

PROGRESS REPORT EFFECTIVE 2/11/2002

1. Status of Claims

- 1809 total claims
- 82 claimants still have outstanding affidavits that have not been returned
- 1724 claims have been settled
- 1692 claims are on judgments
- 32 are settled and waiting to be put on judgments
- 1625 claims have been paid

2. Court Issues Order With Cutoff Date For Completing Claim Affidavits

All affidavits for this case must be completed by plaintiffs by the end of April.

There are approximately 35 plaintiffs who have indicated they intend to complete affidavits in this case, but to date have yet to do so. Pursuant to an order entered by Judge Lipscomb, all affidavits have to be signed and finalized by the end of April or a plaintiff will recover nothing in this case, absent extraordinary circumstances. If you intend to submit an affidavit in this case, contact our office now to ensure that it occurs in a timely fashion.

3. Court Rules District Attorneys May Not Recover Anything in This Case. Appeal Will Be Undertaken

Initially, the State agreed that District Attorneys were properly included as plaintiffs in this case. However, after the Court of Appeals ruled that no elected official should be a plaintiff in this case, the State turned around and petitioned the Court to dismiss the District Attorney claims, even though the State had already accepted the amounts claimed by the District Attorneys.

Judge Lipscomb entered an order dismissing the claims based on the Court of Appeals decision. However, an appeal will be filed on the grounds that the State waived its right to have District Attorneys excluded from the case.

4. Other Appeals

Oral argument is scheduled for March 15th.