

Have you ever owned a home sold by or constructed for “Make it Right-New Orleans, LLC” or the “Make it Right Foundation?”

A legal settlement provides payments to homeowners to repair defects or to reimburse out-of-pocket costs incurred to repair defects to homes sold by or constructed for Make it Right-New Orleans, LLC.

A court authorized this notice. This is not a solicitation from a lawyer.

- A settlement has been proposed to resolve the class action lawsuit filed against Make it Right – New Orleans, LLC seeking damages for defects in the design or construction of “Make it Right” homes.
- The settlement will pay money to current and former homeowners who submit valid claim forms for past and/or future costs to repair their homes.
- **Your legal rights are affected whether you act, or don’t act. Read this notice carefully.**

Your Legal Rights and Options in this Settlement:

Submit a Claim Form	The only way to ask for a payment.
Ask to be Excluded, i.e., “Opt Out” from the Settlement	Get no payment. The only option that allows you to sue the Defendants over the claims resolved by this settlement.
Object	Write to the Court about why you don’t like the settlement. You still need to submit a Claim Form to ask for a payment.
Go to a Hearing	Ask to speak in Court about the fairness of the settlement. You still need to submit a Claim Form to ask for a payment.
Do Nothing	Get no payment. Give up rights to sue the Defendants about the legal claims resolved in this settlement.

- These rights and options—and the deadlines to exercise them—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the settlement. Money will be distributed for repairs if the Court does so. Please be patient.

WHAT THIS NOTICE CONTAINS:

Basic Information Page 3

1. Why was this notice issued?
2. Which Defendants are part of the settlement?
3. What is this lawsuit about?
4. What are Make it Right Homes?
5. Why is this a class action?
6. Why is there a settlement?

Who is in the Settlement Page 4

7. How do I know if I am part of the settlement?
8. I'm still not sure I'm included.

The Settlement Benefits—What You Get Page 4

9. What does the settlement provide?
10. How much will my payment be?

How to Get a Payment—Submitting A Claim Form Page 5

11. How can I get a payment?
12. When will I get my payment?
13. What am I giving up to get a payment or stay in the Class?

Excluding Yourself, or “Opting Out” From the Settlement Page 6

14. How do I opt out of the settlement?
15. If I don't exclude myself, can I sue the Settlers for the same thing later?
16. If I exclude myself, can I get a payment from this settlement?

The Lawyers Representing You Page 6

17. Do I have a lawyer in this case?

Objecting to the Settlement Page 7

18. How do I tell the Court if I don't like the settlement?
19. What's the difference between objecting and asking to be excluded?
20. Do I need to make an appearance to talk about my objections?

The Court's Fairness Hearing Page 8

21. When and where will the Court decide whether to approve the settlement?
22. Do I have to come to the hearing?
23. May I speak at the hearing?

If You Do Nothing Page 9

24. What happens if I do nothing?

Getting More Information Page 9

25. How do I get more information about the settlement?

Basic Information

1. Why was this notice issued?

A Court authorized this notice because you have a right to know about a proposed settlement of this class action, including the right to claim money for repairs, and about all of your options, before the Court decides whether to give “final approval” to the settlement. If the Court approves the settlement, and after any appeals are resolved, payments will be made to everyone who submitted a timely and valid Claim. This notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who may be eligible for them, and how to get them.

Judge Richard Perque in the Civil District Court for Orleans Parish, is overseeing this class action. The case is known as *Lloyd Francis, et al, v. Make it Right Foundation, et al*, No. 18-8977, Division B (5). The people who sued are called the “Plaintiffs,” and the people who have been sued are called the “Defendants.” This lawsuit was filed as a class action, meaning that the Plaintiffs sued on behalf of all of the homeowners of “Make it Right” homes and the proposed settlement will resolve claims against the Defendants as to all of the “Make it Right” homes.

2. Which Defendants are part of the settlement?

The settlement, if approved, will result in the release of claims against the following Defendants, along with their insurers:

Make it Right-New Orleans, LLC, Make it Right Foundation, Make it Right-New Orleans Housing, LLC, Brad Pitt, Thomas Darden, III, James Mazzuto, Samuel Whitt, S.H. “Jim” Fogleman, Latoya King, Veronica Taylor, Maurice Coleman, Jon Sader, Craig Turner, Thomas Darden II, Cherokee Investment Partners, LLC, and Cherokee Gives Back Foundation.

3. What is this lawsuit about?

This case came about after Hurricanes Katrina. “Make it Right” built and sold houses in New Orleans’ 9th Ward to bring people back to the neighborhood in sustainable and energy-efficient homes incorporating environmentally-friendly components. The Defendants are affiliated with or worked for one of the Make it Right companies. The Plaintiffs in this case allege that these houses were built with design and construction defects that led to water leaks, mold growth, and structural problems. The Defendants have denied any wrongdoing. This case applies only to those persons who own or owned homes sold by or built through the Make it Right program, so those houses can be repaired. If you claim to own a house in the neighborhood where other Make it Right homes were built, but your home is not a “Make it Right” home, you are not included in this Class.

4. What is a Make it Right Home?

Make it Right-New Orleans, LLC and the Make it Right Foundation built and sold homes in the Lower 9th Ward of New Orleans between 2008-2016. These houses are located on Jourdan Ave., Deslonde St., Tennessee St., Reynes St., Forstall St, N. Prieur Sr., N. Roman St., or N. Derbigny Streets and were constructed and sold through the Make it Right program. If you live on these streets but Make it Right did not sell or construct your home, you are not included in the Settlement.

5. Why is this a class action?

In a class action, one or more people called “Class Representatives” propose to sue or settle claims on behalf of people who have similar claims, who are the “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

6. Why is there a settlement?

The Court did not decide in favor of the Plaintiffs or Defendants. Instead, both sides agreed to settle. That way, they avoid the costs and risks of a trial, and the people affected will get guaranteed compensation. The Class Representatives and Plaintiffs’ Class Counsel think the settlement is best for all Class Members. The settlement does not mean that the Defendants and other Released Parties did anything wrong.

Who is in the Settlement?

To see if you can get benefits from this settlement, you first have to determine if you are a Class Member

7. How do I know if I am part of the settlement?

If you are a current or former owner of a Make it Right house, you may be a Class Member. To be a Class Member, the house you own or owned must be built as part of the “Make it Right” program between 2008-2016 in the Lower 9th Ward of New Orleans. These houses are located on Jourdan Ave., Deslonde St., Tennessee St., Reynes St., Forstall St, N. Prieur Sr., N. Roman St., or N. Derbigny Streets and were constructed and sold through the Make it Right program.

8. I’m still not sure I’m included.

If you are not sure whether you are included in the Class, you may call the toll free number 1-800-210-2574 with questions. Also, even if you are not sure if you are included in the Class, you should submit a timely Claim Form if you do not wish to be excluded from the Class.

The Settlement Benefits—What You Get

9. What does the settlement provide?

This settlement will provide money to Class Members who submit timely and valid Claim Forms to pay for repairs to the Make it Right houses. This includes reimbursing repairs you already paid for out of your pocket and making new repairs. A Settlement Agreement, available at www.MIRclaims.com or by calling 1-800-210-2574, describes all of the details about the proposed settlement.

10. How much will my payment be?

The money from the settlement will be used to repair your house or to reimburse you for repairs you make or already made. After all of the participating homes are inspected, an administrator will determine how much can be spent for repairs to each home. If you own in a Make it Right home that does not need any repairs, you may still receive benefits from the settlement.

How to Get a Payment—Submitting A Claim Form

11. How can I get a payment?.

To ask for a payment, you must complete and submit a Claim Form. A Claim Form is included with this Notice. You can also get a Claim Form at www.MIRclaims.com or by calling 1-800-210-2574,

Please read the instructions carefully, fill out the Claim Form and mail it, postmarked by November 10, 2022, to:

Mr. James Williams
P. O. Box 931
Metairie, Louisiana 70004

Or – uploaded at www.MIRclaims.com;

Or hand delivered to the Special Master at:

Robert Dampf
1100 Poydras Street, Suite 2275
New Orleans, LA 70163

12. When will I get my payment?

After the Court grants “final approval” of the settlement, and any appeals are resolved, you will be contacted about an inspection of your home to determine what repairs need to be made, and, after the inspection, to arrange to have repairs made. If you already made repairs which you paid for out of your own pocket, payments will be mailed to Class Members who send in timely and valid Claim Forms after the Court grants final approval. If Judge Perque approves the settlement after an upcoming hearing (see the section “The Court’s Fairness Hearing” below), there may be appeals. If there are any appeals, resolving them can take time. Please be patient.

13. What am I giving up to get a payment or stay in the Class?

If the settlement becomes final, you will be releasing the Defendants or other Released Parties who settled, for all the claims identified in Section IX of the Settlement Agreement. That means you cannot sue them ever again for these claims and your claims against the Defendants and their insurers will be dismissed with prejudice. These are called “Released Claims.” The Settlement Agreement is available at www.MIRclaims.com. The Settlement Agreement describes the Released Claims with specific descriptions, in necessarily accurate legal terminology, so read it carefully. Talk to your attorneys (see the section on “The Lawyers Representing You” below) or your own lawyer if you have questions about the Released Claims or what they mean.

Excluding Yourself, or “Opting Out” From the Settlement

If you don’t want a payment from this settlement, but you want to keep the right to sue the Defendants or other Released Parties about the issues in this case, then you must take steps to get out. This is called excluding yourself from—or is sometimes referred to as “opting out” of—the settlement Class. Any class members who do not request exclusion will be bound by all of the judgments made by the Court, whether favorable or unfavorable.

14. How do I opt out of the settlement?

Any potential Class Member who wishes to be excluded from the Class will have an opportunity to “OPT OUT” of the class action settlement and have the right to pursue an individual lawsuit. If you choose to opt out, you will not be able to claim any part of the settlement funds. If you do not formally OPT OUT, you will automatically be included in the Class as long as you timely file a Claim Form (See No. 11 above).

To exclude yourself, or “opt out” from the settlement, you must send a letter by mail saying that you want to be excluded from *Lloyd Francis, et al, v. Make it Right Foundation, et al.* You must include the case number (No. 18-8977, Division B (5)), your full name, address, and telephone number, the address of the Make it Right house that you own or owned, and sign the request. Your exclusion request will not be valid, and you will be bound by the settlement, if you do not include this information in your exclusion request.

The OPT OUT request may be hand delivered to the Special Master or mailed. You must mail your request for exclusion so that it is received by October 24, 2022, to:

Mr. James Williams
P. O. Box 931
Metairie, Louisiana 70004

If delivered, the delivery to the Special Master must be made on or before October 24, 2022 at:

Robert Dampf
1100 Poydras Street, Suite 2275
New Orleans, LA 70163

You can’t exclude yourself on the phone or at the website.

15. If I don’t exclude myself, can I sue the Defendants or other Released Parties for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendants or other Released Parties for the claims that this settlement resolves. You must exclude yourself from this Class to start your own lawsuit. Remember, any exclusion requests must be received by October 24, 2022.

16. If I exclude myself, can I get a payment from this settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for a payment.

The Lawyers Representing You

17. Do I have a lawyer in this case?

If you have hired a lawyer to represent you for claims in this litigation, please contact your lawyer for further information.

The attorneys for the “Class Representatives”, Ron Austin and Catherine Hilton, can also represent you and other Class Members. You do not have to pay them. They will be paid out of the Total Settlement Fund. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

For their efforts in representing the Class, the Plaintiff Counsel will ask the Court to award them monies out of the settlement fund in an amount to be determined by the Court for their attorneys’ fees and for costs and expenses incurred in litigating the class action. The Plaintiff Counsel will also ask the Court to award additional payments to the class representatives who helped the lawyers on behalf of the whole class. The Court will determine these amounts.

Objecting To The Settlement is Different than Opting Out

You can tell the Court if you don’t agree with the settlement or some part of it.

18. How do I tell the Court if I don’t like the settlement?

You can object to the settlement if you don’t like some part of it. The Court will consider your views. To do so, you must send in a written objection in the case, *Lloyd Francis, et al, v. Make it Right Foundation, et al*. You must include the case number (No. 18-8977, Division B (5)). You must include your full name, address, telephone number, the address of the Make it Right home you own or owned, and your signature. You must also include the specific reasons why you object to the settlement, any legal support or evidence to support your objection, and whether you or your attorney, or any other witness, will be attending the hearing, along with a description of any witness’s testimony, and a list of any exhibits you may offer at the hearing along with copies of those exhibits. (See “The Court’s Fairness Hearing” below). You must mail your objection so that it is received by October 31, 2022, to the two addresses listed below:

Court:	Special Master
Civil District Court Parish of Orleans Honorable Richard Perque Judge, Division “B” Civil District Court for the Parish of Orleans 421 Loyola Avenue New Orleans, LA 07112	Mr. James Williams P. O. Box 931 Metairie, LA 70004

The Court may overrule your objection. If you want money from the settlement, even if you object to it, you must file a timely Claim Form.

19. What's the difference between objecting and asking to be excluded?

Objecting is telling the Court that you oppose approval of the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

20. Do I need to make an appearance to talk about my objection?

Once you file a timely and valid objection, the Special Master, who is someone the Court appointed to help with the settlement, will schedule a hearing to try to resolve your objection. You will receive a notice of the date, time and place of the hearing. You must attend this Special Master hearing for your objection to be heard at the Fairness Hearing.

The Court's Fairness Hearing

The Court will hold a hearing to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

21. When and where will the Court decide whether to approval the settlement?

The Court has scheduled a Fairness Hearing on December 12, 2022, at 10:00 a.m. at the Courthouse for Civil District Court at 421 Loyola Avenue, New Orleans, Louisiana, 70112, Division B. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Perque will listen to people who have asked to speak about an objection according to Question 18 above. The Court may also decide how much to award the Plaintiffs' Counsel as fees for representing the Class. At or after the hearing, the Court will decide whether to approve the settlement. We do not know how long this decision will take. The hearing may be moved to a different date without additional notice, so it is a good idea to check www.MIRclaims.com for updated information.

22. Do I have to come to the hearing?

No. You do not have to attend the Fairness Hearing. The Plaintiffs' Counsel will answer questions that Judge Perque may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to the Fairness Hearing to talk about it. As long as you filed and mailed your written objection on time, and as long as you attended the Special Master hearing according to Question 20 above, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

23. May I speak at the hearing?

If you submitted an objection to the settlement (see Question 18), you may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your “Notice of Intention to Appear in *Lloyd Francis, et al, v. Make it Right Foundation, et al.*, (No. 18-8977, Division B (5)). Your Notice of Intention to Appear must be received no later than November 16, 2022, and must be sent to the addresses listed in question 18 along with the following information:

- name of the case (*Lloyd Francis, et al, v. Make it Right Foundation, et al*, No. 18-8977, Division B (5),
- your full name, address, telephone number, and signature;
- the address of the Make it Right home you own or owned;
- detailed statement of the specific legal and factual basis for each objection, if applicable;
- list of any witnesses you intend to call at the Fairness Hearing, and a description of the testimony to be offered; and
- list of exhibits and copies of all exhibits you intend to introduce at the Fairness Hearing.

If You Do Nothing

24. What happens if I do nothing at all?

If you do nothing, you’ll get no payment from this settlement. And, unless you exclude yourself, you won’t be able to sue the Defendants or other Released Parties for the claims resolved in this case.

Getting More Information

25. How do I get more information about the settlement?

This notice summarizes the proposed settlement. More details are in a Settlement Agreement, which is available at www.MIRclaims.com or by calling 1-800-210-2574. If you have questions, visit the website, or call 1-800-210-2574. toll free.