

**NOTICE OF CLASS ACTION  
PROPOSED SETTLEMENT**

*Thanh Huynh, et al. v. Katherine Harasz, et al.*  
United States District Court, Northern District Of California  
Case No. 14-CV-02367 LHK

You are receiving this notice because you are a class member in the above-captioned case according to the following class definition:

“Santa Clara County Section 8 voucher holders who have disabilities and/or have family members with disabilities who (1) made a reasonable accommodation request to the Housing Authority of Santa Clara County (HACSC) for an additional bedroom between after July 1, 2013 and June 8, 2016, (2) had a documented and undisputed need for a separate bedroom, (3) were denied a disability-related increase in the number of bedrooms by HACSC, (4) were not previously granted a permanent reasonable accommodation request, (5) did not request the additional bedroom for a live-in caregiver or for storage of medical equipment, and (6) have a least one family member who is disabled.”

**AS A CLASS MEMBER YOU ARE HEREBY NOTIFIED that:**

- The Plaintiffs in this case filed a court case against HACSC and Katherine Harasz, in her official capacity as the Executive Director of HACSC on behalf of the class.
- The Plaintiffs have reached a proposed out-of-court settlement with HACSC and its Executive Director that will resolve all claims in this case. The attorneys for the Plaintiffs may receive attorneys’ fees and expenses from this settlement.
- This notice is to inform you about the settlement so you can make a decision about your legal rights.

Deleted: , including you,

Deleted: are receiving

**YOU HAVE SOME OPTIONS:**

**DO NOTHING** If you read the notice and decide you agree with the settlement and are satisfied with the amount of money damages listed in the chart in section 6(A), you don’t have to do anything. If the Court decides that the settlement is fair, then you will be bound by the agreement.

Deleted: judge

**MAKE A CLAIM** If you agree with the settlement and are claiming additional money damages based on homelessness, complete the “Claim Form” described in section 6(B).

Deleted: ¶

**OBJECT** If you read the notice and decide you do not agree with the settlement you can object. In order to object, you will have to send a completed “Objection Form” described in section 8 to the addresses on the form and let the Court know why you do not like the settlement generally or any term or terms of the settlement.

Deleted: Judge

Deleted: ¶  
OPT OUT

**GO TO A HEARING** The Court has set a date for a hearing at which you can tell her in person why you don’t think the settlement is fair. The date, time and location of the Fairness Hearing is described in section 9.

Deleted: ¶  
If you do not wish to be part of the settlement you can decide not to receive the benefits of the settlement. In order to opt out of the settlement, complete the “Opt Out” described in Section 7 and send it to the addresses on the form.

Deleted: Judge

## QUESTIONS AND ANSWERS

### 1. Why am I receiving this notice?

Federal law requires us to send you this notice because it is likely the settlement in this case will affect your legal rights. This notice will tell you about the court case, the proposed settlement we agreed to, and what to do if you agree or disagree with the settlement. You have a right to get this information and give your opinion before the Court decides whether or not to approve the proposed class settlement. The Court in charge of the case is the United States District Court of the Northern District of, California. United States District Court Judge Lucy Koh is the judge overseeing the case.

Deleted: The Judge

Deleted: Judge

### 2. What is this case about?

In this case, seven (7) households (Plaintiffs) who have section 8 vouchers argued that HACSC violated the law because it did not increase their voucher size to accommodate the Plaintiffs or their family member's disability. All of the Plaintiffs have persons who need a separate bedroom because of their disabilities. All of the Plaintiffs had documented that a separate room was necessary.

### 3. Why is this a class action?

In a class action, one or more people called class representatives sue on behalf of all people who have similar claims (a "class"). The Class Representatives in this case are THANH HUYNH, VENUS BENABIDES; RUDY GARCIA; LYNDIA GOMES; NICHOLAS WALLACE, a minor, by his guardian ad litem, LYNDIA GOMES; LILLIE WARE, STEPHEN JONES a minor, by his guardian ad litem, LILLE WARE; DEHAB HAILE; and FREIHIWET TEFAMARIAM. Usually, class actions happen when the same issue affects a lot of people and it wouldn't make sense for everyone to file their own lawsuit.

Deleted: .

### 4. Why is there a settlement?

The case did not get decided by the Court. Instead, the Plaintiffs and HACSC came to a settlement agreement. This does not mean that HACSC admits that they did anything wrong. The Plaintiffs and their attorneys think the settlement is fair and is in the best interests of everyone.

Deleted: Judge

### 5. What are the terms of the settlement?

- The settlement requires HACSC to change its policies related to disability-related reasonable accommodation requests for an additional bedroom subsidy. Specifically, HACSC agreed that it will no longer consider the living room as a bedroom when it is considering reasonable accommodation requests. The settlement also requires that HACSC staff receive training on this new policy. The settlement further provides that individuals with permanent disabilities that require their own bedroom will not have to periodically re-certify the need for the additional bedroom. You will be contacted by HACSC in writing with respect to your request for an additional bedroom and should you continue to need and request an additional bedroom, a determination will be made about whether your voucher will be changed to allow for the additional bedroom; when you are contacted by HACSC, you will be advised about your rights during this reasonable accommodation request process.
- The settlement awards money damages to everyone on the list below. The total amount of money damages for the class is \$3,200,000.

- The money damages will be split up based on many factors including: how much a household's rent increased without the voucher increase, when a household requested a reasonable accommodation, and whether a household became homeless because they did not get a voucher increased.
- The attorneys who represented the Plaintiffs will be awarded \$712,500 for their work on the case. This amount is in addition to the damages mentioned above and will not come out of those damages.

**6. How much should I expect to get?**

A. The chart below shows your minimum money damages amount by voucher number.

Voucher No.	Damages	Voucher No.	Damages	Voucher No.	Damages
000197212	\$1,944	C00184801	\$25,406	C00190789	\$11,088
000197265	\$21,941	C00184977	\$10,467	C00191117	\$916
000197500	\$4,944	C00185000	\$9,994	C00191137	\$9,994
000197869	\$17,090	C00185071	\$17,090	C00191181	\$10,733
000198260	\$15,011	C00185237	\$11,797	C00191446	\$8,605
000199241	\$7,623	C00185416	\$9,994	C00191788	\$9,403
000199332	\$25,406	C00185576	\$12,910	C00191975	\$25,406
000199633	\$7,933	C00185657	\$16,397	C00192404	\$9,403
000199728	\$17,090	C00185672	\$8,686	C00192431	\$25,406
000199885	\$11,531	C00185675	\$4,944	C00192472	\$25,406
000200103	\$10,733	C00185864	\$18,476	C00192543	\$9,137
000200216	\$25,406	C00185915	\$11,531	C00192645	\$21,248
100000284	\$10,461	C00185932	\$9,765	C00192649	\$6,788
100000772	\$17,783	C00185990	\$6,057	C00192774	\$15,704
100001249	\$8,871	C00186111	\$7,541	C00192821	\$5,682
100001266	\$11,797	C00186176	\$18,476	C00192855	\$25,406
100001346	\$11,265	C00186189	\$7,170	C00192956	\$9,536
100001418	\$11,265	C00186221	\$2,816	C00192991	\$24,020
C00100648	\$5,358	C00186249	\$7,475	C00193005	\$3,831
C00101364	\$19,862	C00186546	\$7,807	C00193149	\$9,994
C00101992	\$23,327	C00186648	\$24,713	C00193276	\$16,397
C00103655	\$7,982	C00186754	\$9,547	C00193383	\$12,910
C00103943	\$6,248	C00186762	\$23,327	C00193454	\$9,935
C00104506	\$11,047	C00186791	\$25,406	C00193527	\$11,422
C00104556	\$25,406	C00187039	\$12,910	C00193580	\$10,798
C00105360	\$9,994	C00187137	\$21,248	C00193683	\$11,797
C00111289	\$13,297	C00187326	\$24,020	C00193801	\$24,020
C00113865	\$9,137	C00187546	\$23,327	C00193900	\$11,531
C00114104	\$4,710	C00187569	\$24,713	C00193945	\$20,555
C00118524	\$10,999	C00187778	\$11,531	C00194017	\$4,158
C00120206	\$9,403	C00187861	\$13,614	C00194062	\$14,318
C00123154	\$5,358	C00187885	\$11,797	C00194604	\$21,941
C00131190	\$24,020	C00187906	\$24,713	C00195013	\$9,669

C00132442	\$4,573	C00187987	\$15,011	C00195076	\$24,020
C00138302	\$11,531	C00187998	\$9,994	C00195214	\$15,704
C00147582	\$15,011	C00188005	\$2,079	C00195259	\$9,078
C00148321	\$25,406	C00188029	\$2,442	C00195445	\$8,686
C00149746	\$9,536	C00188114	\$25,406	C00195516	\$24,713
C00155002	\$14,318	C00188171	\$5,358	C00195606	\$6,574
C00155879	\$10,467	C00188261	\$5,034	C00195822	\$9,702
C00156783	\$15,704	C00188275	\$11,797	C00195975	\$9,307
C00157447	\$17,783	C00188391	\$8,686	C00196065	\$8,686
C00157713	\$7,170	C00188488	\$8,605	C00196230	\$25,406
C00183166	\$7,017	C00188773	\$24,020	C00196450	\$22,634
C00183490	\$24,713	C00189132	\$20,555	C00196455	\$17,783
C00183603	\$17,783	C00189404	\$25,406	C00196456	\$9,307
C00183671	\$23,327	C00189683	\$24,713	C00196529	\$21,248
C00183689	\$8,871	C00189713	\$18,476	C00283413	\$8,073
C00183889	\$8,605	C00189784	\$5,358	C00283858	\$19,862
C00184025	\$7,689	C00189935	\$9,994	C00285430	\$2,079
C00184314	\$25,406	C00190028	\$22,634	C00285884	\$9,994
C00184403	\$21,941	C00190291	\$25,406	C00289235	\$10,798
C00184407	\$9,994	C00190316	\$21,941	C00294397	\$9,137
C00184540	\$9,137	C00190433	\$17,783	C00185376	\$24,020
C00184546	\$24,020	C00190482	\$17,783	C00156977	\$25,406
C00184559	\$7,982	C00190580	\$19,862	C00190266	\$24,713
C00184698	\$9,536	C00190606	\$9,994	C00117495	\$24,713
C00184752	\$4,944	C00190711	\$16,397	C00193425	\$20,555
C00184784	\$25,406	C00190729	\$6,574		

If your voucher number is not on the list contact the claims administrator KCC at the number listed in section 14 below for more information.

B. You may also be entitled to more money damages if you were homeless between July 1, 2013, and June 8, 2016. To make a claim for additional damages based on homelessness:

1. Complete the attached "Claim Form" and mail it to the address provided on the form.
2. Mail the "Claim Form" **postmarked no later than** \_\_\_\_\_.
3. Carefully follow the instructions on the "Claim Form."

C. You may get more money damages if not all of the class members collect their allocated damages.

**7. What if I want to stay a part of the case but I don't agree with some parts or all of the proposed settlement?**

You have a right to tell the Court your opinion on the proposed settlement. To do this you must:

1. Complete the attached "Objection Form" and mail it to the addresses provided on the form.
2. Mail the "Objection Form" **postmarked no later than** \_\_\_\_\_.
3. Carefully follow the instructions on the "Objection Form."

Deleted: November 7, 2016.

Deleted: will

Deleted: ¶

Formatted: List Paragraph, Indent: Hanging: 0.29", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.04" + Indent at: 0.29"

Deleted: 7.

Deleted: 8

Deleted: Judge

Deleted: November 7, 2016

**8. How do I object to the settlement in person?**

The Court will hold a Fairness Hearing on December 15, 2016, at 1:30 p.m. at the United States District Court, Northern District of California, Courtroom 8, 4th Floor, 280 South First Street, San Jose, California, 95112. At this hearing, the Court will consider whether the proposed settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. We do not know when the Court will make a decision on the request to approve the settlement.

- Deleted: 9
- Deleted: Judge
- Deleted: November 17, 2016
- Deleted: Judge
- Deleted: Judge
- Deleted: Judge
- Deleted: Judge
- Deleted: 10

**9. Do I have to come to the Fairness Hearing?**

No. You only have to come to the Fairness Hearing if you want to object to the settlement in person. Remember, you can also submit your objection in writing by taking the steps above.

**10. What happens if I do nothing at all?**

If you read the notice and decide you agree with the settlement, you don't have to do anything. If the Court decides that the settlement is fair, then you will be bound by the agreement and will receive the minimum money damages discussed above. This also means that you cannot sue the Housing Authority in the future regarding this same issue.

- Deleted: Judge

**11. Do I have an attorney in this case?**

Yes. The Court has appointed the Law Foundation of Silicon Valley to represent the Class. If you want to be represented by your own attorney, you can hire one at your own expense.

- Deleted: Judge
- Deleted: the law firms of
- Deleted: and Fish & Richardson

**12. How will the attorneys be paid?**

Attorneys for the Class will request payment from the settlement of the case in an amount up to \$712,500. This amount is separate from the \$3.2 million in damages awarded to the class.

- Deleted: You will not be required to pay the attorneys for their work on this case.
- Deleted: will be paid through
- Deleted: the
- Deleted: of
- Deleted: not taken
- Deleted: P

**13. Where can I get more information?**

If you have questions about this Class Settlement or this Notice, contact KCC LLC, the claims administrator for this lawsuit. KCC's address for this lawsuit is P.O. Box 40007, College Station, TX, 77842-4007. The toll free telephone number is (888) 685-2279.

The complete terms of the settlement are at: [www.lawfoundation.org/HACSCsettlement](http://www.lawfoundation.org/HACSCsettlement)

You can also look the case up on the Court's website here: <https://ecf.cand.uscourts.gov>

- Deleted: or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, at 280 South First Street, San Jose, California between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays ¶

**14. What if I am not sure if I am a member of the class?**

If you are not sure whether you are a class member, you can call the Claims Administrator KCC LLC at **P.O. Box 40007, College Station, TX, 77842-4007. The toll free telephone number is (888) 685-2279.**

- Deleted: the address and telephone number listed above in section 14.
- Deleted: ¶
- Formatted: Centered
- Deleted: ¶
- ¶

**PLEASE DO NOT CALL THE COURT**

