
IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA – CIVIL DIVISION

JOHN DOE 1, *et al*, : Civil Action No. 6384 cv 2015
Plaintiffs, :
v. :
MONROE COUNTY, *et al*, : Judge Shurtleff, specially presiding
Defendants. :

**NOTICE OF CLASS CERTIFICATION RELATING TO MONROE COUNTY LICENSE TO CARRY
FIREARM APPLICANTS AND LICENSEES**

On February 7, 2019, President Judge Russell D. Shurtleff, specially presiding, issued an Order granting Plaintiffs' Motion for Class Certification in relation to:

Those individuals, who allegedly had their confidential license to carry firearms applicant information disclosed by Defendants in violation of their right to privacy and 18 Pa.C.S. § 6111(i) from September 8, 2009 through the present, as a result of un-enveloped communications, including, but not limited to, postcards that were (1) sent to the applicant/licensee and the applicant/licensee's references containing information submitted by the applicant/licensee and (2) sent by the applicant/licensee's references to the Defendants.

The Court further appointed Joshua Prince, Esq. and Adam Kraut, Esq. of Civil Rights Defense Firm, P.C. as Class Counsel. Due to the confidential nature of this matter, the Class Representatives are only known as John Doe 1, John Doe 2, Jane Doe 1, and Jane Doe 2.

The purpose of this notice is to make you aware, if you applied for or renewed your license to carry firearms in Monroe County between September 8, 2009 through March 11, 2016, that you are a Class Member.

While there has been no money or benefit recovered to date – and there is no guarantee that there will be money or a benefit available in the future – since, the Court did grant a motion certifying the above Class, you have a choice to make now.

DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights.</p> <p>By doing nothing, you authorize Defendants to provide all information relating to your application for or renewal of your license to carry firearms to Class Counsel and you retain the possibility of receiving money or other benefits that may result from a trial on liability and damages or a settlement. By doing so, you give up any rights to sue the Defendants separately and to seek damages for the same legal claims that are in this lawsuit. Similarly, if you do nothing and Defendants win a trial on damages, you will lose your claims covered by this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Remove yourself from this class action. Get no benefits or money. Keep certain rights.</p> <p>If you ask to be excluded and money or benefits are awarded later, you will not share in such recovery. But, you keep any rights you may have to sue Defendants separately about the same legal claims that in this lawsuit, provided any such claims are not precluded by the statute of limitations.</p>

IF YOU WISH TO BE EXCLUDED, YOU MUST ACT WITHIN 30 DAYS

What is this lawsuit about?

Plaintiffs contend that in violation of 18 Pa.C.S. § 6111(i) and the right to privacy, the Defendants – Monroe County, Monroe County Sheriff's Office, Monroe County Sheriff Todd Martin, and Employee John/Jane Does – between September 8, 2009 and March 11, 2016, disclosed confidential license to carry firearms applicant/licensee information as result of sending un-enveloped communications – generally through the use of postcards – to the applicant/licensee and the applicant/licensee's references containing information submitted by the applicant/licensee, as well as, by requiring the applicant/licensee's references to return un-enveloped communications containing information

about the applicant/licensee to the Defendants. Based on current statistics provided by the Pennsylvania State Police, the Class is believed to encompass more than 17,000 individuals. Pursuant to Section 6111(i), each individual who has his/her information disclosed is entitled to a statutory damage of \$1,000.00, or three times actual damages, plus attorney fees. The Defendants dispute that they violated Section 6111(i) or the right to privacy.

As this case involves confidential information, per the Court's Order of November 4, 2015, unless the Court directs otherwise, the court filings are sealed to protect the identities of the Class Representatives and Class Members.

What are your rights and options?

You must decide whether to remain in the Class (do nothing right now) or ask to be excluded within 30 days.

You do not have to do anything right now, if you are agreeable to the Defendants providing all information relating to your application for or renewal of your license to carry firearms to Class Counsel and desire to retain the possibility of receiving money or benefits from this lawsuit. **By doing nothing, you authorize the disclosure of your information to Class Counsel and remain in the Class.** If you stay in the Class and financial or other benefits are obtained, either as a result of a trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing, regardless of whether the claims are successful, you will not be able to sue the Defendants about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all Orders the Court issues and judgments the Court makes in this class action.

If do not wish for the Defendants to provide all information relating to your application for or renewal of your license to carry firearms to Class Counsel or wish to sue the Defendants on your own, you need to ask to be excluded from the Class. If you exclude yourself from the Class – which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class – you will not receive any money or benefits from this lawsuit even if the Plaintiffs/Class Representatives win damages at trial or there is a settlement. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you file your own lawsuit against Defendants after you exclude yourself, you may be barred from bringing the action pursuant to the statute of limitations and you may have to hire and pay an attorney for representation in that matter. If you are considering excluding yourself, you should immediately speak with an attorney about your rights, before excluding yourself.

How do you ask the Court to exclude you from the Class?

To ask to be excluded, you must send a letter via U.S. Mail, certified return receipt, to (1) Joshua Prince, Esq., Civil Rights Defense Firm, P.C., 646 Lenape Road, Bechtelsville, PA 19505 and (2) Gerard Geiger, Esq., Newman Williams, 712 Monroe Street, Stroudsburg, PA 18360. In the letter, you must provide your name, address, date of birth, and that you wish to be excluded from the Class in *John Doe I, et al., v. Monroe County, et al.*, docket no. 6384 cv 2015.

Do you have an attorney in the case?

The Court has appointed Joshua Prince, Esq. and Adam Kraut, Esq. of Civil Rights Defense Firm, P.C., as Class Counsel to represent the Class Representatives and the interests of the Class Members. They can be contacted at Civil Rights Defense Firm, P.C., 646 Lenape Road, Bechtelsville, PA 19505, (888) 202-9297 or www.CivilRightsDefenseFirm.com. While Class Members do not need to hire their own attorney – as Class Counsel are working on the Class Members' behalfs – you may retain one, if you wish for someone other than Class Counsel to appear in Court for you.

How is Class Counsel paid?

If Class Counsel obtains money or benefits for the Class, they may ask the Court for fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would either be deducted from any money obtained for the Class or paid separately by Defendants. If you hire your own attorney, you will likely have to pay that attorney to represent you; however, in the event that Class Counsel obtains money or benefits for the Class, your attorney may be able to additionally request fees and expenses from the Court.

Still want more information?

Visit the website www.MonroeLTCFClassAction.com or contact Class Counsel.

IN THE COURT OF COMMON PLEAS OF THE 43RD JUDICIAL DISTRICT
MONROE COUNTY BRANCH – CIVIL DIVISION

JOHN DOE 1, <i>et al.</i> ,	:	
Plaintiffs	:	
	:	CIVIL ACTION – LAW
vs.	:	
	:	
MONROE COUNTY, <i>et al.</i> ,	:	NO. 2015-CV-6384
Defendants	:	
	:	

ORDER

AND NOW, this 2nd day of May, 2019, upon consideration of Plaintiff’s Motion for Approval of Class Notice and Plaintiff’s Motion to Publicly Publish Court Order and Opinion and argument thereon, **IT IS HEREBY ORDERED, ADJUDGED and DECREED** as follows:

1. Plaintiff’s Motion to Publicly Publish Court Order and Opinion is **GRANTED IN PART, DENIED IN PART** such that Plaintiff may publish this Court’s Order dated February 7, 2019 without the supporting Opinion.

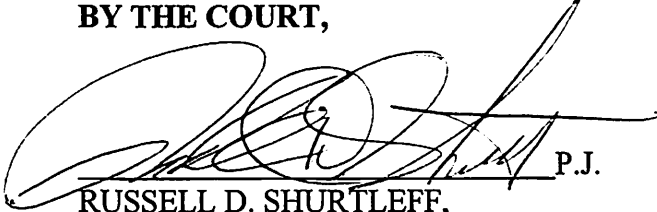
2. Class publication of Notice shall be done as follows:

- a. Through the website domain www.MonrowLTCGClassAction.com;
- b. Outside of the Monroe County Sheriff’s Office on an 8 ½ by 11 sheet of paper; and
- c. In the Pocono Record on a half-page ad for three (3) consecutive weeks, once on a Sunday, once on a Wednesday and once on a Friday.

3. Plaintiff may modify the Notice set forth in this Court’s Order dated February 7, 2019 to reflect the date of March 11, 2016 and present the same to Defendants for concurrence.

4. Defendants shall provide the information for all individuals in the class to Plaintiff no later than ninety (90) days from the date of this Order.

BY THE COURT,



P.J.
RUSSELL D. SHURTLEFF,
President Judge

cc:

Joshua Prince, Esquire
Prince Law Offices, P.C.
646 Lenape Road
Bechtelsville, PA 19505

Gerard Geiger, Esquire
Newman Williams, P.C.
712 Monroe Street
P.O. Box 511
Stroudsburg, PA 18360-0511

Prothonotary of Monroe County
Monroe County Courthouse
610 Monroe Street, Suite 323
Stroudsburg, PA 18360