

1                                   **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
2                                   **COUNTY OF SAN FRANCISCO**

3   ***ACTION REQUIRED***

4   *A court authorized this notice. This is not a solicitation from a lawyer.*

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6                                   YOU may be entitled to money damages if you were forced to leave the Harcourt Hotel in  
7                                   San Francisco before staying for 30 consecutive days. Please read this Notice because it  
8                                   contains information related to YOUR recovery of funds.

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10   **NOTICE OF SETTLEMENT OF CLASS ACTION**

11                                   TO ALL PAST or CURRENT OCCUPANTS of the Harcourt Hotel, a residential hotel  
12                                   located at 1100 Sutter Street/1105 Larkin Street, San Francisco, California 94109. If you stayed at  
13                                   the Harcourt Hotel and were required to move, or check out or reregister, before the expiration of  
14                                   30 days of occupancy, between June 18, 2011 and June 17, 2014, PLEASE READ THE  
15                                   FOLLOWING, AS THIS NOTICE CONTAINS INFORMATION THAT MAY IMPACT YOUR  
16                                   RIGHTS:

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18                                   1.       The lawsuit in this matter is referred to as *Boice et al., vs. Harcourt Group, LLC*  
19                                   *et al.* and it was filed in the San Francisco County Superior Court (Case No. CGC-14-  
20                                   539994). The lawsuit was filed against Harcourt Group, LLC and Sojourn Properties, Inc.  
21                                   (“Defendants”) who at all relevant times owned and operated The Harcourt Hotel.

22                                   2.       Plaintiffs in this case sought to recover damages stemming from allegations that  
23                                   Defendants required certain occupants to move out of the Harcourt Hotel prior to obtaining  
24                                   tenant rights.

25                                   3.       The Plaintiffs and Defendants agreed to a settlement on behalf of the class. You  
26                                   are receiving this notice because you may be eligible to claim funds or you may withdraw  
27                                   from the class or object to the settlement.

28                                   4.       The total amount the Defendants agreed to pay the class includes attorneys fees

1 and costs is three hundred thousand dollars (\$300,000.00). Costs and attorney's fees will be  
2 removed from the total class settlement. Plaintiffs' Counsel is requesting up to twelve  
3 thousand dollars (\$12,000) in costs and attorney fees up to forty percent (40%) of the  
4 settlement total, or one hundred twenty thousand dollars (\$120,000.00), if funds are  
5 available. If funds are not available, Plaintiffs' Counsels fees will be reduced accordingly.  
6 These amounts are to be approved by the Court at the Final Approval Hearing.

7 5. The class representatives in the class are Eric Boice, Vinetta Boice, Jennifer  
8 Hawkins, and Yowie Stromberg. They are requesting an incentive service fee of seven  
9 thousand five hundred dollars (\$7,500) each to compensate for their initiation and  
10 involvement in the litigation of this case. Any service fee award authorized would be  
11 funded by monies not claimed by class members. If you claim your settlement funds, the  
12 class representative service fee award will in no way diminish your award. If no funds  
13 remain after each class member claims their award, the class representatives will not  
14 receive a service fee.

15 6. If any funds remain following the claim period and distribution of service fees,  
16 if any, the remaining funds will be awarded to the San Francisco Tenants Union, Housing  
17 Rights Committee, Legal Assistance to the Elderly, Eviction Defense Collaborative, Causa  
18 Justa, and Consumer Action, in equal amounts. Each cy pres recipient is a non-profit  
19 dedicated to protecting the legal rights of individuals living in San Francisco, some which  
20 have a dedicated focus on tenant rights. This award is authorized by law, under the Cy Pres  
21 Doctrine. If you claim your settlement funds, the Cy Pres award will in no way diminish  
22 your award.

### 23 **CLAIMING SETTLEMENT FUNDS**

24 7. ACTION IS REQUIRED TO CLAIM FUNDS. If you do not object to the  
25 settlement, you must submit a claim form or contact Plaintiffs Counsel to receive funds. A  
26 claim form is attached to this notice.

27 8. To confirm that you will receive your funds, or update your contact information,  
28 as a member of the Class, you MUST send or deliver a claim form, letter, postcard, or

1 email to at least one of the following:

2 Letter or Postcard:

3 HOOSHMAND LAW GROUP – Harcourt Class Action  
4 c/o Mark Hooshmand, Esq.  
5 22 Battery Street, Suite 610  
6 San Francisco, CA 94111

7 Email:

8 harcourtclass@lawmmh.com

9 9. Your claim letter, postcard, or email should include the following information,  
10 made under the penalty of perjury (a form is attached):

11 9.1. Your name;

12 9.2. When you lived at the Harcourt;

13 9.3. The unit you lived in at Harcourt;

14 9.4. Your current address, email address and phone number; and

15 9.5. Your social security number

16 10. **Claim forms MUST be postmarked by November 14, 2017, to be eligible.**

17 11. Untimely claim forms will not be accepted.

18 12. Claim forms received after all funds are distributed will not be accepted.

19 13. The pleadings and other papers filed in this action are available for inspection at  
20 the office of the San Francisco County Superior Court, 400 McAllister St, San Francisco,  
21 CA 94102

22 **OBJECTION TO SETTLEMENT**

23 14. You may object to this settlement. To do so, you must file your objection in  
24 writing, with the Clerk of the Court, Superior Court of the State of California, County of  
25 San Francisco, 400 McAllister St, San Francisco, CA 94102. Your objection must include  
26 information establishing Class membership. Copies of your objection must also be served  
27 on Plaintiffs counsel at HOOSHMAND LAW GROUP – Harcourt Class Action, c/o Mark  
28 Hooshmand, Esq., 22 Battery Street, Suite 610, San Francisco, CA 94111.

15. All objection papers must be filed with the Court and served no later than

1 November 14, 2017. (A form objection is attached).

2 16. Even if you do not object in writing, you may appear at the November 20, 2017  
3 hearing and object the fairness or adequacy of the Class settlement or the award of  
4 attorneys' fees and expenses.

5 17. **The Final Approval Hearing will take place on November 20, 2017.** The final  
6 approval hearing will be held at the San Francisco County Superior Court, 400 McAllister  
7 St., San Francisco, CA 94102, in Department 302. The Court will consider whether to  
8 grant final approval of the proposed settlement and any objections thereto, the request for  
9 payment of attorneys' fees and costs to plaintiffs' class counsel, the request for incentive  
10 awards to the named plaintiffs, and the approval of the cy pres recipients and awards for  
11 undistributed settlement funds. You are not required to appear at the hearing, even if you  
12 filed an objection. On the other hand, you are permitted to appear if you so desire and to  
13 be represented by counsel of your choice at your own expense if you want to contest the  
14 settlement of the payment of fees, costs or incentive awards.

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**CLAIM FORM**

***Boice et al., vs. Harcourt et al. S.F. County Superior Court (Case No. CGC-14-539994)***

- My name is: \_\_\_\_\_
- I lived in Unit(s) # \_\_\_\_\_ at the Harcourt Hotel from: \_\_\_\_\_ [date], to \_\_\_\_\_ [date].
- My current address is \_\_\_\_\_
- My social security number is \_\_\_\_\_. (Your social security number **will be kept confidential** and is needed only for tax purposes in the event you are awarded money. You may also call the Hooshmand Law Group to provide your social security number in lieu of using this form.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Signature

**You MUST send or deliver this form SIGNED, by mail or attached to an email to at least one of the following:**

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

Email: [harcourtclass@lawmmh.com](mailto:harcourtclass@lawmmh.com)

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**OBJECTION FORM**

***Boice et al., vs. Harcourt et al. S.F. County Superior Court (Case No. CGC-14-539994)***

- My name is: \_\_\_\_\_
- My current address is \_\_\_\_\_.
- My current telephone number is \_\_\_\_\_.
- I lived at the Harcourt Hotel from: \_\_\_\_\_), to \_\_\_\_\_.
- I lived in Unit(s) # \_\_\_\_\_ at the Harcourt Hotel.
- I object to the proposed class settlement, or the proposed attorney fees or costs for the following reasons: [use additional pages if necessary]

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- Please circle one: I am represented by counsel [or] I am not represented by counsel. (provide contact information for counsel if represented): \_\_\_\_\_  
\_\_\_\_\_.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Signature

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

Objections MUST be filed with the Clerk of the Court, Superior Court of the State of California, County of San Francisco, 400 McAllister St, San Francisco, CA 94102. Copies of objections must also be served on Plaintiffs' counsel at: HOOSMAND LAW GROUP – Harcourt Class Action, c/o Mark Hooshmand, Esq., 22 Battery Street, Suite 610, San Francisco, CA 94111.