

ACCORD CLAIM PROCEDURES

Pursuant to the

AGREED SETTLEMENT ORDER AND ACCORD (“ACCORD”)

Entered in *Shakman, et al. v. Democratic Organization of Cook County, et al.*
(the “Shakman Case”)

**COMPLETED ACCORD CLAIM FORMS (Form 2) AND RELEASE OF
CLAIMS AGAINST THE CITY OF CHICAGO FORMS (Form 3) MUST
BE RECEIVED BY THE SHAKMAN DECREE MONITOR
BY SEPTEMBER 28, 2007**

If you believe that you have been subjected to unlawful political discrimination in connection with hiring, promotion, overtime or any other aspect of employment with the City of Chicago ***between January 1, 2000 and May 31, 2007*** (the date of final approval of the Accord), you may submit a completed Accord Claim Form (Form 2) to the Shakman Decree Monitor to be considered for possible money damages.

Completed Accord Claim Forms (Form 2) and Release of Claims Against the City of Chicago Forms (Form 3) must be received by the Shakman Decree Monitor by September 28, 2007 (the “Claim Deadline”).

Send completed Accord Claim Forms and a signed Release of Claims Against the City of Chicago to:

Noelle Brennan
Shakman Decree Monitor
Brennan & Monte, Ltd.
20 S. Clark
Suite 1530
Chicago, IL 60603

Submitting an Accord Claim Form does not guarantee a monetary award.

I. Am I Eligible to File an Accord Claim?

You may submit an Accord Claim Form (Form 2) if (1) you applied for a job or had a job with the City of Chicago and (2) you believe that you were subjected to unlawful political discrimination in connection with any employment decision by the City of Chicago that occurred **between January 1, 2000 and May 31, 2007**.

“Employment decision” includes, but is not limited to, any decision involving hiring, firing, promotion, job assignment, transfer, disciplinary action and overtime.

“Unlawful political discrimination” means the making of any employment decision by the City because of any political reason or factor such as an individual’s political affiliation, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or political sponsorship or recommendations.

If you have already released any claim(s) against the City of Chicago for alleged unlawful political discrimination that occurred between January 1, 2000 and May 31, 2007, through either litigation or settlement, then you are not eligible for relief through this process for any released claim.

Important Notes: If your Claim involves alleged unlawful political discrimination that took place *before* January 1, 2000, do **not** use this Accord Claim Form. If you wish to pursue a claim against the City of Chicago based on conduct occurring *before* January 1, 2000, you must submit an Opt-Out Request Form (Form 1) to the Shakman Decree Monitor before September 28, 2007 and pursue whatever rights you may have in court. Opt-Out Request Forms are available at www.shakmanmonitor.com.

If your Claim involves alleged unlawful political discrimination that took place after May 31, 2007, do **not** use this Claim Form. Please consult www.shakmanmonitor.com and the Accord Complaint Procedures for further information about your rights under the Accord for violations occurring after May 31, 2007 (the date of final approval of the Accord).

Relief under the Claim Process is limited to monetary awards. No injunctive relief, such as reinstatement or promotion, is available through the Accord Claim Process. Such injunctive relief may be available through a legal action filed in a court of law. If you would like to pursue injunctive relief, you must submit an Opt-Out Request Form (Form 1) to the Shakman Decree Monitor *before* September 28, 2007.

II. Filing an Accord Claim

If you would like to submit an Accord Claim Form and to be considered for a monetary award you must complete **both** an Accord Claim Form (Form 2) and Release of Claims Against the City of Chicago Form (Form 3). **The Shakman Decree Monitor will deny your claim if you do not submit both Form 2 and Form 3.**

Accord Claim Forms should include as much detail as possible showing the evidence supporting your claim that you were subjected to unlawful political discrimination in connection with any aspect of employment with the City of Chicago.

You must attach any supporting documentation in your possession to your Accord Claim Form. This includes documentation supporting any damage claim. If you do not have any documents in your possession, the Claim will still be evaluated on its merits. Documents may be submitted at a later date but only with permission from the Shakman Decree Monitor for good cause.

You may only submit one Accord Claim Form, but may allege facts supporting more than one Claim on your Accord Claim Form. The Shakman Decree Monitor will evaluate all of the claims included in the Accord Claim Form. You cannot receive an award of more than \$100,000 total, regardless of the number of claims.

These statements should not be construed as legal advice. You may consult with a lawyer of your choice about what decisions to make in this area. Neither the Shakman Decree Monitor nor Class Counsel in the *Shakman* Case (that is, the lawyers who represent the named plaintiffs and classes of plaintiffs in this case) are able to provide legal advice about whether an individual should pursue any remedies under the Accord or in a court of law.

Class Counsel recommend that you send your completed Accord Claim Form and Release of Claims Against the City of Chicago Form to the Shakman Decree Monitor via certified mail, return receipt requested, and keep a copy of the Forms and of any documents that are sent with them.

III. What Happens Once I File an Accord Claim Form?

For details regarding the Accord Claim process, please review Section III of the Accord, which is posted on the Shakman Decree Monitor's website www.shakmanmonitor.com. A summary of the Accord Claim process is set out below.

The Shakman Decree Monitor and her staff will review all timely Accord Claim Forms to determine whether you are entitled to a damage award. As part of her review, the Shakman Decree Monitor may request additional information from you to help her identify valid claims and eliminate those that are not. During the claims review process, you must provide any information and documents reasonably requested by the Shakman Decree Monitor.

Within **90 days** of the September 28, 2007 Claim Deadline (the "Claim Review Period"), the Shakman Decree Monitor, in her sole discretion and after consideration of all of the evidence, will determine whether you are eligible for recovery and, if so, will assign a monetary award to you based on the relevant information presented to the Shakman Decree Monitor. You should provide all evidence, information, and documents known to you in as much detail as possible in your Accord Claim Forms to assist the Shakman Decree Monitor in assessing your claim.

If the Shakman Decree Monitor needs additional time beyond September 28, 2007 to evaluate the merits of your claim, the Shakman Decree Monitor will inform you of the need for additional time and the date by which the review will be completed.

The Shakman Decree Monitor will notify you of her decision with respect to your claim by sending a Notice of Determination to you by December 27, 2007. The Notice of Determination will tell you whether you are entitled to a damage award and, if so, the amount of the award.

The Shakman Decree Monitor's decision is final, and not subject to appeal.

Within **30 days** of the Shakman Decree Monitor's final determination of all claims, the Shakman Decree Monitor shall provide the City of Chicago's Law Department with a list of Claimants eligible for an award, each Claimant's last known mailing address, the social security number of any non-employee, and the amount of each award.

Within **60 days** of receipt of the Shakman Decree Monitor's list of Claimants and awards, the City of Chicago will mail a check in the amount of the award to each Claimant who has received an award at her or his last known mailing address.

By submitting an Accord Claim Form you thereby agree to have your claim for damages resulting from alleged political discrimination in connection with employment with the City of Chicago decided by the Shakman Decree Monitor. By submitting an Accord Claim Form, you agree to waive your right to file your own lawsuit and to have your claims decided by a court.

Submitting an Accord Complaint Form does not guarantee you any relief.

Important Dates:

May 31, 2007 Court Hearing for Final Approval of the Agreed Settlement Order and Accord

September 28, 2007 Opt-Out Deadline (The “Opt-Out Deadline” is the date by which a person who believes she or he has a claim against the City of Chicago for political discrimination must inform the Court in the *Shakman* Case in writing that she or he elects to be excluded from the settlement and claims procedure described in this document.)

September 28, 2007 Accord Claim Form Deadline

December 27 , 2007 Shakman Decree Monitor Sends Notice of Determination to Claimants

March 26, 2008 Deadline for the City of Chicago to Pay Claim Awards

ACCORD CLAIM FORM

AGREED SETTLEMENT ORDER AND ACCORD (“ACCORD”)
Entered in Shakman, et al. v. Democratic Organization of Cook County, et al.
(the “Shakman Case”)

**COMPLETED ACCORD CLAIM FORMS AND RELEASE OF CLAIMS
AGAINST THE CITY OF CHICAGO FORMS MUST BE RECEIVED BY THE
SHAKMAN DECREE MONITOR BY
SEPTEMBER 28, 2007**

Date: _____

To: Noelle C. Brennan
Shakman Decree Monitor
Brennan & Monte, Ltd.
20 S. Clark, Suite 1530
Chicago, IL 60603

I, _____, hereby declare, under penalty of

perjury pursuant to the laws of the United States, as follows:

1. Address: _____

2. Telephone: _____

3. Social Security Number: _____

4. Date of Alleged Violation(s): _____

5. What Job(s) or Job-Related Benefit(s) Were You Seeking When You Believe You Were Subjected to Political Discrimination: (For example, the job title of the position you applied for, the number of overtime hours you should have received but for the alleged discrimination, job assignment, suspension, bad review, etc.)

6. City of Chicago Department or Agency Involved: _____

8. What Damages Do You Claim?: (Include as much detail as possible about your damages and the amount you believe you are entitled to recover. For example, the following are examples of the sort of damages that might be applicable: lost wages, lost overtime, increased time and expense caused by being reassigned to a new location, etc.)

9. Amount of Money Damages Sought: \$_____ (No Claimant will receive more than \$100,000 total, regardless of the number of claims.)

10. Documents that Support Your Claim: (Identify any documents you believe support your claim of political discrimination and attach copies if the documents are in your possession. You do not have to have documents to be considered for an award. Additional documents may be submitted at a later date, but only with permission from the Shakman Decree Monitor for good cause.)

11. Have you filed a claim, grievance or lawsuit about any of these events in any court, administrative agency or before any other entity? If yes, please explain including case number, court or agency. Also state the outcome of the claim, grievance or lawsuit.

(Signature of Claimant)

**RELEASE OF CLAIMS
AGAINST THE CITY OF CHICAGO FORM**

**COMPLETED RELEASE FORMS MUST BE SUBMITTED
WITH ACCORD CLAIM FORMS (FORM 2) AND
MUST BE RECEIVED BY THE SHAKMAN DECREE MONITOR BY
SEPTEMBER 28 , 2007**

By submitting this claim, I, _____, hereby agree to have my claim(s) for political discrimination in connection with any aspect of governmental employment with the City of Chicago decided by the Shakman Decree Monitor as part of the Claim Procedure for Alleged Pre-Accord Violations contained in the Agreed Settlement Order and Accord. Subject to the terms of the Agreed Settlement Order and Accord, I release the City of Chicago, its Mayor, and all of its employees, agents, advisors, and attorneys, and their heirs, executors, administrators, personal or legal representatives, successors, transferees and assigns from any and all claims, causes of action, rights, actions, suits, obligations, debts, demands, judgments, agreements, promises, liabilities, controversies, costs, expenses or attorneys' fees, of every nature and description whatsoever that have been or could have been asserted in *Shakman, et al. v. Democratic Organization of Cook County, et al.*, 69 C 2145, and whether now known or unknown, suspected or unsuspected, arising out of employment decisions of any kind (including, but not limited to, hiring, promotion, termination, assignments, disciplinary decisions, overtime and the like) made by the City of Chicago with respect to Class Members prior to the final approval of the Agreed Settlement Order and Accord by the Court and based on the claim that those employment decisions were impermissibly motivated by political considerations. I understand and agree that these claims are released regardless of whether I receive a cash award through the Claim Procedure.

(Signature of Claimant)

Dated: _____