

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
Chris J. Conanan, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 00-CV-3091 (ESH)
)	
Donna Tanoue, Chairperson,)	
Federal Deposit Insurance)	
Corporation,)	
)	
Defendant.)	
_____)	

NOTICE OF FAIRNESS HEARING

Please read this Notice carefully as the failure to follow these instructions may extinguish your right to challenge the approval of the Consent Decree.

If you are a Class Member, this Consent Decree will affect you and extinguish any rights you might have to bring a claim against the FDIC with respect to promotions or other selections for positions on the basis of race, color, or reprisal that you believe affected you at any time between May 13, 1992, and March 31, 2001, unless you have previously exercised your right to opt out of the settlement and not participate in the monetary relief.

A hearing (the “Fairness Hearing”) to determine whether the proposed Consent Decree should be approved will be held on **November 26 & 27, 2001** at 9:30 a.m. in the Courtroom of the Honorable Ellen Segal Huvelle, United States District Court Judge for the District of Columbia, at the U.S. Courthouse, 333 Constitution Avenue, N.W., Washington, D.C. 20001.

IT IS NOT NECESSARY FOR YOU TO APPEAR AT THE HEARING. The Fairness Hearing will address whether the Consent Decree is fair, adequate and reasonable to the Class as a whole and whether the Court should grant final approval of the Consent Decree. The Court will hear from Class Counsel and Defendant’s Counsel as to why the Consent Decree should be approved. The Court will also hear from any person and/or his or her counsel who has

previously requested in writing to be permitted to speak at the Fairness Hearing as described below.

You may submit to the Court any written comments or objections you may have concerning the Consent Decree. If you choose to submit comments or objections, you must file them in writing with the Court, with copies to counsel for both parties as described below. In order to be considered by the Court, your written statement of comments or objections must be hand delivered to the Court on or before **October 31, 2001** or mailed and postmarked (United States Postal Service) on or before **October 31, 2001**. Your written statement shall contain a caption (see top of page 1 as a guide) stating the name of this case (*Conanan et al. v. Tanoue*), the civil action number (Case No. 00-CV-3091 (ESH)), the name of the court (the United States District Court for the District of Columbia), and the title of the document (Notice of Comment or Objection to Proposed Consent Decree); your name, address, and telephone number; your comments and/or objections to the Consent Decree; your reasons for any such comments and/or objections; and whether you wish to speak at the Fairness Hearing.

If you wish, you may retain, at your own expense, your own attorney to represent you in making written comments and/or objections and/or to appear at the Fairness Hearing on your behalf. Your attorney must identify himself/herself to the Court and submit written comments and/or objections to the Court, with copies to counsel for both parties as described below. Such statement must be hand-delivered to the Court on or before **October 31, 2001** or mailed and postmarked (United States Postal Service) on or before **October 31, 2001**, and shall contain a caption (see top of page 1 as a guide) stating the name of this case (*Conanan et al. v. Tanoue*), the civil action number (Case No. 00-CV-3091 (ESH)), the name of the court (the United States District Court for the District of Columbia), and the title of the document (Notice of Comment or Objection to Proposed Consent Decree); the attorney's name, address, and telephone number; the comments and/or objections to the Consent Decree; the reasons for any such comments and/or objections; and whether the attorney wishes to speak at the Fairness Hearing on your behalf.

An original and one (1) copy of any written comments and/or objections submitted by you or your attorney must be filed with the Court at the following address:

Clerk
United States District Court
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Comments or objections hand-delivered to the court or mailed and postmarked (United States Postal Service) after **October 31, 2001** will not be considered by the Court. The Clerk will retain the original which will be available to the public, and the Judge will retain the copy.

One copy of the written comments and/or objections must also be hand delivered by **October 31, 2001** or mailed and postmarked (United States Postal Service) no later than **October 31, 2001**, to each Counsel for the Class and to Counsel for the Defendant at the following addresses:

COUNSEL FOR PLAINTIFF CLASS

Avis E. Buchanan, Esq. (One copy)
Washington Lawyers' Committee for
Civil Rights & Urban Affairs
11 Dupont Circle, N.W., Suite 400
Washington, D.C. 20036

and

Joseph M. Sellers, Esq. (One copy)
Cohen, Milstein, Hausfeld &
Toll, P.L.L.C.
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, D.C. 20005

COUNSEL FOR DEFENDANT (One copy)

If by Regular Mail To:

Thomas J. Sarisky, Counsel
Federal Deposit Insurance Corporation
801 17th Street, N.W.

Room H-11048
Washington, D.C. 20434-0001

or

If By Hand Delivery To:

Thomas J. Sarisky, Counsel
Federal Deposit Insurance Corporation
1717 H Street, N.W.
Room 11048
Washington, D.C. 20006

Any individual or attorney representing an individual may appear at the Fairness Hearing, at his or her expense, only if he or she timely filed written comments and/or objections as described above. Comments and/or objections raised at the Fairness Hearing shall be limited to those matters addressed in timely written statements.

Filing written comments and/or objections and/or appearing at the Fairness Hearing does not provide you with an opportunity to opt out of the Class Action. To opt out, you must have notified the Court of your desire to opt out of the Class Action as described in Section IV.C of the Notice of Pendency of Class Action and Proposed Consent Decree.

If you have any questions or need additional information about the proposed Consent Decree and this Notice, you may contact one of the following attorneys for the Class:

Avis E. Buchanan, Esq.
Washington Lawyers' Committee
for Civil Rights & Urban Affairs
11 Dupont Circle, N.W., Suite 400
Washington, D.C. 20036

Joseph M. Sellers, Esq.
Suzette M. Malveaux, Esq.
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, D.C. 20005

If you wish to call Class Counsel, use the toll free number **1 (888) 800-8112**, and leave a message and your inquiries will be addressed as soon as possible. If you have procedural questions about the claims process, you may call the Claims Administrator toll free at **1 (888) 688-6028**. For more information about the class action and proposed Consent Decree, you may also contact Class Counsel's website at www.cmht.com/casewatch/civil/fdic.html. The Consent Decree with exhibits will also be available on the FDIC's external website at www.fdic.gov or its internal website on the FDIC's Office of Diversity and Economic Opportunity (ODEO) homepage.

Dated: _____

Ellen Segal Huvelle
United States District Judge