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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN COUNCIL OF THE BLIND, a
District of Columbia non-profit corporation,
TAMMY RENEE COOPER, SCARLETT MILES,
MARVELENA QUESADA, ARLENE
DOHERTY, ALICE MARJORIE DONOVAN,
BILLIE JEAN KEITH, GEORGE P. SMITH,
DOROTHY JACKSON, MARY ANN
ALEXANDER, AND LAURA M. RUSSELL on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

MICHAEL ASTRUE, Commissioner of the Social
Security Administration, in his official capacity,
and SOCIAL SECURITY ADMINISTRATION,

Defendants.

Case No.: C 05-04696 WHA

STIPULATION AND ~~PROPOSED~~
ORDER RE NOTICE OF CLASS
CERTIFICATION

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2 STIPULATION AND [PROPOSED] ORDER RE NOTICE OF CLASS
3 CERTIFICATION

4 Pursuant to the Court's class certification order dated September 11, 2008, the parties
5 stipulate as follows:

6 1. In furtherance of this Court's Order that notice of class certification be
7 distributed in order to encourage the maximum input possible from class members
8 regarding issues of potential relief, the proposed notice agreed to by the parties is
9 attached hereto as Exhibit A.

10 2. Distribution of Notice and Alternate Formats: In order to ensure the
11 widest distribution of class notice possible, the parties will take the following actions
12 within 45 days of the Court's approval of the notice and distribution plan:

- 13 a. Plaintiffs will post the notice on all of co-counsel's websites:
14 http://www.hewm.com/en/about/offices_san_francisco.aspx,
15 www.dredf.org, <http://www.nsclc.org/>,
16 <http://www.oradvocacy.org/>; and on the national and state websites
17 of organizational plaintiff American Council of the Blind (ACB),
18 <http://www.acb.org/>. Plaintiffs will also include the notice in
19 ACB's newsletter, The Braille Forum, which is available monthly
20 in Braille, audiocassette, large print and email.
- 21 b. Plaintiffs will establish a toll-free 800 number where class
22 members can request the class certification notice be provided by
23 Plaintiffs in Braille, large font print, audio recording or accessible
24 CD and leave their contact information, as well as comments and
25 questions about the lawsuit.
- 26 c. Plaintiffs will coordinate with government agencies, community
27 advocates in the disability community, the senior community, and
28 the blind and visually impaired community, as well as legal aid and
SSA advocacy organizations, across the country to ensure

1 distribution of the notice via internal and public newsletters,
2 electronic listservs, and posting of the notice on organizational
3 websites as appropriate. Plaintiffs' outreach will encompass the
4 following groups (a contact list for the organizations below is
5 attached hereto as Exhibit B):

- 6 • The National Federation of the Blind and the American
7 Foundation for the Blind;
- 8 • U.S. Administration on Aging funded legal service
9 providers,
- 10 • State agencies, commission, and schools concerning the
11 blind community;
- 12 • State agencies concerning seniors and aging;
- 13 • National Association of Area Agencies on Aging (N4A);
- 14 • Legal Services Corporation;
- 15 • National Legal Aid and Defender Association (NLADA);
- 16 • National Disability Rights
- 17 • AARP;
- 18 • National Council on Independent Living (NCIL);
- 19 • Braille Institute of America;
- 20 • Guide Dogs of America.

- 21 d. Defendants will record the complete notice in English and Spanish
22 on telephone messages that will be made available through a
23 dedicated 1-800 toll-free telephone line.
- 24 e. Defendants will post links to the notice on both the English and
25 Spanish versions of the homepage of its website.
- 26 f. Defendants will display the notice in a 22 font print poster in the
27 main area of all SSA field offices.
- 28 g. Defendants will instruct its employees by means of an emergency
message (EM) of the class action notice and will instruct

1 employees to respond to all inquiries concerning the class action by
2 informing members of Plaintiff's 1-800 number, or, upon request,
3 by reading aloud the notice. Defendant will also instruct its
4 employees to direct individuals to follow the information in the
5 notice regarding their ability to contact Plaintiffs' class counsel if
6 they wish to provide input to the court, or have any questions or
7 concerns about the notice or the lawsuit.

8 h. Defendants will send out the notice and links to the English and
9 Spanish version of the notice on its website to its SSA update
10 newsletter and its "Dear Colleague" subscribers.

11 3. Duration of Notice Provision: The procedures set forth in Section 2,
12 above, shall remain in place until December 31, 2008 or for 60 days following their
13 implementation, whichever occurs later.

14 IT IS SO STIPULATED.

15
16 DATED: October 1, 2008

17 Respectfully submitted

18 HELLER EHRMAN LLP

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20 DISABILITY RIGHTS EDUCATION
21 AND DEFENSE FUND, INC.

22 By /s/ Silvia Yee
23 SILVIA YEE
24 Attorneys for Plaintiffs

25 By /s/ Marsha S. Edney
26 MARSHA S. EDNEY
27 Attorneys for Defendants

1 Filer's attestation: Pursuant to General Order No. 45, § X(B), I attest under
2 penalty of perjury that concurrence in the filing of the document has been obtained from
3 each of its signatories.

4 Dated: October 1, 2008

By /s/ Silvia Yee

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 Date: October 2, 2008.

22 By: _____
23 HONORABLE _____
24 UNITED STATES DISTRICT JUDGE

