



1 removed from the total class settlement. Plaintiffs counsel is requesting \$12,000 in costs  
2 and 33% of the settlement total after costs are removed. These amounts are to be approved  
3 by the Court at the Final Approval Hearing.

4 5. The class representatives in the class are Michael Ferguson, Betty Sue Lukins,  
5 and Sandra McGee, and they are requesting an incentive service fee of \$2,000 each to  
6 compensate for their involvement in the litigation of this case. Any service fee award  
7 authorized would be funded by monies not claimed by class members. If you claim your  
8 settlement funds, the service fee award will in no way diminish your award. If no funds  
9 remain after each class member claims their award, the class representatives will not  
10 receive a service fee.

11 6. If any funds remain following the claim period and distribution of service fees,  
12 if any, the remaining funds will be awarded to Legal Aid Society of San Mateo, a non-  
13 profit dedicated to protecting the legal rights of individuals living in San Mateo County.  
14 This award is authorized by law, under the Cy Pres Doctrine. If you claim your settlement  
15 funds, the Cy Pres award will in no way diminish your award.

16 **OBJECTION TO SETTLEMENT**

17 7. You may object to this settlement. To do so, you must file your objection in  
18 writing, with the Clerk of the Court, Superior Court of the State of California, County of  
19 San Mateo, 400 County Center, Redwood City, CA 94063. Your objection must include  
20 proof of Class membership. Copies of your objection must also be served on Plaintiffs  
21 counsel at HOOSHMAND LAW GROUP – Marymount Class Action, c/o Mark  
22 Hooshmand, Esq., 22 Battery Street, Suite 610, San Francisco, CA 94111.

23 8. All objection papers must be filed with the Court and served no later than July  
24 25, 2017. (A form objection is attached).

25 9. If you do not file and serve an objection, you are deemed to have waived such  
26 objection and shall be foreclosed from making any objection to the fairness or adequacy of  
27 the Moving Expenses Class or award of attorneys' fees and expenses.

28 10. **The Final Approval Hearing will take place on August 10, 2017 at 2:00 pm.**

1 The final approval hearing will be held at the San Mateo County Superior Court,  
2 Courtroom 2E, 400 County Center, Redwood City, California. The Court will consider  
3 whether to grant final approval of the proposed settlement and any objections thereto, the  
4 request for payment of attorneys' fees and costs to plaintiffs' class counsel, the request for  
5 incentive awards to the named plaintiffs, and the approval of a cy pres charity for  
6 undistributed settlement funds. You are not required to appear at the hearing, even if you  
7 filed an objection. On the other hand, you are permitted to appear if you so desire and to  
8 be represented by counsel of your choice at your own expense if you want to contest the  
9 settlement of the payment of fees, costs or incentive awards.

10 **CLAIMING SETTLEMENT FUNDS**

11 11. ACTION IS REQUIRED TO CLAIM FUNDS. **If you do not object to the**  
12 **settlement, you MUST submit a claim form or contact Plaintiffs Counsel to receive**  
13 **funds.** A claim form is attached to this notice.

14 12. If you have already submitted a claim form to Plaintiffs Counsel you do not  
15 need to resubmit a claim form. Your prior claim for moving expenses only will be  
16 honored.

17 13. If you claim funds after the date of this notice, you shall be entitled to \$800.

18 14. If you claimed funds prior to the date of this notice, you shall be entitled to the  
19 amount of moving expense you claimed or \$800, whichever amount is greater.

20 15. If all settlement funds are claimed before you submit a claim form, your claim  
21 will not be honored and no funds will be provided. There are a limited amount of funds so  
22 submitting your claim form timely is important. Late claim forms may not be honored or  
23 funds may not be available.

24 16. To confirm that you will receive your funds, or update your contact information,  
25 as a member of the Moving Expenses Class, you MUST send or deliver a letter, postcard,  
26 or email to at least one of the following:

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28 (see next page)

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Letter or Postcard:  
HOOSHMAND LAW GROUP – Marymount Class Action  
c/o Mark Hooshmand, Esq.  
22 Battery Street, Suite 610  
San Francisco, CA 94111  
Email:  
marymountclassaction@lawmmh.com

17. Your claim letter, postcard, or email should include the following information (a form is attached):

- 17.1. Your name;
- 17.2. When you lived at the Marymount Gateway or Summit Apartments;
- 17.3. The unit you lived in at Marymount Gateway or Summit Apartments;
- 17.4. Your current address; and
- 17.5. Your social security number.

18. **Claim forms MUST be postmarked or emailed by September 29, 2017, to be eligible.**

- 19. Untimely claim forms will not be accepted. (A form objection is attached).
- 20. Claim forms received after all funds are distributed will not be accepted.

21. The pleadings and other papers filed in this action are available for inspection at the office of the San Mateo County Superior Court, 400 County Center, Redwood City, CA 94063.

1 **Ferguson et al., vs. Marymount Gateway Apartments, LLC et al. (Case CIV-514119)**

2 **MOVING EXPENSE CLAIM FORM**

- 3 • My name is: \_\_\_\_\_
- 4 • I lived in Unit # \_\_\_\_\_ at the Marymount Gateway or Summit Apartments from:
- 5 \_\_\_\_\_ [date], to \_\_\_\_\_ [date].
- 6 • My current address is \_\_\_\_\_
- 7 • My social security number is \_\_\_\_\_. (Your social security
- 8 number **will be kept confidential** and is needed only for tax purposes in the event you are
- 9 awarded money. You may also call the Hooshmand Law Group to provide your social
- 10 security number in lieu of using this form.)

11

12 I declare under penalty of perjury under the laws of the State of California that the

13 foregoing is true and correct.

14

15

16 Date: \_\_\_\_\_

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18 \_\_\_\_\_

19 Full Name

\_\_\_\_\_  
Signature

20 **You MUST send or deliver this form SIGNED, by mail or attached to an email to at least one**

21 **of the following:**

22 Mail:

23 HOOSHMAND LAW GROUP – Marymount Class Action  
24 c/o Mark Hooshmand, Esq.  
25 22 Battery Street, Suite 610  
San Francisco, CA 94111

26 Email: marymountclassaction@lawmmh.com

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28

1 **Ferguson et al., vs. Marymount Gateway Apartments, LLC et al. (Case CIV-514119)**

2 **OBJECTION FORM**

- 3 • My name is: \_\_\_\_\_
- 4 • My current address is \_\_\_\_\_.
- 5 • My current telephone number is \_\_\_\_\_.
- 6 • I lived at the Marymount Gateway or Summit Apartments from:
- 7 \_\_\_\_\_, to \_\_\_\_\_. I lived in Unit \_\_\_\_\_ at the
- 8 Marymount Gateway or Summit Apartments.
- 9 • I object to the proposed settlement of the Moving Expenses class, or the proposed
- 10 attorney fees or costs for the following reasons: [use additional pages if necessary]

- 11 \_\_\_\_\_
- 12 \_\_\_\_\_
- 13 \_\_\_\_\_
- 14 \_\_\_\_\_
- 15 \_\_\_\_\_
- 16 • Please circle one: I am represented by counsel [or] I am not represented by counsel.
- 17 (provide contact information for counsel if represented): \_\_\_\_\_
- 18 \_\_\_\_\_.

19 I declare under penalty of perjury under the laws of the State of California that the

20 foregoing is true and correct.

21 \_\_\_\_\_

22 Full Name

Signature

23 \_\_\_\_\_

24 Date: \_\_\_\_\_

25

26 Objections MUST be filed with the Clerk of the Court, Superior Court of the State of California,

27 County of San Mateo, 400 County Center, Redwood City, CA 94063. Copies of objections must

28 also be served on Plaintiffs' counsel at: HOOSHMAND LAW GROUP – Marymount Class Action, c/o Mark Hooshmand, Esq., 22 Battery Street, Suite 610, San Francisco, CA 94111.