

**Rosenthal
IVR Script – Bynum v DC Jails**

Approved
by: _____

Date Approved: _____

Toll Free: 888-826-3047

Topic	Script Verbiage and Logic	
Introduction	1000	Welcome to the telephone support line for the Bynum (pronounce BY. NUM) vs the District of Columbia class action- Para escuchar en el idioma español, oprima el 1.
Main Menu	1010	<p>For a description of the Settlement Class, press 1.</p> <p>To hear a list of the important dates, press 2.</p> <p>To order a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, press 3.</p> <p>To hear frequently asked questions and answers, press 4.</p> <p>You can return to this main menu at any time by pressing the <u>Star</u> key.</p>
Description of Settlement Class	1020	<p>You are a member of the class if</p> <ol style="list-style-type: none"> 1. Between the dates of May 16, 1999 and August 31, 2005, you were in any District of Columbia Department of Corrections facility and 2. Either you were not released by midnight of the day you became entitled to release by court order or expiration of sentence, or you appeared in court and the judge ordered you released, and there was no other reason for the District of Columbia to detain you, but you were strip searched before your release and 3. Your claim can be verified from the records of the District of Columbia. <p>The District of Columbia or the Superior Court of the District of Columbia must have a record of your being in custody such that officials can identify you individually by true name and other methods of identification and ascertain that you qualify as someone who was either detained too long or strip searched after having become entitled to release. Such records are the final determinant of who qualifies as a member of the class.</p> <p>You should visit and review the web site at www dot BynumClass dot com, that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s dot com for a more detailed written explanation of the class's definitions and of your rights. This description is a summary only.</p> <p>To return to the main menu, press the <u>Star</u> key.</p> <p>To end this phone call you may hang up.</p>
Important Dates	1030	<p>These are the important dates for you to know regarding the settlement:</p> <ul style="list-style-type: none"> • If you wish to be excluded from the Class, you must send a letter clearly stating that you want to be excluded from <u>Bynum v District of Columbia</u>, postmarked no later than December 23, 2005 to <u>Bynum v District of Columbia Settlement Administrator</u>, Post Office Box 6177, Novato, California 94948 dash 6177. <p>For more information on how to exclude yourself from the Settlement and what needs to be included in your written request for exclusion, please listen to the Frequently Asked Questions and Answers by pressing 4 when you return to the main menu.</p> <ul style="list-style-type: none"> • Should you wish to object to the Settlement if you do not like any part of it, you must send a written objection with the reason why you think the Court should not approve the Settlement, postmarked no later than December 23, 2005 to Clerk of the District Court, United States District Court, 333 Constitution Ave., Northwest, Washington, D.C. 20001. <p>To hear more information on how to object to the Settlement and what needs to be included in your written objection, please listen to the Frequently Asked Questions and Answers by pressing 4 when you return to the main menu.</p> <ul style="list-style-type: none"> • The Court has ordered that a fairness hearing on the Settlement be held on January 20, 2006 at 10:00 a.m., at the United States District Courthouse for the District of Columbia, before Judge Lamberth. At this hearing, Judge Lamberth will determine whether the proposed Settlement is fair, reasonable and adequate and the amount

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		<p>of Attorney's Fees and costs to be awarded. Please note that this date has changed.</p> <ul style="list-style-type: none"> If you wish to receive money from the Settlement, you must complete and submit a Claim Form. All Claim Forms must be completed and postmarked no later than December 23, 2005, but it is recommended that you complete and mail your Claim Form as soon as possible. Please note that the filing deadline of December 23, 2005 has passed. If you wish to file a claim at this time it will be considered as an untimely claim. The final determination if untimely claims are to be considered will be that of the Court. <p>To order a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, press the Star key to return to the main menu and then press 3.</p> <p>To return to the main menu, press the <u>Star</u> key.</p> <p>To end this phone call you may hang up.</p>
Class Notice	1040	To order a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form by mail, please say your first and last names, followed by the spelling of your first and last names. Please speak clearly and slowly. Please start now.
NC Address	1050	Please say your street address, and spell your street name. Please start now.
NC City Zip	1060	Please say your city, state, and zip code. Please start now.
Notice Thank you	1070	<p>Thank you. If the address you provided is in the United States, the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form will be mailed within two weeks. If you do not receive your copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form within three weeks, please call back and provide your information again. Please allow an extra week for delivery outside of the United States.</p> <p>To return to the main menu, press the <u>Star</u> key.</p> <p>To end this phone call you may hang up.</p>
FAQ Menu	1080	<p>The following are some of the most frequently asked questions and answers about this case. You may return to the main menu at any time by pressing the <u>Star</u> key on your touch-tone phone pad.</p> <ul style="list-style-type: none"> To hear what this class action lawsuit is about, Press 1 then the Pound key. To hear who is a member of the class, Press 2 then the Pound key. To hear why this is a class action and why there is a settlement, Press 3 then the Pound key. To hear if there are lawyers representing you, Press 4 then the Pound key. To hear what this settlement provides, Press 5 then the Pound key. To hear if you will receive anything from the settlement and what you need to do to receive money, Press 6 then the Pound key. To hear how much the lawyers will be paid, Press 7 then the Pound key. To hear how you can exclude yourself from the lawsuit, Press 8 then the Pound key. To hear how you can object to the settlement or the attorney's fees, Press 9 then the Pound key. To hear the difference between Objecting and Excluding, Press 10 then the Pound key. To hear if you need to come to the hearing, Press 11 then the Pound key. To hear what happens if you do nothing at all, Press 12 then the Pound key. To hear when you will receive money from the settlement, Press 13 then the Pound key. To hear where you can find more information about the settlement, Press 14 then the Pound key.
FAQ 1	1090	What is this class action lawsuit about?

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		<p>This lawsuit involves the alleged policy and or practice of the District of Columbia Department of Corrections of either (1) holding inmates an unreasonable time after their release dates, or (2) strip searching inmates after they appeared in court and became entitled to release.</p>
FAQ 2	1100	<p>Who is a member of the class?</p> <p>You might be a member of the class if you were</p> <ol style="list-style-type: none"> 1. Either not released by midnight of the day you became entitled to release by court order or expiration of sentence, or you appeared in court and the judge ordered you released, and there was no other reason for the District of Columbia to detain you, but you were strip searched before your release and 2. Your claim can be verified from the records of the District of Columbia. <p>If you need a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form by mail, please press the star key to return to the main menu and then press 3. You may also download the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form from the internet at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p>
FAQ 3	1110	<p>Why is this a class action and why is there a settlement?</p> <p>In a class action, one or more person or persons sue on behalf of a group of people who have similar claims. One court then resolves the issues for all class members, except for those who exclude themselves from the class.</p> <p>Although the court has not decided whether the claims in this lawsuit are correct, both sides have agreed to a settlement. That way, both sides are able to avoid the risks and costs of a trial, the case can be resolved and the benefits of the Settlement can be made immediately available to the class members. The class representatives and their attorneys think that the proposed settlement is fair to the Class Members and the parties in the case and think that the terms of the settlement are a fair, reasonable and adequate resolution of this matter.</p>
FAQ 4	1120	<p>Are there lawyers representing you?</p> <p>The Court has approved three lawyers, called Class Counsel, to collectively represent you. You will not be asked to pay your own personal money for the services of these attorneys and their associates and staff in litigating this case and negotiating this settlement. Instead, the lawyers will seek payment from the fund obtained on behalf of the class. Only Class Counsel may act on behalf of the class; however, that does not prevent you from hiring your own lawyer to advise you personally about your rights, options or obligations as a class member in this lawsuit. If you want to be represented by your own lawyer, you may hire one at your own expense.</p>
FAQ 5	1130	<p>What does this settlement provide</p> <p>The settlement provides for a payment of a total of \$12,000,000.00. From the \$12,000,000.00, the following payments will be made.</p> <ol style="list-style-type: none"> (1) An award of Attorney's Fees and costs, in an amount not to exceed \$4,000,000.00 of the \$12,000,000.00 total. (2) Payment of \$3,000,000.00 to be spent on District of Columbia programs and services to fund changes necessary to eliminate the over-detentions and strip searches that are the subject of this lawsuit. (3) Payment of a total not exceeding \$200,000.00 to individuals who sought representation from Class Counsel and whose individual damages could be assessed prior to settlement. These plaintiffs will receive more under the settlement than other class members because of the role that they played in the litigation. (4) Payment of the remainder, estimated to be approximately in the range of \$4,500,000.00 to \$4,700,000.00 to the members of the class who file claims for payment, under a formula that takes into account a variety of issues such as the length of any over-detention, the nature of the arrest offense, prior arrest history,

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		<p>the outcome of the arrest and those who were strip searched.</p> <p>If you need a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, please press the star key to return to the main menu and select option 3. You may also download the claim form from the internet at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p>
FAQ 6	1140	<p>Will I receive anything from the settlement and what do I need to do to receive money?</p> <p>If it is determined that you are a Class Member, and you file a claim by the filing deadline of December 23, 2005, you will be entitled to receive compensation. The amount you will receive if you do file a claim depends on a variety of factors. The full description of the proposed system on determining the factors is available on our website located at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p> <p>If you need a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, please press the star key to return to the main menu and select option 3. You may also download the claim form from the internet at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p>
FAQ 7	1150	<p>How much will the lawyers be paid?</p> <p>The Court has not yet decided how much Plaintiff's Counsel will be paid. However, Plaintiff's Counsel will ask the Court for an award of reasonable fees in the amount of \$4,000,000.00 of the \$12,000,000.00. The Court may award less than that amount, but not more. You will not be asked personally to pay any Attorney's Fees that the Court may award to Class Counsel. Only if you hire your own lawyer to represent you personally would you have to pay that attorney any fees.</p>
FAQ 8	1160	<p>How can I exclude myself from the settlement?</p> <p>If you do not want to be a member of the Class, or if you want to be able to file your own lawsuit, or be part of a different lawsuit against the Defendant raising the claims involved in this lawsuit, then you must take steps to get out of the class.</p> <p>To exclude yourself, you must send a letter by First-Class mail clearly stating that you want to be excluded from Bynum v. District of Columbia. Be sure to include your name, address, telephone number and signature. The name and address of your attorney is not sufficient. Please send your exclusion request to:</p> <p>Bynum v. District of Columbia Settlement Administrator PO Box 6177 Novato, CA 94948 dash 6177</p> <p>Your exclusion request must be postmarked no later than December 23, 2005. You cannot exclude yourself on the phone or by e-mail. If you are excluded, you will not be entitled to get any money from the Settlement and you cannot object to the Settlement.</p> <p>For more information on what it means to exclude yourself what you need to do to exclude yourself, please refer to the Notice of Class Action, Proposed Class Settlement and Hearing.</p> <p>If you need a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, please press the star key to return to the main menu and select option 3. You may also download the claim form from the internet at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p>
FAQ 9	1170	<p>How can I object to the settlement or the attorney's fees?</p> <p>If you are and choose to remain a Class Member, you can object to the settlement if you do not like any part of it, or you may object to the request for attorney's fees. You must send a written statement with the case name and number, Bynum v District of Columbia, Case No. 02-956 RCL, at the top of the page. You must also include your name, your address, your telephone number, the date of arrest to the extent known, your Driver's License number, your Social Security number, your Signature and the reason why you object. If you are represented by a lawyer, you should also give the name, address and telephone number of</p>

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		<p>that lawyer. You must mail your objections and any supporting papers by First-Class mail, postmarked no later than December 23, 2005 to:</p> <p>Clerk of the District Court United States District Court 333 Constitution Ave, Northwest Washington, DC 20001</p> <p>You must also send copies to the following:</p> <p>William Claiborne Suite 210 717 D Street, Northwest Washington, DC 20004</p> <p>And</p> <p>Maria Amato, Senior Assistant Attorney General For the District of Columbia Equity I, Civil Litigation Division 441 4th Street, Northwest Washington, DC 20001</p> <p>For more information on what it means to object to the settlement and what you need to do to object, please refer to the Notice of Class Action.</p> <p>If you need a copy of the Notice of Class Action, Proposed Class Settlement and Hearing and a copy of the Claim Form, please press the star key to return to the main menu and select option 3. You may also download the claim form from the internet at www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.</p>
FAQ 10	1180	<p>What is the difference between objecting and excluding?</p> <p>Objecting is simply telling the Court that you do not like something about the settlement. You can object only if you stay in the class. If you object and the Court rejects your objection, you remain a member of the Class and will be bound by any outcome of the case.</p> <p>Excluding yourself is telling the Court that you do not want to be a part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.</p>
FAQ 11	1190	<p>Do I need to go to the Hearing?</p> <p>No. You may, but need not, attend the Hearing. Plaintiffs' Counsel will answer any questions the Court may have. However, you may come if you choose, at your own expense. If you send a written objection, you do not have to come to Court to talk about it.</p>
FAQ 12	1200	<p>What happens if I do nothing at all?</p> <p>If you take no action, your rights will be affected. You will be bound by the terms of the Settlement and you will be agreeing to a release of claims that are contained in the settlement. However, because you did not file a claim, you will not be entitled to any money from the settlement.</p>
FAQ 13	1210	<p>When will I receive money from the settlement?</p> <p>No money will be paid until after the Settlement Funds are deposited with the Class Administrator and until after the date set by the Court. After that, it will take at least two months, and quite possibly more, to process all the claims, calculate the amount due to each Class Member and receive the money to send to the Class Members. If you file a claim and do not receive money within six months after December 23, 2005, contact the Class Administrator by writing to:</p> <p><u>Bynum v. District of Columbia Settlement Administrator</u> Post Office Box 6177 Novato, CA 94948 dash 6177.</p> <p>We strongly recommend that you keep a copy of your Claim Form.</p>
FAQ 14	1220	<p>Are there more details about the settlement?</p>

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		If you would like to see the complete settlement documents in the case, please visit the website titled www.BynumClass.com that's w-w-w-dot-B-y-n-u-m-C-l-a-s-s-dot-com.
End of FAQs	1350	For the Frequently Asked Questions main menu, press the <u>Pound</u> key. For the next question, press the <u>Zero</u> key. (If on last question 6-10 – play message 6-1) For the main menu, press the <u>Star</u> key. To end this phone call you may hang up at any time.
Invalid Response	999999	I'm sorry, that was not a valid response. Please try again.
No Response	999998	I'm sorry we did not receive a response in the time allowed.
Goodbye	309	Thank you for calling, Goodbye.