

NOTICE OF FREUNDEL CLASS ACTION SETTLEMENT

A class action arising from Rabbi Bernard Freundel's secret videotaping of females without their consent was brought in D.C. Superior Court, Case No. 2014 CA 8073 B (consolidated with Case No. 2015 CA 7814 B). Subject to this Court's approval, a class action Settlement has been reached that resolves claims arising from Freundel's conduct.

Who Is Covered by this Settlement?

The Class Members who are covered by this Settlement, and whose legal rights are affected by it, are: (1) all females whom the United States Attorney's Office for the District of Columbia identified as having been videotaped by Rabbi Bernard Freundel between July 1, 2005, and October 14, 2014, and (2) all females who disrobed, either partially or completely, in the ritual bath and/or associated facilities operated by the National Capital Mikvah, Inc. (regardless of whether they were videotaped) between July 1, 2005, and October 14, 2014.

What Are the Key Terms of the Settlement?

- **A Total Settlement Amount of \$14.25 million will be paid.**
- **Payments to Class Members:** To receive payment from the Settlement, Class Members must complete a brief Confidential Registration Form. Registered Class Members that the U.S. Attorney's Office identified as videotaped by Freundel will receive a Base Payment of \$25,000 each. Other Registered Class Members will receive a Base Payment of \$2,500 each if they disrobed in the National Capital Mikvah one or more times between July 1, 2005, and October 14, 2014, and suffered actual emotional distress after learning of Freundel's videotaping (regardless of whether they were videotaped). In addition, each Registered Class Member shall be eligible to receive an *additional*, Supplemental Payment if she completes a Claim Form describing the harms she suffered. The amount of each Supplemental Payment will be determined by an Independent Claims Expert based on specific factors, including emotional distress and physical symptoms of the Class Member, any mental health or medical treatment or diagnoses she received, and the impact on her religious, professional, social, and romantic life.
- **Other Disbursements:** The remainder of the Total Settlement Amount will be used for fees and expenses for the Settlement Administrator who will administer the class action settlement and the Independent Claims Expert who will allocate the Supplemental Payments (these fees and expenses are projected to total under \$175,000, or less than 1.3% of the Total Settlement Amount), fees and expenses for the law firms that brought litigation against Defendants and were involved in the negotiations that resulted in this Settlement (the fees will total up to one-third of the Total Settlement Amount and the expenses are estimated to total under \$400,000, or less than 3% of the Total Settlement Amount), and service payments to the plaintiffs who brought litigation against Defendants (which will total no more than \$180,000, or less than 1.3% of the Total Settlement Amount).
- **Release of Claims:** If the Court grants final approval of the Settlement, all Class Members will release the Georgetown Synagogue – Keshet Israel Congregation, the National Capital Mikvah, Inc., the Rabbinical Council of America, Inc., the Beth Din of the United States of America, Inc., and Travelers (meaning, the Travelers Companies, Inc., and each of its affiliates and subsidiaries, including but not limited to the Charter Oak Fire Insurance Co., the Phoenix Insurance Co., the Travelers Indemnity Co., and the Travelers' Indemnity Co. of Connecticut), and each of their respective past, present, and future directors, officers, insurers or reinsurers (as

applicable), subsidiaries, affiliates and corporate parent (as applicable), employees, attorneys, accountants, agents, and trustees (collectively the “Released Parties”) of all claims arising from, or related to, or based upon the conduct of Freundel from July 1, 2005, through October 14, 2014, including, but not limited to, his conduct in the Mikvah and/or in videotaping elsewhere during that period (the “Claims”). This means that Class Members cannot sue the Released Parties (including Freundel) for these Claims.

- **No Exclusions:** If the Court approves this class action settlement, Class Members cannot “opt-out” or exclude themselves from the Settlement to pursue individual claims against the Released Parties. The legal options available to Class Members, including the right to object, are outlined below.

What Are Class Members’ Legal Options and Important Deadlines?

- **To Receive a Base Payment:** To be eligible to receive a Base Payment, Class Members must submit a timely, complete, and responsive Registration Form by November 13, 2018.

- **To Be Eligible for a Supplemental Payment:** After the Court grants final approval of the Settlement, all Class Members who submitted timely, complete, and responsive Registration Forms will be sent a copy of a Claim Form. To be eligible to receive a Supplemental Payment (in addition to a Base Payment), these Class Members must submit a timely, complete, and responsive Claim Form by the deadline in the Claim Form.

- **To Object to the Settlement:** The Court will decide whether to grant final approval to the Settlement, including attorneys’ fees and expenses, following a Final Approval Hearing on October 22, 2018 at 10:00 a.m. in Courtroom 516 of the H. Carl Moultrie Courthouse of the Superior Court of the District of Columbia, 500 Indiana Avenue N.W., Washington, D.C. 20001. If you want to object to the Settlement, in whole or as to any part, you must send your objection in writing with a postmark of no later than October 15, 2018, to the Settlement Administrator and Class Counsel at the addresses listed below. The objection (1) must be personally signed by the person objecting, or by his or her counsel or legal representative; (2) must contain the statement “I object to the class settlement in *Jane Doe 2 et al. v. Georgetown Synagogue-Kesher Israel et al.*”; (3) must contain the name, address, telephone number, and email address of person objecting (if the objection is submitted by counsel, the name and contact information of the attorney’s client must be provided); (4) must include a detailed description of the basis of the objection; and (5) must state whether the person objecting intends to appear in person or through counsel at the Final Approval Hearing. Persons who fail to make objections in the manner specified above will be deemed to have waived any objections and will be foreclosed from making any objection (whether by appeal or otherwise) to the Settlement Agreement. *If the Court rejects a Class Member’s objection, the Class Member will still be bound by the terms of the Settlement, including the release of Claims described above.*

- **What Happens to Class Members Who Do Nothing:** Class Members who do nothing will remain part of the Settlement and will be bound by the terms of the Settlement, including the release of Claims described above. However, Class Members who do not complete the Registration Form will not be eligible to receive money from the Settlement.

This Notice contains only a summary of the Settlement. To obtain a Registration Form, to review a longer form of this Notice, to obtain a copy of the Agreement, or to

ask questions about the Settlement (free of charge), you can contact Class Counsel or the Settlement Administrator as follows:

Class Counsel: Sanford Heisler Sharp, LLP
1350 Avenue of the Americas, Suite 3100
New York, New York 10019
www.sanfordheisler.com/mikvah
Telephone: (646) 402-5650
Facsimile: (646) 402-5651
Email: mikvahsettlement@sanfordheisler.com

Settlement Administrator: RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
www.mikvahsettlement.com
Toll-Free: (866) 742-4955
Facsimile: (215) 827-5551
Email: mikvahsettlement@rg2claims.com