

**SUMMARY OF SETTLEMENT NOTICE**  
**(April 2006)**

**NOTICE TO ALL PERSONS WITH DISABILITIES DUE TO MOBILITY, VISUAL,  
HEARING IMPAIRMENTS WHO USE THE BUS OR SUBWAY SERVICES  
OPERATED BY THE MASSCHUSETTS BAY TRANSPORTATION AUTHORITY**

This is a summary of the notice of a settlement agreement in the class action, *Joanne Daniels-Finegold, et al. v. Massachusetts Bay Transportation Authority*, United States District Court (Mass.), No. 02-CV-11504 MEL, concerning accessible MBTA bus and subway services to persons with disabilities. The Court has scheduled a hearing for **June 15, 2006**, to consider whether the settlement agreement is fair, reasonable and adequate. Class members are entitled to comment on or object to the settlement agreement using the procedures described at the end of this summary. A complete copy of the settlement agreement and the settlement notice can be obtained by contacting **Taramattie Doucette, one of plaintiffs' attorneys, at Greater Boston Legal Services, 197 Friend Street, Boston, MA 02114; (617) 371-1234, TTY (617) 371-1228; email address: [TDoucette@GBLS.Org](mailto:TDoucette@GBLS.Org)**. The settlement agreement and settlement notice are also posted on the GBLS website: [www.gbls.org](http://www.gbls.org).

This case was filed in 2002 by a group of individuals with disabilities who said that the MBTA had denied them equal access to public buses and subway trains by failing to maintain bus lifts, station elevators, and other accessibility equipment in good operating condition, failing to maintain subway stations and subway train platforms in safe and accessible condition, and failing to ensure that bus and train operators provided proper service.

The plaintiffs and the MBTA have agreed that, in order to avoid protracted and costly litigation, this controversy should be settled as fully described in the settlement agreement and summarized in the settlement notice, subject to Court approval. The settlement covers: Bus Operations; Bus Maintenance; Bus Purchase and Rehabilitation; Subway Operations; Station Management; Communications with Passengers; Elevators; Customer Service; Training; and Management and provisions concerning monitoring and enforcement of the agreement and payment of plaintiffs' attorneys' fees, litigation expenses and costs.

**A Fairness Hearing will be held on June 15, 2006, at 9:30 a.m.** before United States District Judge Morris E. Lasker, Courtroom 8 of the United States District Court, John J. Moakley U.S. Courthouse, 1 Courthouse Way, Boston, MA 02210, where the Court will consider the parties' request for Court approval of the settlement agreement, and will hear objections, if any, to the settlement agreement.

Although you may attend the fairness hearing in person or through your own attorney, you are not required to do so. If you want to object to any aspect of the settlement agreement, you may do so, but you must file a detailed Statement of Objection in writing with the Court (at the address listed above) on or before **June 5, 2006**, that identifies the case, *Joanne Daniels-Finegold, et al. v. MBTA*, Civ. No. 02-11504-MEL, contains your name and address, and explains the basis for your objection. If you want to appear at the fairness hearing, either in person or through an attorney, you must file a Notice of Intention to Appear on or before June 5, 2006, that identifies the case, contains your name and address, and explains the reason the

appearance is desired.

The original of any Statement or Notice must be mailed to:

George Howarth  
Courtroom Clerk  
United States District Court  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Copies of any Statement or Notice must be mailed to:

Plaintiffs' Counsel:  
Daniel S. Manning  
Taramattie Doucette  
Greater Boston Legal Services  
197 Friend Street  
Boston, MA 02114

MBTA's Counsel  
David C. Henderson  
Scott E. Erlich  
Nutter, McClennen & Fish, LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA 02210