefits will be made **only** if the Court approves the Settlement and after any appeals are resolved.

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## **BASIC INFORMATION**

### **1. What are these Lawsuits about?**

Plaintiffs filed two Class Action lawsuits (“Litigation”) against the Defendant The City of St. Ann, Missouri (“Defendant”) alleging that Defendant violated Plaintiffs’ constitutional rights by arresting and incarcerating them and others similarly situated at the City of St. Ann Jail in unconstitutional conditions; and in arresting and incarcerating them because they could not afford to pay money owed from traffic and other minor offenses. Defendant has denied and continues to deny Plaintiffs’ claims, and Defendant denies any wrongdoing or liability of any kind to Plaintiffs or to any member of the classes.

### **2. Who is included in the Settlement Classes?**

There are two Settlement Classes. The first (“Class 1”) is all persons who were detained in the St. Ann jail between August 9, 2011 and November 14, 2022; and the second (“Class 2”) is persons who were detained in jail by or on behalf of the City of St. Ann, Missouri for nonpayment of a monetary sum arising out of a municipal ordinance violation between August 9, 2011 and November 14, 2022 (excluding those persons held only on behalf of the City of Normandy and/or the City of Edmundson for municipal ordinance violations, which claims were resolved in a separate lawsuit).

## **THE SETTLEMENT BENEFITS – WHAT YOU MAY GET**

### **3. Cash from the claims process.**

If you are a member of Class 1, you may obtain a cash payment in an amount calculated based upon the number of hours you were held in the St. Ann jail during the Class Period of August 9, 2011 and November 14, 2022. If you are a member of Class 2, you may obtain a cash payment in an amount calculated based upon the number of hours you were held in jail by or on behalf of the City of St. Ann based on non-payment of a monetary sum arising out of a municipal ordinance violation during the Class Period of August 9, 2011 and November 14, 2022, excluding hours in which you were jailed on behalf of the City of Normandy or the City of Edmundson for municipal ordinance violations. You can be a member of both classes and receive compensation for each.

You will be compensated on a pro rata basis for each hour incarcerated—subject to a 720-hour cap for Class 1--based on how many members of the Class submit a valid Claim Form.

## **HOW YOU GET A CASH PAYMENT—SUBMITTING A CLAIM FORM**

### **4. How can I get a payment?**

You must return a Claim Form to get a cash payment. A copy of the Claim Form is included in this Notice Package. You can fill out and mail this form to the return address. You must do this by February 28, 2024. Alternatively, you can visit the Settlement Website at [www.StAnnClassAction.com](http://www.StAnnClassAction.com) and fill out and submit the electric Claim Form by February 28, 2024. You can request a copy of the Claim Form by calling 1-800-372-8104 or sending an email to [StAnnClassAction@atticusadmin.com](mailto:StAnnClassAction@atticusadmin.com). You can also submit the Claim Form to this email address.

### **5. How do I submit a claim?**

The Claim Forms are simple and easy to complete. The Claim Form requires that you provide:

1. Your name;
2. Your current mailing address and telephone number;

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3. Your agreement to a statement that you were detained in the St. Ann jail between August 9, 2011 and November 14, 2022;

AND/OR

Your agreement to a statement that you were detained in jail by or on behalf of the City of St. Ann between August 9, 2011 and November 14, 2022 for nonpayment of a monetary sum arising out of a municipal ordinance violation; and

4. Your signature certifying under penalty of perjury that all of the information in your Claim Form is true and correct.

***Please return a Claim Form if you think that you have a claim. Returning a Claim Form is the only way to receive a cash payment from this Settlement. No claimant may submit more than one Claim Form.***

The Settlement Administrator may request additional information if the Claim Form is insufficient to process your claim. Failure to provide any requested documentation may result in the denial of your claim and may limit the type of remedy you receive.

#### **6. When is the Claim Form due?**

You must mail your Claim Form so that it is postmarked no later than February 28, 2024, or submit it electronically or email it by that same date.

#### **7. Who decides my claim?**

The Claim Forms will be reviewed by an independent Settlement Administrator according to criteria agreed to by the parties.

The Settlement Administrator may contact you if it needs additional information or otherwise wants to verify information in your Claim Form.

#### **8. When would I get my payment?**

The Court will hold a Final Fairness Hearing at 1:00 p.m. on March 6, 2024 in St. Louis, Missouri to decide whether to approve the Settlement. If the Court approves the Settlement, after that there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. If there are no appeals or other delays, you should be sent your cash payment in approximately 80 days after the Claim Form submission deadline.

#### **9. What happens if I do nothing at all?**

You must timely return a valid Claim Form to receive a cash payment from this Settlement. If you do nothing, you will get no money from the Settlement. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant about the legal issues in this case. You also will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the City of St. Ann, Missouri, or St. Louis County, Missouri, for incarceration on behalf of St. Ann in connection with the legal issues in this case.

### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

#### **10. How do I get out of the Settlement?**

If you do not wish to be included in the Classes and receive Settlement benefits, you must send a letter stating that you want to be excluded from this Litigation. Be sure to include your name,

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address, and telephone number and a clear statement indicating you choose to be excluded from the Settlement and do not wish to be a Settlement Class Member and choose to be excluded from any judgment entered pursuant to the Settlement.

You must mail your exclusion request post-marked no later than December 18, 2023 to:

ST. ANN CLASS ACTION  
c/o Atticus Administration  
PO Box 64053  
St. Paul, MN 55164

If you asked 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 Litigation. You may be able to sue (or continue to sue) Defendant in the future.

If you have a pending lawsuit against Defendant, speak to your lawyer immediately. You may need to exclude yourself from this Litigation in order to continue your own lawsuit. Remember, the exclusion deadline is December 18, 2023.

### **THE LAWYERS REPRESENTING YOU**

#### **11. Do I have lawyers in this case?**

The Court appointed Blake Strode, Maureen Hanlon, and Jamitra Fulleord of ArchCity Defenders, Inc., 440 North 4th Street, Ste. 390, Saint Louis, MO 63102 and S. Zachary Fayne of Arnold & Porter Kaye Scholer, LLP, 10th Floor, Three Embarcadero Center, San Francisco, CA 94111 to represent you and other Class Members. These lawyers are called Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense, and enter your appearance in the lawsuit through your own lawyer.

#### **12. How will the lawyers be paid?**

Class Counsel will ask the Court to award them attorneys' fees and expenses. Class Counsel will seek attorneys' fees and costs of up to \$861,132.00.

The Class Representatives will also ask the Court to award them an amount not to exceed \$7,500 to be distributed to each of the 10 Class Representatives for being the faces of this Litigation and for the time and energy spent in assisting with the investigation, drafting, and negotiation of this Litigation.

The costs to administer the Settlement such as costs of Settlement administration, mailing of Class Notice and Claim Forms to Class Members, providing adequate notification of Class Notice and Claim Form by way of mail, website, or other media, or other administrative costs will not be deducted from the funds paid to Class Members, but instead shall be paid by the Defendant through personal funds.

### **OBJECTING TO THE SETTLEMENT**

#### **13. How do I tell the Court that I do not like the Settlement?**

If you are a member of either Class, you can object to the Settlement if you do not like any part of it, and the Court will consider your views. To object, you must file an objection with the Court saying that you object to the Settlement in Thomas et al v. City of St. Ann, Missouri, 4:16-cv-1302 and Walker et al v. City of St. Ann, Missouri, 4:18-cv-1699. The written objection must include: (a) your name, address, telephone number; (b) a detailed statement of each objection asserted, including the grounds for objection and reasons for appearing and being heard; and (c) any documents you wish to be considered in support of your objection. This objection must be filed

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with the Court and served on Class Counsel and Defense Counsel no later than February 14, 2024. Send your objection to:

Clerk of the Court United States District Court Eastern District of Missouri Thomas F. Eagleton Courthouse 111 South 10th Street, Ste. 3.300 St. Louis, MO 63102	ArchCity Defenders, Inc. Maureen Hanlon 440 North 4th Street, Ste. 390 Saint Louis, MO 63102	Hellmich, Hill & Retter, LLC Jason S. Retter 1049 North Clay Avenue Kirkwood, Missouri 63122
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#### **14. What is the difference between objecting and excluding?**

Objecting is telling the Court that you do not like something about the Settlement. You can object only if you stay in one or both of the Classes. Excluding yourself is telling the Court that you do not want to be part of the Classes or the Litigation. You cannot request exclusion and object to the Settlement. If you exclude yourself, you have no basis to object because the case no longer affects you.

#### **RELEASE OF CLASS MEMBERS' CLAIMS AND DISMISSAL OF LAWSUIT**

#### **15. In return for these benefits, what am I giving up?**

If the Court approves the proposed Settlement and you do not request to be excluded from the Classes, you must release (give up) all claims related to this Litigation, and the cases will be dismissed on the merits and with prejudice. The Release provides that Class Members will not be able to assert or continue certain claims against the City of St. Ann as described below. This includes any other lawsuit or proceeding already in progress. Specifically, upon the Court's approval of the Settlement, the Class Members who do not exclude themselves will release and forever discharge the City of St. Ann, Missouri, and its past, present, and future appointed and elected officials, employees, agents, representatives, municipal court judges, municipal court administrators, municipal jail administrators, and insurers from any and all liabilities, rights, claims, actions, causes of action, demands, damages, costs, attorneys' fees, losses and remedies, whether known or unknown, existing or potential, suspected or unsuspected, liquidated or unliquidated, legal, statutory, or equitable, based on contract, tort or any other theory that were or could have been asserted or sought between August 9, 2011 and November 14, 2022 as described in the Complaints filed in Thomas et al v. City of St. Ann, Missouri, 4:16-cv-1302 and Walker et al v. City of St. Ann, Missouri, 4:18-cv-1699.

#### **THE FINAL APPROVAL HEARING**

#### **16. When and where will the Court decide whether to approve the Settlement?**

The Judge will hold a Final Approval Hearing at 1:00 p.m. on March 6, 2024 at the United States District Court for the Eastern District of Missouri, 111 South 10th Street, St. Louis, MO 63102 in Courtroom 16 North. At this hearing, the Judge will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Judge will consider them. The Judge will listen to people who have asked to speak at the hearing. After the hearing, the Judge will decide whether to approve the Settlement. We do not know how long this decision will take.

#### **17. Do I have to come to the hearing?**

No. Class Counsel will answer questions the Judge may have. But you are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it. As long as you deliver your written objection on time, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

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## **18. 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 file with the Court a “Notice of Intention to Appear in Thomas et al v. City of St. Ann, Missouri, 4:16-cv-1302 and Walker et al v. City of St. Ann, Missouri, 4:18-cv-1699.” Be sure to include your name, address, telephone number, your signature and a statement under penalty of perjury that you are a member of one of the Classes (i.e., that you were detained in the City of St. Ann jail between August 9, 2011 and November 14, 2022 (Class 1); and/or were detained in jail by or on behalf of the City of St. Ann on a municipal ordinance violation based on non-payment of a monetary sum between August 9, 2011 and November 14, 2022 (Class 2)). The Notice of Intention to Appear must also include (i) how much time the Class Member and/or her/his attorney anticipates needing to present her or his objection; (ii) the name, address, and telephone number of the Class Member making the objection, and a summary of the testimony supporting the objection; (iii) the name, address, and telephone number of all witnesses the Class Member and/or her/his attorney intends to present testimony from, including a summary of the testimony, and (iv) the identity of all exhibits the Class Member and/or her/his attorney intends to offer in support of the objection(s), and a complete copy of all exhibits. Your Notice of Intention to Appear must be filed no later than February 20, 2024, and be sent to the Clerk of the Court, Class Counsel, and Defense Counsel at the three addresses listed in paragraph 13.

### **GETTING MORE INFORMATION**

## **19. Are there more details about the Settlement?**

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 Settlement Administrator or on the internet at [www.StAnnClassAction.com](http://www.StAnnClassAction.com).

If you have any questions about how to complete a Claim Form, you can call the Settlement Administrator at 1-800-372-8104.

***PLEASE DO NOT CONTACT THE COURT OR ANY REPRESENTATIVE OF DEFENDANT  
CONCERNING THIS NOTICE OR THIS LAWSUIT.***

/s/ Sarah E. Pitlyk  
United States District Judge

DATED: October 31, 2023

BY ORDER OF THE U.S. DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI