

**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**

GARNER PROPERTIES & MANAGEMENT, LLC,)	
individually and on behalf of others)	
similarly situated,)	Case No. 15-cv-14100
)	Hon. Mark A. Goldsmith
Plaintiff,)	
)	
v)	
)	
CHARTER TOWNSHIP OF REDFORD,)	CLASS ACTION
JOHN DOE CODE OFFICIALS)	
)	
Defendant.)	

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

TO: Class: All persons and entities who currently own or manage, or at one time owned or managed any parcel of residential real property located within the Charter Township of Redford that registered a rental property pursuant to the Charter Township of Redford's Building and Building Regulations Code, Article XI - Inspection of Rental Dwellings at any time since November 23, 2009 through April 3, 2018.

The Court ordered us to provide this notice by posting and publication.

A. WHAT IS THIS LAWSUIT ABOUT?

Plaintiff, Garner Properties & Management, LLC ("Plaintiff") filed a class action lawsuit against the Township of Redford ("Defendant"), alleging that Defendant violated certain due process rights related to the administration of its Building and Building Regulations Ordinance. This lawsuit is about whether Defendant violated Constitutional Rights due to allegedly conducting warrantless searches of residential rental properties and for violations of due process for allegedly failing to provide a proper notice and a meaningful opportunity to be heard prior to the issuance of infractions and fines either payable at the 17th District Court or Redford's Building Department. 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 registered residential rental properties from November 23, 2009 through April 3, 2018. 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 Settlement Fund (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 after amounts are deducted from the Settlement Fund for costs, fees, and incentive award. The maximum amount any Class Member may receive after making a valid claim is \$62.50. 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 September 6, 2018, at 2:00 p.m., in Room 860 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 sixty (60) days after this Notice is sent, (on or before June 27, 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 June 27, 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 Redford Settlement."). Mail your exclusion request to the following attorneys, postmarked by that date, and they will notify the Court of your request:

Class Counsel:

Mark K. Wasvary

Mark K. Wasvary, P.C.

Attn.: Redford Settlement

2401 W. Big Beaver Rd., Ste 100

Troy, MI 48084

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 June 27, 2018, and must refer to the name and number of this case (*Garner Properties & Management, LLC v. Township of Redford*, Case No. 15-cv-14100). 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 860 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 September 6, 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. COURT APPROVAL PROCESS

The Court will hold a final fairness hearing to decide whether to approve the settlement on September 6, 2018, at 2:00 p.m., in Room 860 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, Garner Properties & Management, LLC 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 \$10,000.00 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 (\$130,000.00), 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, the Judge's staff, or Redford Township officials because they cannot answer your questions or give you advice about this settlement.

**BY ORDER OF THE COURT
HONORABLE MARK A. GOLDSMITH**

PROOF OF CLAIM

Garner Properties & Management, LLC v Township of Redford, Case No. 15-cv-14100

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

1. You Must Provide Your Contact Information.

Name: _____

Company: _____

Mailing Address: _____

City/State/Zip Code: _____

2. You Must Verify That You Have Registered Residential Rental Property in the Township of Redford:

I hereby verify that I have or had registered residential rental property in the Township of Redford between the dates of November 23, 2009 and April 3, 2018.

The name under which the property is registered:

(Person or Business Entity)

(Address of Rental Property)

X _____
(Sign your name here)

3. You Must Return this Claim Form by June 27, 2018:

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

OR

(b) Submit this Claim Form via facsimile to: (888) 507-6812