

Coffey v Thiele  
c/o Claims Administrator  
PO Box 23680  
Jacksonville, FL 32241

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LEGAL NOTICE

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

**Individuals Who Owe Steele County Outstanding Confinement Fees  
Or Had Fees Withheld or Collected May Benefit from a Class Action  
Settlement**

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

- This is a class action about conducting determination of eligibility for a waiver of confinement fees using factors set forth in Minn. Stat. § 641.12, subd. 3(b).
- You may receive money as a result of this Settlement if you return a waiver application and are deemed eligible for waiver of confinement fees.
- Your legal rights are affected by this Settlement. **Read this Notice carefully.**

<b>LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:</b>	
<b>DO NOTHING AND REMAIN IN THE CLASS</b>	The only way to potentially receive a waiver and money from this Settlement.
<b>EXCLUDE YOURSELF BY FEBRUARY 1, 2022</b>	Do not receive potential recovery of money. Maintain the right to bring a lawsuit and bring the same claim against the Defendant.
<b>OBJECT BY MARCH 28 2022</b>	Write to the Court about why you object to the Settlement.
<b>GO TO A HEARING ON APRIL 11 2022</b>	Ask to speak in Court about the fairness of the Settlement.

- The rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Refunds will be mailed if your waiver application is approved by the County and you previously paid fees. Please be patient.

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## BASIC INFORMATION

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

You received this notice because you were invoiced confinement fees by Steele County, and you may be eligible for a fee waiver under Minn. Stat. § 641.12, subd. 3(b).

The Court sent you this notice because you have the right to know about a proposed settlement of a class action lawsuit, and your options under that lawsuit, before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after objections and any possible appeals are resolved, the Settlement Administrator retained by Class Counsel will mail waiver applications to be completed and considered by Steele County. If the County determines you are eligible for a waiver, fees will be waived and any collected fees will be refunded.

This document explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the District of Minnesota. The case is known as *Coffey, et al. v. Thiele*, Case No. 20-cv-2237 (NEB/TNL). The people who sued are called the “Plaintiffs,” and the party they sued is called “Defendant.”

### 2. What is this lawsuit about?

The lawsuit claimed that Defendant did not consider the factors under Minn. Stat. § 641.12, subd. 3(b) for waiver of fees prior to assessing and collecting confinement fees. Defendant denies any fault, wrongdoing, or liability.

### 3. What is a class action and why is this case a class action?

In a class action, one or more people, called Class Representatives, sue on behalf of others like them. This Plaintiff, and all people who had confinement fees invoiced without a waiver determination under Minn. Stat. § 641.12, subd. 3(b) from September 18, 2014 to July 13, 2021, are a “Class” or “Class Members.” In a class action lawsuit, one court resolves the case for all Class Members, except for those who exclude themselves from the Class.

### 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiff or Defendant. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and any people affected will be sent a waiver application and potentially recover a refund of fees assessed. The Class Representative and the attorneys think the settlement is best for all class members. The settlement does not mean the Defendant did anything wrong.

## WHO IS IN THE SETTLEMENT?

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

The class includes all former Steele County Detention Center inmates who owe outstanding confinement fees and/or from whom the County withheld jail account funds or otherwise collected payment from the individual or revenue recapture who were invoiced September 18, 2014 – July 13, 2021. You are receiving this notice because your inclusion in the Class was determined through the cooperation of Class Counsel and Defendant’s counsel.

**6. Help me understand whether I am included.**

If you have received this Notice, you are included in the Class, and this Notice is only being sent to Class Members.

**7. I'm still not sure if I am included.**

If you are still not sure whether you are included, you can call the following attorney who has been designated as Class Counsel in this case:

LAMP  
Mitchell Hamline School of Law  
Bradford Colbert  
875 Summit Avenue, Room 254  
St. Paul, MN 55105  
Phone: 651-290-6413

**The Settlement Benefits – What You Get**

**8. What does the Settlement provide?**

You will be provided an application to apply for waiver of confinement fees. If you are eligible for a waiver under Minn. Stat. § 641.12, subd. 3(b), your fees will be waived and any collected amount (if applicable) will be refunded by Steele County. Any collections will be canceled. If your application is denied, you will be notified.

**How You Get a Check**

**9. How can I get a check?**

Only people who return the waiver application, are approved, and in fact had funds previously withheld or collected, will receive a refund check. However, even if you did not have funds withheld or collected, if you return the waiver application and are approved, the fees will be waived and collection efforts will be canceled. If you do not qualify for a waiver, you will be notified. Please return the completed form by March 1, 2022.

**10. When would I get my check if my waiver is approved?**

The Court will hold a hearing on April 11, 2022 at 10 a.m., to decide whether to finally approve the Settlement. If the Court approves the Settlement, there could be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps several months. A waiver application form will be mailed to Class Members. Please return the completed form by March 1, 2022. Upon return of the forms, the waiver applications will be considered and any applicable refunds or other action will be promptly taken. Please be patient.

**11. What am I giving up to stay in the Class and potentially get a waiver or check?**

Unless you exclude yourself, you are staying in the Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant regarding the claims in *this* case. It also means that all of the Court's orders will apply to you and legally bind you. If you stay in the class you will agree to the releases and covenants not to sue as described in detail in

the Settlement Agreement, which can be viewed at [www.mitchellhamline.edu/clinics/lamp-legal-assistance-to-minnesota-prisoners/](http://www.mitchellhamline.edu/clinics/lamp-legal-assistance-to-minnesota-prisoners/).

## Excluding Yourself from the Settlement

If you do not want to receive a waiver application or potential refund or be a part of this Settlement, and you want to keep the right to sue the Defendant about the legal claims in this case, then you must take steps to get out. This is called excluding yourself - or is sometimes referred to as 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 written and signed request to opt-out stating:

- (1) your name, address, and telephone number,
- (2) a reference to the Litigation, and
- (3) that you wish to opt-out of the Class.

You must mail your Request for Exclusion and it must be postmarked no later than February 1, 2022 to:

LAMP  
Mitchell Hamline School of Law  
Bradford Colbert  
875 Summit Avenue, Room 254  
St. Paul, MN 55105

If you do not submit a timely opt-out request that complies with these requirements, your opt-out request will be deemed invalid and you will not be excluded from the class. **The deadline for exclusion from (opting out of) the settlement is February 1, 2022.**

You cannot exclude yourself on the phone or by e-mail. If you mail an opt-out request, you will not get any settlement check, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. If you have injuries from the Defendant regarding the claims in this case and you opt-out, you may be able to sue the Defendant in the future.

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

No. Unless you exclude yourself, you give up the right to sue Defendant for the claims that this Settlement resolves. More information on released claims can be found in the Settlement Agreement at pages 1-2 and Paragraph 26.

### 14. If I exclude myself, can I get a check from the settlement?

No. If you exclude yourself, you cannot receive a potential refund under the Settlement. But, you may still sue the Defendant regarding the legal claims made in this lawsuit.

## The Lawyer Representing You

### 15. Do I have a lawyer in the case?

The Court appointed the legal clinic LAMP to represent you as “Class Counsel.” The lawyer representing you may be contacted at the address and phone number provided above.

### 16. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But you may enter an appearance through an attorney if you choose to do so at your own expense. For example, you can ask an attorney to appear in Court for you if you want someone other than Class Counsel to speak for you. You should contact your lawyer about this Notice if you still have any questions.

### 17. How will the lawyer be paid?

Class Counsel has asked the Court for legal fees of \$27,500. This amount represents the legal fees and costs for the period of time Class Counsel has litigated this dispute. The amount will pay Class Counsel for the time they spent litigating this dispute and assuming the risk of bringing the action on your behalf or any enhancement ordered by the court.

## Objecting to or Supporting the Settlement

You can tell the Court that you agree or do not agree with the Settlement or some part of it.

### 18. How do I tell the Court that I either like the settlement or do not like the settlement?

If you are a Class Member, you can write the Court and state that you approve of the Settlement or some part of it. You can also write the Court to object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should approve the Settlement or not approve it. The Court will consider your views.

To object, you must submit a written statement setting forth: (1) your name, address, e-mail address, and telephone number; (2) your objection/intervention, with any comments or supporting arguments; (3) notice of your intention to appear; (4) a detailed statement describing the specific ground(s) to be raised; and (5) any supporting documentation that you desire the Court to consider, including any memorandum or brief. Any such documents must be mailed no later than March 28, 2022, addressed to:

Clerk of the United States District Court  
District of Minnesota  
Attn: Steele County Fees Litigation  
Case No. 20-cv-2237 (NEB/TNL)  
Diana E. Murphy United States Courthouse  
300 South Fourth Street, Suite 202  
Minneapolis, MN 55415

**DO NOT CALL THE COURT. ALL REQUESTS MUST BE IN WRITING.**

You must also mail or otherwise deliver identical copies of your written submission to Class Counsel, at the address listed above, and Defendant’s Counsel at the following address:

IVERSON REUVERS  
Stephanie Angolkar, Esq.  
9321 Ensign Avenue South  
Bloomington, MN 55438

Your written objection or request to intervene must be received by the Court no later than March 28, 2022. Your submission to the Court must include a certification that you have caused identical copies to be delivered to Plaintiffs’ Counsel and Defendant’s Counsel on or before March 28, 2022 (or mailed to them via first class mail). You cannot object or request to intervene if you have opted out of the class. Only those that remain in the Class may object to this settlement or request to intervene. Any person who fails to object in the manner provided herein shall be deemed to have waived their objections and shall be forever barred from making any such objections in this litigation.

You may also attend the Settlement Hearing either in person or through an attorney retained by you at your own expense. You may ask to be heard by Judge Brasel at the Settlement Hearing. In order to be heard, however, you must have submitted a written objection or request to intervene in compliance with this subsection and include in your comments a statement that you intend to appear and wish to be heard at the Settlement Hearing.

**19. What is the difference between objecting and excluding?**

Objecting is formally telling the Court that you do not like something about the Settlement and that you believe the Settlement should be rejected. You can object only if you stay in the Class. If the Settlement is approved you will give up your right to sue the Defendant for the claims the Settlement resolves. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

### **The Court’s Fairness Hearing**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

**20. When and where will the Court decide whether to approve the settlement?**

The Honorable Nancy E. Brasel will hold a Fairness Hearing on April 11, 2022 at 10 a.m., at United States District Court, 300 South Fourth Street, Courtroom 13W, Minneapolis, MN 55415.

At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. Judge Brasel will listen to Class Members who have asked to speak at the hearing against the Settlement. The Court will also approve payment to Class Counsel and Class Representatives. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. If the Court approves the Settlement, then waiver applications will be mailed. If the Court does not approve the Settlement, then the parties will continue to litigate the case in Court.

**21. Do I have to come to the hearing?**

No. Class Counsel will answer questions Judge Brasel may have. But you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you filed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

**22. May I speak at the hearing?**

You may speak at the Fairness Hearing if you wish to oppose the Settlement. In order to object to the Settlement you must follow the instructions set forth above. You cannot speak at the hearing if you excluded yourself.

**If You do Nothing**

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

If you are a Class Member and you do nothing, you will receive a waiver application. You will give up the right to start a lawsuit, or be part of any other lawsuit against the Defendant about the legal issues in this case, ever again. Please see No. 11 above for more information about the claims you are releasing as a Class Member.

**Getting More Information**

**24. Are there more details available?**

This Notice summarizes the proposed Settlement. More details are available in the Settlement Agreement, which is included with this Notice. If you did not receive a copy of the Settlement Agreement, please contact Class Counsel identified above.

The description of the Litigation set forth in this notice is general and does not cover all of the issues and proceedings thus far. For a more detailed statement of the matters involved in the Litigation, reference is made to the pleadings, to the Settlement Agreement, to the orders entered by the Court, and to other papers filed in the litigation, which may be inspected at the Office of the Clerk of Court, United States District Court for the District of Minnesota, 300 South Fourth Street, Suite 202, Minneapolis, MN 55415, during business hours of each business day. Please note that the Clerk's Office is not permitted to give legal advice.

**DO NOT CONTACT THE COURT FOR INFORMATION.**





# STEELE COUNTY DETENTION CENTER

You are receiving this form as part of a class action settlement involving individuals invoiced confinement fees between September 18, 2014, and July 13, 2021. If you were invoiced confinement fees, you may be eligible for a waiver of charged fees. If you paid fees, you may be eligible for a refund.

Waiver of Fees: Minnesota law requires the jail to waive fees if you are deemed to have been unable to pay at the time you were invoiced. The following information will be used to determine your ability to pay. Please fill this form out completely; if the information given is insufficient to determine whether you have the ability to pay, you will be deemed ineligible for a waiver.

I, \_\_\_\_\_ (PRINT NAME) understand that if I provide false information on this form it may lead to criminal charges. I declare under penalty of perjury that the information I provide below is true and correct.

**Date of Invoice (if known):** \_\_\_\_\_ (Please provide approximate date if unknown)

**Instructions:** Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to provide a more complete response, please use the last page or add additional pages as necessary.

**1. Were you employed at the time of the invoice: Yes / No**

Employer	Address	Dates of Employment	Gross Monthly Pay
			\$
			\$

**2. Financial assets at the time of the invoice:**

Financial Institution	Type of Account	Amount in Account
		\$
		\$
		\$

**3. Did you or a Dependent receive Public Assistance at the time of the invoice: Yes / No**

If yes, what benefits do you receive?

Check all that apply.

SSI \_\_\_ Food Stamps \_\_\_ TANF \_\_\_ General Assistance \_\_\_ Medical Assistance \_\_\_

MFIP \_\_\_ Minnesota Supplemental/Emergency Assistance (MSA) \_\_\_

Other Please list \_\_\_\_\_

**4. Were you granted a Public Defender in the case you were detained for: Yes / No**

SIGN: \_\_\_\_\_ DATE: \_\_\_\_\_

Inmate Name: \_\_\_\_\_

Supervisor Conducting Review: \_\_\_\_\_

Date Received: \_\_\_\_\_

1.	Was the person unemployed/receiving government benefits/was appointed a public defender? Indicate which.	<b>YES / NO</b> <i>(circle one)</i> <b>If yes, fees shall be waived.</b>
2.	Will the fees create an undue hardship on the person or the person's immediate family? Explain.	<b>YES / NO</b> <i>(circle one)</i> <b>If yes, fees shall be waived.</b>
3.	Are the prospects of payment poor? Explain.	<b>YES / NO</b> <i>(circle one)</i> <b>If yes, fees shall be waived.</b>
4.	Are there other extenuating circumstances justifying waiver of fees? Explain.	<b>YES / NO</b> <i>(circle one)</i> <b>If yes, fees shall be waived.</b>

Waiver Granted? **YES/NO** *(circle one)*

Other action taken (if applicable): \_\_\_\_\_

Official Review: *initial* \_\_\_\_\_

Response sent: *initial* \_\_\_\_\_ *date* \_\_\_\_\_

Refund sent (if applicable): *initial* \_\_\_\_\_ *date* \_\_\_\_\_

Revenue Recapture canceled (if applicable): *initial* \_\_\_\_\_ *date* \_\_\_\_\_

Notice ID: «noticeID»

PIN: «pin»

**REQUEST FOR EXCLUSION (OPT-OUT FORM)**

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Coffey, et al. v. Thiele

Case No. 20-cv-2237 (NEB/TNL)

**IMPORTANT NOTICE: You will not be allowed to opt out of the settlement if your signed Request for Exclusion form is not post-marked (first class postage) by February 1, 2022.**

(Print or type)  
My full name is

\_\_\_\_\_

first

middle

last

I reside at

\_\_\_\_\_

number

street

city

state

zip

I **do not** wish to be a Member of the Class Action. I have read either the Summary Publication Notice or the mailed Notice regarding the class action litigation of the above-referenced case. I am sufficiently advised of my rights to remain in the Class and be bound by any judgment rendered therein. By opting out, I am excluding myself from the binding effect of judgment and from all consideration available to Class Members. I also realize that, if I exclude myself from the Class Action by opting out and subsequently choosing to bring an independent action, I will be responsible for choosing and compensating my own attorney(s) and that the statute of limitations for bringing claims set forth in this litigation will again begin to run from the date of my request from exclusion.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Mail to: Bradford Colbert, Esq., LAMP, Mitchell Hamline School of Law, 875 Summit Avenue, Room 254, St. Paul, MN 55105

Notice ID: «noticeID»

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