

**This is a notice of a lawsuit settlement.
You may benefit from this. Please read it carefully.**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

LAWRENCE M. GARNER, on behalf of himself and others similarly situated,)	
)	
Plaintiff,)	Case No. 16-cv-13374
)	Hon. Victoria A. Roberts
v)	Mag. R. Steven Whalen
)	
CITY OF TAYLOR, a Municipal Corporation, JOHN DOE BUILDING INSPECTORS; & JANE DOE BUILDING INSPECTORS,)	
)	CLASS ACTION
Defendant.)	

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT
WITH ATTACHED CLAIM FORM**

TO: Class: All persons and entities who currently own or at one time owned any parcel of real property located within the City of Taylor who or which has been issued civil infractions for failing to obtain a Certificate of Compliance for a Residential Dwelling or Residential Unit, and subsequently paid them, stemming from an inspection under the IPMC and the City Code, at any time since September 16, 2009 and through October 31, 2017.

The Court ordered us to send you this Notice because your name is contained on a list of persons/entities to which civil infraction tickets were issued and you appear to be a member of the Settlement Class defined above.

A. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff, Lawrence M. Garner (“Plaintiff”) filed a class action lawsuit against the City of Taylor (“Defendant”), alleging that Defendant violated certain due process rights related to the administration of its Building and Building Regulations Ordinance. Defendant denied Plaintiff’s allegations and raised defenses to Plaintiff’s claims. In an effort to avoid the time and expense of further litigation, the parties have agreed to settle all claims regarding civil infraction tickets issued for failure to obtain a Certificate of Compliance for a Residential Dwelling or Residential Unit from September 16, 2009 through October 31, 2017. This notice informs you of your rights as a member of the Settlement Class as defined above.

B. WHAT IS THE PROPOSED SETTLEMENT?

Defendant has created a total Settlement Fund of \$31,000.00 (the “Settlement Fund”) to pay valid Class Member claims, class action settlement administration costs, attorney’s fees, costs, and expenses, and an incentive award to Plaintiff. Class Members submitting a valid and timely claim will be reimbursed a *pro rata* share of the Settlement Fund for fines paid after receiving a ticket described in paragraph A above after amounts are deducted from the Settlement Fund for costs, fees, and incentive award. A complete copy of the Settlement Agreement is available online at www.aaroncoxlaw.com.

The Court has preliminarily approved the proposed settlement, and certified the Settlement Class, defined above, subject to a final approval hearing that will occur on July 23, 2018, at 2:00 p.m., in Room 226 in the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226.

C. WHAT ARE YOUR FOUR OPTIONS?

- 1. Submit a Proof of Claim (attached) to receive a check:** You must submit a Claim Form postmarked, or via facsimile within ninety (90) days after this Notice is sent, (on or before May 24, 2018) to be eligible to receive a settlement check.
- 2. Do nothing:** You will be bound by the judgment and, if the Court approves the settlement, you will release your claims. You will not receive a settlement check if you do not submit a Claim Form.

3. Opt out of the settlement: You have the right to exclude yourself from both the class action and the settlement by mailing a written request for exclusion. Your request must be postmarked on or before May 24, 2018, and it must list your name, street address, the name and number of this case, and it must state that you wish to be excluded (for example, "Exclude me from the Taylor Settlement."). Mail your exclusion request to the following attorneys, postmarked by that date, and they will notify the Court of your request:

For Class Counsel:

Mark K. Wasvary
Mark K. Wasvary, P.C.
Attn.: Taylor Settlement
2401 W. Big Beaver Rd., Ste 100
Troy, MI 48084

Defendant's Attorneys:

Jonathan F. Karmo
Howard & Howard Attorneys, PLLC
Attn.: Taylor Settlement
450 W. Fourth St.
Royal Oak, MI 48067

4. Object to the settlement: If you wish to object to the settlement rather than excluding yourself, you must file a written objection with the Civil Clerk's Office, United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226. Your objection must be postmarked by May 24, 2018, and must refer to the name and number of this case (*Lawrence M. Garner v. City of Taylor*, Case No. 16-CV-13374). You must also serve copies of your objection on Class Counsel and Defendant's attorney (at the addresses above), postmarked by the same date. Your objection must include your name, street address, all attorneys who assisted you in the preparation and filing of your objection, a list of all other class action cases in which you or your counsel have filed objections to settlements, and a statement of the reasons why you believe the Court should find that the proposed settlement is not in the best interests of the Settlement Class. It is not sufficient to simply state that you object; you must state the reasons why you believe the settlement should not be approved. Additionally, if you want the Court to consider your objection, then you must also appear at the final approval hearing in Room 226 in the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226, on July 23, 2018, at 2:00 p.m. YOU ARE NOT REQUIRED TO ATTEND THIS HEARING UNLESS YOU OBJECT TO THE SETTLEMENT.

A class member may enter an appearance through an attorney, if the member so desires.

D. WILL THE COURT APPROVE THE SETTLEMENT?

The Court will hold a final fairness hearing to decide whether to approve the settlement on July 23, 2018, at 2:00 p.m., in Room 226 in the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226. At that hearing, the Court will hear any timely and properly-filed objections and arguments about the settlement. You are **not** required to attend this hearing unless you object to the settlement. The hearing may be continued to a future date without further notice.

E. WHO REPRESENTS THE SETTLEMENT CLASS IN THIS LITIGATION?

Plaintiff Lawrence M. Garner is the class representative. Plaintiff's attorneys have been appointed as Class Counsel. They are: Aaron D. Cox of Law Offices of Aaron D. Cox, PLLC and Mark K. Wasvary of Mark K. Wasvary, P.C. These attorneys have litigated this matter on a contingency basis. As part of the settlement, Class Counsel will request that the Court award Plaintiff an incentive award of \$1,500.00 for serving as the class representative and ask the Court to award Class Counsel attorney's fees equal to one-third of the settlement fund for their legal services (\$10,333.33), plus expenses also from the settlement fund. You will not have to pay any money to Class Counsel.

F. INQUIRIES:

If you have specific questions, you can write to Class Counsel at the address listed above. Include the case number, your name, your telephone number, and your current street address on any correspondence. You may also call attorney Aaron D. Cox, one of the lawyers for the Class, at 734-287-3664.

Please do not contact the Clerk of the Court, the Judge, or the Judge's staff, because they cannot answer your questions or give you advice about this settlement.

**BY ORDER OF THE COURT
HONORABLE VICTORIA A. ROBERTS**

PROOF OF CLAIM



13001472

Lawrence M. Garner v City of Taylor, Case No. 16-cv-13374

You Must Complete All **THREE** Steps to Claim a Share of the Settlement Fund:

1. You Must Provide Your Contact Information.

Name: _____

Company: _____

Address: _____

City/State/Zip Code: _____

2. You Must Verify that you Received a Civil Infraction from the City of Taylor:

I hereby verify that I received a civil infraction(s) from the City of Taylor for failure to obtain a Certificate of Compliance stemming from an inspection of a Residential Dwelling or Residential Unit under the City's Ordinance between the dates of September 16, 2009 and October 31, 2017.

The name on the ticket was _____
(Person or Business Entity)

X _____
(Sign your name here)

3. You Must Return this Claim Form by May 24, 2018:

(a) Mail this Claim Form to: *Garner v City of Taylor*
Class-Settlement.com
PO Box 9009
Hicksville, NY 11802-9009

OR

(b) Submit this Claim Form via facsimile to: (888) 856-3154

Garner v City of Taylor
Class-Settlement.com
PO Box 9009
Hicksville, NY 11802-9009



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NAME
COMPANY.
121 SW MESSER RD
COLUMBUS, KS 66725-1684