

**NOTICE**  
**PROPOSED SETTLEMENT OF *DUBOIS, et al. v. CALAMAS, et al.***  
**United States District Court, Northern District of Florida**  
**Case No.: 4:03-CV-107-SPM**

*Dubois, et al. v. Calamas, et al.* is a lawsuit that was filed on April 11, 2003. This case has been certified by the Court as a class action lawsuit on behalf of all persons with traumatic brain or spinal cord injuries who the state has determined, or will determine, to be eligible to receive home and community based services from Florida's Traumatic Brain and Spinal Cord Injury Medicaid Waiver Program (TBI/SCI Waiver Program). In this case, Plaintiffs allege that Defendants have violated federal Medicaid laws, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Due Process Clause of the U.S. Constitution in the administration of the TBI/SCI Waiver Program.

The lawyers and named parties have agreed to settle the lawsuit. The settlement includes agreements about how the TBI/SCI Waiver Program will be administered concerning determinations on applications for services, assessments for services, the freedom to choose between home and community based care or institutional care, the waiting list for services, written notice of decisions on applications, and the right to a fair hearing.

**RIGHT TO OBJECT:** Any class member has the right to object to this proposed Settlement Agreement.

You may review the proposed Settlement Agreement by visiting the Clerk's Office, U.S. Courthouse, 401 S.E. 1st Avenue, Gainesville, Florida, 32601. The Settlement Agreement is also available on the following websites:

<http://www.doh.state.fl.us/Workforce/BrainSC/>  
<http://ahca.myflorida.com>  
<http://www.southernlegal.org>

You may file written objections to the dismissal by mailing your reasons for objection to the clerk of court at the above address no later than December 22, 2006. If you wish to file evidence to support your objections, you must also file the evidence in writing by this date. You should also mail or fax a copy of any objection(s) that you send to the Clerk to the Plaintiffs' attorney listed below.

You also have the right to object to the settlement in person at a hearing that will be held at 1:30 p.m. on January 4, 2007. The hearing will take place in Courtroom 2, United States Courthouse, 401 S.E. 1st Avenue, Gainesville, Florida, 32601. If a reasonable accommodation is needed for you to testify or appear, please notify the Clerk of the Court.

To ask questions of Plaintiffs' attorneys about the case or the procedure for objecting, you can contact: Andrea Costello, Southern Legal Counsel, Inc., 1229 N.W. 12<sup>th</sup> Avenue, Gainesville, Florida, 32601, (352) 271-8347 (fax); or email: [slc@southernlegal.org](mailto:slc@southernlegal.org)