

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION CONCERNING  
NOTICE OF SANCTION FOR ALLEGED FAILURE TO PARTICIPATE  
IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)  
WORK REQUIREMENTS  
(SNAP is the new name for the Food Stamp program)**

Are you a New York State resident who received or applied for SNAP benefits and received a notice stating that you will be disqualified or sanctioned from receipt of SNAP benefits for a period of time because of a failure to comply with SNAP work rules? If so, you should read this notice, which provides information about the settlement of a lawsuit involving the alleged failure of the Office of Temporary and Disability Assistance (OTDA) to issue proper work related sanction notices.

**BACKGROUND**

A lawsuit, *Richard C. v. Proud*, 12 Civ. 5942, was brought in August 2012. One of the claims involved the work related sanction notices issued by OTDA. The lawsuit claimed that these notices were improper because they failed to advise class members on how to avoid the sanction. On December 14, 2012, OTDA stopped issuing these notices.

The parties have agreed to a settlement which must be approved by the Court. This notice concerns the claim about improper sanction notices.

**PROPOSED SETTLEMENT**

You can see the entire proposed settlement at the websites for the Legal Aid Society, <http://www.legal-aid.org/en/home.aspx>, the Empire Justice Center, [www.empirejustice.org](http://www.empirejustice.org), and the National Center for Law and Economic Justice, [www.nclaj.org](http://www.nclaj.org). The basic terms of the settlement are:

1. **Class Membership.** On the claim regarding work related sanction notices, the plaintiff class consists of: All New York State residents who are or were applicants for, or recipients of SNAP benefits who were issued or will be issued, since August 3, 2009, a Notice of Adverse Action based on an alleged failure to comply with SNAP work requirements, that (i) resulted in the individual being disqualified from receipt of SNAP benefits for a period of 2, 4, or 6 months; and (ii) did not inform the individual of action they could have taken to avoid the imposition of the sanction before it began.
2. **Notice of Work-Related Sanctions.** OTDA will not issue work related sanction notices that fail to comply with the settlement and USDA requirements.
3. **Prior Sanctions.** OTDA will take steps to revise the manner in which prior work sanctions are treated.
4. **Restoration of SNAP Benefits.** Within 150 days of the Court's approval of this settlement, OTDA will restore SNAP benefits lost by households containing one or more class members because of sanctions imposed pursuant to the previously used notice. OTDA will provide such households with information on the restored SNAP benefits, including how the amount was calculated.
5. **Monitoring.** OTDA will provide plaintiffs' attorneys with information as set forth in the settlement.
6. **Enforcement.** Upon approval, the Court will retain jurisdiction to enforce this settlement for at least 24 months.

**RIGHT TO OBJECT**

Any class member has the right to object to the proposed settlement as not fair, reasonable and adequate, by appearing and stating his/her objections at the hearing, in person or by counsel. The Court has set a hearing for this purpose on June 13, 2013 at 3:00 p.m. at the following address:

**Honorable Jesse M. Furman, United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 1105  
New York, NY 10007**

PLEASE NOTE: YOU DO NOT HAVE TO ATTEND THE HEARING! IF THE COURT APPROVES THE SETTLEMENT,  
YOU WILL RECEIVE ANY RESTORED FOOD STAMPS THAT ARE DUE TO YOU AUTOMATICALLY

Class members may also object to the settlement by sending a letter marked "Richard C. Class B settlement" and postmarked by June 6, 2013 to the Court at the address listed above.

You may also call the following attorneys, who have represented the plaintiffs in this lawsuit, if you have any questions:

Ken Stephens  
Legal Aid Society  
Tel. (212) 577-3988  
[kstephens@legal-aid.org](mailto:kstephens@legal-aid.org)

Saima Akhtar  
Empire Justice Center  
Tel. (518) 935-2695  
[sakhtar@empirejustice.org](mailto:sakhtar@empirejustice.org)

Jenny Pelaez  
National Center for Law  
and Economic Justice  
Tel. (212) 633-6967  
[pelaez@nclaj.org](mailto:pelaez@nclaj.org)