

**GLOBAL SETTLEMENT NOTICE OF RESOLUTION -  
GLOBAL SETTLEMENT OF GLOVER/ALBRECHT CLASS  
CLAIMS**

**DATE: JUNE 22, 2007**

**If you filed a Glover/Albrecht Claim Form 1, your rights may be affected by a Global Settlement of all outstanding Glover/Albrecht Claims.**

*This is not a solicitation from a lawyer.  
Important Legal Notice – Please read carefully.*

- This Global Settlement resolves all outstanding Glover/Albrecht Claims.
- The Global Settlement Agreement must be approved by an Equal Employment Opportunity Commission (EEOC) Administrative Judge in order to go forward.
- Even if the Global Settlement is not approved all Eligible Class Members who sign a release of their Glover/Albrecht Claims are guaranteed a payment of a Settlement Share.
- In exchange for a guaranteed payment of a Settlement Share, no Eligible Class Member will have the right to mediate and/or arbitrate a Glover/Albrecht Claim.
- Your legal rights will be affected whether you act, or don't act. Read this Global Settlement Notice of Resolution carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT NOW:</b>	
SIGN A RELEASE NOW	If you accept your Settlement Share and return the enclosed Release Form by <b>August 21, 2007</b> (within 60 days of the date of this Global Settlement Notice of Resolution), you will receive expedited payment of a check for the amount of your Settlement Share by <b>November 9, 2007</b> (140 days after the date of this Global Settlement Notice of Resolution).
OBJECT	Write to the Administrative Judge about why you don't like the Global Settlement.
DO NOTHING	The Administrative Judge will decide whether the Global Settlement is fair without your input. If the Administrative Judge approves the Global Settlement Agreement, your share

**QUESTIONS? CALL 1-800-280-8301 TOLL FREE, OR VISIT [WWW.GLOVERCLASS.COM](http://WWW.GLOVERCLASS.COM)**

	will be sent to you at a later date unless the Global Settlement Agreement is voided or an appeal reverses the Administrative Judges approval.
FILE AN ACTION	If the Administrative Judge approves the Global Settlement, you may file a complaint in federal court, but if you do, you will give up your Settlement Share.

- These rights and options—**and the deadlines to exercise them**—are explained in this Global Settlement Notice of Resolution.
- An EEOC Administrative Judge still has to decide whether or not to approve the Global Settlement Agreement. If you send in a signed Release Form, please be patient. Settlement Shares will not be sent out for at least 4 months from this Global Settlement Notice of Resolution.

## BASIC INFORMATION

### 1. Why did I get this notice package?

You are receiving this Global Settlement Notice of Resolution because you filed a Glover/Albrecht Class Action Claim Form 1. This administrative action is before Administrative Judge Dickie Montemayor and the case is known as *Chandler Glover and Dean Albrecht, et al., v. John E. Potter, Postmaster General U.S. Postal Service, EEOC Case No. 320-A2-8011X; Agency Case No. CC-801-0015-99* (the “Administrative Class Complaint”).

Under the Initial Settlement Agreement, a claims procedure was established to resolve claims of denial of promotions, training, assignments, details, and awards. Over 10,000 Claim Form 1s were submitted, including yours. After reviewing the Claim Form 1s and other data, the Parties dismissed 3,031 claims as ineligible, leaving 7,512 eligible claims, including yours. You are an Eligible Class Member.

This Global Settlement Notice of Resolution describes a Global Settlement that has now been reached to resolve all outstanding Glover/Albrecht Claims. **The amount of your Settlement Share is stated in your Release Form, which accompanies this Global Settlement Notice of Resolution.** This Global Settlement Notice of Resolution also explains how you can obtain the money that is your Settlement Share faster than if you wait for the Administrative Judge to decide on whether or not to approve the Global Settlement Agreement.

Your rights may be affected if the Global Settlement Agreement is approved by an Administrative Judge. This is your time to submit any objections you may have to the terms of the Global Settlement. Your written objection must be received no later than **thirty (30)** days after the date of this Global Settlement Notice of Resolution. If an Administrative Judge approves the Global Settlement Agreement, and the Global Settlement Agreement is not voided or rejected on appeal, you will receive your

QUESTIONS? VISIT [WWW.GLOVERCLASS.COM](http://WWW.GLOVERCLASS.COM) OR CALL TOLL FREE 1-800-280-8301

Settlement Share check in the mail. This package explains the Global Settlement Agreement and your legal rights. Additional information, including the Initial Settlement Agreement and the Global Settlement Agreement, can be found at [www.gloverclass.com](http://www.gloverclass.com).

## 2. What is this administrative action about?

The individuals who brought the Administrative Class Complaint claim that the USPS denied promotional and/or advancement opportunities to present and/or past USPS employees in permanent rehabilitation positions due to discrimination on the basis of disability. The EEOC has defined “**advancement opportunities**” to mean vertical movement from a lower level grade and/or pay within the Postal Service system, to a position at a higher level grade and/or pay. The EEOC has defined the phrase “**promotional opportunities**” to include training, assignments, details, and awards that would have enhanced a class member’s qualifications for promotion to such position, whether the promotion would have been a career ladder promotion or a competitive promotion.

“**Disability**” is defined in the discrimination laws. Under these laws, a person is considered disabled if either: (1) he or she has a mental or physical impairment that substantially limits a major life activity; (2) has a record of such disability; or (3) is regarded by the employer as having such a disability. Even if the Department of Labor or another government entity has determined that you are disabled for the purposes of its programs, you may not necessarily have a disability under the discrimination laws. The Class Representatives believe that all permanent rehabilitation employees are disabled under the discrimination laws because they believe that the USPS regards all permanent rehabilitation employees as disabled. The USPS expressly denies that it regards permanent rehabilitation employees as disabled. The Class Representatives also believe that some permanent rehabilitation employees may be disabled under the discrimination laws because they have an actual disability or a record of a disability.

Filing of a Claim Form 1 did not guarantee that you would receive any money under the Initial Settlement Agreement. In order to have received any money under the Initial Settlement, you must have either settled your Claim or prevailed at an arbitration of your claim.

The USPS expressly denies any wrongdoing or liability with regard to the allegations set forth in the Administrative Class Complaint. Therefore, if the Global Settlement Agreement is not approved, you will still be required to either settle or win at arbitration in order to receive any money. There is no guarantee that Eligible Class Members will recover anything under the terms of the Initial Settlement Agreement.

## 3. Why is there a Global Settlement?

While Class Counsel sought monetary relief, a major goal of the case was to have the USPS institute injunctive relief and remove barriers that prevented permanent rehabilitation employees from having promotional and advancement opportunities at

QUESTIONS? VISIT [WWW.GLOVERCLASS.COM](http://WWW.GLOVERCLASS.COM) OR CALL TOLL FREE 1-800-280-8301

USPS. Since 2004, under the Initial Settlement Agreement, the USPS has changed its regulations, practices, and procedures relating to promotional and advancement opportunities for permanent rehabilitation employees. As part of the Initial Settlement, Class Counsel has monitored the implementation of these changes.

Under the Initial Settlement Agreement, the Parties agreed to discuss reaching a Global Settlement after reviewing all of the Claim Form 1s and other relevant data. If this matter were to proceed through the complete claims process set out in the Initial Settlement Agreement, it would take years to fully resolve the thousands of claims. Eligible Class Members also would have to complete extensive supplemental claim forms, consider participating in mediation, and, if their Claim was not resolved through mediation, attend an arbitration hearing. Continued litigation would subject Eligible Class Members to numerous uncertainties, including the risk of getting no money. Also, no interest would accrue, even if the claims process were to take many years.

No one was guaranteed any money under the terms of Initial Settlement Agreement. If approved, the Global Settlement Agreement guarantees that every Eligible Class Member will receive a Settlement Share; those who sign a Release Form will receive their Settlement Share sooner if the Global Settlement Agreement is approved, and will receive their Settlement Share even if the Global Settlement is voided or rejected.

The Class Agents and Class Counsel recommend the Global Settlement because it allows Eligible Class Members to receive their Settlement Shares much sooner without the risk and delay of the claims process set out in the Initial Settlement Agreement.

## **GLOBAL SETTLEMENT BENEFITS--WHAT YOU MAY GET**

### **4. What does the Global Settlement provide?**

The Global Settlement Agreement provides that every Eligible Class Member will receive a Settlement Share, except for those that file complaints in federal court. There are 7,512 Eligible Class Members. In full settlement of these 7,512 remaining Claims, the parties have agreed to a total Global Settlement of \$61 million, of which \$53,665,767 shall be distributed to Eligible Class Members, \$250,000 is reserved for any errors in the calculation of Settlement Shares, and the balance represents attorneys' fees and costs already paid for the litigation of this case by Class Counsel.

The USPS will make all payments to Eligible Class Members except that upon Final Approval of the Global Settlement Agreement, Class Counsel shall contribute \$1.5 million in attorneys' fees that they received during the claims procedure. Aside from the remaining fees and costs received by Class Counsel, it is the intention of the parties that the entire Class Fund plus Class Counsel's contribution be distributed to Eligible Class Members except for those Eligible Class Members that file complaints in federal court, contesting the Global Settlement Agreement. To the extent there are unclaimed funds after the distribution process is completed, one half of these unclaimed funds will be donated to the Disability Rights Education & Defense Fund, and the remainder will be

**QUESTIONS? VISIT [WWW.GLOVERCLASS.COM](http://WWW.GLOVERCLASS.COM) OR CALL TOLL FREE 1-800-280-8301**

credited back to the USPS. It shall be Class Counsel's responsibility to transmit these funds to the Disability Rights Education & Defense Fund.

The overall size of the Class Fund was agreed to after lengthy mediation, based on the parties' assessment of the effect of delay, and the risk of further litigation, including the risk of no or limited recovery for individual class members.

The parties have retained a Class Notice Administrator to distribute Settlement Shares to Eligible Class Members. To the extent there are unclaimed funds after the distribution process is completed, Class Counsel will donate half of these unclaimed funds to The Disability Rights Education and Defense Fund, and the remainder will be kept by the USPS.

## **5. How did Class Counsel decide on the amount of my Settlement Share?**

The parties each reviewed all Claim Form 1s and electronic personnel data. Class Counsel retained a statistical consultant who, after consulting with the USPS consultant, developed a Distribution Plan. The Distribution Plan is more fully described in the Global Settlement Agreement.

The Distribution Plan determines Settlement Shares based on Claim Form 1 answers, electronic personnel data maintained by the USPS, and some personnel records in hard copy form. Claim Form 1 answers were used to determine what claims were being made. Thus, if a Claim Form 1 indicated a claim was made for denial of training, credit was given for such a claim. For promotion claims, claim form answers were used to determine if a denial of promotion claim was being made, and if so, whether the claim was for a craft or non-craft position (or both). Electronic data was examined to determine what job position and pay level a claimant held while in a rehabilitation status.

For advancement opportunity claims, the amount of the Settlement Share depends on the claim made. For all advancement opportunity claims, it was assumed that the promotion was denied in the first year in rehabilitation status. If the employee was in a craft job subject to the back-pay "grid" in the initial settlement (APWU grades 5-6, NALC 5-6 or mail handler 4-5) the grid back pay figure was used. If the claim was for a non-craft or non-grid craft position, the average raises of persons promoted from the same grade held by an Eligible Class Member were compared to the Eligible Class Member's actual earnings. From this, an overall Settlement Share amount was computed. This Settlement Share amount was increased by 25% if the Claim Form 1 indicated that that the Eligible Class Member actually applied for promotions (as opposed to simply being interested or deterred from seeking promotion). It was decreased 50% if the electronic data indicates that the claimant received promotion(s) while a permanent rehabilitation employee. If multiple promotion claims were made, the claim that would yield the largest recovery was used. For other claims (training, assignments, awards, detail), the value of each claim under the initial settlement was used. For example, a denial of training claim is valued at \$300.

A total share for each Eligible Class Member was then computed. These shares were then used to determine their share of the overall settlement fund (the “Class Fund”). No Settlement Share is less than \$300. Under the terms of the Global Settlement, payments are divided between wages and non-wages. This wage/non-wage allocation will be used by the USPS to prepare tax reports. Please consult a tax professional to determine what, if any, implications this settlement will have on your individual tax situation.

## 6. What will the Class Agents Receive?

The two Class Agents, Glover and Albrecht, have deferred their individual EEO complaints and any relief they were entitled to, for 15 and 10 years respectively. They have also dedicated substantial time and energy to assisting Class Counsel in ensuring that this class was adequately represented. Because of these factors, under the Initial Settlement Agreement, Glover and Albrecht were entitled to seek additional damages – up to \$300,000 each for compensatory damages -plus back pay. Under this Global Settlement Agreement, Glover and Albrecht will each receive \$85,000.00, apportioned 25% to wages and 75% to non-wage compensatory damages, upon execution of Release Forms. In addition, the Class Representatives are required to sign full releases of all their claims against the USPS, and not just a release of their Glover/Albrecht Claims like other Eligible Class Members.

## HOW I CAN GET PAID MONEY IN THE AMOUNT OF MY SETTLEMENT SHARE?

## 7. How will payments be made?

Settlement Share checks will be sent to Eligible Class Members at two different times. If you **sign and return the attached Release Form no later than August 21, 2007** (within 60 days of the date of this Global Settlement Notice of Resolution), the Class Notice Administrator will mail your Settlement Share check to you by **November 9, 2007** (140 days after the date of this Global Settlement Notice of Resolution). If you do not sign and return the Release Form by **August 21, 2007** (within 60 days of the date of the Global Settlement Notice of Resolution), you will have to wait for an extended period of time to receive your Settlement Share check. This is because under the Global Settlement Agreement, those who do not sign and return Release Forms by **August 21, 2007** (within 60 days of the date of this Global Settlement Notice of Resolution), will have to wait to receive their Settlement Share checks until 285 days after the date that the initial combined mailing of the Notice of Final Approval of the Global Settlement Agreement and the Notice of Final Action on Final Approval of the Global Settlement Agreement is completed by the Class Notice Administrator (the “Completion Date”). It could be more than a year from the date of this Global Settlement Notice of Resolution before you receive your Settlement Share check if you do not sign and return the Release Form within the indicated 60 day period.

QUESTIONS? VISIT [WWW.GLOVERCLASS.COM](http://WWW.GLOVERCLASS.COM) OR CALL TOLL FREE 1-800-280-8301

## 8. What am I giving up if I sign a Release Form?

If you sign the Release Form, your *Glover/Albrecht* Claims will be fully resolved and you may not object to or appeal this Global Settlement Agreement, or file a complaint in federal court relating to your Glover/Albrecht claims. If you do not sign and return the Release Form, and later receive your Settlement Share, cashing the Settlement Share check will be a release and will fully resolve your *Glover/Albrecht* Claim. However, if you sign and return a Release Form to the Class Notice Administrator, you will get your Settlement Share, even if the Administrative Judge rejects the Global Settlement.

## 9. What if I decide to wait until the Administrative Judge approves the Global Settlement?

If you decide to wait until the Administrative Judge accepts the Global Settlement, you will have to wait to get your Settlement Share. The Class Notice Administrator will mail out Settlement Share checks 285 days after the Completion Date, assuming neither party has voided the Global Settlement Agreement or requested a stay of payment. However, Eligible Class Members who send objections to the Global Settlement to the Administrative Judge will have the right to appeal the Administrative Judge's acceptance of the Global Settlement Agreement. If the Office of Federal Operations of the EEOC (the "OFO") docket an appeal from an Eligible Class Member, either Party has the right to delay the payment of Settlement Shares until after the OFO rules on the appeal. Thus, if any Eligible Class Member files an appeal, it may be years before you receive your Settlement Share. Also, if a large number of Eligible Class Members decide to file complaints in federal district court, either side has the right to void the Global Settlement Agreement and/or delay payment of the Settlement Shares.

Accordingly, **if you choose to wait until the Administrative Judge decides whether to approve or reject the Global Settlement, you will not receive your Settlement Share for at least a year, and possibly substantially longer.** You will still be required to release your Glover/Albrecht Claims in order to get your money if you wait.

If you wait, and the Global Settlement Agreement is not approved or is voided, you will not receive a Settlement Share and your Claim will be resolved through the lengthy claims process set forth in the Initial Settlement Agreement.

## 10. What if an Eligible Class Member is deceased?

If an Eligible Class Member is deceased, his or her estate may claim the Eligible Class Member's Settlement Share by submitting an SF Form 1153 to the Class Notice Administrator. This form can be obtained on the website, [www.gloverclass.com](http://www.gloverclass.com).

## THE LAWYERS REPRESENTING YOU

### 11. Do I have a lawyer in this case?

The EEOC has appointed John Mosby, Elisa Moran, Marilyn Cain Gordon, and Brad Seligman to represent you and other Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 12. How will the lawyers be paid if the Global Settlement is approved?

As a result of the underlying litigation and the Initial Settlement, Class Counsel has already been paid their attorneys fees and costs. Under the Global Settlement, they receive no additional fees and costs. In fact, they donate back \$1.5 million of the fees they have already received to help fund the Global Settlement.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

### 13. Can I exclude myself from this Global Settlement if it is approved?

Pursuant to the EEOC regulations, if the Global Settlement Agreement is approved, there is no right to exclude yourself from the Global Settlement Agreement or otherwise opt out, unless you file a complaint in federal district court. If you do file a complaint in federal court, you give up your right to a share in the Global Settlement.

### 14. If I release my Glover/Albrecht Claims, can I file an administrative or federal district court complaint against the USPS for the same thing later?

No. By signing the Release Form or cashing your Settlement Share check, you give up the right to file an EEO administrative complaint or a federal district court complaint against the USPS relating to your Glover/Albrecht Claims.

## IF YOU DO NOTHING

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

If you do nothing now, you may still receive your Settlement Share after the Global Settlement is approved, unless the Global Settlement is voided or on appeal it is rejected.

## GETTING MORE INFORMATION

### 16. How do I get more information?

The complete Global Settlement Agreement and related documents, as well as the Initial Settlement Agreement, are posted at [www.gloverclass.com](http://www.gloverclass.com). If you have questions, you can visit [www.gloverclass.com](http://www.gloverclass.com) or call Class Counsel toll free at 1-800-280-8301. You can also contact Class Counsel by sending a fax to 303-927-3860.

## OBJECTING TO THE GLOBAL SETTLEMENT

### 18. How do I tell the Administrative Judge that I don't like the Global Settlement?

If you are an Eligible Class Member, you can object to the Global Settlement if you don't like any part of it. You can give reasons why you think the Administrative Judge should not approve it. The Administrative Judge will consider your views. To object, you must send a letter saying that you object to the Global Settlement Agreement in *Chandler Glover and Dean Albrecht, et al., v. John E. Potter, Postmaster General U.S. Postal Service, EEOC Case No. 320-A2-8011X; Agency Case No. CC-801-0015-99*. Your letter should also state what you object to and the reasons for your objection. Be sure to include your name, address, telephone number, your signature, and the reasons you object to the Global Settlement Agreement.

Mail the objection to these the following location postmarked no later than **July 27, 2007**:

CLASS NOTICE ADMINISTRATOR
Settlement Services, Inc. 2032-D Thomasville, Road Tallahassee, FL 32308