

THE TAXIS FOR ALL CAMPAIGN, SIMI LINTON, UNITED SPINAL ASSOCIATION, 504
DEMOCRATIC CLUB, AND DISABILITY IN ACTION, INDIVIDUALLY AND ON
BEHALF OF

ALL OTHER PERSONS SIMILARLY SITUATED

V.

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION, MEERA JOSHI,
NEW YORK CITY, AND BILL DE BLASIO,
CIVIL ACTION NO. 11-CV-0237
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

To: All Class Members; Interested Third Parties

Re: Settlement of Class Action Lawsuit

Date: June 16, 2014

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION

ATTENTION: All persons using wheelchairs or scooters who reside in or visit New York City who are persons with disabilities under the Americans with Disabilities Act, Rehabilitation Act, and/or City Human Rights Law and who seek to use New York City medallion taxis, as well as any interested third parties,

The parties have reached a proposed agreement to settle this class action lawsuit. Please read this Notice carefully. It contains important information about your rights concerning the class action settlement described below.

IMPORTANT DEADLINES:

- Deadline to object to the Settlement: must be postmarked or recorded by August 8, 2014.

The purpose of this notice is to inform you of the proposed settlement in this class action lawsuit brought on behalf of people who use wheelchairs or scooters and who reside in or visit New York City, who are persons with disabilities under the Americans with Disabilities Act, Rehabilitation Act, and/or City Human Rights Law, and who seek to use New York City medallion taxis. The class action settlement stipulation (the "Settlement Agreement"), which must be approved by the District Court, was reached with New York City, Bill de Blasio, in his official capacity as the Mayor of New York City, the New York City Taxi & Limousine Commission (the "TLC"), and Meera Joshi, in her official capacity as the Commissioner of the TLC (together, the "City Entities") in *The Taxis for All Campaign, et al. v. N.Y. City Taxi & Limousine Commission, et al.*, Case No. 11-CV-0237 (GBD). The lawsuit, filed in 2011, alleges that the City Entities have discriminated against people with disabilities by failing to provide a sufficient number of accessible taxicabs as a part of the medallion taxi fleet. The City Entities all deny any liability or wrongdoing.

This Notice explains the class action lawsuit and the terms of the Settlement Agreement and explains your rights and obligations. The Notice is not intended to be and should not be

understood as an expression of any opinion by the Court as to the merits of any of the claims or defenses asserted by the parties. The Notice contains information about the following topics:

1. What is the Lawsuit About and What is this Notice For?
2. Who is Affected by the Proposed Settlement?
3. What Are The Terms of The Proposed Settlement?
4. Who Represents The Parties and How Will Attorneys for The Class Get Paid?
5. Do You Have to Participate in the Settlement?
6. How Can You Object?
7. What if You Have Questions?

1. What is The Lawsuit About and What is this Notice For?

The Plaintiffs filed this lawsuit alleging that New York City, the Mayor of New York City, the TLC, and the TLC Commissioner discriminate against individuals with mobility disabilities who use wheelchairs or scooters by failing to require a medallion taxi fleet that is accessible to such individuals. The City Entities deny the Lawsuit's allegations, and assert that they had no obligation to provide or require accessible taxis to class members.

The Lawsuit is pending before The Honorable George B. Daniels in the United States District Court for the Southern District of New York. After litigating the case for more than three and a half years and engaging in discovery and extensive negotiations, the parties have reached a proposed Settlement of all claims. The Court has granted preliminary approval of the Settlement Agreement and has scheduled a hearing on September 16, 2014 at 12:00 p.m. at the United States Courthouse at 500 Pearl Street in New York, New York to determine whether to grant final approval. This Notice tells you about your rights and responsibilities under the proposed Settlement.

2. Who is Affected by The Proposed Settlement?

The District Court has certified the following class of people, whose rights may be impacted by the Settlement Agreement:

“All persons using wheelchairs or scooters who reside in or visit New York City who are persons with disabilities under the Americans with Disabilities Act, Rehabilitation Act, and/or City Human Rights Law and who seek to use New York City medallion taxis.”

3. What Are The Terms of The Proposed Settlement?

If the Settlement Agreement is approved, the City Entities will require owners of taxicab medallions to replace 50% of all taxi cabs in the New York City medallion taxi fleet that come out of service and are retired with vehicles that are fully accessible for wheelchair and scooter users, starting on a date no later than January 1, 2016. These medallion owners will replace

these vehicles for up to five years, culminating in a medallion taxi fleet that is, overall, 50% accessible by December 31, 2020.

These actions are to be taken in accordance with Section 58-50 of Title 35 of the Rules of the City of New York (“RCNY”), which the TLC approved on April 30, 2014. The City Entities will be required to provide reports on their progress with complying with the terms of the Settlement Agreement two times a year for five years, for a total of 10 reports.

4. Who Represents the Parties and How Will The Attorneys for the Class Get Paid?

The Plaintiff Class is represented by Class Counsel, who are Disability Rights Advocates, a non-profit legal center that specializes in class action litigation on behalf of people with disabilities, and Sheppard Mullin Richter & Hampton, an international law firm with a longstanding record of providing community and legal services to those in need.

Class Counsel is still negotiating with the City Entities regarding the amount of attorneys’ fees and costs that the City Entities will pay them for their work on this case. If such negotiations do not culminate in a mutually agreeable amount, Class Counsel will apply to the District Court for legal fees and costs of the litigation of no more than \$4.9 million. The actual amounts awarded will be determined by the District Court to ensure that the amount of attorneys’ fees and costs awarded are reasonable.

Class Counsel may be contacted at:

Attn. TFA v. N.Y. City TLC Settlement
Disability Rights Advocates
2001 Center St., Fourth Floor
Berkeley, CA 94704
Email: rsmith@dralegal.org
510-665-8716 (TTY)
Toll Free Number: 1-877-603-4578.

5. Do You Have to Participate in the Settlement?

The proposed Settlement Agreement, if given final approval by the Court, will bind all members of the Settlement Class for the duration of the implementation period, until, at the latest, December 31, 2020. This will bar any person who is a member of the class certified in this litigation from seeking equitable relief against the City Entities and any medallion owners or operators who choose to enter into a covenant not to challenge the Settlement Agreement or 35 RCNY § 58-50 regarding all issues resolved in the Settlement Agreement for the term of the settlement, other than any claims for enforcement of the settlement. Parties specifically named in Plaintiffs’ complaint, the Named Plaintiffs, are independently barred from seeking monetary relief regarding from the City Entities and any medallion owners or operators who choose to enter into a covenant not to challenge the Settlement Agreement or 35 RCNY § 58-50 regarding all issues resolved in the Settlement Agreement for the term of the settlement.

6. How Can You Object?

You may object to the Settlement, including the request for attorneys' fees and costs, by following the instructions below.

The District Court has given preliminary approval of the Settlement Agreement, and has scheduled a hearing for September 16, 2014 at 12:00 p.m. in the Courtroom of the Honorable George B. Daniels, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007-1312 to determine whether the proposed settlement is fair and reasonable and should be finally approved. Although you are not required to attend, as a class member, you have the right to attend and be heard at this hearing. This hearing date may be changed by the District Court without further notice. If you wish to be on the service list to be informed of any changes to the schedule, please file a notice of appearance or objection with the District Court.

In addition, if you disagree with the settlement, any class member may object to the terms of the proposed Settlement Agreement described above by submitting a copy of his or her written objection, or by leaving a message via TTY and/or Video Relay Service, or on a toll free number to be established by Class Counsel, to Class Counsel identified above no later than August 8, 2014. Any written objection must be signed, and all objections must state each specific reason in support of your objection and any legal support for each objection.

All objections will be provided by Class Counsel to Defense Counsel within five calendar days and filed with the Court. Only such objecting individuals will have the right, if they seek it in their objections, to present objections at the fairness hearing. If you submit a timely objection, you may also appear, at your own expense, at the Final Approval Hearing. However, to be heard at the Final Approval Hearing, you must first submit a "Notice of Intention to Appear at the Final Approval Hearing" which is currently set for September 16, 2014 at 12:00 p.m., at the United States Courthouse, 500 Pearl Street, New York, New York 10007-1312. You can represent yourself or appear through your own attorney, at your own cost. To do so, you or your attorney must also file a "Notice of Appearance" with the Clerk of the United States District Court, Southern District of New York, and deliver copies to the attorneys for the parties listed above, no later than August 8, 2014.

IF YOU DO NOT OPPOSE THIS SETTLEMENT, YOU DO NOT NEED TO APPEAR OR FILE ANYTHING IN WRITING.

7. What if You Have Questions?

This Notice only summarizes the lawsuit, the Settlement Agreement, and related matters. For more information about the Settlement Agreement, or if you have any questions regarding the Settlement Agreement or this lawsuit, you may examine the Court file for the Lawsuit or contact Class Counsel.

In order to see the complete court file, including a copy of the Settlement Agreement, you should visit the Clerk of the Court, United States Courthouse, 500 Pearl Street, New York, New York 10007-1312. Reference *The Taxis for All Campaign, et al. v. N.Y. City Taxi & Limousine*

Commission, et al., Case No. 11-CV-0237 (GBD). The Clerk will make all files relating to this Lawsuit available to you for inspection and copying at your expense.

You can contact Class Counsel at the address or numbers listed in section 4, above. You may also obtain additional information concerning the Settlement from <http://dralegal.org/impact/cases/taxis-for-all-campaign-v-taxi-and-limousine-commission-et-al-tlc> or at http://www.nyc.gov/html/tlc/html/news/public_main.shtml and www.nyc.gov/MOPD.

To obtain copies of this Notice in alternative accessible formats, please contact Class Counsel listed above.

Do not contact the District Court directly about this matter.

Dated: June 16, 2014