

## NOTICE OF SETTLEMENT OF CLASS ACTION LAWSUIT

Dear [HEAD OF HOUSEHOLD NAME],

*This Notice has been approved by the Hon. Glen Pierson of the Connecticut Superior Court.*

*You are NOT being sued.*

**Deadline For Action: JUNE 10, 2024**

We are writing to let you know that because you [and FAMILY MEMBERS' NAMES]

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lived at Branford Manor during some or all of the time period between November 23, 2019 and November 22, 2022 **you may be entitled to money in connection with the settlement of a class action lawsuit.** The lawsuit was brought by current and former BRANFORD MANOR tenants to address complaints about the living conditions at BRANFORD MANOR.

If you return **the attached Claim Form #1**, and if the Judge gives final approval to the settlement, then you and the family members who lived with you and were on the lease during any time from November 23, 2019 to November 22, 2022 will get money from the settlement without **having to pay attorneys' fees or costs** to the attorneys who brought the class action lawsuit and negotiated the settlement. They are being paid separately in addition to the payments to you.

The settlement includes a **Base Payment of between \$2,000 and \$6,000 for each adult and between \$1,000 and \$3,000 for each child.**

1. The Base Payment amount is determined by your length of authorized residency – meaning you are listed on the rental forms - at Branford Manor during the Class Period. The Class Period runs from November 23, 2019 to November 22, 2022. The payment amounts are determined as follows:

For residency during the Class Period (11/23/2019 – 11/22/2022), with a year defined to equal 365 days:

- i. **For adults** with three years of residency during the Class Period, \$6,000;
- ii. For adults with at least two but less than three years of residency during the Class Period, \$4,000; and
- iii. For adults with less than two years of residency during the Class Period, \$2,000.
- iv. **For minors (birth to 18 years old)** with three years of residency during the Class Period, \$3,000;
- v. **For minors** with at least two but less than three years of residency during the Class Period, \$2,000; and
- vi. **For minors** with less than two years of residency during the Class Period, \$1,000. Years of residency will be calculated based on Related Management Companies' records of authorized tenancy (with the exception for infants as described in the Settlement Agreement). Treatment as an adult or minor is based on age attained while residing at Branford Manor during the class period.

Questions? Visit [www.branfordmanorsettlement.com](http://www.branfordmanorsettlement.com) or text or call toll-free at 1-833-961-3404

You may also be eligible to receive:

2. An **Enhanced Payment** of money—in addition to the Base Payment—if you or your family members claim serious injuries or uncompensated property damage that you believe were caused by conditions at BRANFORD MANOR.
3. **No additional attorneys' fees.** You will not have to pay any attorneys' fees out of any Enhanced Payments you receive.

If you want to participate in the settlement so that you and your family members are eligible to receive money from the settlement, you must send in Claim Form #1 by **June 10, 2024** or notify the Settlement Administrator in writing.

If you also want to make a claim for serious injuries or damage, you must also send in Claim Form #2 by **July 15, 2024**.

**FOR QUESTIONS, MORE INFORMATION, AND ASSISTANCE:**

- Send an email with your question to [info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com) or
- Call toll-free 1-833-961-3404 to speak with a customer service representative.
- Call Embry, Neusner, Arscott & Shafner at (860) 449-0341.

**Please read the attached pages of information:**

A brief description of the lawsuit and the settlement (pages 3-5)

What are my options? (pages 6-8)

How do I participate in the settlement? (page 9)

Where can I get help/ask questions? (page 9)

Where can I get a copy of the lawsuit/proposed settlement? (page 9)

## A BRIEF DESCRIPTION OF THE LAWSUIT AND THE SETTLEMENT

### **What is the lawsuit that is being settled?**

This class action lawsuit was brought by people who lived at BRANFORD MANOR on behalf of everyone who lived at BRANFORD MANOR during some or all of the “time period” against, among others, the owner of BRANFORD MANOR and the companies who managed the BRANFORD MANOR apartments “Defendants”, during the “time period” from November 23, 2019 to November 22, 2022.

In the lawsuit, the Plaintiffs (the BRANFORD MANOR tenants bringing the lawsuit) claim that the Defendants (the owner and the management companies) failed, among other things, to properly maintain the tenants’ apartments at BRANFORD MANOR during the time period and, as a result, that the tenants suffered injuries and financial loss. The Defendants deny that the apartments were improperly maintained during that period, and deny that tenants suffered injuries and financial loss as a result of the condition of the apartments.

The settlement resolves these disputes by providing money to people who lived at BRANFORD MANOR during some or all of the “time period.”

### **Who is eligible to participate in the settlement?**

Any person who was listed on the rental forms at BRANFORD MANOR for some or all of the “time period” is a Class Member who can participate in the settlement. Infants born during the time period are also included even if they were not on a rental form.

### **What money will class members receive as part of the settlement?**

If the Judge approves the settlement, then class members who choose to participate in the settlement by sending in Claim Form #1 (the Base Payment Claim Form) will receive:

1. **Base Payments.** As a class member, if you choose to participate in the settlement, you and your family members who are also class members will receive Base Payments, calculated as follows:

**Base Payments** to Class Members in the following amounts for authorized residency during the Class Period, with a year defined to equal 365 days: The **Base Payment** amount is determined by your length of authorized residency – meaning you are listed on the rental forms - at Branford Manor during the Class Period. The Class Period runs from November 23, 2019 to November 22, 2022. The payment amounts are determined as follows:

For residency during the Class Period (11/23/2019 – 11/22/2022), with a year defined to equal 365 days:

- a. **For adults** with three years of residency during the Class Period, \$6,000;
- b. For adults with at least two but less than three years of residency during the Class Period, \$4,000; and
- c. For adults with less than two years of residency during the Class Period, \$2,000.

- d. **For minors (birth to 18 years old)** with three years of residency during the Class Period, \$3,000;
- e. **For minors** with at least two but less than three years of residency during the Class Period, \$2,000; and
- f. **For minors** with less than two years of residency during the Class Period, \$1,000. Years of residency will be calculated based on Related Management Companies' records of authorized tenancy (with the exception for infants as described in paragraph 22(a)(2) of the Settlement Agreement). Treatment as an adult or minor is based on age attained while residing at Branford Manor during the class period.

**Settlement payments to children less than 18 years old may be subject to the supervision of the Probate Court. See discussion below.**

**Claims for now-deceased individuals must be made by a Probate Court-appointed representative.**

Class Members who received benefits from Medicare for health care, disability, or treatment of end stage kidney failure may need to pay liens to the Medicare program, which is run by the federal government. The Settlement Administrator will help Class Members who received Medicare benefits to confirm whether they will have to pay Medicare liens and to resolve incarceration liens.

2. **Enhanced Payments.** If you believe that you or your children suffered serious illness or injuries or serious property damage at BRANFORD MANOR after November 23, 2019 and before November 22, 2022, you or your family members may be eligible to receive additional money to compensate you or your family members for the injuries or property damage. If the Judge approves the settlement, then he will appoint a panel of three qualified people called "Special Masters" who will review claims for Enhanced Payments and determine the amounts, if any, that you or your family members will receive as an Enhanced Payment award.

In addition to Base Payments and Attorneys' fees, nearly \$4 million has been set aside for these payments and some other expenses involved in the lawsuit, so the amount each person gets will depend on how many people receive awards and how severe the Special Masters consider each person's illness, injuries, or property damage to be.

In order to be eligible to receive Enhanced Payments, **you must fill out and send in both Claim Form #1 (the Base Payment Claim Form) for your family, and a Claim Form #2 (the Enhanced Payment Claim Form) for EACH family member claiming these injuries.**

**You may have to pay liens for public benefits or incarceration costs out of any Payment you receive.**

**Settlement payments to children less than 18 years old may be subject to the supervision of the Probate Court. See discussion below.**

3. **The Enhanced Payments described above are not reduced by attorneys' fees.** As part of the settlement, Defendants are responsible for separately paying class members' attorneys' fees. The Judge will determine the amount of the payment.

### **Requirements under state law for settlement payments to children under the age of 18.**

Under Connecticut state law, all payments to Class Members under the age of 18 are subject to approval of the Settlement by both the Superior Court and the Probate Court.

Enhanced Payments to Class Members under the age of 18 may be subject to state liens for health care and other support provided by the State of Connecticut. If so, the Settlement Administrator will assist in resolving those liens. No amounts will be paid until any state liens are resolved.

If a Class Member under the age of 18 is going to receive an Enhanced Payment of \$10,000 or less, the payment will be made directly to that under-age Class Member's parent or guardian.

If a Class Member under the age of 18 is going to receive an Enhanced Payment of more than \$10,000, Connecticut state law does not allow that payment to be made directly to that Class Member or the Class Member's parent or guardian. Instead, the amount due to the under-age Class Member is put into a trustee account supervised by the Probate Court and is kept in that account until the Class Member's 18th birthday.

### **When will the Settlement become final?**

To become final, the Settlement must be approved by the Court after a Final Approval Hearing, which is currently scheduled for JULY 2, 2024, but can be moved by the Court. Class Members should confirm the Final Approval Hearing date by contacting the Settlement Administrator or checking the Court schedule at the following web address:

[https://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?  
DocketNo=UWYCV226068623S](https://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV226068623S)

The current date for the Final Approval Hearing will be shown under the heading "Scheduled Court Dates."

The Court will decide after the Final Approval Hearing whether to approve the Settlement. If the Settlement is approved, and no one appeals the approval, it will become final 21 days later. Claim forms for Base Payments are then due seven days after the Settlement becomes final, and Base Payments will be made as promptly as possible after the claim form deadline.

### **Who is the Settlement Administrator and what is its role:**

**The Settlement Administrator is:**

**Branford Manor Settlement  
c/o JND Legal Administration  
P.O. Box 91429  
Seattle, WA 98111**

**Its role is to process claim forms and distribute settlement payments in accordance with the terms of the class action settlement.**

| <b>WHAT ARE MY OPTIONS?</b>  |   |
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| <b>Submit Claim Form #1 to the Settlement Administrator at any time before JUNE 10, 2024. This deadline could be extended if final approval of the Settlement is delayed.</b>  | This is the only way to get money and other benefits from the settlement.   |
| <b>Submit Claim Forms #1 and #2 to the Settlement Administrator at any time before JULY 15, 2024. This deadline could be extended if final approval of the Settlement is delayed.</b>  | Submitting Claim Form #2 is the only way to be eligible to get additional money for serious illness or injuries or damage to your property or possessions that you believe were caused by living at BRANFORD MANOR during the time period covered by this case.   |
| <b>Submit an Opt-Out Request to the Settlement Administrator by JUNE 10, 2024 to exclude yourself from the settlement.</b>   | You will receive no payment or benefits from the settlement. If you do this, you will have the right to pursue on your own whatever individual claims you may still have against Defendants.  |
| <b>Object to the class action settlement by JUNE 10, 2024. Objections must be in writing sent and to the court as follows:</b><br><br>Jonathan Stuckal, Esq., Court Officer X10, Complex Litigation Docket, 400 Grand Street, Waterbury, CT 06702. | You may write to the Court about why you think the settlement is unfair, inadequate, or unreasonable.   |
| <b>Go to a hearing on JULY 2, 2024.</b>  | Ask to speak in Court about the fairness of the settlement. This hearing date could change. If you want to go the hearing, confirm the hearing date by calling the Settlement Administrator or checking the “Scheduled Court Dates” for this case on the web at <a href="https://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV226068623S">https://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV226068623S</a> . |
| <b>Do nothing</b>  | Get no payment. You will give up your rights to ever sue the Defendants about the legal claims in this case.  |

Questions? Visit [www.branfordmanorsettlement.com](http://www.branfordmanorsettlement.com) or text or call toll-free at 1-833-961-3404

## Explanation of your options in the chart

You and your family members who are class members have several options in connection with the settlement.

***Participate in the settlement.*** To get money and other benefits from the settlement, **send in Claim Form #1, or notify the Court in writing that you want to participate in the settlement any time before JUNE 10, 2024.** This deadline could be extended if final approval of the Settlement is delayed.

If the Judge approves the settlement, and you choose this option, then you and your children who are class members will receive Base Payments (without having to pay attorneys' fees).

If you believe that you or your children suffered serious illness, injuries, or property damage caused by living at BRANFORD MANOR during the time period from November 23, 2019 to November 22, 2022, you may also **make a claim as part of the settlement for Enhanced Payments for this kind of injury by sending in Claim Form #2 for each injured family member.** (You will not have to pay attorneys' fees, but you may have to pay government liens for public benefits or incarceration costs out of Enhanced Payments you receive.)

If you choose this option to participate in the settlement, then you will not be able to be part of any other lawsuit against the Defendants.

***Object to the settlement.*** If you feel the proposed settlement is unfair, inadequate, or unreasonable, you may write to the court explaining why you object to the settlement.

Instead of or in addition to sending in a written statement, you may also ask to be heard by the judge at a hearing that will be held on **JULY 2, 2024.**

You may hire a lawyer at your own expense to do this, or you can represent yourself.

The date of this hearing may change. If you want to go the hearing, confirm the hearing date by calling the Settlement Administrator or checking the "Scheduled Court Dates" for this case on the web at <https://civillinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV226068623S>.

To be valid, a written objection **must:**

- Be in writing;
- Be signed by you or your lawyer (if you hire one – but you aren't required to hire a lawyer to object);
- Include your name, address, and telephone number;
- Identify this case by Docket No. and case caption;
- Say the reason for your objection;
- Say whether it applies only to you, or to a particular group of class members, or to all class members;
- Say whether you plan on personally appearing at the Final Approval Hearing;
- State the name of any and all lawyers representing, advising, or assisting you and whether the lawyer will appear on your behalf at the Final Approval Hearing;

- Mail your objection to the following address:

Jonathan Stuckal, Esq.  
Court Officer X10,  
Complex Litigation Docket 400 Grand Street,  
Waterbury, CT 06702.

The Court must receive your objection before **JUNE 10, 2024**. You can object to the settlement even if you decide to participate in the settlement.

***Exclude yourself, your minor children, and/or your ward from the settlement.*** You may choose not to participate in the settlement. To do that—to “Opt-Out”—you must notify the Settlement Administrator in writing by a letter or message postmarked, or received via email, no later than **JUNE 10, 2024**.

To be valid, your written Opt-Out Request **must**:

- Include your full name, address, telephone number;
- You must sign the notice;
- The notice must state the following:
  - “I want to be excluded from the Settlement and understand that by excluding myself, I will not be able to get any money or other benefits from the settlement.”
- Your Opt-Out Request must be mailed or emailed to the Settlement Administrator at the following address:

Branford Manor Settlement  
c/o JND Legal Administration  
P.O. Box 91429  
Seattle, WA 98111

[info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com)

**IMPORTANT: If you Opt-Out, you will not get any payment or other benefit from the settlement.**

This is the only option that allows you to bring a separate lawsuit against the Defendants, at your own expense. If you choose to Opt-Out, you may not object to the settlement.

***Do nothing.*** If you do not send in Claim Form #1 (the Base Payment form) or the Opt-Out Request:

You will not get any payment or other benefit from the settlement AND you may not be able to bring a private lawsuit against BRANFORD MANOR.

Doing nothing is different from opting out, because if you Opt-Out you may still hire a lawyer at your own expense to bring a separate lawsuit against BRANFORD MANOR. If you do nothing, you will give up all legal claims against BRANFORD MANOR for illness, injuries or property damage sustained during the Class Period and you will receive nothing from the settlement.



## How Do I Participate in the Settlement?

To participate in the settlement, you **MUST** do one of the following:

1. **Fill out, sign, and send in claim form #1 by JUNE 10, 2024. This deadline could be extended if final approval of the Settlement is delayed.**

### How to send in your claim form:

By email: Take a photo of your filled out and signed claim form, and email the photo to [info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com) OR Scan your filled out and signed claim form, and email the scan to [info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com).

By mail: Mail your claim form no later than **JUNE 10, 2024** to Branford Manor Settlement, c/o JND Legal Administration, P.O. Box 91429, Seattle, WA 98111, using the pre-paid envelope attached to this packet (no need to add postage), or your own envelope (you'll have to pay for the postage).

In person: Take the filled out and signed claim form to the law office of Embry, Neusner, Arscott, & Shafner, which is located at 118 Poquonnock Road, Groton CT 06340. For your form to be valid, you must receive a receipt from the law offices showing that they received your form.

**OR**

2. **Send an email saying you want to participate in the settlement by JUNE 10, 2024. This deadline could be extended if final approval of the Settlement is delayed.**

In your email, include your name, address, and the following unique code that has been assigned to you: [UNIQUE ID]

## Where Can I Get Help/Ask Questions?

If you have questions about the settlement or need assistance with the Forms:

- Send an email with your question to [info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com);
- Call toll-free 1-833-961-3404 to speak with a customer service representative; or
- Call the law office of Embry, Neusner, Arscott, & Shafner at (860) 449-0341.

## How Can I Get a Copy of the Lawsuit/Proposed Settlement?

- View or download a copy from the Superior Court web site at the following Web address: <https://civilinquiry.jud.ct.gov/DocumentInquiry/DocumentInquiry.aspx?DocumentNo=26955470>;
- Send an email asking for a copy of the Settlement Agreement to [info@branfordmanorsettlement.com](mailto:info@branfordmanorsettlement.com);
- Call toll-free 1-833-961-3404 to speak with a customer service representative; or
- Call the law office of Embry, Neusner, Arscott, & Shafner at 1-860-449-0341.

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