

STATE OF MICHIGAN
WAYNE COUNTY CIRCUIT COURT

ALAN WEILER, on behalf of himself and those
similarly situated; THE RETIRED POLICE & FIRE
FIGHTERS ASSOCIATION, INC.; THE DETROIT
POLICE OFFICERS ASSOCIATION,

Plaintiffs,

And

THE COALITION OF PUBLIC SAFETY
EMPLOYEE HEALTH CARE TRUST

Case No. 06 619737 CK

Plaintiff/Counter-Defendant,

Hon. Isidore B. Torres

And

DETROIT FIRE FIGHTERS ASSOCIATION;
DETROIT POLICE LIEUTENANTS AND
SERGEANTS ASSOCIATION,

Interveners/Plaintiffs,

v.

CITY OF DETROIT, a municipal corporation,

Defendant/Counter-Plaintiff.

**SUPPLEMENTAL NOTICE TO CERTAIN CLASS MEMBERS
PURSUANT TO MCR 3.501(C)(5)**

PLEASE TAKE NOTICE that this lawsuit has been certified as a Class Action and that you are a member of the Class.

I. THE NATURE OF THE CASE

This action was brought on behalf of all retired police officers, command officers and firefighters who formerly worked for the City of Detroit, retired before April 9, 2007, and are receiving health benefits from the City as a result of their status as a City retiree, as well as the spouses of such retirees. This action challenges retiree healthcare changes implemented by the City of Detroit in July 2006. (The other Plaintiffs in the litigation are the COPS Trust, a provider of

health and dental benefits to affected retirees; the Retired Police & Fire Fighters Association, Inc., a retiree association, and the Detroit Police Officers Association (DPOA), a labor organization representing police officers below the rank of Investigator. The intervening Plaintiffs are the Detroit Firefighters Association (DFFA) and the Detroit Police Lieutenants and Sergeants Association (DPLSA.) The Defendant is the City of Detroit.

II. THE RELIEF SOUGHT IN THIS CASE

By way of relief, the lawsuit seeks the issuance of an Order that:

- A. Restrains the City from implementing or continuing to implement the changes in health care benefits for Class Members.
- B. Requires the City to immediately return to the *status quo ante*, that is, restore the health care benefits in effect prior to the change.
- C. Awards Class Members damages caused by the City's changes in healthcare benefits.
- D. Award such further legal and equitable relief, including prejudgment interest and attorney's fees and costs, as is deemed just.

III. THE CLASS REPRESENTATIVES

The names and addresses of the representative parties to the Class are:

Alan Weiler
c/o Martens, Ice., Klass
Legghio & Israel, P.C.
306 South Washington, Suite 600
Royal Oak, MI 48067

IV. CERTIFICATION OF CLASS

This lawsuit was certified as a Class Action on April 9, 2007. Notice of this Class Action was mailed to the then-certified Class Members on May 11, 2007. The Class was later amended by the Court to include the following persons:

- retired City police lieutenants, sergeants and investigators and their spouses, and City firefighters, who retired at ranks having parity with those of lieutenants, sergeants and investigators, and their spouses, who were receiving health benefits from the City as a result of their status as retirees and spouses of retirees as of August 1, 2008; and

- retired City police command officers and their spouses, and City firefighters, who retired at ranks having parity with police command officers, and their spouses, who were receiving health benefits from the City as a result of their status as retirees and spouses of retirees as of August 1, 2008.

This Supplemental Notice is sent to you along with the enclosed Notice of Class Action Settlement. Please read this Supplemental Notice and the Notice of Class Action Settlement carefully. The Notice of Class Action Settlement describes the nature of this lawsuit, the relief sought, the proposed settlement and the rights of all Class Members regarding the proposed settlement.

In addition to the matters set forth in the Notice of Class Action Settlement, please take notice of the following information about the lawsuit and your rights.

V. YOUR RIGHT TO BE EXCLUDED

As a member of the Class, you have the right to be excluded from the lawsuit by submitting a written request to be excluded. Your written request for exclusion must be signed by you and your spouse, if applicable, dated and contain your address, telephone number and fax number, if applicable. The request for exclusion must be postmarked no later than Aug 20, 2009 and must be sent to:

Christopher P. Legghio, Attorney
Martens, Ice, Klass, Legghio & Israel, P.C.
306 South Washington Avenue, Suite 600
Royal Oak, MI 48067-3837

VI. FINANCIAL CONSEQUENCES

The financial consequences for Class Members is that if the matter is settled for the benefit of Class Members or successfully tried to conclusion, Class Members will receive benefits and/or other compensation.

VII. NO COUNTER CLAIMS AGAINST THE CLASS

There have been no counterclaims filed against the Class and there has been no notice to assert any counterclaim against the Class.

VIII. BINDING JUDGMENT

The judgment in this Class Action, whether favorable or not, will bind all Class Members who are not excluded from the action.

IX. RIGHT TO INTERVENE

All Class Members have a right to intervene in this action.

X. PLAINTIFF AND CLASS MEMBER COUNSEL

The name and address of the attorney representing the Plaintiffs and Class Members are:

Christopher P. Legghio, Attorney
Martens, Ice, Klass, Legghio & Israel, P.C.
306 South Washington Avenue, Suite 600
Royal Oak, MI 48067
Tel: 248.398.5900; Fax: 248.398.2662

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE OR MATTER.


ISIDORE B. TORRES

Wayne County Circuit Court Judge

Dated: **July 23, 2009**