

Ramsey County District Court, Second Judicial District of Minnesota

S.A. et al. v. Minnesota Department of Public Safety, et al., Court File No. 62-CV-23-2275

If You Receive this Notice, a Class Action Settlement May Affect Your Rights.

The Ramsey County District Court for the Second Judicial District of Minnesota authorized this Notice.

You are not being sued. This is not a solicitation from a lawyer.

- A Settlement has been reached in a class action lawsuit concerning the Minnesota Department of Public Safety (“DPS”), for and on behalf of itself, its Driver and Vehicle Services division (“DVS”), DPS Commissioner Bob Jacobson, and DVS Director Pong Xiong (collectively, “Defendants”).
- The lawsuit is called *S.A. et al. v. Minnesota Department of Public Safety, et al.*, Court File No. 62-CV-23-2275 (Ramsey County, MN). The lawsuit alleges that the Defendants failed to follow court expungement orders and the state statute requiring the agency to seal records consistent with those court orders. The Defendants deny they are or can be held liable for the claims made in the lawsuit. The Settlement does not establish who is correct but rather is a compromise to end the lawsuit.
- The Settlement Class consists of individuals who had records held by DVS that were ordered to be sealed under Minnesota Statutes Chapter 609A between January 1, 2015, and February 14, 2025, but whose records DVS had not sealed or did not timely seal.
- **DVS’s records indicate that you are a class member because you had Minnesota driving records that a court ordered to be expunged, but DVS did not timely seal those records.**
- Class Members who can prove specific, financial loss and who submit a Claim Form are eligible to receive a cash payment from the Gross Settlement Fund of up to \$15,000 (“Special Compensation”). Class Members seeking Special Compensation will be required to submit a Claim Form and, potentially, additional information.
- Class Members who do not seek Special Compensation or request exclusion from the class will receive funds from the remaining balance of the Settlement Fund paid *pro-rata* to each Class Member. These Class Members are eligible to receive a cash payment that will be a *pro-rata* payment from the Gross Settlement Fund after the payment of (i) Special Compensation Awards to any Class Member who proves specific financial harm; (ii) Fee Award to Class Counsel; (iii) Settlement Administration Expenses, as may be ordered by the Court. For complete details, please see the Settlement Agreement, the terms of which control, available at www.MNDVSRecordExpungementClassAction.com.
- Your legal rights are affected regardless of whether you act or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM FOR SPECIAL COMPENSATION	If you submit a valid and timely Claim Form for Special Compensation, you may receive a payment of up to \$15,000 from the Settlement Fund. The deadline to submit a Claim Form is October 27, 2025 .
DO NOTHING	If you do nothing, you will receive a payment from the remainder of the Settlement Fund after the payments to Class Members who submitted a timely and valid Claim Form for Special Compensation.
EXCLUDE YOURSELF FROM THE SETTLEMENT	You will receive no payment, but you will retain any rights you currently have regarding the Defendants and the issues in this case. The deadline to exclude yourself from the Settlement is September 26, 2025 .
OBJECT TO THE SETTLEMENT	Write to the Court explaining why you disagree with the Settlement. The deadline to object is September 26, 2025 .
ATTEND THE FINAL APPROVAL HEARING	You or your attorney may ask the Court for permission to speak about your objection at the Final Approval Hearing, which will be held on November 4, 2025 at 1:30 p.m.

QUESTIONS? VISIT WWW.MNDVSRECORDEXPUNGEMENTCLASSACTION.COM OR CALL 844-682-1779.

SI DESEA RECIBIR ESTA NOTIFICACIÓN EN ESPAÑOL, VISITE NUESTRA PÁGINA WEB O LLÁMENOS AL 844-682-1779.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice. For complete details, please see the Settlement Agreement, the terms of which control, available at www.MNDVSRecordExpungementClassAction.com.
- The Court in charge of this case still must decide whether to approve the Settlement. No Settlement benefits or payments will be provided unless the Court approves the Settlement and enters its Final Judgment.

BASIC INFORMATION

1. What is this Notice and why should I read it?

The Court authorized this Notice to inform you about a proposed Settlement with the Defendants in this case. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. You may be eligible to receive a cash payment as part of the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Judge Laura Nelson of the Ramsey County District Court, Second Judicial District of Minnesota, is overseeing this class action lawsuit. The case is captioned as *S.A. et al. v. Minnesota Department of Public Safety, et al.*, Court File No. 62-CV-23-2275 (Ramsey County, MN). (the “Action”).

2. What is a Class Action Lawsuit?

In a class action lawsuit, one or more people called “Named Plaintiffs” have sued on behalf of themselves and other people who have similar claims. These people and entities together are called a “Class” or “Class Members.” Here, the Named Plaintiffs are S.A. and A.M. (whose full names are confidential and not public). The Minnesota Department of Public Safety (“DPS”), for and on behalf of itself, its Driver and Vehicle Services division (“DVS”), DPS Commissioner Bob Jacobson, and DVS Director Pong Xiong are called the Defendants. In a class action, one court resolves the issues for all Class Members, except for those who choose to exclude themselves.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this Lawsuit about?

The lawsuit alleges that the Defendants failed to follow court expungement orders and the state law requiring the agency to seal records consistent with those court orders. The Defendants deny they are or can be held liable for the claims made in the lawsuit. More information about what the Plaintiffs allege is in the Plaintiffs’ Class Action Complaint, which you may view at the www.MNDVSRecordExpungementClassAction.com website.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or Defendants should win this case. Instead, both sides agreed to this Settlement. That way, they can avoid the uncertainty, risks, and expense of ongoing litigation, and Class Members will get compensation now rather than years later—if ever. The Named Plaintiffs and Class Counsel, attorneys for the Class Members, agree the Settlement is in the best interests of the Class Members. The Settlement is not an admission of wrongdoing by Defendants.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Class consists of each individual who has records held by DVS that were ordered to be sealed under Minnesota Statutes Chapter 609A between January 1, 2015, and February 14, 2025, but whose record DVS has not sealed or did not seal in a timely manner.

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Eligible Class Members will have been mailed notice of their eligibility to receive a *pro rata* cash payment from the Settlement Fund by the Settlement Administrator or Special Compensation, and Class membership will be verified against that mailed list. If you are still not sure whether you are included, you can contact the Settlement Administrator by calling toll-free at **(844)-682-1779**.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Under this Settlement, the maximum total amount Defendants may be required to pay is \$900,000.00. This Settlement provides eligible Class Members who submit a Claim Form with a cash payment of up to \$15,000 from the \$900,000 Settlement Fund after the payment of (i) administrative costs, including costs of issuance of notice to the Class, Settlement Administrator fees and expenses, (ii) fees and taxes related to the Settlement Fund, and (iii) any Court-awarded attorneys' fees, and reimbursed litigation expenses. Eligible Class Members who do not submit a Claim Form may, if there are funds available after the payments to Class Members who submitted a timely and valid Claim Form, receive a *pro-rata* payment from the Settlement Fund. The Settlement will reserve at least \$100,000 in funds for any individuals who were not eligible for Special Compensation.

The Settlement Administrator will post additional information about the payment amount on www.MNDVSRecordExpungementClassAction.com.

In addition to the monetary and other consideration provided for in this Agreement, Defendants consent to entry of an injunction directing DVS to take all steps necessary to ensure that expungement orders entered under Minnesota Statutes Chapter 609A are timely implemented upon receipt from the judicial branch. For complete details, please see the Settlement Agreement, the terms of which control, available at www.MNDVSRecordExpungementClassAction.com.

HOW TO GET BENEFITS

7. Am I eligible for Special Compensation?

The Settlement allows for Special Compensation for any individual who experienced specific financial harm as a result of Defendants' failure to expunge entries from their driving record. For example, you may be able to request Special Compensation if you lost a specific job opportunity because of a violation on a driving record that DVS had previously been ordered to expunge. To be eligible, you must submit documentation and an affidavit attesting to the amount and circumstances of the financial harm you experienced.

If you did not experience specific financial loss that you can establish through an affidavit and documentation, you are not eligible for Special Compensation.

8. How do I make a Claim for Special Compensation?

You can file a Claim for Special Compensation in any of three ways:

- (1) online at www.MNDVSRecordExpungementClassAction.com;
- (2) complete and mail in the Claim Form that came with this Class Notice, or
- (3) download a Claim Form from the above website and mail it in.

The deadline to submit a Claim Form is 11:59 p.m. CT on **OCTOBER 27, 2025**. Claim Forms submitted by mail must be postmarked no later than **OCTOBER 27, 2025**.

No matter which method you choose to file your Claim, please read the Claim Form carefully and provide all the information required.

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9. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **November 4, 2025, at 1:30 p.m.** If the Court approves the Settlement, eligible Settlement Class Members whose Claims for Special Compensation were approved by the Settlement Administrator will be sent payment after all appeals and other reviews, if any, are completed. The remaining funds will be distributed on a *pro rata* basis to all other Class Members. Please be patient. All checks will expire and become void 180 days after they are issued.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Yes. The Court has appointed lawyers to represent you and other Class Members. These lawyers are called Class Counsel. Class Counsel in this case are David W. Asp and Derek Waller at Lockridge Grindal Nauen P.L.L.P.

Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working for you. However, you can choose to hire your own lawyer at your own expense. If you hire a lawyer to speak for you or to appear in Court, your lawyer must file a Notice of Appearance.

11. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees, costs, and expenses that will be paid from the Settlement Fund. Class Counsel will seek up to \$400,000 of the Settlement Fund in attorneys' fees, costs, and expenses incurred to date in the Action. Attorneys' fees, expenses, and other costs awarded by the Court shall be payable from the Settlement Fund in accordance with the Court's Final Approval Order.

YOUR RIGHTS AND OPTIONS

12. What claims do I give up by participating in this Settlement?

If you do not exclude yourself from the Settlement, you will not be able to sue the Defendants about the issues in this case, and you will be bound by all decisions made by the Court in this case, the Settlement, and its included Release. This is true regardless of whether you submit a Claim Form. You can read the Settlement Agreement at www.MNDVSRecordExpungementClassAction.com. However, you may exclude yourself from the Settlement (see Question 14). If you exclude yourself from the Settlement, you will not be bound by any of the Released Claims.

"Released Claims" mean all claims against the Released Parties that have or could have been asserted in the Action, including all claims under Minnesota Statutes sections 13.08 and 609A.04 and all other claims relating to the Released Parties' alleged failure to seal criminal convictions expunged pursuant to Minnesota Statutes Chapter 609A.

The Settlement Agreement describes the Release, Released Claims, and Released Parties in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at www.MNDVSRecordExpungementClassAction.com or in the public court records on file in this lawsuit.

The Released Claims do not include any claims arising from or relating to any conduct by Defendants after the date the Agreement is executed. The Released Claims shall also not include the right of Plaintiff, any Class Member, or any Releasing Party to enforce the terms of the Settlement Agreement.

13. What happens if I do nothing at all?

If you do nothing, you will still receive a payment under the Settlement. Eligible Class Members who do not submit a Claim Form for Special Compensation will receive a *pro rata* payment from the remaining funds available in the Settlement Fund. At least \$100,000 will be reserved in the Settlement Fund for anyone who is not eligible for Special Compensation, so **all Class Members will receive a payment.**

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You will be in the Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court, the Settlement, and its included Release. You will be deemed to have participated in the Settlement and will be subject to the provisions of Section 11 above. Unless you exclude yourself, you won't be able to file a lawsuit or be part of any other lawsuit against Defendants for the claims or legal issues resolved in this Settlement.

14. What happens if I ask to be excluded?

If you exclude yourself from the Settlement ("opt out"), you will not have any rights as a member of the Settlement Class under the Settlement terms; you will not receive any payment as part of the Settlement; you will not be bound by any further orders or judgments in this case; and you will keep the right, if any, to sue on the claims alleged in this lawsuit at your own expense.

15. How do I ask to be excluded?

To exclude yourself, you must mail a written "Request to Opt Out" to the Settlement Administrator so that it is postmarked no later than **September 26, 2025**. Your written request must:

- Include your name, address, and telephone number;
- Include a signed statement that "I hereby request that I be excluded from the proposed Settlement Class in *S.A. et al. v. Minnesota Department of Public Safety, et al.*, Court File No. 62-CV-23-2275.",
- Be signed by such Person requesting the exclusion or an authorized representative, as well as proof of authorization to submit the Request for Exclusion if submitted by an authorized representative.

Your Request to Opt Out must be mailed to:

S.A. v. Minnesota Department of Public Safety
c/o Analytics Consulting LLC
P.O. Box 2003
Chanhassen, MN 55317-2003

You cannot exclude yourself by phone or email.

A "Request to Opt Out" that does not include all of the foregoing information, that does not contain a valid electronic or handwritten signature, that is sent to an address other than the one designated in the notice to Settlement Class Members, or that is not sent within the time specified in the notice, shall be invalid. The Person serving such an invalid request shall remain a Settlement Class Member and shall be bound by this Settlement Agreement, if approved.

Each individual who wants to be excluded from the Settlement must submit his or her own exclusion request.

16. 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 being resolved by this Settlement, even if you do nothing.

17. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you will not receive any payment.

18. How do I object to the Settlement?

If you did not exclude yourself from the Settlement Class and think that the Court should not approve the Settlement, you can tell the Court that you do not agree with the Settlement or some part of it by objecting to the Settlement. The Court will consider your views in its decision on whether to give final approval to the Settlement. The Court can only approve or deny the Settlement and cannot change its terms. To object, you must mail your objection to Class Counsel, at the mailing addresses listed below, postmarked by **no later** than the Objection Deadline, **September 26, 2025**:

Class Counsel
<p>David W. Asp Derek C. Waller Lockridge Grindal Nauen P.L.L.P. 100 S Washington Ave # 2200 Minneapolis, MN 55401</p>

Your objection must be written and must be signed by the Class Member and state the specific grounds for the Objection. As soon as practicable, Class Counsel shall cause all written objections to be provided to Defense Counsel and filed with the Court.

Any Class Member who has filed a valid and timely Objection may appear, in person or through counsel, at that person's own expense, at the Fairness Hearing to present any evidence or argument that the Court deems proper and relevant.

Any person that fails to object in the manner prescribed herein shall be deemed to have waived his, her, or its objections and will forever be barred from making any such objections in the Litigation, unless otherwise excused for good cause shown, as determined by the Court.

19. What's the difference between objecting and excluding myself from the Settlement?

Objecting means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Excluding yourself from the Settlement Class 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 Settlement no longer affects you.

THE COURT'S FAIRNESS HEARING

20. When and where will the Court hold a hearing on the fairness of the Settlement?

The Court will hold the Fairness Hearing on **November 4, 2025, at 1:30 p.m.** by **Zoom** in Ramsey County District Court, 15 W Kellogg Blvd, St. Paul, MN 55102. The purpose of the Fairness Hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Settlement Class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees, costs, and expenses. At the Fairness Hearing, Plaintiffs will request the Court to enter an order consistent with the Settlement Agreement, including dismissing with prejudice all claims against Defendants, granting Class Counsel's request for payment of attorneys' fees, and litigation expenses, and retaining jurisdiction for the implementation and enforcement of the Settlement Agreement.

Note: The date and time of the Fairness Hearing are subject to change by Court Order. Any changes will be posted at the Settlement Website, www.MNDVSRecordExpungementClassAction.com, or through the Court's publicly available docket. You should check the Settlement Website to confirm the date and time have not been changed.

21. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to attend the hearing at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend on your behalf at your own expense, but you do not have to.

22. May I speak at the Fairness Hearing?

Yes. If you do not exclude yourself from the Class, you may ask the Court for permission to speak at the Fairness Hearing concerning any part of the proposed Settlement.

QUESTIONS? VISIT WWW.MNDVSRECORDEXPUNGEMENTCLASSACTION.COM OR CALL 844-682-1779.

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GETTING MORE INFORMATION

23. Where can I get additional information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is available at www.MNDVSRecordExpungementClassAction.com.

YOU MAY CONTACT THE SETTLEMENT ADMINISTRATOR
ONLINE AT WWW.MNDVSRECORDEXPUNGEMENTCLASSACTION.COM,
BY CALLING TOLL-FREE AT (844) 682-1779,
OR BY WRITING TO:

S.A. v. Minnesota Department of Public Safety
c/o Analytics Consulting LLC
P.O. Box 2003

Chanhassen, MN 55317-2003

Email: info@MNDVSRecordExpungementClassAction.com

**PLEASE DO NOT CALL THE COURT, THE CLERK OF THE COURT, THE JUDGE, OR THE DEFENDANTS
WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.**

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