

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT  
REGARDING CURB RAMPS AND CURB CUTS IN LOS ANGELES**

**IF YOU ARE A PERSON WITH A DISABILITY AND CANNOT USE A SIDEWALK IN  
THE CITY OF LOS ANGELES BECAUSE A CURB RAMP OR CURB CUT IS  
MISSING OR INACCESSIBLE, A PROPOSED CLASS ACTION  
SETTLEMENT MAY AFFECT YOUR RIGHTS.**

*[Para ver esta notificación en español, visite "www.lacity.org" o mande una carta dirigida a:  
Mike Arias, Esq., Arias Ozzello & Gignac LLP, 6701 Center Drive West,  
14th Floor, Los Angeles, CA 90045]*

**What is this about?**

A settlement has been reached in two class action lawsuits involving curb ramps and curb cuts that provide access to sidewalks and other pedestrian pathways located in the City of Los Angeles. The lawsuits are both pending in the Superior Court of the State of California for the County of Los Angeles. They are known as *Saundra Carter, et al. v. City of Los Angeles*, Case No. BC363305, and *Nicole Fahmie v. City of Los Angeles, et al.*, Case No. BC363305 (formerly Case No. BC381773). The plaintiffs in both actions say that the City has violated disability access laws by failing to install or fix curb cuts or curb ramps that provide access to and from sidewalks and other pedestrian pathways located in the City.

Your legal rights will be affected if the proposed settlement is approved by the Court. This notice is only a summary and provides a general description of the proposed settlement, your right to object to the proposed settlement, and the hearing that is scheduled before the Court to evaluate the fairness of the proposed settlement.

**For complete information, please see the "Notice of Class Action and Proposed Settlement,"** available on the City of Los Angeles' website: ([www.lacity.org](http://www.lacity.org)); or the website of the plaintiffs' counsel Arias Ozzello & Gignac LLP ([www.aogllp.com](http://www.aogllp.com)); or by sending a written request to: Mike Arias, Esq., Arias Ozzello & Gignac LLP, 6701 Center Drive West, 14th Floor, Los Angeles, California 90045.

**Who is a Class Member?**

You are a member of the class if you are an individual with any disability, who at any time:

- accessed or attempted to access a sidewalk, intersection, crosswalk, street or other pedestrian pathway located in the city of Los Angeles but were impaired or unable to do so due to: (a) the lack of a curb ramp or curb cut, or (b) a curb ramp or curb cut that was damaged, deficient, in need of repair, or otherwise in a condition not suitable or acceptable for use, or
- alleges that you would have accessed or attempted to access a sidewalk, intersection, crosswalk, street or other pedestrian pathway located in the city but for allegedly being denied such access due to: (a) the lack of a curb ramp or curb cut, or (b) a curb ramp or curb cut that was damaged, deficient, in need of repair, or otherwise in a condition not suitable or acceptable for use.

If the definition above describes you, you will automatically be considered a member of the class. As a class member, you will be bound by the decisions of the Court.

### **What are the terms and benefits?**

Class members will not receive money. The proposed settlement will require that the City implement a variety of measures to deal with the accessibility of curb ramps and curb cuts in the City. The purpose of this settlement is to require the City to remediate certain curb locations so that they comply with accessibility codes. Members of the class will be entitled to submit requests to remediate curb locations in accordance with the programs to be implemented by the City.

Plaintiffs' counsel (Arias Ozzello & Gignac LLP and the Law Offices of Morse Mehrban) have determined that the settlement is fair and reasonable because it provides valuable benefits to members of the class. Under the proposed settlement, the City will, among other things, implement a process for installation and remediation of certain curb ramps and curb cuts throughout the City, complete a survey to assess the number of curb locations that still require remediation, and establish an advisory committee to render findings and recommendations regarding future appropriations of money for further installation and remediation of curb ramps and curb cuts.

**If the Court grants final approval of the proposed settlement, it will enter a judgment that will be binding on all members of the class, who will be deemed to have agreed to the terms of the settlement and will not be able to opt out of the class or the settlement. Members of the class will not be provided with any monetary award and they will be barred from prosecuting in the future certain claims that they may have against the City concerning the matters at issue in the pending litigation, including claims for Statutory Damages.**

In addition, a judgment entered by the Court will apply to all members of the Settlement Class, including members who may be represented in connection with other pending lawsuits against the City (including, for example, an action entitled *Beverly Overton v. City of Los Angeles*, Case No. CV10 8882 GAF (FMOx), pending in the United States District Court for the Central District of California; an action entitled *Norman Allen v. City of Los Angeles*, Case No. CV 10 0576 PSG (FFMx), pending in the United States District Court for the Central District of California; and a class action lawsuit entitled *Mark Willits, et al. v. City of Los Angeles*, Case No. CV10 5782 CBM (RZx), pending in the United States District Court for the Central District of California (the "Willits Action"). The Willits Action is a class action involving claims that the City has violated federal disability access laws, among other things, due to the condition of sidewalks and curb ramps located in the City. If you would like additional information about the Willits Action, counsel for the plaintiffs in that action are as follows: Disability Rights Legal Center, Shawna L. Parks or Surisa Rivers, 919 Albany Street, Los Angeles, CA 90015, 866-999-3752, Email [drlc@lls.edu](mailto:drlc@lls.edu).)

Complete information about the benefits and terms of the settlement is available in the Notice of Class Action and Proposed Settlement, referenced above.

### **What are my options?**

If the class definition above describes you, you are automatically a member of the class. If the Court grants final approval of the proposed settlement, it will enter a judgment that will be binding on all

members of the class. If you do not agree with the settlement, you may object to the settlement. To submit an objection, you must do so in writing, by September 7, 2011, as instructed in the Notice of Class Action and Proposed Settlement.

The Court has approved the law firm of Arias Ozzello & Gignac LLP and The Law Offices of Morse Mehrban (“Class Counsel”) to represent the class. The Court is scheduled to hold a Fairness Hearing at 10:00 a.m. on October 20, 2011, at the Los Angeles Superior Court, 600 South Commonwealth Avenue, Los Angeles, California 90005, in Department 324, to determine if the settlement is fair and reasonable. You may ask to appear at the hearing in person, or through your own attorney at your own expense.

No agreement has been reached yet by the City and Class Counsel regarding the attorneys’ fees that may be paid to Class Counsel. It is possible that a motion for an award of attorneys’ fees will be heard during the Fairness Hearing. In any event, the award of attorneys’ fees will not affect the benefits to be received by the class under the proposed settlement.

**For more information or for a copy of the Notice of Class Action and Proposed Settlement**, visit [www.lacity.org](http://www.lacity.org) or [www.aogllp.com](http://www.aogllp.com), or send a written request to: Mike Arias, Esq., Arias Ozzello & Gignac LLP, 6701 Center Drive West, 14th Floor, Los Angeles, California 90045.

You may also obtain more information about the two class action lawsuits from the case files, which are available from the Clerk of the Court, Superior Court of the State of California for the County of Los Angeles, 600 S. Commonwealth Avenue, Los Angeles, California 90005.

**PLEASE DO NOT CONTACT THE COURT TO ASK QUESTIONS  
ABOUT THE SETTLEMENT DESCRIBED IN THIS NOTICE.**