

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA
CIVIL DIVISION**

**SHERYL HOLLY-TAYLOR, on behalf of
herself and on behalf of all others
similarly situated,**

Plaintiff,

v.

CASE NO. 2018-CA-003744

**ACADIA HEALTHCARE CO., INC. and
THE REFUGE - A HEALING PLACE, LLC,**

Defendants.

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND HEARING

A court authorized this Notice. This is not a solicitation from a lawyer.

This notice relates to a proposed settlement in a class action lawsuit which alleges that Defendant Acadia Healthcare Company, Inc., and The Refuge – A Healing Place, LLC (collectively “Defendants”) violated the Fair Credit Reporting Act (“FCRA”). Plaintiff Sheryl Holly-Taylor (“Plaintiff”) alleged that Defendants violated the FCRA by inserting extraneous information into forms authorizing the procurement and use of consumer report information in background checks for employment purposes, by not by providing the required pre-adverse notice to applicants prior to taking adverse action against them, and by obtaining consumer reports without the proper authorization. Defendants deny that they violated the law in any way whatsoever. The two sides disagree as to whether Defendants’ conduct was permitted under the FCRA, whether Defendant would be liable under the FCRA with respect to that conduct and, if so, the extent of any such liability. The parties have, however, agreed to resolve the lawsuit through a Court-supervised settlement.

- Membership in the settlement class will be determined based upon Defendants’ records.
- You are receiving this notice because Defendants’ records indicate that you are a Class Member, so you are eligible to participate in this class action settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

How to Get Paid from the Settlement:	If you timely return the attached Claim Form or file a claim through the Settlement Website noting that you choose to receive a cash recovery, and the Court grants final approval of the Class Settlement, you will be sent a Settlement Check UP TO \$100.00. The amount of your Settlement Check will be determined by dividing: 100% of the Settlement Fund by the number of Class Members that timely return claim forms to the Class Settlement Administrator. Depending upon the cost of notice, administration, and other expenses approved by the court, the amount of each Settlement Check may be reduced on a pro rata (proportional) basis. THE CLAIM FORM MUST BE RECEIVED BY THE CLASS SETTLEMENT ADMINISTRATOR NO LATER THAN SEPTEMBER 29, 2020
What happens if you do nothing:	If the Court approves the settlement and you do nothing, you will be releasing your claims and you will not receive your share of a class action settlement, up to \$100.00. The Full Release and Released Parties are available on the Settlement Website, www.holly-taylorfcrasettlement.com
How to ask that you be excluded:	You have the right to exclude yourself from the settlement completely (“opt out”). You can opt out by following the instructions on the Settlement website. You will not receive any monetary payments from the Settlement. You will not have any right to object, but you will not be bound by the terms of this Settlement and will retain your right to file your own

	lawsuit. The opt out deadline is September 29, 2020.
Object by September 29, 2020:	You may write to the Court about why you don't like the settlement. You cannot object if you opt out.
Go to a Hearing on October 9, 2020	Ask to speak in Court about the fairness of the settlement.

- Your rights and options—and the deadlines to exercise them—are explained in this Notice; The Court still has to decide whether to approve this settlement, which may take some time.

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Basic Information

1. Why did I get this notice?

This notice has been sent for the benefit of potential members of the following Settlement Class:

All individuals for whom any Defendant or a U.S. affiliate thereof procured a criminal background check report based upon a paper authorization and disclosure form within two (2) years of the filing of the Action through the date of final judgment.

Composition of the Settlement Classes is based upon records available to Defendants. This Notice has been sent because members of the Settlement Class have a right to know about a proposed settlement of a class action lawsuit in which they are class members, and about all of their options, before the Court decides whether to approve the settlement. If the Court approves the settlement, and after objections or appeals relating to that settlement are resolved, the benefits provided for by the settlement will be available to members of the Settlement Class.

This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. A full copy of the Settlement Agreement is available to Class Members on a website created by the settlement administrator, available at www.holly-taylorfcrasettlement.com.

2. What is the lawsuit about?

Plaintiff alleges that Defendants' pre-employment Background Check Form, and Defendant's alleged procurement of consumer reports on the basis of that form, violate the Fair Credit Reporting Act ("FCRA"). Plaintiff also alleged Defendant failed to provide her with the required pre-adverse action notice before taking adverse action against her, and that they obtained reports about her and Class Members without proper authorization. Based on this allegation, Plaintiff seeks statutory damages.

Defendants dispute Plaintiff's allegations and deny all liability to Plaintiff and the Settlement Class. In the lawsuit, Defendants have denied Plaintiff's allegations and have raised a number of defenses to the claims asserted. No court has found Defendants violated the law in any way. No Court has found that the Plaintiff could recover any certain amount in this litigation. Although the Court has authorized Notice to be given of the proposed Settlement, this Notice does not express the opinion of the Court on the merits of the claims or defenses asserted by either side in the lawsuit.

3. Why is this case a class action?

Class actions are lawsuits in which the claims and rights of many people are decided in a single proceeding. In a class action, Representative Plaintiffs ("Class Representatives") seek to assert claims on behalf of all members of a class or Class of similarly situated people. In a class action, people with similar claims are treated alike. The court is guardian of the class's interests and supervises the prosecution of the class claims by Counsel for the Settlement Class to assure that the representation is adequate. Class members are not individually responsible for the costs or fees of counsel, which are subject to court award.

4. Why is there a settlement?

The Court did not decide this case in favor of the Class Representative or in favor of Defendants. Instead, Counsel for the Settlement Class investigated the facts and applicable law regarding the Class Representative's claims and Defendants' defenses. The parties engaged in lengthy and arm's-length negotiations to reach this settlement. The Class Representative and Counsel for the Settlement Class believe that the proposed settlement is fair, reasonable, and adequate and in the best interests of the class.

Both sides agree that, by settling, Defendants are not admitting any liability or that they did anything wrong. Both sides want to avoid the uncertainties and expense of further litigation.

Who Is In The Settlement

5. How do I know if I am part of the settlement?

If you received a postcard notice, records available to Defendants indicate you are a member of the Disclosure Class. If you are not certain as to whether you are a member of the Disclosure Class, you may contact the Claims Administrator to find out. In all cases, the question of class membership will be determined based on records reasonably available to Defendants.

The Settlement Benefits—What You Get

6. What does the settlement provide?

If you timely return the attached Claim Form or file a claim through the Settlement Website, and the Court grants final approval of the Class Settlement, you will be sent a Settlement Check for UP TO \$100.00. The amount of your Settlement Check will be determined by dividing: 100% of the Settlement Fund by the number of Class Members that timely return claim forms to the Class Settlement Administrator. Depending upon the cost of notice, administration, and other expenses approved by the court, the amount of each Settlement Check may be reduced on a pro rata (proportional) basis. Because no claims have yet been submitted, we do not know the amount you will be awarded.

THE CLAIM FORM MUST BE RECEIVED BY THE CLASS SETTLEMENT ADMINISTRATOR NO LATER THAN SEPTEMBER 29, 2020.

7. When would I get my benefit?

The Court will hold a Fairness Hearing on October 9, 2020, at 9:45 a.m at the Circuit Court of the Fourth Judicial Circuit, in and for Pasco County, Florida, 38053 Live Oak Avenue, Dade city, FL 33523, in Courtroom #127 before Judge Susan G. Barthle to decide whether to approve the settlement. It is also possible that there may be appeals. Payments to members of the Settlement Class will be made only if the settlement is finally approved and all appeals are resolved. This may take some time, so please be patient.

8. What am I giving up to get a benefit or stay in the class?

Upon the Court's approval of the settlement, all members of the Settlement Class who do not exclude themselves (as well as spouses, heirs, and others who may possess rights on their behalf) will fully release Defendants (and their affiliates, subsidiaries, employees, and others who may be subject to claims with respect to Defendant as specified in the Settlement Agreement) for all claims, including claims for statutory damages and actual damages, arising out of or relating directly or indirectly in any manner whatsoever to the facts alleged or which could have been alleged or asserted in this case, including but not limited to any and all claims under the FCRA. This release may affect your rights, and may carry obligations, in the future. If the Court approves the settlement and you do nothing, you will be releasing your claims and you will not receive your share of a class action settlement, up to \$100.00. The Full Release and Released Parties are available on the Settlement Website, www.holly-taylorfcraSettlement.com.

9. How do I get out of the Settlement?

If you choose to be excluded from the Settlement, you will not be bound by any judgment or other final disposition of the lawsuit. You will retain any claims against Defendant you might have. To request exclusion, you must state in writing your desire to be excluded from the Settlement Class. **Your request for exclusion must be sent by first class mail, postmarked on or before September 29, 2020**, addressed to:

Holly-Taylor v. Acadia Healthcare Co., Inc., et al
c/o Claims Administrator
PO Box 23459
Jacksonville, FL 32241

If the request is not postmarked on or before September 29, 2020, your request for exclusion will be invalid, and you

will be bound by the terms of the settlement approved by the Court, including without limitation, the judgment ultimately rendered in the case, and you will be barred from bringing any claims which arise out of or relate in any way to the claims in the case as specified in the Release referenced above.

10. If I don't exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendants for the claims that this settlement resolves regarding background check-related claims.

11. If I exclude myself, can I get benefits from this settlement?

No. If you exclude yourself, you are not part of the settlement.

The Lawyers Representing You

12. Do I have a lawyer in this case?

The Court has appointed Sheryl Holly-Taylor as Class Representative. The Court has appointed Wenzel Fenton Cabassa, P.A. as Counsel for the Settlement Class:

Luis A. Cabassa, Esq.
Brandon J. Hill, Esq.
WENZEL FENTON CABASSA, P.A.
1110 North Florida Ave., Suite 300
Tampa, Florida 33602
Telephone: (813) 224-0431

Counsel for the Settlement Class represent the interests of the Settlement Class. You may hire your own attorney to advise you, but if you hire your own attorney, you will be responsible for paying that attorney's fees.

13. How will the lawyers be paid?

Class Counsel intend to apply to the Court for an award of attorneys' fees, in an amount not to exceed \$400,000, plus their reasonably incurred costs of litigation of \$5,000. The Court may award less. Named Plaintiff Sheryl Holly-Taylor will also ask for an incentive payment for serving as the Named Plaintiff in an amount not to exceed \$10,000. These amounts will be paid from the Settlement Fund, not by you, and whether they are awarded in full, or not, will reduce the amount recovered by each Class Member.

Objecting To The Settlement

14. How do I tell the Court that I don't like the settlement?

You can object to any aspect of the proposed settlement by filing and serving a written objection. Your written objection must include: (1) your name, address, telephone number, email address and signature; (2) a detailed statement of the specific factual and legal basis for the objection(s) being asserted; (3) a notice of your intent to appear at the final Fairness Hearing at 9:45 a.m. on October 9, 2020, if you intend to appear; and (4) a detailed description of any and all evidence, including copies of any exhibits, which you may offer at the Fairness Hearing. Additional details about objecting are included in the Court's Order Granting Preliminary Approval of the Settlement, which is available on the settlement website www.holly-taylorfcrasettlement.com.

You must file any objection with the Clerk of the Court at the address below within 60 days of the postmark on this Notice:

Clerk of Court
38053 Live Oak Avenue

Any member of the Settlement Class who does not file and serve an objection in the time and manner described above will not be permitted to raise that objection later.

15. What's the difference between objecting and excluding?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement. Excluding yourself is telling the Court that you don't want to be part of the Settlement. If you exclude yourself, you have no basis to object because the lawsuit no longer affects you. If you exclude yourself, you will not receive any payment from the Settlement.

16. Where and when will the Court decide whether to approve the settlement?

There will be a Fairness Hearing to consider approval of the proposed settlement October 9, 2020, at 9:45 a.m. at the Circuit Court of the Sixth Judicial Circuit, in and for Pasco County, Florida, 38053 Live Oak Avenue, Dade City, Florida 33523, in Courtroom #127 before Judge Susan G. Barthle. The hearing may be postponed to a later date without further notice, but that information will be available on the settlement website should the hearing be rescheduled. The purpose of the hearing is to determine the fairness, reasonableness, and adequacy of the terms of settlement; whether the Settlement Class is adequately represented by the Class Representative and Counsel for the Settlement Class; and whether an order and final judgment should be entered approving the proposed settlement. The Court also will consider Settlement Class Counsel's application on an award of attorneys' fees and expenses and Class Representative's Service Award.

You will be represented at the Fairness Hearing by Counsel for the Settlement Class, unless you choose to enter an appearance in person or through your own counsel. The appearance of your own attorney is not necessary to participate in the Fairness Hearing.

17. Do I have to come to the hearing?

No. Counsel for the Settlement Class will represent the Settlement Class at the Fairness Hearing, but you are welcome to come at your own expense. If you send any objection, you do not have to come to Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, if you wish.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing.

Getting More Information

19. Are there more details about the settlement?

This Notice is only a summary. For a more detailed statement of the matters involved in the lawsuit or the settlement, you may refer to the papers filed in this case during regular calendar hours at the office of the Clerk of the Court, Circuit Court of the Fourth Judicial Circuit, in and for Pasco County, Florida, 38053 Live Oak Avenue, Dade City, Florida 33523, File: *Holly-Taylor v. Acadia Healthcare Co. Inc. et al*, Case 2020-CA-000327CAAXES. The full Settlement Agreement and certain pleadings filed in this case can also be requested, in writing, from the Claims Administrator, identified in Paragraph 10 above, and also accessed on the website created for this settlement by the Claims Administrator, available at www.holly-taylorfcrasettlement.com.

20. How do I get more information?

You can contact the Claims Administrator, identified above, or Class Counsel for Plaintiff, or Defendant's counsel, at the below contact addresses with questions:

Brandon J. Hill, Esq.
Luis A. Cabassa, Esq
WENZEL FENTON CABASSA, P.A.
1110 North Florida Ave., Suite 300
Tampa, Florida 33602
Class Counsel for Plaintiff

or

Mark W. Peters, Esq.
Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219
Counsel for Defendant