

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

**IF YOUR VEHICLE WAS TOWED FROM PRIVATE PROPERTY BY THE CITY OF CALVERTON PARK BETWEEN SEPTEMBER 25, 2018, AND JUNE 26, 2025, FOR AN ALLEGED VIOLATION OF A MUNICIPAL NUISANCE ORDINANCE**

**OR**

**IF YOU PAID A SPECIAL TAX BILL FOR A VEHICLE TOWED FROM PRIVATE PROPERTY BETWEEN SEPTEMBER 25, 2018, AND JUNE 26, 2025, AFTER A VEHICLE WAS TOWED FROM PRIVATE PROPERTY DUE TO AN ALLEGED VIOLATION OF A MUNICIPAL NUISANCE ORDINANCE**

**YOU MAY BE ELIGIBLE TO RECEIVE A PAYMENT FROM A CLASS ACTION SETTLEMENT.**

*A Federal Court authorized this Notice. This is not a solicitation from a lawyer.*

**PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED.**

- You may be a class member in either or both of two proposed settlement classes. The first is all persons whose vehicles were towed from private property by the City of Calverton Park for an alleged violation of a municipal nuisance ordinance between September 25, 2018, and June 26, 2025; the second is all persons who paid the City of Calverton Park a “Special Tax Bill” for costs associated with towing vehicles from private property between September 25, 2018, and June 26, 2025, due to an alleged violation of a municipal nuisance ordinance. The United States District Court for the Eastern District of Missouri (the “Court”) has ordered that notice of the proposed settlement be provided to members of the Settlement Class. The lawsuit is entitled *Reise, et al. v. City of Calverton Park, et al.*, 4:23-cv-01335-SEP. The Defendants deny any wrongdoing or liability of any kind in this lawsuit. The Court has not ruled on the merits of Plaintiffs’ claims.
- You may be eligible to obtain a Settlement Payment. The amount of your payment will depend on whether you were able to recover your vehicle from the tow lot; the number of days your vehicle was impounded before release; and the total costs of fines and fees, including the Special Tax Bill, you paid to the City of Calverton Park or the tow lot. You must qualify and submit a valid Claim Form in order to receive a payment.
- **YOU WILL NOT RECEIVE COMPENSATION UNLESS YOU FILE A CLAIM BY [120-day Claims Deadline].** To submit a claim, visit the Settlement Website at [www.CalvertonParkClassAction.com](http://www.CalvertonParkClassAction.com) to fill out the online Claim Form and submit it electronically. You may also download the Claim Form from the Settlement Website and return it by mail. To have a Claims Form sent to you, call the Settlement Administrator at 1-8XX-XXX-XXXX.

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT**

<b>SUBMIT A CLAIM FORM</b>	This is the only way to get a cash payment. Postmark or submit your Claim Form online by <b>[120-day Claim Period Date]</b> .
<b>EXCLUDE YOURSELF</b>	Receive no Settlement Payment. Remove yourself from the Settlement and the lawsuit. Postmark your exclusion request by <b>[60-day Opt-Out Date]</b> .
<b>OBJECT</b>	Write to the Court about why you do not like the Settlement. File and serve your objection by <b>[120-day Objection Deadline]</b> .
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the Settlement on <b>[Hearing Date]</b> .
<b>DO NOTHING</b>	Get no cash payment. Give up your rights.

**Your legal rights and options and the deadlines to exercise them are explained in this Notice. Please continue reading this Notice for more information.**

The Court still must decide whether to approve the Settlement. Distribution of Settlement Payments will be made **only** if the Court approves the Settlement and after any appeals are resolved.

### **BASIC INFORMATION**

#### **1. 1. What is this Lawsuit about?**

Plaintiffs filed a lawsuit against the City of Calverton Park and Code Enforcer Sean Gibbons (the “Defendants”) alleging that the Defendants violated Plaintiffs’ constitutional rights by towing their vehicles from private property without providing the Plaintiffs any notice or adequate opportunity to challenge the tow. Plaintiffs alleged that the vehicles were towed only because they had no license plates or expired license plates, and the vehicles presented no other risk. Plaintiffs further alleged that the “Special Tax Bills” assessed by the City of Calverton Park following a tow were truly irrational and violated Plaintiffs’ due process rights. Defendants have denied and continue to deny Plaintiffs’ claims, and Defendants deny any wrongdoing or liability of any kind to Plaintiffs or to any member of the Settlement Class.

#### **2. 2. Who is included in the Settlement Class?**

There are two Settlement Classes. The first is all persons whose vehicles were towed from their private property by the City of Calverton Park between September 25, 2018, and June 26, 2025, for alleged violations of a municipal nuisance ordinance, regardless of whether the vehicle was recovered from the tow lot (Class 1). The second is all persons who paid the City of Calverton Park a Special Tax Bill for a vehicle towed from private property for an alleged municipal nuisance ordinance violation between September 25, 2018, and June 26, 2025 (Class 2).

### **THE SETTLEMENT BENEFITS – WHAT YOU MAY GET**

#### **3. 3. What will I receive from the Settlement?**

If you are a member of Class 1 and you recovered your vehicle from the tow lot, you may obtain a cash payment in an amount calculated based upon the number of days your vehicle was impounded in the tow lot, plus any Release Fees you paid to the City of Calverton Park and any towing or storage fees you paid to the tow lot. If you are a member of Class 1 and you did not recover your vehicles from the tow lot, you may obtain a set amount to compensate you for the loss of your vehicle.

If you are a member of Class 2, you may obtain a cash payment based on the amount of the Special Tax Bill that was paid to the City of Calverton Park.

## **HOW YOU GET A CASH PAYMENT—SUBMITTING A CLAIM FORM**

### **4. 4. How can I get a payment?**

You must file a Valid Claim Form to get a cash payment. The Claim Form is included in the Notice that was mailed to Settlement Class Members. You can fill out and mail the Claim Form to the Settlement Administrator's office. You must do this by [120-day Claim Period Date].

Alternatively, you can visit the Settlement Website at [www.CalvertonParkClassAction.com](http://www.CalvertonParkClassAction.com) and fill out and submit the online Claim Form by [120-day Claim Period Date]. You can request a copy of the Claim Form by calling 1-8XX-XXX-XXX or by sending an email to the Settlement Administrator at [CalvertonParklawsuit@atticusadmin.com](mailto:CalvertonParklawsuit@atticusadmin.com). You can also submit the Claim Form to this email address.

### **5. 5. How do I submit a claim?**

The Claim Form is simple and easy to complete. The Claim Form requires that you provide:

1. Your name;
2. Your current mailing address, telephone number, and, if applicable, email address;
3. The year, make, and model of the towed vehicle and/or the address from which the vehicle was towed; and
4. Your signature certifying under penalty of perjury that all of the information in your Claim Form is true and correct.
5. You may be asked to submit documentation demonstrating that you owned the towed vehicle or paid the Special Tax Bill.

**If you had more than one vehicle towed or paid more than one Special Tax Bill, please read the following instructions:**

- If you plan to submit your claim online, please submit only one claim, even if you had more than one vehicle towed or paid more than one Special Tax Bill. There is an option on the claim form to list information for multiple incidents.
- If you plan to submit your claim through the mail, please reach out to the Settlement Administrator to request an additional claim form be mailed to you.

***Please return a Claim Form by [120-day Claim Period Date] if you think that you have a claim. Returning a Claim Form is the only way to receive a cash payment from this Settlement.***

The Settlement Administrator may request additional information if your Claim Form is incomplete or insufficient. Failure to provide any requested documentation may result in the denial of your claim and your ability to receive a cash payment.

## 6. When is the Claim Form due?

You must postmark your Claim Form for mail or submit an online Claim Form through the Settlement Website by [120-day Claim Period Date].

## 7. Who decides my claim?

The Settlement Administrator will review Claim Form submissions and determine validity using criteria agreed to by the parties.

The Settlement Administrator may contact you if it needs additional information or otherwise wants to verify information in your Claim Form.

In instances where multiple people submit claims on behalf of a single towing incident or a single Special Tax Bill, the proper claimant may be determined by consensus of the Parties' Attorneys or by an independent arbiter. Prior to your vehicle being sent to the Attorneys or the Arbiter, claimants will have the opportunity to submit additional documentation of proof of vehicle ownership, or payment of the Special Tax Bill.

## 8. When will I get my payment?

The Court will hold a Final Fairness Hearing at Time on Date in Courtroom located at Address to decide whether to approve the Settlement. If the Court approves the Settlement, after that there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. If there are no appeals or other delays, you should be sent your cash payment approximately XX days after the Court issues a Final Approval Order.

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

You must return a valid Claim Form in time to receive a cash payment from this Settlement. If you do nothing, you will get no money from the Settlement. You will remain a member of the Settlement Class and will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant about the legal issues in this case.

### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

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

If you do not wish to be included in the Settlement Class and receive a cash payment, you must send a written exclusion request to the Settlement Administrator, so it is postmarked or otherwise received no later than [60-day Opt-Out Date].

Your exclusion request must include your name, address, and telephone number, as well as a clear statement indicating that you choose to be excluded from the Settlement, do not wish to be a Settlement Class Member, and choose to be excluded from any judgment entered pursuant to the Settlement.

You must mail your exclusion request post-marked no later than [60-day Opt-Out Date] to:

Calverton Park Class Action  
c/o Atticus Administration  
PO Box 64053  
St. Paul, MN 55164

If you asked to be excluded, you will not get any Settlement payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Defendants in the future.

If you have a pending lawsuit against the Defendants, speak to your lawyer immediately. You may need to exclude yourself from this Settlement in order to continue your own lawsuit.

### **THE LAWYERS REPRESENTING YOU**

#### **11. Do I have lawyers in this case?**

The Court appointed Maureen Hanlon, Brianna Coppersmith, and Lee Camp of ArchCity Defenders, Inc., 440 North 4th Street, Ste. 390, St. Louis, MO 63102 to represent you and other class members. These lawyers are called Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense and enter your appearance in the lawsuit through your own lawyer.

#### **12. How will the lawyers be paid?**

Class Counsel will ask the Court to award them attorneys' fees and expenses in the amount of up to \$154,998.36.

The Class Representatives will also ask the Court to award them an amount not to exceed \$8,000.00 to be distributed to each of the five Class Representatives for being the faces of this litigation and for the time and energy spent assisting with the investigation, drafting and negotiation of the lawsuit.

The payment of Class Counsel's attorneys' fees and expenses, the Class Representative service awards, and Settlement Administration costs will be paid from the Settlement Fund paid by Defendant.

### **OBJECTING TO THE SETTLEMENT**

#### **13. How do I tell the Court that I do not like the Settlement?**

If you are a Class Member and you submit a Claim Form, you may object to the Settlement if you do not like any part of it, and the Court will consider your views. You must file an objection with the Court saying that you object to the Settlement in *Reise, et al. v. City of Calverton Park, et al.*, 4:23-cv-01335-SEP. The written objection must include: (a) your name, address, and telephone number; (b) a detailed statement of each objection asserted, including the grounds for objection and reasons for appearing and being heard; and (c) any documents you wish to be considered in support of your objection. The objection must be filed with the Court and served on Class Counsel and Defense Counsel no later than **[120-day Objection Date]** at the addresses that follow.

If you or your attorney plan to appear at the Final Approval Hearing on behalf of your objection, you must also file a Notice of Intention to Appear with the Court. See Question **18** for more information. Send your objection to:

Clerk of the Court US District Court - Eastern District of Missouri Thomas F. Eagleton Courthouse 111 S 10 <sup>th</sup> St. St. Louis, MO 63102	ArchCity Defenders, Inc. Maureen Hanlon 440 North 4th Street, Ste. 390 Saint Louis, MO 63102 <i>Class Counsel</i>	William Hellmich 1049 North Clay Avenue Kirkwood, MO 63122 <i>Defense Counsel</i>
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**14. What is the difference between objecting and excluding?**

Objecting is telling the Court that you do not like something about the Settlement. You can object only if you stay in the Class and submit a Valid Claim. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class or the lawsuit. You cannot request exclusion and object to the Settlement. If you exclude yourself, you have no basis to object because the case no longer affects you.

**RELEASE OF CLASS MEMBERS' CLAIMS AND DISMISSAL OF LAWSUIT**

**15. What am I giving up in exchange for a Settlement Payment?**

If the Court approves the proposed Settlement and you do not request to be excluded from the Classes, you will release (give up) all claims by this Settlement, and the case will be dismissed on the merits and with prejudice. The Release provides that Class Members will be deemed to have fully and irrevocably released and forever discharged the Released Parties as defined in the Settlement Agreement of and from any and all liabilities, rights, claims, actions, causes of action, demands, damages, costs, attorneys' fees, losses and remedies, whether known or unknown, existing or potential, suspected or unsuspected, liquidated or unliquidated, legal, statutory, or equitable, based on contract, tort, or any other theory, that result from, arise out of, are based upon, or relate to the conduct, omissions, duties or matters during the Class Period as set forth in the Amended Complaint in this Action and that were or could have been alleged in the Action, including but not limited to claims related to the towing of vehicles from private property, the notice preceding the towing, the Special Tax Bills issued, and any other claims or causes of actions related to the Released Parties' practice of towing vehicles for alleged nuisance and/or registration or licensing defects during the Class Period and the recoupment of costs through Special Tax Bills.

**THE FINAL APPROVAL HEARING**

**16. When and where will the Court decide whether to approve the Settlement?**

The Judge will hold a Final Approval Hearing at **Time** on **Date** in **Courtroom** located at **Address** to consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Judge will consider them. The Judge will listen to people who have asked to speak at the hearing. After the hearing, the Judge will decide whether to approve the Settlement. We do not know how long this decision will take.

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

You are not required to attend the hearing. Class Counsel will answer questions the Judge may have about the Settlement. You are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it. As long as you deliver your written objection on time, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

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

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file a Notice of Intention to Appear in *Reise, et al. v. City of Calverton Park, et al.*, 4:23-cv-01335-SEP with the Court. The Notice of Intention to Appear must include (i) the name, address, and telephone number of the Class Member making the objection, and a summary of the testimony

supporting the objection; (ii) the name, address, and telephone number of all witnesses the Class Member or her/his attorney intends to present testimony from, including a summary of the testimony, and (iii) a list of all exhibits that will be offered in support of the objection and complete copies of the exhibits, (iv) the amount of time anticipated to present the objection, and (v) the signature of the Class Member making the objection and a statement under penalty of perjury that the individual is a Settlement Class Member with a Valid Claim.

The Notice of Intent to Appear must be filed with the Court and served on Class Counsel and Defense Counsel at the addresses found in Question 13 no later than [120-day Objection Date].

### **GETTING MORE INFORMATION**

#### **19. Are there more details about the Settlement?**

This Notice summarizes the proposed Settlement. More details can be found in the Settlement Agreement. You can access the Settlement Agreement at [www.CalvertonParkClassAction.com](http://www.CalvertonParkClassAction.com) or request that the Settlement Administrator send a copy to you by mail.

***PLEASE DO NOT CONTACT THE COURT OR ANY REPRESENTATIVE OF DEFENDANT CONCERNING THIS NOTICE OR THIS LAWSUIT.***