

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

ANDREA LUQUETTA, *et al.*, )  
Individually and on behalf of a class of similarly )  
situated persons, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
THE REGENTS OF THE UNIVERSITY OF )  
CALIFORNIA, )  
 )  
Defendant. )

Case No. CGC-05-443007

**NOTICE OF PENDENCY OF CLASS ACTION**

**NOTICE to current and former students in professional degree programs at the University of California (“UC” or “the University”) who accepted the University’s offer of admission before August 25, 2003, and first enrolled in their UC professional degree program in the Summer 2003 term or thereafter, and whose professional degree fee was raised after their initial enrollment in that program.** The plaintiff class includes all such students in the University of California’s programs in law, business/management, medicine, dentistry, optometry, pharmacy, veterinary medicine, nursing, and for the Los Angeles campus, theater, film and television.

**This notice may affect your legal rights.  
Please read it carefully.**

Students filed this lawsuit against the Regents of the University of California challenging certain increases in the University’s professional degree fees. The students who filed the lawsuit, and the students whom they seek to represent, are the “plaintiffs.” **The purpose of this notice is to advise you that you have been identified as a possible class member and to advise you of the potential effect this case will have on your rights.**

**SUMMARY OF THE CASE**

The plaintiffs allege that the University promised all professional school students who accepted the University’s offer of admission before August 25, 2003 that it would not increase the amount of the professional degree fee for the duration of their enrollment, and that UC breached that contract when it increased their professional degree fees after their initial enrollment.

The University denies that it entered into enforceable contracts with the students not to increase the professional degree fees and asserts that all UC students were cautioned that all fees were subject to change without notice.

The Court has not yet determined whether the plaintiffs’ or the University’s contentions are correct.

**CLASS ACTION RULING**

The Court has granted the plaintiffs’ motion that this lawsuit may be maintained by the representative plaintiffs on behalf of the following class:

Current and former University of California students subject to the Fee for Selected Professional School Students (also known as the “professional degree fee”) who accepted the University’s offer of admission before August 25, 2003, and first enrolled in their University of California professional degree program in the Summer 2003 term or thereafter, and whose professional degree fee was raised after their initial enrollment in that program (the “plaintiff class”).

Counsel for the class are Jonathan Weissglass and Danielle Leonard, Altshuler Berzon LLP, 177 Post Street, Suite 300, San Francisco, CA 94108 and Andrew D. Freeman and Deborah T. Eisenberg, Brown, Goldstein & Levy, LLP, 120 E. Baltimore Street, Suite 1700, Baltimore, Maryland 21202, info@browngold.com.

### **ESTIMATED RECOVERY**

The plaintiffs seek to recover refunds of the fee increases they were required to pay. If the Court rules that the University breached its contracts, the plaintiffs will seek recoveries that will vary depending on each student's status and school. Estimated recoveries range from \$2,600 to \$6,432 for increases charged for 2004-05, \$224 to \$7,624 for increases charged for 2005-06, and \$293 to \$8,011 for increases charged for 2006-07. Plaintiffs will also seek interest on these amounts. Any such amounts may be reduced by any offsetting increases in financial aid grants that the students received to cover such fee increases.

### **RIGHTS AND OBLIGATIONS OF CLASS MEMBERS**

If you fall within the definition of the plaintiff class, you will automatically become a class member in this lawsuit. **If you wish to be a member of the plaintiff class in this case, you do not need to do anything further at this time, and you should NOT file an exclusion request.** As a class member:

- You will be represented by the named class representatives and the attorneys representing the class. You will not be charged for this representation. If the plaintiffs win, plaintiffs' counsel will ask the Court that they be compensated based on a reasonable percentage of the total benefits to the class. However, you may enter an appearance through your own attorney by mailing a Notice of Appearance to the Clerk of the Court, San Francisco Superior Court, 400 McAllister Street, San Francisco, CA, 94102. You may also move the Court for permission to appear as named class co-representative.
- You will receive notice of any ruling affecting your membership in the class and notice of any proposed settlement or dismissal of class claims or any judgment rendered.
- You will be bound by any judgment or other final disposition of the class lawsuit, whether that disposition is favorable or not.
- You will participate, upon meeting any prerequisites set by the Court, in a distribution of any refunds or monetary damages recovered in the litigation.
- You should retain all records and documents pertaining to the subject matter of this case, including all billing statements.
- You should notify plaintiffs' counsel, by e-mail to *info@browngold.com*, of any change in your address or e-mail address.
- You will be deemed, as discussed below, to have consented to the University's disclosing certain personally identifiable information about you from University records to counsel for the class so they may represent you and determine the amount of any refund or monetary recovery to which you may be entitled.

### **ELECTION NOT TO PARTICIPATE IN CLASS ACTION ("OPTING OUT")**

If you want to be excluded from the class, you must send a written notice of your intent to exclude yourself from the class, with the information requested below, by mail postmarked no later than July 2, 2007, to: Class Action Administrator, P.O. Box 1886, Faribault, MN 55021-7141.

Please include your full name, your social security number, your current mailing address, phone number, e-mail address, and a statement that you wish to be excluded from the *Luquetta v. Regents* lawsuit. The choice to exclude yourself from the class has certain consequences, and you may wish to consult an attorney regarding this choice. If you elect to be

excluded: (1) you will not be bound by any judgment in the case and will retain any claims you may have against the University, subject to applicable statutes of limitations, and (2) you will not share in any monetary or other recovery that might be paid to students if the class representatives are successful in trial or from any settlement.

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

Under the Family Educational Rights and Privacy Act of 1974 (“FERPA”) and UC policy, you have the right to maintain the privacy of certain educational records maintained by UC about you, and to prevent disclosure of certain information without your consent. If you remain a class member, you will be consenting to UC’s disclosure of information about you to class counsel so they can adequately represent you in this case and determine any monetary recovery to which you may be entitled. Such information may include, for example, the dates on which you enrolled or registered for certain semesters or sessions, the dates on which you were billed, assessed or charged fees for those semesters or sessions, the dates on which you paid certain fees, the amounts of such payments, and the amounts of any grants and other financial aid you received that may have covered the fee increases.

Counsel for the class will use such information solely for purposes of representing you in this case, and your status as a class member will not be deemed a consent for the University to release this information to anyone else. Unless you send a request to be excluded, this information will be provided to class counsel, even if you have previously exercised by written or electronic notice to UC your right to refuse to permit the UC to disclose certain categories of personally identifiable information designated by the campus as directory information, and will not rescind your refusal for that purpose. If you do not wish UC to disclose this information to counsel for the class, you must send a request for exclusion from the case, as discussed above.

### **ADDITIONAL INFORMATION**

If you have any questions concerning the matters in this notice, or if you have corrections or changes to your name or address (so future notices about this case will reach you), please contact plaintiffs’ counsel at [info@browngold.com](mailto:info@browngold.com) or the addresses on page 2. **DO NOT CALL OR WRITE THE COURT.**

The pleadings and all other records of this litigation may be examined and copied any time during the regular office hours in the office of the Clerk of the Court at the address on page 2.

May 21, 2007

Judge Mary E. Wiss  
California Superior Court  
San Francisco County