

COURT ORDERED LEGAL NOTICE

If you were admitted into the Clinton County Jail between February 28, 2003 and July 1, 2007 and were strip searched, you could get a payment from a class action settlement.

A settlement has been proposed in a class action lawsuit about the strip search policies of the Clinton County Jail ("CCJ"). The settlement will provide \$1,150,000 to pay claims to individuals who were admitted into the CCJ and charged with misdemeanors, violations, traffic violations, violations of probation or parole, or held on civil matters, and were strip searched upon their entry into the Jail.

The United States District Court for the Northern District of New York authorized this notice. The Court will have a hearing to decide whether to approve the settlement, so that the benefits may be paid.

Who's Included?

You are a Class Member and could get benefits if you were admitted into the CCJ from February 28, 2003, through and including July 1, 2007, and you were charged with a misdemeanor, violation, traffic violation, violation of probation or parole, or held on a civil matter, and you were strip searched upon your entry into the Jail.

What's This About?

The lawsuit claimed that Defendant Clinton County and its Corrections Officers had an unlawful practice of strip searching everyone who was admitted into the Jail. Defendants deny they violated the rights of any inmate. The Court did not decide which side was right, but both sides agreed to the settlement to ensure a resolution and to provide benefits to the Class Members.

What Does the Settlement Provide?

Defendants agreed to pay a total of \$1,150,000 to pay claims to Class Members, pay administrative costs of the settlement, pay an incentive award to the named Plaintiffs, and pay attorneys' fees and expenses. Each Class Member who makes a claim will receive an equal share of the main portion of the Settlement Fund allocated to pay claims to Class Members, which, after deducting administrative costs, incentive awards and attorneys' fees. Class Counsel believes there are believed to be 2,770 Class Members. Individuals who were strip searched between February 28, 2003 and October 24, 2003 are eligible to make an additional proportionate claim against a \$70,000 Supplemental Distribution Fund, as is explained in

the detailed Notice. This payment will be in addition to their proportionate share of the main settlement fund. If you were admitted to the CCJ during the time period of July 1, 2006 to July 1, 2007, you may be required to provide additional verification about your search, as is explained in the detailed Notice. You can only make one Claim, even if you were strip searched more than once.

How Do You Ask For A Payment?

A detailed Notice and Claim Form package contains everything you need. Just call or visit the settlement website, www.bmbblaw.com/clintoncountystripsearch.php, to get one. To qualify for a payment, you must send in a Claim Form. **Claim Forms are due by September 8, 2009.**

What Are Your Other Options?

If you don't want the settlement benefits or don't want to be legally bound by the settlement, you must exclude yourself by **August 10, 2009** or you won't be able to sue, or continue to sue, the Defendants about the claims in this case. If you exclude yourself, you can't get any benefits from this settlement. If you stay in the settlement, you may object to it by **August 10, 2009**. The detailed notice, available by calling or visiting the website below, explains how to exclude yourself or object.

The court will hold a hearing in this case (*Mitchell, et. al. v. County of Clinton, et. al.* Case No. 06-CV-0254 (NAM/DRH) on **September 30, 2009 at 10:00 a.m.** in the James T. Foley United States Court House, 445 Broadway, Albany, NY, with United States Magistrate Judge David R. Homer presiding, to consider whether to approve the settlement and a request by the lawyers representing all Class Members (The Law Offices of Elmer Robert Keach, III, PC, Albany, NY, Beranbaum Menken Ben-Asher & Bierman LLP, New York, NY, Cuneo, Gilbert & LaDuca, Washington, DC and The Mason Law Firm, Washington, DC) for attorneys' fees and costs. You may ask to appear at the hearing, but you don't have to. For more information, call toll free 1-800-382-6291, visit the settlement website www.bmbblaw.com/clintoncountystripsearch.php, or write to Clinton County Settlement, c/o The Garden City Group, Inc., PO Box 9360, Dublin OH 43017-4260.

www.bmbblaw.com/clintoncountystripsearch.php 1-800-382-6291

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