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4 Attorneys for Plaintiffs

5 GREGORY J. ROCKWELL, ESQ. (SBN 67305)
6 BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation
7 555 12th Street, Suite 1800
P. O. Box 12925
8 Oakland, CA 94604-2925
Telephone: (510) 834-4350
9 Facsimile: (510) 839-1897

10 Attorneys for Defendants
COUNTY OF ALAMEDA, ALAMEDA
11 COUNTY SHERIFF CHARLES C. PLUMMER

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 DANIEL SCHAFFER, on behalf of himself)
16 and all those similarly situated;)

17 Plaintiffs,)

18 vs.)

19 COUNTY OF ALAMEDA, ALAMEDA)
COUNTY SHERIFF CHARLES C.)
20 PLUMMER, IN HIS INDIVIDUAL AND)
OFFICIAL CAPACITIES, ALAMEDA)
21 COUNTY SHERIFF'S DEPUTIES DOES 1)
THROUGH 50, AND ROES 1 THROUGH)
22 20, INCLUSIVE,)

23 Defendants.)
24

Case No.: C 06 0310 MMC

**ORDER FOR PRELIMINARY
APPROVAL OF SETTLEMENT OF
CLASS ACTION**

Date: June 15, 2007

Time: 9:00 a.m.

Courtroom: 7

District Judge: Hon. Maxine M. Chesney

25 WHEREAS, plaintiff DANIEL SCHAFFER, on behalf of himself and all persons similarly
26 situated, by and through his attorney, Mark E. Merin of the Law Office of Mark E. Merin, and
27 defendants, COUNTY OF ALAMEDA and ALAMEDA COUNTY SHERIFF CHARLES C.

1 PLUMMER, by and through their counsel, Gregory J. Rockwell of the law firm Boornazian,
2 Jensen & Garthe, have entered into an Amended Stipulation of Settlement intending to resolve all
3 claims raised in this class action pending in this Court;

4 WHEREAS, the Amended Stipulation of Settlement, together with the supporting
5 materials, sets forth the terms and conditions for a proposed settlement and dismissal with
6 prejudice of the pending above-captioned class action against all defendants;

7
8 WHEREAS, the Court has before it and has reviewed the parties' Stipulated Motion for
9 Preliminary Approval of Settlement of Class Action together with the Amended Stipulation of
10 Settlement and supporting materials; and

11 WHEREAS, the Court is satisfied that the terms and conditions set forth in the Amended
12 Stipulation of Settlement were the result of good faith, arms' length settlement negotiations
13 between competent and experienced counsel for both plaintiffs and defendants, after mediation
14 before the Honorable Raul Ramirez (Retired);

15
16 IT IS HEREBY ORDERED AS FOLLOWS:

17 **I. PRELIMINARY APPROVAL OF SETTLEMENT**

18 1. The terms of the Amended Stipulation of Settlement are hereby preliminarily approved,
19 subject to further consideration thereof at the Fairness Hearing provided for below.

20 The Court finds that the settlement is sufficiently within the range of reasonableness
21 and that notice of the proposed settlement should be given as provided in this Order.

22 2. The Court further finds that plaintiff DANIEL SCHAFFER is an adequate class
23 representative for the settlement class.

24 3. The Court further finds that plaintiffs' counsel Mark E. Merin of the Law Office of
25 Mark E. Merin is adequate class counsel.
26

4. The Court approves the Notice of Proposed Settlement of Class Action Strip Search Case attached hereto as Exhibit A and further approves the method by which notice is proposed to be given.
5. If, pursuant to the terms of the Amended Stipulation of Settlement, the settlement is not consummated, the preliminary approval of the Amended Stipulation of Settlement shall be void and the parties shall have reserved all of the rights to continue with any litigation or further mediation or settlement discussions.
6. The Bar Date, as defined in paragraph 2 of the Amended Stipulation of Settlement shall be **October 11, 2007**.

II. NOTICE TO SETTLEMENT CLASS MEMBERS, APPROVAL OF CLASS COUNSEL, AND EMPLOYMENT OF CLASS CLAIM ADMINISTRATOR

7. Counsel for the class ("class counsel") is as follows:

Mark E. Merin, Esq.
Law Office of Mark E. Merin
2001 P Street, Suite 100
Sacramento, CA 95814
(916) 443-6911 - Telephone
(916) 447-8336 - Facsimile

8. Counsel for defendants are as follows:

Gregory J. Rockwell, Esq.
Boornazian, Jensen & Garthe
A Professional Corporation
555 12th Street, Suite 1800
P. O. Box 12925
Oakland, CA 94604-2925
Telephone: (510) 834-4350
Facsimile: (510) 839-1897

9. Class Claims Administrator is as follows:

Gilardi and Company, LLC
P.O. Box 1110
Corte Madera, CA 94976-1110
(415) 461-0410 - Telephone
(800) Toll Free Number to be arranged.
(415) 461-0412 - Facsimile

1 10. Beginning no later than 30 days from the date of this Order, counsel for the parties
2 acting with the Class Claims Administrator shall cause to be disseminated the Notice
3 and Claim Form, substantially in the form attached hereto as Exhibits A and B, in the
4 manner set forth in paragraphs 66 through 68 of the Stipulation of Settlement. Such
5 summary notice as the parties agree will be published in accordance with the Amended
6 Stipulation of Settlement. Class members will have up to and including **October 11,**
7 **2007**, in which to object to this settlement or file claims. Prior to the Fairness Hearing,
8 the Claims Administrator shall file and serve a sworn statement attesting to compliance
9 with the provisions of this paragraph.
10

11 11. The notice to be provided as set forth in the Amended Stipulation of Settlement is
12 hereby found to be the best means practicable of providing notice under the
13 circumstances and, when completed, shall constitute due and sufficient notice of the
14 proposed settlement and of the Fairness Hearing to all persons and entities affected by
15 and/or entitled to participate in the settlement, in full compliance with applicable
16 statutes and Constitution of the state of California, due process, the Constitution of the
17 United States and all other applicable laws. The notices are accurate, objective,
18 informative and provide class members with all of the necessary information to make
19 an informed decision regarding their participation in the settlement and its fairness.
20

21 12. Counsel for the respective parties are authorized to retain Gilardi and Company, LLC,
22 P.O. Box 1110, Corte Madera, CA 94976-1110, as Class Claims Administrator in
23 accordance with the Amended Stipulation of Settlement and this Order.
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1 **III. REQUESTS FOR EXCLUSION FROM THE SETTLEMENT CLASS**

2 13. Any member of the Settlement Class who wishes to be excluded (“Opt Out”) from the
3 Settlement Class must send a written request for exclusion to the Court at the address
4 indicated in the Notice, postmarked on or before the Bar Date. The request for
5 exclusion shall fully comply with the requirements set forth in the Amended Stipulation
6 of Settlement. Members of the Settlement Class may not exclude themselves by filing
7 requests for exclusions as a group or class, but must, in each instance, individually and
8 personally execute a request for exclusion and timely transmit it to the Court.
9

10 14. Any member of the Settlement Class who does not properly and timely request
11 exclusion from the Settlement Class shall be bound by all of the terms and provisions
12 of the Amended Stipulation of Settlement, including but not limited to the releases,
13 waivers, and covenants described in the Amended Stipulation of Settlement, whether or
14 not such person objected to the settlement and whether or not such person made a claim
15 under the terms of the Amended Stipulation of Settlement.
16

17 **IV. THE FAIRNESS HEARING**

18 15. A hearing on final approval, the “Fairness Hearing,” is hereby scheduled to be held
19 before this Court on **November 16, 2007**, at **9:00 a.m.**, to consider the fairness,
20 reasonableness, and adequacy of the proposed settlement, the dismissal with prejudice
21 of this class action complaint with respect to the released parties herein, and the entry
22 of final judgment in the class action. Class counsels’ application for an award of
23 attorneys’ fees and costs shall be heard at the time of the Fairness Hearing. The motion
24 for final approval and class counsels’ application for an award of attorneys’ fees and
25 costs shall be filed no later than **November 2, 2007**.
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- 1 16. The date and time of the Fairness Hearing shall be set forth in the Notice, but the
2 Fairness Hearing shall be subject to adjournment by the Court without further notice to
3 the members of the settlement class other than that which may be issued by the Court.
4
- 5 17. Any person who does not elect to be excluded from the settlement class may, but need
6 not, enter an appearance through his or her own attorney. Settlement class members
7 who do not enter an appearance through their own attorneys will be represented by
8 class counsel.
- 9 18. Any person who does not elect to be excluded from the settlement class may, but need
10 not, submit comments or objections to the proposed settlement. Any class member
11 may object to the proposed settlement, entry of the final order and judgment approving
12 the settlement, and class counsels' application for fees and expenses by filing and
13 serving a written objection.
14
- 15 19. Any class member making the objection (an "objector") must sign the objection
16 personally. Any objection must state why the objector objects to the proposed
17 settlement and provide the basis to support such position. If an objector intends to
18 appear personally at the Fairness Hearing, the objector must include with the objection
19 a notice of the objector's intent to appear at the hearing.
20
- 21 20. Objections, along with any notice of intent to appear, must be filed with the Court no
22 later than **October 11, 2007**. If counsel is appearing on behalf of more than one class
23 member, counsel must identify each such class member and each class member must
24 have complied with the requirements of this order. The documents must be filed with
25 the clerk of the Court at the following address: United States District Court, Northern
26 District of California, 450 Golden Gate Avenue, 16th Floor, San Francisco, California
27 94102.
28

1 21. Objections, along with any notice of intent to appear, must also be mailed to class
2 counsel and counsel for defendants at the addresses listed below:

3 Counsel for the class ("class counsel") is as follows:

4 Mark E. Merin, Esq.
5 Law Office of Mark E. Merin
6 2001 P Street, Suite 100
7 Sacramento, CA 95814
(916) 443-6911 - Telephone
(916) 447-8336 - Facsimile

8 Counsel for defendants are as follows:

9 Gregory J. Rockwell, Esq.
10 Boornazian, Jensen & Garthe
11 A Professional Corporation
12 555 12th Street, Suite 1800
13 P. O. Box 12925
Oakland, CA 94604-2925
Telephone: (510) 834-4350
Facsimile: (510) 839-1897

14 22. Only class members who have filed and served valid and timely notices of objection
15 shall be entitled to be heard at the Fairness Hearing. Any class member who does not
16 timely file and serve an objection in writing to the settlement, entry of final order and
17 judgment, or to class counsels' application for fees and expenses, in accordance with
18 the procedure set forth in the class notice and mandated in the order, shall be deemed to
19 have waived any such objection by appeal, collateral attack, or otherwise.

20 23. Persons wishing to be heard at the Fairness Hearing are required to file written
21 comments or objections and indicate in their written comments or objections their
22 intention to appear at the Fairness Hearing. Settlement class members need not appear
23 at the hearing or take any other action to indicate their approval.

24 24. All members of the settlement class who do not personally and timely request to be
25 excluded from the class are enjoined from proceeding against the defendants until such
26 time as the Court renders a final decision regarding approval of the settlement and, if
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1 the settlement is approved, enters final judgment as provided in the Amended
2 Stipulation of Settlement.

3 **V. OTHER PROVISIONS**

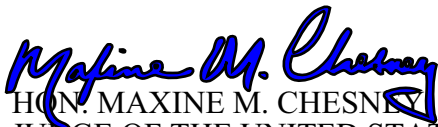
4 25. Upon approval of the settlement provided for in the Amended Stipulation of
5 Settlement, each and every term and provision thereof shall be deemed incorporated
6 herein as if expressly set forth and shall have the force and effect of an order of this
7 Court.
8

9 26. The Honorable Raul Ramirez, United States District Court Judge, retired, is hereby
10 appointed to serve as Special Master to review and resolve certain disputes which may
11 arise pursuant to the terms of the Amended Stipulation of Settlement.
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13 27. All reasonable costs incurred in notifying members of the settlement class as well as
14 administering the Amended Stipulation of Settlement shall be paid as set forth in the
15 Amended Stipulation of Settlement.

16 IT IS SO ORDERED.

17
18 DATED: June 20, 2007

19 
20 HON. MAXINE M. CHESNEY
21 JUDGE OF THE UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
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If you were booked into an Alameda County Jail and strip-searched individually or in a group, PRIOR TO ARRAIGNMENT, BETWEEN JANUARY 17, 2004, AND DECEMBER 31, 2006, you may be entitled to monetary compensation under a class action settlement.

There is presently pending a class action lawsuit in the United States District Court, Northern District of California. If the proposed Settlement receives final approval, people who were subjected to a strip search in an Alameda County Jail prior to arraignment on certain charges, and/or subjected to a strip search in a group will be eligible to receive money from the settlement fund.

If you believe you are a member of the class and you do not get a Claim Form mailed to you, you may obtain a claim form by writing to the Claims Administrator, Schaffer v. County of Alameda Strip Search Class Action, c/o Claims Administrators, P.O. Box 1110, Corte Madera, CA 94976-1110, by calling the Claims Administrator at (877) 446-2122, by visiting the website at www.schaffervalamedaco.com, or by contacting the class counsel, Law Office of Mark E. Merin, 2001 P Street, Suite 100, Sacramento, CA 95814, (916) 443-6911, e-mail at office@markmerin.com.

DO NOT CONTACT EITHER THE COUNTY OF ALAMEDA OR THE ALAMEDA COUNTY SHERIFF'S DEPARTMENT CONCERNING THIS SETTLEMENT.

Your Claim Form must be completed and postmarked no later than October 11, 2007
For more information, please read this notice.

**If You Wish to Claim Monetary Compensation,
Obtain, Fill out and Mail the Claim Form as Soon as Possible but No Later than October 11, 2007.**

**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.
YOU MAY BE ENTITLED TO RECEIVE A PAYMENT.**

There is now pending in the United States District Court in and for the Northern District of California a class action lawsuit involving the classes of persons defined below:

CLASS 1: This class includes all persons arrested and booked into Santa Rita Jail during the period from **January 17, 2004, to and including December 31, 2006**, who were strip searched in groups, prior to arraignment, who were either arrested on charges involving violence, drugs, or weapons, or who, in the five years preceding their pre-arraignment strip search, had been arrested in Alameda County on a charge involving violence, drugs, or weapons, or who, at the time of their pre-arraignment group strip search were required, as a condition of probation or parole, to submit to a search of their person.

CLASS 2: This class includes all persons arrested and booked into Santa Rita Jail or Glenn Dyer Jail on any charges not involving violence, drugs or weapons during the period from **January 17, 2004, to and including August 31, 2006**, who were strip searched prior to arraignment, except those who, within five years prior to the booking, had been arrested in Alameda County on a charge involving violence, drugs, or weapons or who, at the time of their booking, were required, as a condition of probation or parole, to submit to a search of their person.

This Notice is to inform you that a settlement has been proposed in this action and that, as a potential class member, your rights may be affected by the settlement. This Notice also summarizes the terms and effect of the proposed settlement, what you can do to participate in it, and how you can obtain money under the settlement.

SUMMARY OF THE PROPOSED TERMS

A Settlement Agreement ("Settlement") was entered into after negotiations between the parties, conducted with the assistance of a third party mediator. The Parties are requesting that the Court Approve the Settlement.

A. Parties to the Settlement.

The parties to the Settlement are Plaintiffs named in Schaffer, et al. v. County of Alameda, et al., United States District Court, Northern District, Case No. C 06-0310 MMC on behalf of themselves and the Settlement Class, and various defendants including the County of Alameda. Counsel for the class is Mark E. Merin, The Law Office of Mark E. Merin, 2001 P Street, Suite 100, Sacramento, CA 95814.

B. Monetary Terms of Settlement

1. Class Fund and Related Expenses.

Defendants shall pay a maximum of \$6,150,000 under the terms of the settlement which will hereafter be referred to as the Settlement Fund.

Class Counsel shall seek an award of up to \$1,175,000 of the Settlement Fund as attorney's fees and costs for recovering the Settlement Fund for the Class Members. Up to \$275,000 of the Settlement Fund may be used for costs of claims administration. Up to \$4,700,000 may be used to pay valid claims, including the claim of representative plaintiff Schaffer.

2. Payments to Class Members Who File Claims.

Money for the class will be paid out based on a distribution formula, subject to payments being proportionately reduced if the total value of verified Class 1 claims exceeds \$625,000, and/or the total value of verified Class 2 claims exceeds \$4,000,000.

Pursuant to that distribution formula, each Class 1 claimant who was arrested on a misdemeanor charge involving violence, drugs, or weapons, or who, in the five years before their booking and pre-arraignment strip search, had been arrested in Alameda County on a misdemeanor charge involving violence, drugs, or weapons, and who were not required, at the time of their booking and pre-arraignment strip search, as a condition of parole or probation, to submit to a search of their person, will receive up to \$200 for each booking and pre-arraignment strip search, up to a maximum of two. Each Class 1 claimant who was arrested on a felony charge involving violence, drugs, or weapons, or who, in the five years before their booking and pre-arraignment strip search, had been arrested in Alameda County on a felony charge involving violence, drugs, or weapons, or who were required, at the time of their booking and pre-arraignment strip search, as a condition of parole or probation, to submit to a search of their person, will receive up to \$35 for each booking and pre-arraignment strip search, up to a maximum of two.

Each Class 2 claimant booked on a felony offense not involving violence, drugs, or weapons, except those who, at the time of booking, had been arrested on a felony or misdemeanor offense involving violence, drugs, or weapons in Alameda County during the five years before their booking and pre-arraignment strip search, or who were required, at the time of their booking and pre-arraignment strip search, as a condition of parole or probation, to submit to a search of their person, will receive a base payment of up to \$1,000 for each booking and pre-arraignment strip search, up to a maximum of two.

Each Class 2 claimant booked on a misdemeanor offense not involving violence, drugs, or weapons, except those who, at the time of booking, had been arrested on a felony or misdemeanor offense involving violence, drugs, or weapons in Alameda County during the five years before their booking and pre-arraignment strip search, or who were required, at the time of their booking and pre-arraignment strip search, as a condition of parole or probation, to submit to a search of their person, will receive a base payment of up to \$1,500 for each booking and pre-arraignment strip search, up to a maximum of two.

In addition to the base payments described above, Class 2 claimants booked on felony offenses or who had been arrested on a felony charge during the five years before their booking and pre-arraignment strip search may be eligible to receive additional sums (minor enhancements) of up to \$250 for each applicable condition if they were under 21 or over 60 years of age at the time of their strip search(es) and/or appropriately indicate on their Claim Form, and the County has no information to the contrary, that, at the time of the search which is the subject of the claim, they were suffering from a mental or physical disability, and/or were required to remove religious garments. They may also be eligible to receive additional sums (major enhancements) of up to \$500 if they appropriately indicate on their Claim Form, and the County has no information to the contrary, that, at the time of the search which is the subject of the claim, they were either more than two months pregnant or were menstruating.

In addition to the base payments described above, Class 2 claimants booked on misdemeanor offenses who had not been arrested on a felony or misdemeanor charge involving violence, drugs, or weapons in Alameda County during the five years before their booking and pre-arraignment strip search, may become eligible to receive additional sums (major enhancements) of up to \$500 for each applicable condition, if they were under 21 or over 60 years of age at the time of their strip search(es) and/or they appropriately indicate on their Claim Forms, and the County has no information to the contrary, that, at the time of the search which is the subject of the claim, they were suffering from a mental or physical disability, were required to remove religious garments and/or were either more than two months pregnant or were menstruating.

In addition to the base payments, Class 2 claimants may become eligible to receive amounts of \$5,000 to \$25,000 if, at the time that they submit a claim they also submit medical or psychological records or reports of licensed physicians, psychologists, marriage, family and child counselors or clinical social workers establishing that, within 90 days of the search which is the subject of their claim, they received treatment for a physical, emotional or psychological injury caused by the pre-arraignment strip search which is the subject of their claim.

3. Reduction of Awards.

Awards to Class 2 claimants will be reduced by 50% if, at any time during the five years preceding the earliest strip search during the claim period, the claimant was sentenced and confined in any California County jail or in a California State Penitentiary or Correctional Institution. Net awards to Class 2 claimants may be further reduced by up to a maximum of 50% for certain unpaid debts to the County of Alameda for unpaid work furlough fees, unpaid child support, restitution ordered or payments due to the Victims of Violent Crime Fund, or for other debts collectible by the Central Collections Department of the Alameda County Auditor-Controller Agency or by the Alameda County Treasurer-Tax Collector.

C. Your Options as a Class Member.

1. Be Bound by, and Participate in the Settlement.

To qualify for a payment, you must send in a completed Claim Form to the Claims Administrator. A Claim Form is included in this notice package. You can also get a Claim Form by: (1) calling this toll free number: (877) 446-2122; (2) visiting the website, www.schaffervalamedaco.com; (3) requesting a Claim Form from the offices of Class Counsel at: **The Law Office of Mark E. Merin, 2001 P Street #100, Sacramento, CA 95814, telephone (916) 443-6911**; or (4) writing the Claims Administrator at: **Schaffer v. County of Alameda Strip Search Class Action, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110.**

You have until October 11, 2007, to submit a Claim Form.

Mail your completed Claim Form to: **Schaffer v. County of Alameda Strip Search Class Action, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110.**

If you need assistance in completing the claim form, feel free to contact class counsel, Mark E. Merin at the Law Office of Mark E. Merin, 2001 P Street, Suite 100, Sacramento, CA 95814, (916) 443-6911.

Remember, if you do not send a Claim Form, you cannot get a payment. Also, please note that Class Members who have already settled their claims with the County of Alameda or gone to trial with the County of Alameda cannot receive a payment under this settlement. If you submit a Claim Form, you will be bound by the Settlement and receive money (if you are a class member). If you do not submit a Claim form but did not exclude yourself from the class, you will be bound by the terms of the Settlement and dismissal entered in this case, but you will not receive any money.

By participating in the Settlement you will be waiving all your rights to all claims up to December 31, 2006, related to strip searches by the Alameda County Jails, even those of which you are not aware at present. This waiver will include a waiver of the provisions of California Civil Code §1542, which provides that “a general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.” By participating, you will be giving up unsuspected claims in the areas covered by the litigation.

2. Exclude Yourself From the Class.

You do not have to take part in the Settlement or be a member of the class. This is called “excluding” yourself. If you exclude yourself, you cannot get a payment and you cannot object to the Settlement. Any Court orders will not apply to you. To exclude yourself, you must sign a request for exclusion letter that states that you want to be excluded from Schaffer, et al. v. County of Alameda, et al., Case No. C 06-0310. Your exclusion letter must be mailed and postmarked before **October 11, 2007** to: **Schaffer v. County of Alameda Strip Search Class Action, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110.**

If you do not follow these instructions properly, you will lose your right to exclude yourself. If you exclude yourself, you cannot get any money from the Settlement and you cannot tell the Court you do not like the Settlement (which is called “objecting”). If you exclude yourself, you are no longer part of the class or the Settlement, but you can sue the County of Alameda on your own.

D. Fairness Hearing and Process for Objections.

A fairness hearing will be held on **November 16, 2007 at 9:00 a.m.**, at the United States District Court, Northern District of California, 450 Golden Gate Avenue, Courtroom 7, San Francisco, CA 94102. If you are a class member and do not exclude yourself, you can tell the Court you do not like the Settlement or some part of it at this hearing. This is called objecting to the Settlement. For example, you can say you do not think the Settlement is fair or adequate. The Court will consider your views.

To object, you must send a letter to the court that contains all of the following: (1) The name and title of the lawsuit, Schaffer, et al. v. County of Alameda, et al., Case No. C 06-0310 MMC; (2) A statement of each objection you have and the facts that support the objections; (3) A description of any law or case supporting the objections; (4) A statement on whether or not you or your lawyer will

ask to appear at the Fairness Hearing to talk about your objections, and, if so, how long you will need to present your objections; and (5) Copies of any documents you or your lawyer will present at the Fairness Hearing.

Individually, or through counsel, any class member has the right to object to the proposed Settlement as a whole, to the amount of attorneys' fees and costs of Class Counsel, or to any portion of either. ANY SUCH OBJECTIONS MUST BE FILED IN WRITING ON OR BEFORE **OCTOBER 11, 2007**, IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA LOCATED AT 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102, ATTN: CLERK, RE: SCHAFFER V. COUNTY OF ALAMEDA SETTLEMENT, CASE NO. C 06-0310 MMC. If you wish to appear and present your objections at the fairness hearing, you must also submit a Notice of Intention to Appear that identifies the case, contains your name and address, and explains the reason the appearance is desired. The Notice of Intention to Appear and any objections must be filed with the Court on or before **October 11, 2007**. You may be represented by your own attorney. If you are to be represented by an attorney at the hearing, his or her name, address and telephone number must be included in the Notice of Intention to Appear as well.

A copy of the Statement of Objection and/or Notice of Intention to Appear must also be mailed to: The Law Office of Mark E. Merin, 2001 P Street, Suite 100, Sacramento, CA 95814 ATTN: Mark E. Merin and to Boornazian, Jensen & Garthe, P.O. Box 12925, Oakland, CA 94604-2925, ATTN: Gregory J. Rockwell.

E. How to Obtain Further Information

For additional information regarding the Settlement and Claim Form, or a copy of the Settlement Agreement, Claim Form or Class Counsel's Motion for Attorney's Fees, you or your counsel should contact: **Schaffer v County of Alameda Strip Search Class Action**, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110. You may also check the Class Administrator's website at www.schaffervalamedaco.com or call (877) 446-2122. You may also obtain detailed information about the case by examining the Court file located in the office of the Clerk of the United States District Court in and for the Northern District of California, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102.

DO NOT CONTACT THE COUNTY OF ALAMEDA OR THE ALAMEDA COUNTY SHERIFF'S DEPARTMENT FOR INFORMATION OR DOCUMENTS CONCERNING THIS SETTLEMENT.

F. Court Approval.

Although the Court has reviewed the proposed Settlement, no decision has been, or will be, reached by the Court, until the Fairness Hearing. This Notice does not indicate that the Court has yet approved the Settlement.

**ALAMEDA COUNTY STRIP SEARCH LAW SUIT
CLASS ACTION CLAIM FORM
(SCHAFFER, ET AL. vs. COUNTY OF ALAMEDA, ET AL)**

U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, CASE NO. C 06-0310 MMC

FILL OUT THIS FORM IF YOU WERE ARRESTED AT ANY TIME DURING THE PERIOD FROM AND INCLUDING JANUARY 17, 2004, THROUGH AND INCLUDING DECEMBER 31, 2006, AND WERE STRIP SEARCHED, PRIOR TO ARRAIGNMENT, AT AN ALAMEDA COUNTY JAIL (SANTA RITA AND/OR GLENN DYER). MEMBERS OF THIS CLASS WHO QUALIFY WILL RECEIVE VARIOUS AMOUNTS OF MONEY DEPENDING UPON ANSWERS GIVEN TO QUESTIONS ON THIS CLAIM FORM AND INFORMATION IN ALAMEDA COUNTY'S COMPUTER DATABASE.

You must complete and submit this claim form no later than October 11, 2007, to qualify for payment from settlement of the class action strip search case against Alameda County. If you do not return a completed claim form by the due date you will receive **no money** from the settlement.

CLASS ACTION CLAIM FORM

_____(Bar Code)

Name _____

Address _____

City, State, Zip Code _____

Phone #: _____

Cal. Driver's License No. _____

Social Security Number: _____

Date of Birth: _____

Claim No. _____

Please enter your correct name, and address here if it does not appear to the left.

Name: _____

Address: _____

----- * ----- * ----- * ----- * ----- * ----- *

Yes No

WERE YOU ARRESTED AND STRIP SEARCHED PRIOR TO ARRAIGNMENT AT AN ALAMEDA COUNTY JAIL (SANTA RITA AND/OR GLENN DYER) AT ANY TIME FROM AND INCLUDING JANUARY 17, 2004, THROUGH AND INCLUDING DECEMBER 31, 2006?

☐

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If you answered "yes" to the above question, please continue to answer the questions below.

Use return envelope and mail the completed claim form and any supporting information to: Class Claim Administrator: **Schaffer, et al. Strip Search Class Action, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110. DO NOT RETURN THIS FORM TO THE COUNTY OF ALAMEDA OR THE ALAMEDA COUNTY SHERIFF'S DEPARTMENT.**

Answer each of the following questions by placing a check in the "yes" or "no" box at the end of the question. If you check "yes" as the answer to any question, you **MUST** submit an explanation, description of the circumstances, medical verification, witness statements, or such other documentation necessary to support your answer. If you do not provide the requested explanation, description or substantiation, your "yes" answer will be disregarded. CAUTION – THESE ANSWERS ARE GIVEN UNDER PENALTY OF PERJURY. IF YOU GIVE A FALSE ANSWER, YOU WILL LOSE YOUR RIGHT TO RECOVER MONEY, AND YOU MAY BE SUBJECT TO PROSECUTION.

Yes No

WERE YOU STRIP SEARCHED IN A GROUP PRIOR TO ARRAIGNMENT ON THE CHARGES FOR WHICH YOU WERE ARRESTED?☐ ☐

If you were strip searched in a group, prior to arraignment, check the box below that best describes the search. CHECK ONLY ONE (1) BOX:

- ☐ The strip search occurred in the booking area.
- ☐ The strip search occurred in the kitchen.
- ☐ The strip search occurred in a multi purpose room or in the hallway outside a multipurpose room.
- ☐ The strip search occurred in the yard.
- ☐ The strip search occurred in a bathroom.

ALL PERSONS COMPLETING THIS CLAIM FORM, ANSWER THE FOLLOWING QUESTIONS:

Yes No

1. Did you have a physical disability or disfigurement (such as an embarrassing scar condition in a private area) at the time of the strip search? If so, describe the disability, and/or scar condition in detail and/or submit a photograph. _____

2. Did you have a mental disability at the time of the strip search? If so, describe/explain the mental disability. _____

3. If you are female, were you more than 2 months pregnant at the time of the strip search? If so, give the full name and birth date of the child born and the name of the hospital where it was born, or explain how the pregnancy ended. _____

4. Were you required to remove religious garments during the strip search? If so, describe the garments, why they are worn and how they are worn: _____

5. If you are female, were you having your period at the time of the strip search? _____

6. Did you serve any time in a State Prison or County Jail as a result of a sentenced conviction within five years before the strip search? If so, please list the date(s) you were in jail or prison and the facility you were incarcerated in. _____

7. Did you receive counseling or therapy for physical, emotional or psychological injury caused by the strip search within ninety (90) days after the strip search? If so, give the name, address and telephone number(s) of the therapist(s), the dates of the visits and provide copies of reports or records from your therapist to support your claim: _____



CRIMINAL FRAUD WILL RESULT IN DENIAL OF YOUR CLAIM.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE IS TRUE AND CORRECT.

DATED: _____ SIGNATURE: _____

The information given here is private and will be held in the strictest confidence. If you have any questions about this lawsuit, write to the Claims Administrator at Schaffer, et al., Strip Search Class Action, c/o Claims Administrator, P.O. Box 1110, Corte Madera, CA 94976-1110, or visit our website at www.schaffervalamedaco.com.

THIS CLAIM FORM MUST BE SIGNED AND RETURNED WITH A POSTMARK NO LATER THAN October 11, 2007.

If you need assistance in completing this form, please feel free to contact plaintiffs' class counsel, Mark E. Merin at Law Offices of Mark E. Merin, 2001 P Street, Suite 100, Sacramento, California 95814; Telephone (916) 443-6911; Facsimile (916) 447-8336; Email office@markmerin.com. DO NOT CONTACT THE COUNTY OF ALAMEDA OR THE ALAMEDA COUNTY SHERIFF'S DEPARTMENT FOR ASSISTANCE WITH THIS FORM.

If you would like your settlement check mailed to an address other than that on the first page of the Claim Form, provide it here: (Address if different) to which settlement check should be mailed:
