

Old Town Trolley Tours of Savannah, Inc. v. Mayor and Alderman of the City of Savannah

**IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

TO: SIGHTSEEING TOUR OPERATORS WHO OPERATED WITHIN THE HISTORIC DISTRICT OF SAVANNAH, GEORGIA AND PAID THE PRESERVATION FEE UNDER REVENUE ORDINANCE ARTICLE T.§3 ANY MONTH FROM AUGUST 28, 2015 THROUGH 2020 AND PARTICIPANTS OF SIGHTSEEING TOURS WITHIN THE HISTORIC DISTRICT OF SAVANNAH, GEORGIA FROM AUGUST 28, 2015 THROUGH 2020 THAT WERE CHARGED FOR THE PRESERVATION FEE UNDER REVENUE ORDINANCE ARTICLE T.§3 BY A TOUR OPERATOR.

PLEASE READ THIS NOTICE CAREFULLY. A COURT AUTHORIZED THIS NOTICE.

A Settlement has been preliminarily approved by the Superior Court of Chatham County, Georgia in the class action lawsuit (the “Lawsuit”) listed above. If the Settlement is approved by the Court at or after the Fairness Hearing described below, the Mayor and Alderman of the City of Savannah (the “City of Savannah”) has agreed to create an Aggregate Refund Fund in the amount of \$2,750,000.00 (the “Aggregate Refund Fund”). Individual Class Member refunds will be calculated pursuant to the terms of the [Proposed] Consent Judgment on Aggregate Refund and Order (the “[Proposed] Consent Judgment”).

You are a member of the Class if you operated sightseeing tours within the Historic District of Savannah, Georgia and paid Preservation Fees in any month from August 28, 2015 through 2020 or if you participated in a sightseeing tour from August 28, 2020 through 2020 and were charged for the Preservation Fee by the Tour Operator.

A Final Approval Hearing will be held on February 23, 2021 at 9:30 a.m. at the Chatham County Courthouse before the Honorable Judge John E. Morse, Jr., Superior Court Judge for Chatham County, Georgia, to determine among other things: (1) whether to finally certify the Settlement Class; (2) whether the proposed Settlement should be granted final approval; (3) whether Class Counsel’s request for an award of attorneys’ fees and expenses should be approved; and (4) whether the Lawsuit and the Class Members’ claims against the City of Savannah should be dismissed and final judgment entered. If no objections are filed, the Court may elect to hold the hearing telephonically or virtually.

If you are a member of the Class as defined above, your rights may be affected by the proposed Settlement as set forth in the [Proposed] Consent Judgment.

You do not have the right to exclude yourself from the Settlement in this Lawsuit, but you do have the right to object in writing. Any objection by a Class Member must postmarked on or before **February 8, 2021** and must comply with the requirements stated in the

[Proposed]Consent Judgment, Section D which can be found at <https://www.savannahga.gov/PreservationFeeSettlement> (the “Settlement Webpage”).

After the Settlement has been approved by the Court, the Administrator will calculate the individual refund amounts. The Administrator will post the list of Tour Operators and the calculated refund amount owed to each (the “Presumption Refund List”) on the Settlement Webpage.

In order to be entitled to a refund, a Tour Participant IS required to submit a Claim Form and a receipt or other documentation reflecting the Tour Operator to whom the Preservation Fee was tendered. The documentation submitted by the Tour Participant must reflect the Preservation Fee was charged to the Tour Participant as a specific charge by the Tour Operator.

Any Tour Operator not listed on the Presumption Refund List shall be entitled to submit a claim.

Claim Forms can be downloaded from the Settlement Webpage. Tour Participants and Tour Operators not on the Presumption Refund List shall have 45 days from publication of the Presumption Refund List on the Settlement Webpage to submit a claim.

If you are a member of the Class and have not yet received the Full Notice of this Settlement, or if you want more information regarding anything in the Publication Notice, you may obtain such information by visiting <https://www.savannahga.gov/PreservationFeeSettlement>, calling Class Counsel at (912) 638-5200 or writing Class Counsel at ROBERTS TATE, LLC, Post Office Box 21828, St. Simons Island, Georgia 31522.

DO NOT CONTACT THE COURT, THE CLERK’S OFFICE OR THE JUDGE REGARDING THIS NOTICE. THEY WILL NOT BE ABLE TO ANSWER YOUR QUESTIONS.