

**IF YOU ARE A PERSON WITH A MOBILITY DISABILITY AND ATTENDED AN  
EVENT AT LEVI'S STADIUM, YOU MAY BE ENTITLED TO A MONETARY AWARD  
IN A CLASS ACTION SETTLEMENT**

**This Notice Contains Important Information About Your Rights.**

**1. WHY AM I RECEIVING THIS NOTICE?**

A Settlement has been reached in a class action lawsuit in which you have been identified as a potential class member: *Nevarez, et al. v. Forty Niners Football Company, LLC, et al.*, Case No. 16-CV-07013-LHK (SVK). This notice summarizes the Settlement and your rights and options. For more information, please visit the Settlement Website at [www.Lewisstadiumclassactionsettlement.com](http://www.Lewisstadiumclassactionsettlement.com) where you can view a more detailed notice and the Settlement Agreement and can file a claim online. You can also contact the Settlement Administrator at Levi's Stadium Access Settlement Administrator, c/o KCC Class Action Services, P.O. Box 43501, Providence, RI 02940-3501, or 1-888-788-4813, or call or email the lawyers the Court has appointed as Class Counsel to represent you and all other Settlement Class Members: Guy B. Wallace, Schneider Wallace Cottrell Konecky LLP - [AccessLevis@schneiderwallace.com](mailto:AccessLevis@schneiderwallace.com); (415) 421-7100; Linda M. Dardarian, Goldstein, Borgen, Dardarian & Ho - [AccessLevis@gbdhlegal.com](mailto:AccessLevis@gbdhlegal.com); (866) 723-1494; and Adam B. Wolf, Peiffer Wolf Carr & Kane, APLC - [AccessLevis@pwcklegal.com](mailto:AccessLevis@pwcklegal.com); (415) 766-3592.

**2. WHAT IS THE SETTLEMENT ABOUT?**

The Plaintiffs in this case allege that people with mobility disabilities who use wheelchairs, scooters, or other aids, along with their nondisabled companions, have been denied full and equal access to Levi's Stadium, its parking lots, the pedestrian right of way connecting the parking lots to the Stadium, and ticketing services. The Defendants in this case deny those allegations and assert that they have provided such people with disabilities and their nondisabled companions full and equal access to the Stadium and related facilities, services, amenities, and privileges. The Defendants include Forty Niners Football Company LLC; Forty Niners SC Stadium Company LLC; and Forty Niners Stadium Management Company LLC, who are referred to in this notice as the "Forty Niners Defendants;" and City of Santa Clara and the Santa Clara Stadium Authority, who are referred to in this notice as the "Santa Clara Defendants."

The Settlement resolves the case, without the Court deciding who is right. **The Settlement has two main parts.** **First**, the "injunctive relief" part of the Settlement requires the Defendants to make physical changes to Levi's Stadium, its parking lots, and the pedestrian right of way connecting the parking lots to the Stadium to ensure these facilities will be fully accessible to people with mobility disabilities. Such modifications include, among others, the following: additional accessible parking adjacent to the Stadium; an accessible path of travel from the accessible parking to the Stadium entrances and throughout the Stadium; new signage throughout the Stadium directing persons with mobility disabilities to the accessible path of travel, including to elevators and accessible seating areas; eliminating excessive slopes in accessible seating areas; providing integrated accessible seating in all dining areas and bars; and modifying service countertops and box office windows to permit access to services provided there. It also requires that Defendants change their ticketing policies and practices to accommodate people with mobility disabilities. The "injunctive relief" part of the Settlement applies to all Defendants.

**Second**, the "damages" part of the Settlement requires Defendants to create a \$24 million Damages Fund. If you are in the Damages Class, you may file a claim to receive a monetary award from the Settlement in this case. The Damages Class claims are asserted only against the Forty Niners Defendants.

**3. AM I ENTITLED TO A MONETARY AWARD?**

**You are a member of the Damages Class and may file a claim to receive a monetary award if you:** (1) have a mobility disability and use a wheelchair, scooter, or other mobility aid; (2) bought, attempted to buy, or someone else bought on your behalf a ticket for accessible seating for an event controlled by the Forty Niners at Levi's Stadium between April 13, 2015 and March 9, 2020; and (3) you were denied full and equal access to Levi's Stadium's facilities, services, accessible seating, parking, amenities, privileges, including ticketing. The Claim Form requires that you provide information regarding your efforts to purchase tickets for accessible seating, the events you attended, their dates, the ticketing or physical access barriers you encountered, and whether those barriers caused you difficulty, discomfort, or embarrassment. You will be required to declare under penalty of perjury that the information provided on your Claim Form is true and correct. Defendants will have an opportunity to dispute your claim.

#### **4. HOW DO I FILE A CLAIM?**

To receive a monetary award, you **MUST fill out and submit a Claim Form no later than June 28, 2020**. To submit a Claim Form, either complete and mail the included Claim Form to the Settlement Administrator at Levi's Stadium Access Settlement Administrator, c/o KCC Class Action Services, P.O. Box 43501, Providence, RI 02940-3501 postmarked no later than June 28, 2020 ; or complete a Claim Form online at [www.Lewisstadiumclassactionsettlement.com](http://www.Lewisstadiumclassactionsettlement.com). Please read the Claim Form carefully and provide all the information required.

#### **5. WHAT IF I DO NOTHING?**

If you are a member of the Damages Class and do nothing, you will get no money from the Settlement. You will also give up your right to sue or continue to sue the Forty Niners Defendants for statutory damages arising from any violations of the California Unruh Civil Rights Act challenged in this case—including the denial of full and equal access to Levi's Stadium, its parking lots, the shuttles that serve it, the pedestrian right of way connecting the parking lots to the Stadium, or ticketing services—at any time before March 9, 2020. The Settlement has no effect on any right you have to sue the Santa Clara Defendants for damages regardless of whether you file a Claim Form or do nothing. You need not take any action in order for the Defendants to make the access improvements described in Section 2 above (the “injunctive relief”) if the Settlement is approved.

#### **6. CAN I OPT OUT OF THE SETTLEMENT?**

You do not have the right to opt out of the injunctive relief part of the Settlement. The Settlement releases your right to sue any of the Defendants for injunctive or declaratory relief based on the disability access barriers that are the subject of this lawsuit.

If you are a Damages Class member, you may exclude yourself from the Damages Class by mailing a letter to Levi's Stadium Access Settlement Administrator, c/o KCC Class Action Services, P.O. Box 43501, Providence, RI 02940-3501 by June 28, 2020. The letter must clearly state that you want to opt out of the Damages Class in *Nevarez, et al. v. Forty Niners Football Company, LLC, et al.* (Case No. 16-CV-07013-LHK (SVK)). If you opt out of the Damages Class, you will not receive a monetary award from the Settlement in this case and you may not object to the damages part of the Settlement. However, you will keep any right you have to sue the Forty Niners Defendants separately for statutory damages arising from the violations of the California Unruh Civil Rights Act challenged in this case. The Settlement has no effect on any right you have to sue the Santa Clara Defendants for damages.

#### **7. CAN I OBJECT TO THE SETTLEMENT?**

You may object to the Settlement. If you opt out of the Damages Class, you may not object to the damages part of the Settlement (because it will not affect you). You may object to the injunctive relief part of the Settlement regardless of whether you opt out of the Damages Class. All objections must be made in writing. The deadline to file a written objection is **June 28, 2020**. All written objections and supporting papers must (a) clearly identify the case name and number (*Nevarez, et al. v. Forty Niners Football Company, LLC, et al.*, Case No. 16-CV-07013-LHK (SVK)), as well as your full name, mailing address, email address, phone number, and your lawyer's information if you are represented, state why you believe you are a Class Member, the reasons for your objection, and whether you are objecting for yourself, part of a class, or the entire Class; and (b) be submitted to Levi's Stadium Access Settlement Administrator, c/o KCC Class Action Services, P.O. Box 43501, Providence, RI 02940-3501. You or your own lawyer are welcome to attend the final approval hearing at your own expense, but your attendance is not necessary. You do not need to attend the hearing in order to recover a monetary award.

#### **8. WILL THE COURT HAVE A HEARING ABOUT THE SETTLEMENT?**

The Court will hold a hearing July 16, 2020 at 1:30 p.m. to decide whether to approve the Settlement, the request by Class Counsel for reasonable attorneys' fees and costs up to \$13,457,152.40, and the request by Class Representatives Abdul Nevarez, Priscilla Nevarez, and Sebastian DeFrancesco for service awards of up to \$7,500 each. The hearing may be moved to a different date or time without additional notice, so please check the Settlement Website for updates.