UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Maria Ramos and Nicolas Olivares, et al.,	)	
Plaintiffs,	)	
	)	No. 02 C 8266
v.	)	Judge Mark Filip
	)	
Michael Chertoff, et al.,	)	
Defendants.	)	

SUMMARY NOTICE OF PENDENCY OF CLASS ACTION AND SETTLEMENT

PLEASE READ THIS NOTICE CAREFULLY; THIS INFORMATION MAY BE OF BENEFIT TO YOU.

TO: All persons who applied for permanent residence (a green card) pursuant to Section 245(i) of the Immigration and Nationality Act between January 29, 1997 and April 30, 2001, in the Chicago Office of the former INS, but who were not then eligible to be approved, because (1) a visa petition was filed before April 30, 2001, but was not yet "current" when the residence application was filed **(Class 1)**; or (2) a visa petition had not been filed for the applicant **(Class 2)**.

I. **WHY IS THIS NOTICE PUBLISHED?** This notice is published to inform individuals who belong to either Class 1 or 2 in the above entitled case. This case arose out of the alleged difficulties people had during the period between January 29, 1997 and April 30, 2001, when they sought to protect their rights under Section 245(i) of the Immigration and Nationality Act. Plaintiffs Maria Ramos and Nicolas Olivares argued that the Chicago Office of the INS violated laws, regulations, and INS procedures by accepting prematurely-filed applications for residence between January 29, 1997 and April 30, 2001; and then keeping the filing fees and using the information in the applications to begin investigations and removal proceedings against the applicants. Defendants (representatives of the U.S. Government) deny their actions violated any laws, and deny they have any obligation to Ramos, Olivares, or any of the Class Members they represent.

Under the Settlement, all members of Classes 1 and 2: (1) may apply for a credit for application fees for their residence applications; (2) if they are in removal proceedings, may seek the government's agreement to terminate those proceedings for humanitarian reasons within six months of the agreement; and (3) if they are not now in removal proceedings, may benefit from a decision not to begin removal proceedings on the basis of their applications. The Settlement also provides for a payment of $90,000 in fees to the attorneys representing the Plaintiffs. **MORE DETAILS CONCERNING THIS CASE AND SETTLEMENT TERMS IS INCLUDED IN THE NOTICE FILED WITH THE COURT ON MARCH 30, 2005. IT IS RECOMMENDED THAT ALL CLASS MEMBERS OBTAIN A COPY OF THAT NOTICE AND REVIEW THE CASE FILE.**

II. **WHO REPRESENTS THE CLASS?** The following attorneys represent Maria Ramos and Nicolas Olivares (Class Counsel):

Steven Saltzman	**Mary M. McCarthy, Charles Roth**	**Alonzo Rivas, Jorge Sanchez**
122 S. Michigan Ave., Ste 1850	Midwest Immigrant & Human Rights Ctr.	MALDEF
Chicago, IL 60603	208 S. LaSalle St., Ste 1818	188 W. Randolph St., Ste 1405
	Chicago, IL 60604	Chicago, IL 60601

III. **WHAT DO I NEED TO DO?** If you believe you are a member of either Class 1 or 2, Class Counsel represent your interests and you do not need to do anything until this settlement is finally approved by the Court. **You should not contact the immigration authorities at this point.** If you have any questions about this case or settlement, you may consult Class Counsel by calling 312-660-1898. You may also hire an attorney at your own expense to advise you on the terms of the Settlement Agreement, and whether to file written objections to any of the terms of this Agreement.

You may see the complete case file, including the full Notice and Settlement Agreement, and may file your written objections concerning the fairness of this Agreement, including the fees awarded to Class Counsel, at the Office of the Clerk, United States District Court for the Northern District of Illinois, Everett McKinley Dirksen Building, 219 South Dearborn Street, 20th Floor, Chicago, Illinois 60604. The Clerk will make the files relating to this lawsuit available to you for inspection and copying at your own expense. **DO NOT ADDRESS ANY QUESTIONS ABOUT THE CASE TO THE CLERK OF THE COURT, THE JUDGE, OR THE IMMIGRATION AUTHORITIES.**

IV. **FAIRNESS HEARING.** A hearing will be held on the fairness of this Settlement Agreement on **June 10, 2005** at 10:00 a.m., before the Honorable Mark Filip, District Judge for the Northern District of Illinois, in Courtroom 1725 of the Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604. At the hearing, the Court will hear any objections and arguments from parties that file their written objections with the Office of the Clerk by **May 27, 2005**. **YOU DO NOT NEED TO APPEAR AT THIS HEARING UNLESS YOU OBJECT TO THE SETTLEMENT.**

BY ORDER OF THE COURT.