

NOTICE OF PROPOSED ATTORNEYS FEE IN THE GARCIA CLASS ACTION

If you recently applied for Medicaid based on a disability, you should know about the following proposed attorneys fee settlement in the Garcia class action.

What is the case about?

In Garcia v. Banks, the plaintiff sued Steven Banks, Commissioner of the New York City Human Resources Administration (HRA), because of delays in processing Medicaid applications based on disability. The case is a class action, meaning that the plaintiff stands for people who are affected by the same delays. The parties settled the lawsuit. The City agreed to pay the plaintiff's attorney's fees. The Court approved the settlement after notice to the members of the class and a fairness hearing, held on March 12, 2019. The only issue to be resolved is the fee amount, which the Court must approve after the class is notified. The fee is solely paid by the City of New York and not by any plaintiffs or Medicaid recipients.

Who are the members of the class?

The class is any individual who recently applied or will apply for Medicaid based on disability and for whom HRA must make an eligibility determination within 90 days of receiving the application. These individuals are referred to as “**Class Members**” and their Medicaid applications are referred to as “**Class Medicaid Applications**.”

Who represents Class Members?

Nina Keilin and Aytan Bellin represent the Class Members and they are referred to as “**Class Counsel**.” You may contact them if you have any questions about the proposed settlement.

Nina Keilin, Esq.
225 Broadway #2100
New York, NY 10007
(212) 302-7760

Aytan Y. Bellin, Esq.
50 Main Street, Suite 1000
White Plains, NY 10606
(914) 358-5345

What is the attorneys' fee award?

The parties agreed that HRA would pay the attorneys a total of \$69,500, which includes \$15 for expenses.

What are Class Members' rights regarding the proposed settlement?

If you are a Class Member and do not object to the proposed attorneys' fee award, you do not need to do anything. You will be bound by the settlement's terms.

If you are a Class Member and feel that the proposed attorneys' fee is not reasonable you may object by sending a letter marked "*Garcia v. Banks* Class Settlement" and postmarked by September 27, 2019, to the Court at the address below and to Class Counsel at the addresses identified above.

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 219
New York, NY 10007-1312

Is this notice available in other languages and alternative formats?

Yes. This notice is available in English and Spanish. The notice can be viewed electronically at **HRA's Website** by clicking on a link called "*Garcia v. Banks* Notice of attorneys' fee settlement."

If you would like a printed copy of the notice, please contact Class Counsel.