

# LOCAL MARKETPLACE



LEGAL NOTICE HOLYOKE SOLDIERS' HOME CLASS ACTION SETTLEMENT If you were a resident of the Holyoke Soldiers' Home from March 1, 2020 to June 23, 2020, and you contracted COVID-19, your rights may have been affected and you could receive a cash payment in connection with a class action settlement. Additionally, if you are the personal representative of a living or now deceased resident of the Holyoke Soldiers' Home from March 1, 2020 to June 23, 2020, who contracted COVID-19, the resident whose rights you represent may have been affected and you could receive a cash payment from a class action settlement on the resident's behalf. A settlement has been reached in a class action lawsuit alleging that Bennett Walsh, David Clinton, Vanessa Lauziere, Celeste Surreira, Francisco Urena, and Marylou Sudders ("Defendants") violated the rights of certain residents of the Holyoke Soldiers' Home by failing to protect them from harm, provide them with a safe environment, and provide them with minimally adequate medical and nursing care during the COVID-19 pandemic. Defendants deny any liability for the claims alleged. The Court has not decided who is right. Who is included? A "Settlement Class Member" is: (A) a veteran, or the estate of a deceased veteran, who was living at the Holyoke Soldiers' Home at any time between March 1, 2020 and June 23, 2020, who (i) tested positive for COVID-19 during that same period and (ii) did not die prior to June 23, 2020 (together, "Settlement Class A" and individually, "Settlement Class A Member"); or (B) the estate of a veteran who was living at the Holyoke Soldiers' Home at any time between March 1, 2020 and June 23, 2020, who died between March 1, 2020 and June 23, 2020, and who either (i) had tested positive for COVID-19 in the last COVID-19 test administered to the veteran prior to his or her death, or (ii) had Coronavirus listed as one cause of death on his or her death certificate, or (iii) had previously tested positive for COVID-19 but not in the last COVID-19 test administered to the veteran prior to his or her death and had a cause of death similar to Coronavirus listed as one cause of death on his or her death certificate, and/or (iv) is a named plaintiff in the Second Amended Complaint in *Sniadach et al. v. Walsh et al.*, 20-CV-30115-MGM (together, "Settlement Class B" and individually "Settlement Class B Member"). Class Members may be able to receive a cash award. What does the settlement provide? If you are a Settlement Class Member or represent the estate of a Settlement Class Member, you may be able to receive a payment out of the \$56 million Global Settlement Amount provided for as a part of the Settlement. The amounts that will be paid to members of Settlement Class A and Settlement Class B are described below, and the payment of attorney fees will not reduce these payment amounts. Settlement Class A: Members of Settlement Class A will receive an average payment of \$20,000. Members of Settlement Class A will receive a minimum of \$10,000. The Claims Administrator will have the discretion to award additional amounts based on the information you provide as part of the claims Questionnaire, but not more than \$400,000. Settlement Class B: Members of Settlement Class B will receive an average payment of \$510,000. Members of Settlement Class B will receive a minimum of \$400,000. The Claims Administrator will have the discretion to award additional amounts based on the additional information you provide. How do I get a payment? To receive a payment, you must file a Claim Form and Release so that it is received by the Claims Administrator no later than August 16, 2022. Claim Forms and Releases may be submitted online at [www.HolyokeSoldiersHomeFund.com](http://www.HolyokeSoldiersHomeFund.com), or printed from the website and mailed to the address on the form. Your other options. If you do not wish to receive any money relating to this Settlement, then you may simply ignore this notice. If you wish to object to any of the terms included in the Settlement, then you must file a written explanation of the basis for your objection with the United States District Court for the District of Massachusetts, which must be received by the Court no later than August 16, 2022. By participating in this Settlement, you will give up your right to sue or continue a lawsuit against the Defendants or any other individuals relating to the claims described above (i.e., the spread of COVID-19 within the Holyoke Soldiers' Home from March 1, 2020, through June 23, 2020). If you do not wish to participate in this Settlement and you want to preserve your right to bring your own lawsuit, then you must notify the Claims Administrator in writing that you are electing to "opt out" of the Settlement, which election must be received by the Claims Administrator no later than August 16, 2022. For more information about your options, including the detailed Notice Plan and Class Settlement Agreement go to [www.HolyokeSoldiersHomeFund.com](http://www.HolyokeSoldiersHomeFund.com). The Court will hold a hearing on or after November 14, 2022, to

determine whether the settlement is fair, reasonable, and adequate, and whether the Settlement should be granted final approval. The lawsuit is known as Sniadach et al. v. Walsh et al., 20-CV-30115-MGM, pending in the U.S. District Court for the District of Massachusetts. Want more? THIS IS ONLY A SUMMARY. The details regarding the Settlement (including the Class Settlement Agreement), your rights, the Claim Form, Release, and scheduling information can be found at [www.HolyokeSoldiersHomeFund.com](http://www.HolyokeSoldiersHomeFund.com) or you may call the Claims Administrator at 617-807-1128 or Class Counsel at 413-584-7331. (June 22 and 27)

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