

Louisiana Bar Owners COVID-19 Litigation

City Bar, Inc. v. Edwards, No. C-703353
19th JDC, East Baton Rouge Parish, Louisiana (Div. 22)

NOTICE OF CLASS CERTIFICATION, PROPOSED CLASS ACTION SETTLEMENT, AND COURT APPROVAL HEARING

TO: All persons or juridical entities who owned or held an active class A-General permit issued by the Louisiana Office of Alcohol and Tobacco Control pursuant to La. R.S. 26:71.1(1) between July 13, 2020 (the effective date of Proclamation 89 JBE 2020) and May 26, 2021 (the expiration date of Proclamation 79 JBE 2021) and suffered lost revenue as a result of Executive Orders relating to the sale of alcohol.

A Louisiana District Court authorized this notice. Your legal rights are affected, whether or not you act. You should read this notice carefully. This is NOT a notice of a lawsuit against you or a solicitation from a lawyer.

1. Why is this Notice being made?

This Notice is made to provide information about (1) the **certification of a class action** in a lawsuit instituted in the 19th Judicial District Court brought on behalf of a certain class of bar owners who lost revenue as a result of executive orders issued by former Governor John Bel Edwards during the COVID-19 pandemic (the “COVID Executive Proclamations”), and (2) a **proposed class action settlement** submitted for court approval. The lawsuit is entitled *City Bar, Inc. v. Edwards*, No. 703353, Div. 22 (19th JDC, East Baton Rouge Parish, Louisiana).

2. What is this lawsuit about?

This lawsuit alleges that the COVID Executive Proclamations deprived bar owners of the lawful use of their alcohol permits, in particular, the right to sell alcohol for on-premises consumption. Plaintiffs allege that this deprivation resulted in a regulatory taking via inverse condemnation under the Louisiana Constitution and a statutory taking under the Louisiana Health Emergency Powers Act, requiring just compensation and individual awards for damages.

3. What is a class action?

In a class action, one or more people called Class Representatives sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the common issues for all class members, except for those who exclude themselves from the class.

4. Who is part of the class?

The class includes: All persons or juridical entities who owned or held an active class A-General permit issued by the Louisiana Office of Alcohol and Tobacco Control pursuant to La. R.S. 26:71.1(1) between July 13, 2020 (the effective date of Proclamation 89 JBE 2020) and May 26, 2021 (the expiration date of Proclamation 79 JBE 2021) and suffered lost revenue as a result of Executive Orders relating to the sale of alcohol.

5. I’m still not sure if I am included in the class.

If you are still not sure whether you are included in the class, you can ask for free help. You can contact Plaintiffs’ Class Counsel or go to www.LABarSettlement.com for more information. Or you can fill out and return a Claim Form to the Settlement Administrator to see if you qualify.

6. Excluding yourself from the class.

You may request to be excluded from the class, which is called “opting out.” If you elect to opt out, you will have no rights under any judgment or settlement in this matter and you will not be bound by any settlement or final judgment in this matter, but you may retain your legal rights to sue (or continue to sue) the released parties in the future for the claims asserted in this class action.

To opt out of the class, you must mail signed, written notice of your intention to opt out by first class mail, **post-marked no later than April 10, 2026**, to the following address:

Original to:

Jimmy R. Faircloth, Jr.
Faircloth Melton Bash & Green, LLC
105 Yorktown Drive
Alexandria, LA 71303

To be effective and valid, the opt-out notice must include:

- a) The case name: *City Bar, Inc. v. Edwards*, No. C-703353, Div. 22 (19th JDC, East Baton Rouge Parish, Louisiana);
- b) The name, physical address, and telephone number of your bar;

- c) Your name, address, and telephone number;
- d) Your relationship to the bar—i.e., owner, member, member/manager, partner;
- e) A request to be excluded from the class; and
- f) Your signature on behalf of the bar.

If you do not wish to opt out, you do not have to do anything at this time.

7. If you do not exclude yourself from this class action, your rights will be affected by any judicial determination in this matter.

Any judgment or judicial determination made by the Court in these proceedings—whether favorable or unfavorable—**will include all members who do not opt out**. Unless you exclude yourself, you give up any right to sue the Settling Defendant(s) for the claims that this settlement resolves.

8. If I exclude myself, can I get money from this settlement?

No. If you exclude yourself, you are not eligible to submit a claim form to request money from this settlement. But you may be able to sue, continue to sue, or be part of a different lawsuit against the Defendant. Please be aware, **the Defendant denies the validity of these claims and reserves the right to fully defend any and all claims by class members who opt out.**

9. What does the proposed settlement provide?

The State of Louisiana agrees to pay thirteen million dollars and zero cents (\$13,000,000.00) in full and final settlement of all Released Claims (“Settlement Payment”), subject to approval by the Court.

After attorney’s fees, costs, administrative expenses, and the Class Representative awards are paid, the remaining settlement funds will be distributed to eligible claimants who timely file a proof of claim form according to the Payment Allocation Formula posted to the settlement website. The Payment Allocation Formula is based on monthly revenue data from July 2019 to May 2021. The Payment Allocation Formula will use monthly revenue data reported by the Louisiana Department of Revenue for sales tax purposes. If you believe the monthly sales tax revenue data reported by the Louisiana Department of Revenue may be incorrect or fails to capture all sources of revenue for your bar, you may submit additional documentation along with your claim reflecting your monthly revenues from July 2019 to May 2021. If no additional documentation is submitted with your claim form, your allocation of the settlement will be based exclusively on the monthly sales tax revenue data reported by the Louisiana Department of Revenue.

The State’s funding of this Settlement is contingent on an appropriation of funds from the Louisiana Legislature, including compliance with R.S. 24:653(H), the timing and outcome of which are indeterminable.

10. How can I get a payment?

To qualify for payment, you must submit a valid and timely Claim Form. You may complete the Claim Form included in your notice package or download a copy from the settlement website at www.LABarSettlement.com and mail it to the following address **postmarked no later than May 4, 2026**.

LA Bar Owners COVID-19 Litigation Claims
P.O. Box 1669
Baton Rouge, LA 70821

Completed Claim Forms can also be emailed to info@LABarSettlement.com.

11. What if I own multiple bars?

Each individual legal entity holding a class A-General permit between July 13, 2020 and May 26, 2021 that suffered lost revenue as a result of the Executive Orders are considered class members. As such, if you owned/operated multiple legal entities meeting this definition, each entity participates in the settlement. You must submit individual claim forms for each legal entity.

12. When would I get my payment?

The Court will hold a hearing on May 12, 2026 at 9:00am to decide whether to approve the proposed settlement. If the judge approves the proposed settlement, after that, there may be appeals. It's always uncertain when these appeals can be resolved, and resolving them can take time, perhaps more than a year. Everyone who sends in a Claim Form will be informed of the progress of the settlement via updates posted to the settlement website. Please be patient.

13. Who is the lawyer representing you?

The Court has appointed the following law firm as Class Counsel to represent you and all other members of the class:

Jimmy R. Faircloth, Jr.
Faircloth Melton Bash & Green, LLC
105 Yorktown Drive, Alexandria, LA 71303
Telephone number: (318) 619-7755

If you have any questions about this lawsuit or would like more information, you can talk to Class Counsel, or you can retain your own lawyer at your own expense.

Questions? Visit www.LABarSettlement.com

14. How will the Class Counsel lawyer be paid?

Class Counsel will ask the Court to approve payment of 30.00% of the amount of the proposed Settlement Payment and for reimbursement of reasonable litigation costs and expenses. This payment will compensate Class Counsel not only for work in prosecuting the lawsuit and obtaining the settlement, but for seeking funding of the settlement by the Louisiana legislature.

15. Can my personal lawyer represent me in these proceedings?

Any member of the class, who has not timely excluded itself, may enter an appearance in these proceedings through its own personal attorney. If any member so elects, such member shall do so at its own expense and shall be solely responsible for all attorney fees and court costs relating to such an appearance.

16. How do I tell the Court that I don't like the proposed settlement?

If you're a Class Member, you can object to the proposed settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

To object, you must mail signed, written notice of your objection by first-class mail, **post-marked no later than April 24, 2026**, to the following address:

Original to:
LA Bar Owners COVID-19 Litigation
Settlement Administrator
P.O. Box 1669
Baton Rouge, LA 70821

To be effective and valid, the objection notice must include:

- (a) The objector's full name, business name, current address, and current telephone number;
- (b) The case name and case number of the Lawsuit: *City Bar, Inc. v. Edwards*, No. C-703353, Div. 22 (19th JDC, East Baton Rouge Parish, Louisiana);
- (c) Documentation sufficient to establish the objector's membership in the Class, such as a copy of the Notice Package received by the objector;
- (d) A statement of the objection(s) the objector wishes to make, including the factual and legal grounds for the objection(s);
- (e) Copies of any documents that the objector wishes to submit in support of the objection(s);

- (f) A statement whether the objecting Class Member intends to appear at the Final Approval Hearing; and
- (g) The name, address, and telephone number of any attorney representing the objecting Class Member.

If you do not wish to object, you do not have to do anything at this time.

17. What is the difference between objecting and excluding (opting-out)?

Objecting is simply telling the Court that you don't like something about the proposed 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 and you will not receive any payment from the proposed settlement.

18. When and where will the Court decide whether to approve the proposed settlement?

The Court will hold a Fairness Hearing beginning at 9:00am on May 12, 2026, at the 19th Judicial District Courthouse, 300 North Blvd, Baton Rouge, LA 70801, Division 22, in Courtroom 10D. At this hearing the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The judge will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay to Class Counsel. After the hearing, the Court will decide whether to approve the proposed settlement. We do not know how long these decisions will take.

19. Do I have to come to the hearing?

No. Class Counsel will answer questions the judge may have about the fairness of the proposed settlement and the case. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

20. May I speak at the hearing?

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." Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked no later than April 24, 2026 and sent to Class Counsel at the address provided in question 13. You cannot speak at the hearing if you excluded yourself.

21. What happens if I do nothing at all?

If you do nothing, you'll get no money from this settlement. But unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Settling Defendant(s) about the claims covered in the settlement, ever again.

22. Are there more details about the proposed settlement?

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.LABarSettlement.com or calling 1-844-959-4674 and asking that a copy be provided to you.

23. How do I get more information?

You can call 1-844-959-4674; write to Class Counsel, c/o Jimmy R. Faircloth, Jr., 105 Yorktown Drive, Alexandria, LA 71303; or visit the settlement website at www.LABarSettlement.com where you will find the Settlement Agreement, answers to common questions about the proposed settlement, a claim form, plus other information to help you determine whether you are a Class Member and whether you are eligible for a payment.

DO NOT CONTACT THE JUDGE'S CHAMBERS REGARDING THIS NOTICE. However, you may review the record of these proceedings on file at the office of the Clerk of Court for East Baton Rouge Parish, at the East Baton Rouge Parish Courthouse in Baton Rouge, Louisiana during regular business hours. The suit is entitled *City Bar, Inc. v. Edwards*, No. 703,353, Div. 22 (19th JDC, East Baton Rouge Parish, Louisiana).