

**Frequently Asked Questions Pertaining to
DeKalb TSA Teacher Plan**

1. What is a class representative?

A class representative is a proactive member of the class to act as a representative party and speak on behalf of the class. The class representative's responsibilities include retaining lead attorneys, participating in some decisions regarding how the litigation should proceed or be resolved, testifying in depositions or trial proceedings, and generally speaking on behalf of other class members regarding the factual circumstances of a particular case.

2. Who is in the Class?

A person—or his or her properly-designated beneficiary or beneficiaries—who was actively employed by the DeKalb County School District or DeKalb County Board of Education before July 27, 2009 and who did not receive TSA contributions after July 31, 2009 as a result of the July 27, 2009 cessation of TSA contributions.

3. Do I need to submit my name or make a decision to be included? How will I know if I am included in the lawsuit?

It is not necessary for you to do anything right now. If you are a class member and if Judge Gregory A. Adams, Superior Court of DeKalb County, grants class action status, the Court will approve a notification to be sent to all class members. At that time, you will be informed that the court granted class action status and asked to decide whether or not you want to participate in the suit. You will be notified of the class action lawsuit via mail or email and you will automatically be part of the class unless you choose to opt out. If you opt out, you would not receive any available compensation if the class wins in court. You would, however, preserve any legal rights you have to bring your own individual lawsuit against the Defendants.

4. What if I have moved since working for DeKalb County?

So long as you otherwise meet the criteria for being a class member, you do not need to remain a current employee of the School District to be a member of the class.

5. How much money am I actually going to get?

To establish damages, lead counsel often relies on experts who are hired to calculate the monetary amount that would be available to particular class members based upon, for example, the amount of time worked (lost compensation) and the length of time that has passed (for example, lost interest). The amounts paid to Plaintiffs and the class depend on a variety of factors, such as the size of the overall recovery, the ability of the Defendants to pay, and the number of persons who can participate in any available fund made available at the conclusion of a case. These amounts may or may not equal your loss. If a fund of money is created for benefit of the class at the end of the case, and to ensure fairness, the court will approve a method for distributing those funds fairly among the class members.

6. When will I get my money? / How much longer will the case go on? / Where does the case go from here?

At this time, the case is expected to return to the trial court for a decision as to whether the case will be approved as a class action so that all teachers/staff who had a legal right to the two-years notice and were impacted by the unlawful loss of contributions may be represented by the named Plaintiffs in this case.

We cannot say when this case will end. Each case is different. Some cases settle shortly after the action is brought. Others, like this one, last several years.

7. Can the Board/District appeal again?

Georgia law does allow for appeals of some types of decisions. For instance, decisions regarding whether or not a case should be a class action are subject to an automatic appeal. Because the Board and District oppose class certification, there is a probability of future appeals on that issue. That could delay a final disposition of this case.

The Plaintiffs will not negotiate until the Board and District agree that the class representatives speak for all of the teachers/staff impacted negatively by the unlawful loss of the contributions and that a fair resolution of the case must provide compensation for impacted teachers/staff.

8. How does this case end?

The Board and District have spurned multiple opportunities to reach a fair compromise of this case. The Plaintiffs believe the Board and District should accept responsibility to the employees who were wrongfully denied contributions to the Board TSA component of the Alternative Plan to Social Security.

9. What happens next?

Plaintiffs intend to renew an earlier-filed Motion For Class Certification in the Superior Court of DeKalb County. Assuming certification is granted, as we expect that it will be, the next step will be to move for trial on behalf of all the teachers/staff who were hurt by the unlawful decision of the Board and District.
