

**FIRST AMENDED ATTACHMENT I**

**LETTER TO CLAIMANTS**

Re: United States v. State of New Jersey and the New Jersey Civil Service Commission, Civ. Action No. 2:10-cv-00091 (D.N.J.)

Dear \_\_\_\_\_:

As described below, the United States has made certain determinations concerning your eligibility for relief under the terms of the Consent Decree entered by the Court in United States v. State of New Jersey and the New Jersey Civil Service Commission, Civ. Action No. 2:10-cv-00091 (D.N.J.). **Please read the following very carefully.**

1. The United States has made a preliminary determination that you [ ] are [ ] are not eligible for an award of back pay and that you should receive at least [insert amount], less withholdings.
2. The United States has made a preliminary determination that you [ ] are [ ] are not eligible for priority promotion. If the United States has preliminary determined that you are eligible for a priority promotion, this does not ensure that you will be promoted to police sergeant by the local jurisdiction for which you serve. However, if you are promoted pursuant to the Consent Decree and complete a probationary/working test period, you will be given a retroactive seniority date of [insert date].
3. To the extent that the United States has determined that you are not eligible for an award of back pay or has determined that you are not eligible for priority promotion, the reason(s) for this determination are:

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In addition to the determinations indicated above, the United States has made preliminary determinations regarding the nature and amount of relief that each of the other individuals who submitted an Interest in Back Pay Form or an Interest in Back Pay and/or Priority Promotion Form should receive under the Consent Decree. The United States will ask the Court to approve all of the United States' determinations at a **Fairness Hearing on Individual Relief** which will be held on [insert date], at the Martin Luther King Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey 07101. **You have the right to attend this Fairness Hearing.** At or after the Fairness Hearing on Individual Relief, the Court may approve the United States' determinations or may adjust them with respect to you and/or other Claimants under the procedures set forth in the Consent Decree.

If you wish to object to the United States' preliminary determinations in any respect, you must take action, as explained in the enclosed "**INSTRUCTIONS FOR FILING AN**

**OBJECTION TO INDIVIDUAL RELIEF.**” Making an objection is voluntary, but if you do not object at this time, you may be prohibited from objecting in the future. You may request an opportunity to be heard at the Fairness Hearing, but you do not need to appear at the Fairness Hearing for the Court to consider your objections.

Sincerely,

Employment Litigation Section  
Civil Rights Division  
United States Department of Justice

Enclosures

**INSTRUCTIONS FOR FILING AN OBJECTION TO INDIVIDUAL RELIEF**

1. If you wish to object in any respect to the United States' preliminary determinations regarding the relief to which you are entitled under the Consent Decree, you must do so in the manner described below. **Making an objection is voluntary, but if you do not object at this time, you may be prohibited from objecting in the future.** If you choose to make an objection, the judge will consider your objection before deciding whether to approve the types and amounts of relief to be provided to you and other individuals under the Consent Decree.
2. **All objections must be returned by [insert date]. If your objection is not returned by this date, your objection may not be considered and you may be prohibited from objecting at a later time. The date of return of the objection will be the date of the postmark by United States Postal Service.**
3. **All objections must be made in writing.** Your objection should be made on the attached form, showing the caption of the case. You must fill out this form completely. You must include a description of the nature and basis of your objection. If you have retained an attorney to assist you in this matter, please indicate with your objection the name, address and phone number of your attorney. You may attach additional pages to the form if necessary.
4. You must submit your objection to:

State of New Jersey Settlement Team  
Employment Litigation Section  
U.S. Department of Justice  
Civil Rights Division  
Post Office Box 14400  
Washington, DC 20044-4400  
Telephone: 1-800-556-1950, select mailbox option **number 1**  
Website: <http://www.justice.gov/njcsc>
5. The court will hold the Fairness Hearing on Individual Relief on [insert date] at the Martin Luther King Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey 07101. You may attend this hearing if you wish, but need not attend the hearing to have the Court consider any written objections you submit.
6. If you have any questions concerning the procedure for submitting an objection, you may consult with an attorney of your own choosing and at your own expense, or you may call the Employment Litigation Section of the Civil Rights Division of the Department of Justice at 1-800-556-1950, select mailbox option number 1. If you do call this number, please leave your name, address, and telephone number and a time when you can be reached. Your call will be returned as soon as possible.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK VICINAGE

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.
	)	2:10-cv-00091-KSH-MAS
STATE OF NEW JERSEY AND	)	
NEW JERSEY CIVIL SERVICE	)	Hon. Katharine S. Hayden
COMMISSION,	)	
	)	
Defendants.	)	
_____	)	

**OBJECTION TO UNITED STATES' DETERMINATION REGARDING  
INDIVIDUAL RELIEF TO BE AWARDED UNDER THE CONSENT DECREE**

I am objecting to the United States' determinations regarding the relief to which I am entitled under the Consent Decree.

Name: \_\_\_\_\_ Attorney's name (if any): \_\_\_\_\_

Address: \_\_\_\_\_ Attorney's address: \_\_\_\_\_  
          \_\_\_\_\_

Telephone: \_\_\_\_\_ Attorney's Telephone: \_\_\_\_\_

Nature and basis of my objection:

**YOU MUST ATTACH A COPY OF ANY DOCUMENTATION  
THAT YOU HAVE THAT SUPPORTS YOUR OBJECTIONS**

Are you requesting the opportunity for you (or your attorney if you have one) to state your objection in person at the Fairness Hearing on Individual Relief?

Yes       No

**YOU MAY USE ADDITIONAL PAGES TO EXPLAIN THE BASIS OF YOUR OBJECTION IF NECESSARY. YOU MUST SEND YOUR OBJECTION TO THE DEPARTMENT OF JUSTICE AT THE ADDRESS PROVIDED IN THE INSTRUCTIONS. YOUR OBJECTION MUST BE POSTMARKED BY   [INSERT DATE]  .**