

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

### UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

*A federal court authorized this Notice. This is not a solicitation from a lawyer.*

#### **Women who were seen for treatment by Dr. James Heaps at UCLA medical facilities may be eligible to participate in a class action settlement.**

- A settlement has been reached with Regents of the University of California (“Regents”) and with Dr. James M. Heaps, M.D. (“Dr. Heaps”) (collectively “Defendants”) in a class action lawsuit. Plaintiffs allege in the lawsuit that Dr. Heaps assaulted, abused, and engaged in harassing and offensive behavior towards female patients while he was an obstetrician and gynecologist at UCLA medical facilities and that Regents failed to respond appropriately.
- The settlement provides a \$73,000,000 fund for the benefit of female patients of Dr. Heaps who were seen for treatment by Dr. Heaps (1) at UCLA Medical Center (currently known as Ronald Reagan UCLA Medical Center) from January 1, 1986 to June 28, 2018, (2) at UCLA’s student health center (currently known as Arthur Ashe Student Health and Wellness Center) from January 1, 1983 to June 30, 2010, or (3) at Dr. Heaps’s medical offices at 100 UCLA Medical Plaza from February 1, 2014 to June 28, 2018. As part of the settlement, Regents will ensure improved operating and oversight procedures for identification, prevention, and reporting of sexual conduct in the clinical setting, including: implementing a new investigation model for sexual harassment/sexual assault; improved chaperone policies; notice to patients of reporting options; training for UCLA medical facilities personnel on provider-patient boundaries and on conducting sensitive examinations; enhanced due diligence during the credentialing and recredentialing process and in connection with UCLA Health’s acquisition of a physician or group practice; and appointment of a compliance monitor to facilitate, oversee, and evaluate implementation of these institutional changes. A complete description of the changes Regents is implementing can be found on the settlement website at [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).
- The Defendants deny all charges of wrongdoing and liability.
- Your legal rights are affected whether or not you act. This Notice contains information about the settlement and the lawsuit. Please read this entire Notice carefully.

QUESTIONS? CALL 1-888-921-0726 TOLL FREE OR VISIT [WWW.UCLAHEAPSETTLEMENT.COM](http://WWW.UCLAHEAPSETTLEMENT.COM)  
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## YOUR LEGAL RIGHTS AND OPTIONS

		<u>DUE DATE</u>
<b>DO NOTHING</b>	If you are a class member and do nothing you will get no payment and give up the right to sue the defendants about the claims in this case.	
<b>SUBMIT A CLAIM FORM</b>	<p>If you are a class member and didn't receive a Notice by mail or email with a Claimant ID Number on the upper left-hand corner, you can only get a payment if you submit a Statement of Class Membership (available at <a href="http://www.UCLAHeapsSettlement.com">www.UCLAHeapsSettlement.com</a>). All Statements of Class Membership will be subject to verification.</p> <p>You can also choose to submit a Tier 2 or Tier 3 claim describing your experience as a patient of Dr. Heaps. Depending on the information you provide and whether you are willing to be interviewed, you could receive up to \$250,000 (or more in exceptional circumstances), subject to <i>pro rata</i> adjustment up or down.</p> <p>For more information about submitting a Tier 2 or 3 claim, and your choices, see the answers to questions 8-10 below.</p> <p>If you submit a claim you give up your rights to sue the defendants about the claims in this case.</p>	June 7, 2021
<b>EXCLUDE YOURSELF</b>	You will not be included in the settlement. You will receive no benefits and you will keep any rights you currently have to sue the Defendants about the claims in the case.	May 6, 2021
<b>OBJECT</b>	If you do not exclude yourself, and if you disagree with the settlement, you can write to the Court to explain your objection.	May 6, 2021
<b>GO TO A HEARING</b>	Ask to speak in court about the fairness of the settlement.	July 12, 2021 at 9:00 a.m., Pacific

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still must decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement after any appeals are resolved.
- For updates visit [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).

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## BASIC INFORMATION

### 1. Why did I get this Notice?

If you are a woman who was seen for treatment by Dr. James M. Heaps at (1) UCLA's student health center (now Arthur Ashe Student Health and Wellness Center) from January 1, 1983 to June 30, 2010; (2) UCLA Medical Center (now Ronald Reagan UCLA Medical Center) from January 1, 1986 to June 28, 2018; or (3) Dr. Heaps's medical offices at 100 UCLA Medical Plaza from February 1, 2014 to June 28, 2018, you have the right to know about a proposed settlement of a class action lawsuit, and your options, before the Court decides whether to approve the settlement.

This Notice is to inform you of the lawsuit, the proposed settlement and your legal rights. The women who sued are called "plaintiffs." The doctor and university they sued are called "defendants."

### 2. What is this lawsuit about?

During varying periods of time between January 1, 1983 and June 28, 2018, Dr. James Heaps provided obstetric and gynecological services at certain UCLA medical facilities. Plaintiffs allege that Dr. Heaps sexually assaulted, abused and engaged in harassing and offensive behavior towards his female patients. Plaintiffs further allege that UCLA supervisors and administrators were repeatedly informed of Dr. Heaps's misconduct but failed to take the necessary measures to protect his patients. Defendants deny plaintiffs' allegations. The Court has not decided who is right.

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

In a class action, one or more plaintiffs called "class representatives" sue on behalf of themselves and other people with similar claims. This group of people is called the "class" and the people in the class are called "class members." One court resolves the issues for all class members, except for those who exclude themselves from the class.

This lawsuit is *A.B. et al. v. Regents of the University of California et al.*, No. 2:20-CV-09555-RGK (C.D. Cal.). The judge is R. Gary Klausner of the United States District Court for the Central District of California.

### 4. Why is there a Settlement?

The Court has not decided in favor of plaintiffs or defendants. Instead, both sides have agreed to a settlement to avoid the costs and risks of trial and appeals. The class representatives and their attorneys think the settlement is best for the class.

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## WHO IS IN THE SETTLEMENT?

### 5. How do I know if I am part of the Settlement?

You are a class member, and are included in the settlement, if you are a woman who was seen for treatment by Dr. James M. Heaps: (1) at UCLA Medical Center (now Ronald Reagan UCLA Medical Center) from January 1, 1986 to June 28, 2018; (2) at UCLA's student health center (now Arthur Ashe Student Health and Wellness Center) from January 1, 1983 to June 30, 2010; or (3) at Dr. Heaps's medical offices at 100 UCLA Medical Plaza from February 1, 2014 to June 28, 2018.

### 6. What should I do if am not sure if I am included in the Settlement?

If you are not sure whether you are in the class, you can ask for free help and more information by calling the Settlement Administrator at 1-888-921-0726 or sending an email to [info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com). More details about the class, its claims and the settlement can be found in the settlement agreement and other documents available on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).

## BENEFITS OF THE SETTLEMENT — WHAT YOU GET

### 7. What does the Settlement provide?

#### **Monetary Benefits**

Defendants will pay \$73,000,000 to settle the lawsuit. This fund will be used to pay class member claims. (See the answers to questions 8-10 below.) The fund will also be used to pay any class representative service award(s) approved by the Court.

Separate from and in addition to the \$73,000,000 fund, Defendants will pay the costs of notifying class members and administering the settlement, including compensating the members of a three-person panel, comprised of a court-appointed special master, a forensic psychologist/psychiatrist, and an OB/GYN, who will decide how much individual class members receive. Defendants will also pay attorneys' fees and expenses of counsel for the plaintiffs. Settlement benefits will not be reduced to pay attorneys' fees.

#### **Institutional Changes at UCLA**

In addition to monetary benefits, the settlement requires the Regents to ensure that UCLA medical personnel act consistently with standards recognized by applicable health oversight agencies such as the Medical Board of California and specialty societies such as the American College of Obstetricians and Gynecologists. The Regents will adopt and implement written operating and oversight procedures for identification, prevention, and reporting of sexual conduct at UCLA medical facilities, including:

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- implementing a new model for investigating alleged sexual harassment, including alleged sexual assault arising in the patient care context;
- updated chaperone policies that, among other things, require annual chaperone training allow chaperones to report through central health system administration and not the physicians whose exams and procedures they chaperone;
- requiring that (i) every physician credentialed or otherwise permitted to practice by UCLA medical facilities will complete a boundaries training course; and (ii) every physician credentialed or otherwise permitted to perform sensitive examinations will complete a training course reflecting best practices for such examinations;
- improving notice to patients of how to report sexual misconduct in the clinical setting.
- enhancing due diligence during the credentialing and recredentialing process and in connection with UCLA Health’s acquisition of a physician or group practice, aimed at protecting patient safety; and
- appointing the Senior Vice President for Ethics, Compliance and Audit Services in the University of California Office of the President, as “Compliance Monitor” to facilitate, oversee, and independently evaluate implementation of the institutional changes at UCLA required under the settlement.

More details about these institutional changes can be found at [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).

## 8. How much will my payment from the Settlement be?

How much you get from the settlement will depend on whether you file a claim and, if you do, what type of claim you file. The details of the claim options are as follows:

**Tier 1 Award:** Every settlement class member is eligible for a Tier 1 Award payment of \$2,500, and possibly more.

- (i) Settlement class members who could be pre-identified through UCLA’s records were assigned a unique Claimant ID Number. If you received a Notice with a Claimant ID Number on the upper left-hand corner of each page, your membership in the class is established. UCLA’s records cover the period from 2006 to June 28, 2018 at UCLA Medical Center; July 22, 2004 to January 21, 2010 at UCLA’s student health center; and February 1, 2014 to June 28, 2018 at Dr. Heaps’s medical offices at 100 UCLA Medical Plaza.
- (ii) If you have not been pre-identified as a class member, you must submit a Statement of Class Membership attesting to facts showing that you are a member of the class. You can find and submit this statement on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).
- (iii) Each settlement class member who can be identified through UCLA’s records, or who submits a valid Statement of Class Membership, will be mailed a Tier 1 check. This Tier 1 payment will be mailed even if you also submit a Tier 2 or Tier 3 Claim Form.

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- (iv) A settlement class member who accepts a Tier 1 Award remains eligible to make a Tier 2 or Tier 3 Claim, as described below. The Tier 1 Award shall be counted against any further awards, but under no circumstances will a settlement class member be required to return a Tier 1 Award.

**Tier 2 Claim:** Each settlement class member can also choose to submit an online or written Tier 2 Claim Form describing your experience with Dr. Heaps, the impact on you, and/or the emotional distress and/or bodily injury you suffered. **Submitting a Tier 2 Claim is optional and if you qualify as a settlement class member, you will be sent the Tier 1 Award even if you do not submit a Tier 2 Claim.**

Each Tier 2 Claim will be reviewed by an impartial three-person panel that includes a court-appointed special master, a forensic psychologist/psychiatrist, and an OB/GYN.

If you submit a Tier 2 Claim, the panel may ask you additional questions, to be answered in writing. If that happens, you may decline to answer, although doing so could affect your eligibility for a Tier 2 Award.

If the panel determines that the Tier 2 Claim is credible, and that the conduct by Dr. Heaps fell outside the scope of accepted medical standards of care applicable during the relevant time, or is otherwise actionable, you will be awarded an additional payment of \$10,000 (for a total Tier 2 Award payment of \$12,500), subject to *pro rata* adjustment up or down as detailed below. If the panel determines you are not entitled to a Tier 2 Award, you will still receive the Tier 1 Award.

**Tier 3 Claim:** Tier 3 Claims are for settlement class members who wish to provide further evidence—beyond the Tier 3 Claim and any written follow-up answers—of conduct or statement(s) by Dr. Heaps and their impact. In addition to a Tier 3 Claim Form describing your experience, the impact on you, and/or the emotional distress and/or bodily injury you suffered, you may submit additional evidence of impact or damages, which may include, for example, evidence of medical expenses or of previous formal or informal complaints. You will also be interviewed by a member of the special master’s team about your experience and its impact on you. The interviewer will then provide an assessment to the panel. The interviewer will be a neutral, trained specialist. The purpose of the interview is to collect information about your claim—the interview is not a cross-examination. **Submitting a Tier 3 Claim is optional and if you qualify as a settlement class member, you will be sent the Tier 1 Award even if you do not submit a Tier 3 Claim.**

Based on all information provided, the panel will determine whether each Tier 3 Claim is credible and may award you a Tier 3 Award between \$12,500 and \$250,000, subject to *pro rata* adjustment up or down as detailed below. The panel will determine Tier 3 claim eligibility and awards by assessing whether the conduct described falls outside the scope of accepted medical standards of care applicable during the relevant time, or is otherwise actionable, and based on an assessment of the emotional distress and/or bodily injury to you.

In addition, \$5,000,000 of the settlement fund will be set aside for Supplemental Awards to Tier 3 claimants. Based on the panel's consideration of the evidence submitted by a Tier 3 claimant (including the Tier 3 Claim Form, interview conducted by a member of the special master's team, and any other evidence provided), the panel's assessment of the claimant's emotional distress and/or bodily injury, the panel's assessment of the claimant's credibility, and whether the conduct described fell outside the scope of accepted medical standards of care applicable during the relevant time or was otherwise actionable, the panel may determine in its discretion to make a Supplemental Award in extraordinary cases and when the panel determines that additional compensation is necessary to adequately compensate a claimant who is otherwise eligible to receive the maximum Tier 3 Award. The panel may decide on a Supplemental Award of any amount for an individual eligible to receive a maximum Tier 3 Award, as long as the total amount of all Supplemental Awards does not exceed \$5,000,000.

If the panel determines that you are not entitled to a Tier 3 Award, you will still be sent the Tier 1 Award if you are confirmed to be a settlement class member.

**Pro Rata Adjustments.** If the total of all Tier 1, 2 and 3 Awards is less than the settlement amount of \$73,000,000, Tier 2 and Tier 3 Awards will be increased *pro rata* (by the same percentage) until the settlement amount is reached or all Tier 2 and 3 Awards have been increased by 50%, whichever comes first. If all Tier 2 and Tier 3 Awards have been increased by 50% and the settlement fund is not exhausted, the balance will be distributed equally among all settlement class members, unless doing so would result in distributions of less than \$100 per claimant, in which case the remaining balance will be applied to increase the distributions to Tier 2 and Tier 3 Claimants.

If the total payments for all Tier 1, 2 and 3 Awards exceeds the settlement amount of \$73,000,000, all Tier 2 and 3 Awards will be decreased *pro rata* (by the same percentage) until the Settlement Amount is reached. Tier 1 Awards will not be reduced.

**Liens.** The amount of money you will receive also depends on any legally enforceable liens on the claim award. The amount paid to resolve any liens for settlement class members will be paid out of such settlement class member's claim award.

## HOW YOU GET A PAYMENT

### 9. How can I get Settlement payment(s)?

#### **Tier 1 Awards**

If you are a class member and you didn't receive a Notice by mail or email with a Claimant ID Number on the upper left-hand corner, to receive a Tier 1 Award you must submit a Statement of Class Membership attesting to facts demonstrating you are a member of the class. All Statements of Class Membership will be subject to verification. You can find the Statement of Class Membership on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com). You may also request the Statement of Class Membership by email at [info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com) or by phone at 1-888-921-0726. You can also submit a Statement of Class Membership on the settlement website, or you can mail it to:

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UCLA Heaps Settlement  
c/o JND Legal Administration  
P.O. Box 91386  
Seattle, WA 98111

For your claim to be valid and timely, your Statement of Settlement Class Membership **must be received by the Settlement Administrator via the settlement website ([www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com)) or postmarked by mail no later than June 7, 2021.**

Each settlement class member who can be identified through UCLA's records, or who submits a valid Statement of Class Membership, will be mailed a Tier 1 Award.

### **Tier 2 and Tier 3 Awards**

To be eligible for a Tier 2 or Tier 3 Award, you must complete and submit a Tier 2 and Tier 3 Claim Form, including supporting evidence for a Tier 3 Claim. The Tier 2 and Tier 3 Claim Form is available on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com), and you may also request a Tier 2 and Tier 3 Claim Form by email at [info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com) or by phone at 1-888-921-0726. Claim Forms can be completed and submitted to the Settlement Administrator online through the settlement website at [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com) or mailed to UCLA Heaps Settlement, c/o JND Legal Administration, P.O. Box 91386, Seattle, WA 98111. For your claim to be valid and timely, your Tier 2 and Tier 3 Claim Form **must be received by the Settlement Administrator via the settlement website ([www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com)) or postmarked by mail no later than June 7, 2021.**

All claims and submissions in the settlement will be kept confidential by the Settlement Administrator, the panel, the special master, and the special master's team, and will be destroyed after the claims process is over and the settlement fund has been fully distributed. Class counsel will seek an order from the Court, called a Qualified Protective Order that will authorize disclosure of information under the Health Insurance Portability and Accountability Act ("HIPAA") for purposes of identifying and resolving any potential medical liens that may be asserted against settlement class members' claim awards. Certain information also is required to be provided to defendants' insurers, and the insurers will keep the information strictly confidential.

## **10. When would I get my payment(s) from the Settlement?**

Payments will not be made until the Court grants final approval of the settlement and any objections or appeals are resolved in favor of the settlement. Updates will be provided on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com), and can also be obtained by contacting the Settlement Administrator by email at [info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com) or by phone toll-free at 1-888-921-0726. Please be patient. Please do not contact the Court directly.

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## 11. What am I giving up to get payment(s) and stay in the Settlement?

In exchange for receiving payment and benefits from the settlement, you will give up your right to sue the Defendants on your own for the claims described in the settlement agreement. You will also be bound by any decisions of the Court relating to the settlement. If you do not wish to give up your right to sue the Defendants, you must exclude yourself from (opt out of) the settlement.

In return for paying the Settlement Amount and providing non-monetary benefits, the Defendants will be released from claims relating to the conduct alleged in this lawsuit. Defendants will not be released from claims (i) based on actions by any medical practitioner at UCLA medical facilities unrelated to matters alleged in the Litigation in connection with Dr. Heaps, or (ii) medical malpractice or negligence by Dr. Heaps unrelated to any sexual conduct or physician/patient boundary allegations against Dr. Heaps, or (iii) medical malpractice or negligence by Dr. Heaps unknown to you as of the deadline to opt out of the settlement. The settlement agreement describes the released claims in further detail in section 2.30. Please read that agreement carefully since those releases will be binding on you as a class member if the Court grants final approval of the settlement. If you have any questions, you can talk with class counsel free of charge or you may talk with your own lawyer (at your own expense). The settlement agreement and releases are available at [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com).

### EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from the settlement, but you want to keep the right to sue the Defendants, then you must take steps to get out of the settlement class. This is called asking to be excluded from or "opting out" of the settlement class.

## 12. How do I get out of the Settlement?

To exclude yourself from the settlement, you must send a letter to the Settlement Administrator stating that you wish to be excluded. Your written exclusion request must include the following:

- Your full name, address, and telephone number;
- The following statement:  
I want to be excluded from *A.B. v. Regents*, No. 2:20-CV-09555-RGK (C.D. Cal.), and understand that by excluding myself, I will not be able to get any money or benefits from the settlement.
- Your handwritten signature.

You must mail your written exclusion request, **postmarked no later than May 6, 2021** to:

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UCLA Heaps Settlement  
c/o JND Legal Administration  
P.O. Box 91387  
Seattle, WA 98111

**13. If I don't exclude myself, can I sue the Defendants for the same thing later?**

No. Unless you exclude yourself from the settlement, you give up any right to sue the Defendants for the claims being released in *A.B. v. Regents*, No. 2:20-CV-09555-RGK (C.D. Cal.). If you have a pending lawsuit against any of the Defendants, please speak to your lawyer as soon as possible; you will need to exclude yourself from this settlement to continue your own lawsuit.

**14. If I exclude myself, can I get money from the Settlement?**

No. If you exclude yourself from the settlement, you will not receive payment(s) from the settlement, but you will keep your legal rights to sue the Defendants.

**THE LAWYERS REPRESENTING YOU**

**15. Do I have a lawyer in this case?**

The Court has appointed the following lawyers, known as class counsel, to represent the class members in connection with the settlement:

Daniel C. Girard GIRARD SHARP LLP 601 California Street, Suite 1400 San Francisco, CA 94108 Phone: 415-981-4800 Email: dgirard@girardsharp.com	Amy M. Zeman GIBBS LAW GROUP LLP 505 14th Street, Suite 1110 Oakland, CA 94612 Phone: 510-350-9700 Email: amz@classlawgroup.com
Julie C. Erickson ERICKSON KRAMER OSBORNE LLP 182 Howard Street San Francisco, CA 94105 Phone: 415-539-9030 Email: julie@eko.law	

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You will not be charged for contacting these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

## 16. How will the lawyers be paid?

Class counsel will ask the Court for payment of attorneys' fees and incurred expenses up to \$8,760,000 to compensate them for their services in this litigation. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the amount requested. Any attorneys' fees and expenses that the Court approves will not come out of the Settlement Amount, but will be paid separately by the Defendants.

Class Counsel will file a motion for attorney's fees and expenses after the claims process is complete and awards have been made to all claimants. The claims process may take six months or more after the settlement becomes effective. When class counsel's motion for attorneys' fees and expenses is filed, it will be posted at [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com). You have the right to comment in support of or in opposition (object) to the fee request.

## OBJECTING TO THE SETTLEMENT

## 17. How do I tell the Court that I don't like the Settlement?

If you are a settlement class member and you have objections to any aspect of the settlement, you may express your views to the Court. You can object to the settlement only if you do not exclude yourself from the settlement class.

You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a larger settlement—the Court can only approve or deny approval of the settlement the parties have reached. If the Court denies approval of the settlement, no payments from the settlement fund will be made and the litigation will continue. If that is what you want to happen, you must object.

If you wish to object to the settlement, you must do so in writing. You may also appear at the fairness hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney. All written objections and supporting papers must: (a) list your name, address, and telephone number; (b) clearly identify the case name and number (*A.B. v. Regents*, No. 2:20-CV-09555-RGK (C.D. Cal.)); (c) state whether the objection applies only to the objector, to a specific subset of the class, or to the entire class and state with specificity the grounds for the objection; (d) state whether the objecting class member intends to personally appear and/or testify at the fairness hearing; (e) include the name and contact information of any and all attorneys representing, advising, or assisting the objecting class member; (f) state whether any attorney will appear on the objecting class member's behalf at the fairness hearing, and if so, the identity of that attorney; (g) be submitted to the Court by mailing to the Clerk, United States District Court for the Central District of California, Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Los Angeles, CA 90012, or by filing in person at any location of the United States District Court for the Central District of California; and (h) be **filed or postmarked on or before May 6, 2021**.

QUESTIONS? CALL 1-888-921-0726 TOLL FREE OR VISIT [WWW.UCLAHEAPSETTLEMENT.COM](http://WWW.UCLAHEAPSETTLEMENT.COM)  
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You can also submit a statement in support of the settlement by writing to the Court at the address above.

### 18. What's the difference between objecting and excluding?

By excluding yourself from the settlement, you are telling the Court that you do not want to participate in the settlement. For that reason, you will not be eligible to receive any benefits from the settlement and you will not be able to object to it, as it will no longer apply to you or bind you.

By objecting to the settlement, you are telling the Court that you want to participate in the settlement, but that there is something about it you do not like. If you object, you are still eligible to receive payment (s) from the settlement.

## THE COURT'S FAIRNESS HEARING

The Court will hold a fairness hearing to decide whether to approve the settlement. You may attend the hearing, and you may ask to speak, but you are not required to do so.

### 19. When and where will the Court decide whether to approve the Settlement?

The Court will hold its fairness hearing on July 12, 2021 at 9:00 a.m., Pacific, at the United States District Court, Central District of California, Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Los Angeles, CA 90012.

The hearing may be moved to a different date or time without additional direct notice to you. You can check the Court's PACER site, <http://cand.uscourts.gov/cm-ecf>, check the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com), or call (1-888-921-0726) or email the Settlement Administrator ([info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com)) to confirm the date of the hearing.

At the fairness hearing, the Court will consider whether the proposed settlement is fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court will decide whether to approve the settlement at or after the hearing.

### 20. Do I have to come to the Fairness Hearing?

No. Class counsel will answer any questions the Court may have at the fairness hearing, but you may attend at your own expense. If you send an objection or comment in support of the settlement you do not have to come to the hearing to talk about it. As long as you filed or mailed your written objection on time, the Court will consider it. You may also hire your own lawyer at your own expense to attend the hearing on your behalf, but you are not required to do so.

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## 21. May I speak at the Fairness Hearing?

If you send an objection or comment on the settlement, you may be able to speak at the fairness hearing, subject to the Court's discretion. You cannot speak at the fairness hearing if you exclude yourself from the settlement.

## IF YOU DO NOTHING

## 22. What happens if I do nothing at all?

If you do nothing and the settlement is finally approved, you will receive a Tier 1 Award payment from the settlement if UCLA's records show you are a class member, and you will be bound by the Court's final judgment and the release of claims detailed in the settlement agreement.

## GETTING MORE INFORMATION

## 23. How do I get more information?

This Notice summarizes the settlement and your rights and options. More details are contained in the settlement agreement. You can get copies of the settlement agreement and more information about the settlement on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com). You also may also contact the Settlement Administrator by email at [info@UCLAHeapsSettlement.com](mailto:info@UCLAHeapsSettlement.com), by phone toll-free at 1-888-921-0726, or by mail at UCLA Heaps Settlement, c/o JND Legal Administration, P.O. Box 91386, Seattle, WA 98111.

For a more detailed statement of the matters involved in the litigation and the settlement, you may review the various documents on the settlement website, [www.UCLAHeapsSettlement.com](http://www.UCLAHeapsSettlement.com), and/or by visiting (during business hours) the clerk's office at the United States District Court for the Central District of California, Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Los Angeles, CA 90012, File: *A.B. v. Regents*, No. 2:20-CV-09555-RGK, or by accessing the docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THE SETTLEMENT OR THE CLAIM PROCESS.**

Dated: February 5, 2021

By Order of the Court  
United States District Court,  
Central District of California

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