

## **REVISED NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

This is a *revised* notice of a proposed class action settlement of the lawsuit *Moreland, et al. v. Palmer*, Case No: 4:12-cv-00585-MW-CAS (N.D. Fla.). **If you received the previous version of this notice, the only changes relate to the dates listed below.** The settlement relates to the Agency for Persons With Disabilities (“APD”) and participants in the iBudget home and community based services waiver (“iBudget”). The settlement has been filed with the Court for approval and provides:

1. The settlement will apply to “Class Members,” which means all individuals who (i) receive services under iBudget and (ii) received a notice of reduction in their annual waiver funding due to the transition to iBudget.
2. No later than January 15, 2014, Class Members who had a reduction will be restored to the funding level they had prior to their transition to iBudget. APD will mail a *Notice of Reinstatement* to each Class Member and their authorized representative(s) in English and in the primary language of the Class Member.
3. After the *Notice of Reinstatement* is sent, Class Members and their authorized representatives will receive an *Amended Notice of iBudget Allocation* in English and the primary language of the Class Member. This “*Amended Notice*” will include individualized information on how the iBudget funding was determined and will provide each Class Member another opportunity for due process.
4. Authorized representatives include parents of minors, guardians, guardian advocates, health care surrogates, durable powers of attorney and client advocates. APD will change its computer system to include information about its clients’ authorized representatives and primary language so that the clients and their authorized representatives receive notice.
5. APD will honor any pending hearing requests. Class Members who have not had their funding reduced because they requested a fair hearing will continue to receive their current funding level. That funding level will stay in place until after the Class Member receives the *Amended Notice* and there is a final decision on their iBudget funding.

The lawsuit and settlement concern APD’s written notice of iBudget funding reduction; it does not concern how your iBudget was calculated and does not involve money damages. You are under no obligation under the settlement and need not do anything to be included. You cannot opt out of the settlement. If approved the settlement will apply to you and you will be

bound by the Court's order and final judgment in the lawsuit. Further information about the lawsuit and settlement is available by reviewing the Court file at the address below.

You can obtain a copy of the settlement from the Court file at the address below. If you wish to object to the settlement, you must do so **on or before November 22, 2013** by sending a written explanation of your objection to:

Honorable Mark Walker  
c/o Clerk of Court  
Case No. 4:12-cv-00585-MW-CAS  
United States District Court  
Northern District of Florida  
111 N. Adams Street  
Tallahassee, Florida 32301

Any objection submitted after November 22 will not be considered by the Court. The written objection must not exceed 15 pages and you must send a copy to counsel for Plaintiffs and Defendant:

Plaintiffs' Counsel:  
Jodi Siegel  
Southern Legal Counsel, Inc.  
1229 NW 12 Avenue  
Gainesville, Florida 32601

Defendant's Counsel:  
Glenn Burhans, Jr.  
Greenberg Traurig  
101 East College Avenue  
Tallahassee, Florida 32301

If you previously submitted an objection, you do not need to submit another one.

The Court will consider final approval of, and any objections to, the settlement at a fairness hearing before the Honorable Mark Walker at 11:00 a.m. on November 27, 2013 at the United States District Court located at 111 N. Adams Street, Tallahassee, Florida 32301.