

**SUMMARY NOTICE  
NOTICE OF CLASS ACTION  
SETTLEMENT**

TO: ALL PEOPLE IN THE UNITED STATES WITH DISABILITIES AS THAT TERM HAS BEEN DEFINED BY 42 USC § 12102(2), INCLUDING THOSE PERSONS WHO HAVE AN IMPAIRMENT THAT SUBSTANTIALLY LIMITS A MAJOR LIFE FUNCTION, INCLUDING BUT NOT LIMITED TO MOBILITY, HEARING, AND SIGHT, WHO SEEK, HAVE SOUGHT, OR WILL SEEK ACCESS TO OR USE OF ANY GOOD, SERVICE, PROGRAM, FACILITY, PRIVILEGE, OR ACCOMMODATION OF THE FACILITIES OF HOUSTON NORTHWEST MEDICAL CENTER .

You are covered by and will be bound by the settlement of a class action lawsuit involving physical access barriers at the facilities of Houston Northwest Medical Center. This Notice is to inform you of facts that affect your legal rights.

**SUMMARY OF LAWSUIT**

A class action lawsuit entitled Access Now, Inc. et al. v. AMH CGH, Inc. et al., Case No. 98-3004-CIV-GOLD/SIMONTON, is currently pending in the United States District Court for the Southern District of Florida involving disability access at the facilities of Houston Northwest Medical Center ("the Medical Center"). The complaint alleges on behalf of all disabled individuals that the Medical Center is in violation of the Americans with Disabilities Act because it has failed to provide equal access for persons with disabilities to the Medical Center's facilities. The Medical Center denies these allegations. By entering into a settlement of this action, the Medical Center does not admit that it engaged in any wrongful action or inaction.

This lawsuit has been certified by the Court as a class action. The named plaintiffs serve as class representatives, and their counsel are Miguel M. de la O and David E. Marko of the law firm de la O, Marko, Magolnick & Leyton. Those lawyers serve as counsel for the class. The Medical Center is represented by the law firm Gibson, Dunn & Crutcher LLP.

**DEFINITION OF THE CLASS**

You are a member of the class if you are an individual with any type of disability whatsoever, and seek, have sought, or will seek access to or use of any facilities of the Medical Center.

**SUMMARY OF PROPOSED SETTLEMENT**

The named plaintiffs and the Medical Center have reached a proposed settlement of this class action lawsuit, which provides that the Medical Center will make modifications and alterations to its facilities with the purpose of providing equal access to and usability of the facilities by persons with disabilities. No money damages are to be paid to members of the class.

**PROCEDURES CONCERNING THE SETTLEMENT**

**Court Hearing.** On August 6, 2010, at 11:00 a.m., the court will hold a hearing at the United States District Court, Southern District of Florida, Courtroom 10, located at 301 N. Miami Avenue, Miami, Florida 33128, to

determine whether the proposed settlement agreement is fair and reasonable.

**Objections to the Settlement.** If you believe the Court should not approve the settlement, you may advise the Court of your objections. In order to be considered, your objections must be in writing, signed, and sent via first-class mail to: Clerk of the United States District Court for the Southern District of Florida, Courtroom 10, 300 N.E. 1st Avenue, Miami, Florida, 33132. A copy should also be mailed to counsel for the class at the address set forth below. Objections will not be considered by the Court unless received on or before August 4, 2010.

Your written statement should specify in detail the factual basis and/or legal grounds on which you base your objections.

If you provide written objections, you may appear in person at the hearing before the Court on August 6, 2010, as described above, to express your views concerning the settlement. An attorney may also appear at the hearing on your behalf. If you and/or your attorney intend to appear at the hearing, you should so advise the Court in the written statement of your objections.

Any class member who fails to file a timely written objection may not appear before the Court at the hearing to voice objections relating to the adequacy and/or fairness of the proposed settlement.

**Entry of Judgment.** If the settlement is approved by the Court, the order approving the settlement and a judgment dismissing this action with prejudice as to the Medical Center will be entered. You should not expect to receive any further notices concerning the entry of such order and judgment. All class members will be bound by the judgment, which will bar class members from asserting any claims against the Medical Center concerning physical, communication, structural, and program access barrier. All class members are deemed to have waived the protection provided by any state law with respect to unknown claims at the time of a general release, and the general release forever discharges any claims relating to physical, communication, structural, and program access barriers, if any, at the Medical Center by a class member whether known or unknown to the class member at the time of the settlement agreement.

**FURTHER INFORMATION**

The nature of this lawsuit and the proposed settlement are summarized in this Notice. More detailed information, including a copy of the settlement agreement, may be obtained from class counsel at:

Miguel M. de la O and David E. Marko  
de la O, Marko, Magolnick & Leyton  
3001 SW 3rd Ave.  
Miami, Florida 33129

or by consulting the public file on the case at the Office of the Clerk of the Court, United States District Court, Southern District of Florida, 301 N. Miami Avenue, Miami, Florida.

PLEASE FOLLOW THE PROCEDURES SET OUT  
ABOVE.

**PLEASE DO NOT CONTACT THE  
JUDGE OR THE CLERK OF THE COURT**

WITH ANY QUESTION ABOUT THE  
SETTLEMENT.