

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Willard B. Shapira, Karen Loibl, and Ulric C. Scott III, on behalf of themselves and all others similarly situated,

Case No. 06-CV-02190-MJD-SRN

Plaintiffs, **SUMMARY NOTICE OF CLASS
ACTION SETTLEMENT**

v.

The City of Minneapolis,

Defendant.

To: Persons who received citations under Mpls. Code of Ordinances 474.620 - 474.670

**THIS NOTICE IS TO INFORM YOU ABOUT YOUR RIGHTS CONCERNING A
PROPOSED CLASS ACTION SETTLEMENT.**

The Lawsuit

In July 2005, the City of Minneapolis (“City”) instituted the Automated Traffic Law Enforcement System (“Photocop”), in which vehicle owners were ticketed for red light violations as a result of an automated, camera-based system, regardless of whether they were the actual driver at the time of the infraction. The Minnesota Supreme Court subsequently affirmed a lower court decision invalidating the Photocop ordinance, but not before over 14,000 persons received tickets and paid a total of \$2,600,000 in fines, which were distributed roughly evenly between the City and the State of Minnesota (“State”), with a \$3 per conviction library fee going to Hennepin County (“County”). In May 2006, the Plaintiffs in this case brought suit under state and federal law to obtain legal and equitable relief on behalf of all persons who suffered adverse financial and other adverse legal consequences, including loss or restriction of driving privileges, as a result of the City’s enforcement of this invalid ordinance.

The Proposed Settlement

On December 30, 2008, U.S. District Court Judge Michael J. Davis preliminarily approved the settlement described in this Notice. Under the settlement, the City has agreed to create a Settlement Fund consisting of moneys that the City, State and County obtained and received as a result of Photocop citations (approximately \$2.6 million). Subject to court approval, a portion of this fund will be paid to Class Counsel for attorney fees and expenses, plus \$1,500 to each of the three named Plaintiffs as a class representative’s award. The remaining funds will be distributed to class members who have not already received refunds in proportion to amounts they paid.

Under the settlement, the City will also provide class members with a letter that class members may send to their motor vehicle insurance company to assist them in requesting an insurance premium refund or a reduction, if they believe their rates increased as a result of a Stop on Red conviction. In February 2008, the City took steps to vacate all Stop on Red convictions, and in March 2008, the State took steps to expunge Stop on Red convictions from its records, rescind certain adverse actions and restore driving privileges lost as a result of a Stop on Red conviction. The settlement resolves and releases all legal claims of members of the settlement class, with the exception of any persons who exclude themselves from this class settlement, against the City, the State and the County, and all of their respective agencies and present and former employees and elected or appointed officials.

Your Options

If you are a member of the class, you may:

- do nothing, in which case you will receive a share of the Settlement Fund
- object to or comment on the proposed settlement
- exclude yourself from (opt out of) the class

To object or comment on the proposed settlement, you must complete and file an Objection/Comment form no later than February 23, 2009. The form may be obtained via regular mail or e-mail from the Claims Administrator or Class Counsel (contact information below),

To exclude yourself from both the class action and the settlement, you must file a “Request for Exclusion” with Class Counsel (contact information below). The request for exclusion must be postmarked by February 24, 2009. Unless you plan to bring your legal claim on an individual basis, including making a request for a full refund of the fine you paid by filing a motion to reopen your case in Hennepin County District Court, there is no benefit to excluding yourself. If you choose to exclude yourself, you may bring a claim on an individual basis by filing a legally appropriate action and/or make a request for a full refund from Hennepin County District Court, Downtown Violations Bureau Criminal District Court, 300 South Sixth Street, Minneapolis, MN. For further information, please refer to the detailed Notice of Class Action Settlement, a copy of which is available through the City’s website (www.ci.minneapolis.mn.us) or from the Claims Administrator or Class Counsel at the addresses below. If you do not wish to exclude yourself, and have no objection to the settlement, it is not necessary for you to take any action, and you will obtain the benefits of the settlement if it is approved by Judge Davis.

Final Approval Hearing

On Friday, February 27, 2009 at 10:00 a.m. o’clock, Judge Davis will hold a hearing on the proposed settlement at the U.S. District Court, Devitt Courtroom, 316 North Robert Street, 100 Federal Building, St. Paul, MN. The purpose of the hearing is to determine whether the proposed settlement and fee petitions are fair, reasonable, and adequate, and deserve court approval.

More Information

This notice provides only a summary of the class action lawsuits and settlement agreed upon by the parties. If you have questions or would like more information, including a copy the Settlement Agreement or Complaint, you may contact the Claims Administrator at:

Analytics, Inc.
P.O. Box 2006
Chanhassen, MN 55317-2006
Phone: (866) 308-7607
www.stoponredsettlement.com

or Plaintiffs' Class Counsel at:

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