

CLASS ACTION SETTLEMENT NOTICE

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Martin Lynch et al. v. Clackamas County et al.,
District of Oregon,
Case No 3:23-cv-01502

If you held or are the heir or successor to a person or entity who held an ownership interest in, or a valid lien on real property that was foreclosed on and sold or retained by Clackamas County for the non-payment of real property taxes and the redemption period for that property lapsed between October 12, 2017 and January 12, 2024, you may be entitled to a payment from a class action settlement.

A federal court authorized this Notice.

- A settlement (the “Settlement”) has been proposed in the class action lawsuit referenced above pending in the United States District Court for the District of Oregon captioned *Martin Lynch et al. v. Clackamas County et al.*, Case No. 3:23-cv-01502.
- This class action alleges that Oregon Counties, including Clackamas County, violated Plaintiffs’ rights by failing to give Plaintiffs the proceeds from the sale of the tax-foreclosed properties formerly owned by Plaintiffs that exceeded the unpaid taxes, fees, and other costs associated with those properties; or by retaining foreclosed properties worth more than the tax debt for which they were foreclosed, without payment of compensation. These claims have become known as “surplus-proceeds claims.” Clackamas County has decided to settle the claims asserted against it by entering into this Settlement.
- The United States District Court for the District of Oregon ordered the issuance of this Notice. Clackamas County denies that it has done anything wrong and has defended itself. The Court has not decided who is right. Both sides have agreed to settle the dispute to avoid burdensome and costly litigation. The Settlement offers Settlement Payments of “surplus proceeds”, and other benefits, to members of the Settlement Class who file Eligible Claims.
- The Parties were able to reach this Settlement which considers the various risks identified above and seeks to end for the County participating in the Settlement liability arising from the United States Supreme Court’s decision in *Tyler v. Hennepin County, Minn.* 598 U.S. 631 (2023).
- **You are being sent this Notice as a potential Class Member or heir of a Class Member and may be entitled to participate in the proposed Settlement. Your rights and options are detailed in this Notice, along with deadlines to act.**
- **Your legal rights are affected whether you act or not. Read this Notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM FORM BY May 25, 2026	If you are a member of the Settlement Class or an heir to a Class Member, you must submit a completed Claim to be eligible to receive a Settlement Payment. You may do so online at www.ClackamasTaxForeclosureSettlement.com or by mail.
EXCLUDE YOURSELF BY March 13, 2026	You may request to be excluded from the Settlement, and if you do, you will not receive a Settlement Payment. The deadline to exclude yourself from the Settlement is March 13, 2026 . Excluding yourself from the Settlement is the only way to retain your right to sue Defendant Clackamas County on your own over the claims alleged in the lawsuit.
OBJECT BY March 13, 2026	Write to the Court and object to any terms of the Settlement. You are still eligible to file a Claim and still remain in the Class if you make an objection.
GO TO THE FAIRNESS HEARING	The Court has scheduled a hearing to evaluate the fairness of the Settlement and Lead Counsel’s request for attorneys’ fees and reimbursement of costs to take place on March 18, 2026, at 9:00 am. (the “Fairness Hearing”). You may attend the hearing at your own expense, but it is not necessary. You may ask to speak in court about the fairness of the Settlement if you did not exclude yourself, but you must first notify counsel.
DO NOTHING	You will not receive a Settlement Payment if you fail to timely submit an Eligible Claim and you will give up your right to bring your own lawsuit about the claims in this case, but you will still be bound by all decisions the Court makes in this matter addressing these claims.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still must decide whether to approve the Settlement. If it does, and after any appeals are resolved, Settlement Payments will be distributed to those who submit Eligible Claims. Please be patient.

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BASIC INFORMATION

1. Why was this Notice issued?

The Court authorized this Notice because you have a right to know about a proposed Settlement of a class action lawsuit. If you are a member of the Settlement Class, you have legal rights and options that you may exercise before the Court decides whether to give final approval to the Settlement, as described below.

2. What is the lawsuit about?

Three individuals who owned real property in Clackamas County (the “Plaintiffs”) allege that Clackamas County (and other Oregon counties not participating in this Settlement) violated their rights by failing to give Plaintiffs the proceeds from the sale of the tax-foreclosed properties formerly owned by Plaintiffs that exceeded the unpaid taxes, fees, and other costs associated with those properties; or by retaining foreclosed properties worth more than the tax debt for which they were foreclosed, without payment of compensation. These claims have become known as “surplus-proceeds claims.” Plaintiffs here were among the first to assert a putative class action for surplus proceeds in Oregon. Clackamas County denies Plaintiffs’ allegations.

For additional information about the claims, arguments, and history of the case, you may view the pleadings and other important documents filed in the case at **www.ClackamasTaxForeclosureSettlement.com**. The complete docket or court file can be reviewed via the Court’s electronic docket known as PACER at ecf.ord.uscourts.gov, but you must register for an account and pay fees to review filings. You may also review the docket online for free by visiting any of the court’s locations. The addresses and rules governing courthouse entry are also available at ord.uscourts.gov.

3. What is a class action and who is involved?

In a class action, one or more people called “class representatives” sue on behalf of a group of people who may have similar claims. The people together are a “class” or “class members.” The individuals who sue—and all the class members like them—are called the plaintiffs. The entities that they sue are called the “Defendants”. In a class action, the Court resolves the issues for all class members, except for those who exclude themselves from the class. The Court has decided that the claims against Clackamas County may be settled as a class action if they meet the procedural requirements which govern class actions.

While Plaintiffs sued a number of Oregon Counties, only Clackamas County is participating in this Settlement. Accordingly, “Defendant” as used in this Notice refers to Clackamas County only. The lawsuits are continuing against the other defendant counties, other than Multnomah County, which also entered into a separate settlement agreement with the Plaintiffs in June, 2025.

4. Why is there a settlement?

The Court has not found in favor of Plaintiffs or Defendant. Instead, the Plaintiffs and Clackamas County have agreed to a Settlement. By agreeing to the Settlement, the Parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, the Settlement Class will receive the benefits described in this Notice. Clackamas County denies all legal claims in this case but is settling to avoid the uncertainties and costs attendant with litigation. Plaintiffs and their lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT?

5. Am I part of the Class and included in the Settlement?

The Class includes the following individuals: “All Persons and entities, and their heirs, successors and assignees, who owned, or had an ownership interest in, or a valid lien on real property that Defendant Clackamas County obtained through a foreclosure action to satisfy unpaid real estate taxes or other County or local government taxes and fees and associated fees and penalties, as set forth in the schedule attached hereto as Exhibit A, which the County (1) sold for an amount in excess of the unpaid taxes, fees and other costs associated with that property, and for which the statutory redemption period expired during the Class Period, or (2) which the County still owns as of the execution date of this Settlement Agreement and may sell for an amount in excess of the unpaid taxes, fees and other costs associated with that property, and for which the statutory redemption period expired during the Class Period.”

A list of the properties that fall, or may fall, within the Class definition is available on the Claims’ Administrator’s website **www.ClackamasTaxForeclosureSettlement.com**. If you had an ownership interest in one of these properties (including a valid lien interest) at the time of a tax foreclosure which resulted in surplus proceeds, you are a member of the Settlement Class.

6. What if I’m still not sure I am a Class Member?

If you are still not sure whether you are included or you have additional questions, you can review the FAQs on the Settlement website, **www.ClackamasTaxForeclosureSettlement.com** or call the Claims Administrator toll-free at **(833) 754-9045**.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

In consideration for the Settlement and the release and bar order contained in Section I of the Settlement Agreement, Defendant has agreed to pay the amount of \$2,466,403.68, which includes amounts for 100% of the “surplus proceeds” obtained on the eligible properties in the amount of \$1,817,303.46, plus interest. Clackamas has also agreed to pay into the settlement fund all additional “surplus proceeds” that may be generated in future sales of foreclosed properties prior to the end of the settlement claims period and, for any surplus proceeds received after the end of the claims period, to pay the surplus directly to the former owner. Class members who owned properties that are currently owned by Clackamas County may redeem the property by paying the amount of taxes, costs and interest owed on the property. Each Class Member who submits a valid claim will receive a Settlement Payment from the Settlement Fund based on the Class Member’s pro rata share of the Settlement Fund, after deducting attorneys’ fees, expenses and service awards to class representatives. If more than one valid claim is made for surplus proceeds from a property, the total amount available to pay claims connected with that property will be the share of the proceeds associated with that property. The total amount of the Settlement Payment to be paid to each claimant cannot be calculated until all claims have been submitted and validated. The Settlement Fund will also be used to pay for administration of the Settlement, including notice and claims administration costs. Class Counsel intends to ask that the Court award them attorney fees in an amount that will not exceed 30% of the Settlement Fund. Any funds remaining after the payment of Settlement administration costs, payment of valid Class Member claims and payment of attorney fees will be paid to reimburse Clackamas County for any surplus proceeds payments it makes to Potential Claimants who submit a valid request for exclusion from the Class and are paid on or before the end of the claims period. Any funds remaining after that will be allocated to fund housing placement and support services, rental assistance and/or development a new affordable housing for youth and families with children pursuant to ORS 275.275 and ORS 275.090, or other programs in Clackamas County agreed to by the parties and approved by the Court in accordance with Oregon law.

8. How do I file a claim?

To qualify for a Settlement Payment, you must complete and submit a Claim. You can file your Claim online at **www.ClackamasTaxForeclosureSettlement.com** or send it by U.S. Mail to:

Lynch v Multnomah County (Clackamas County)
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

The deadline to submit a Claim Form is **11:59 p.m. PT on Monday, May 25, 2026.**

No matter which method you choose to file your Claim, please read the claim form carefully and provide all the information required.

You may file the claim form on your own. If you have any questions or need assistance filing your claim form, you should contact the Claims Administrator and/or the Class Counsel listed in Section 14 below who will help you for no additional fee. You may be solicited by companies or services that offer to prepare claims for you and charge an additional fee to you for this service. You are not required to use any such services. Any assistance you require is available through the Court appointed Claims Administrator and Class Counsel at no additional charge to you.

9. When will I receive my Settlement Payment?

Settlement Payments to Class Members will be made only after the Court grants final approval to the Settlement and after any appeals are resolved (*see* “Fairness Hearing” below). If there are appeals, resolving them can take time. Please be patient.

EXCLUDING YOURSELF FROM THE SETTLEMENT

10. How do I get out of the Settlement?

If you do not wish to be eligible for a Settlement Payment, and you want to keep the right to sue Defendant on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself – or it is sometimes referred to as “opting-out” of the Class.

To exclude yourself individually from the Settlement, you must send a timely letter by mail to:

Lynch v Multnomah County (Clackamas County)
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

Your request to be excluded from the Settlement must include the following: (i) name; (ii) current mailing address; (iii) telephone number; (iv) address, parcel number, and/or legal description of the Eligible Property or Potential Eligible Property; (v) County in which the Eligible Property or Potential Eligible Property is located; (vi) year of post-foreclosure sale of Eligible Property, if applicable; and (vii) a statement that the Settlement Class Member wishes to be excluded from the Settlement Class. Any request for exclusion must be signed by the person or entity requesting exclusion (not by an attorney). Absent excluding yourself or “opting-out” you are otherwise a member of the Settlement Class.

Your exclusion request must be postmarked by March 13, 2026.

You cannot ask to be excluded on the phone, by email, or at the website. Opt-outs must be made individually and cannot be made on behalf of other members of the Settlement Class.

11. If I do not exclude myself, can I sue the Defendant for the same thing?

No. Unless you exclude yourself, you give up the right to sue Defendant for the claims that the Settlement resolves. You must exclude yourself from this Settlement to pursue your own lawsuit.

12. What am I giving up by staying in the Settlement Class?

Unless you opt-out of the Settlement, you cannot sue or be part of any other lawsuit against Defendant about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

The Settlement Agreement is available at **www.ClackamasTaxForeclosureSettlement.com**. The Settlement Agreement provides more detail regarding the Release and describes the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully.

13. If I exclude myself, can I still get a Settlement Payment?

No. You will not get a Settlement Payment from the Settlement Fund if you exclude yourself from the Settlement.

In order to receive a Settlement Payment, you must remain in the Settlement Class and return your completed claim form.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

The Court has appointed the law firms of Fink Bressack, Kohn Swift & Graf, and Preti Flaherty Beliveau & Pachios to represent the Class. They are called “Lead Counsel.” They are experienced in handling similar class action cases. You may contact Lead Counsel using the information below:

Nathan J. Fink Fink Bressack 38500 Woodward Ave. Suite 350 Bloomfield Hills, MI 48304 (248) 971-2500 www.finkbressack.com	Joseph C. Kohn Kohn Swift & Graf, P.C. 1600 Market Street, Suite 2500 Philadelphia, PA 19103 (215) 238-1700 www.kohnswift.com	Gregory P. Hansel Preti Flaherty Beliveau & Pachios, Chartered, LLP One City Center P.O. Box 9546 Portland, ME 04112 (207) 791-3000 www.preti.com
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The Court has also appointed Sugarman Dahab as “Liaison Counsel” to represent the Class. They are also experienced in handling class action cases. You may contact Liaison Counsel using the information below:

David Sugarman
Sugarman Dahab
One Main Place
101 SW Main St., Suite 910
Portland, OR 97204
(503) 228-6474
www.sugarmandahab.com

15. Should I get my own lawyer?

You are not required to hire your own lawyer because Lead Counsel is working on your behalf. If you want to hire your own lawyer, you certainly can, but you will have to pay that lawyer yourself. If you do hire your own lawyer, they may enter an appearance for you and represent you individually in this case.

16. How will the lawyers be paid?

You do not have to pay Class Counsel, or anyone else, to participate. Instead, Class Counsel intend to apply for a fee award in an amount that will not exceed 30% of the amount paid into the Settlement Fund.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you are a member of the Settlement Class (and do not exclude yourself from the Class), you can object to any part of the Settlement and/or to the request of Class Counsel for an award of attorney's fees by sending a timely letter by mail to:

Lynch v Multnomah County (Clackamas County)
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

Your letter must include the following:

- 1) A caption or title that identifies it as "Objection to Class Settlement in *Martin Lynch et al. v. Clackamas County et al.*, Case No. 3:23-cv-01502";
- 2) Your name, current address, and telephone number;
- 3) The name, address, and telephone number of any attorney for you with respect to the objection;
- 4) The factual basis and legal grounds for the objection, including any documents sufficient to establish the basis for your standing as a Class Member; and
- 5) Identification of the case name, case number, and court for any prior class action lawsuit in which you and/or your attorney (if applicable) has objected to a proposed class action settlement.

Your objection must be postmarked by March 13, 2026.

18. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you, and you will not be allowed to file a claim to receive a payment from the settlement.

THE FAIRNESS HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Fairness Hearing at **9:00 am on March 18, 2026**, at **United States District Court for the District of Oregon, 1000 SW 3rd Ave, Portland Oregon**.

The hearing may be moved to a different date or time without additional mailed notice, so it is a good idea to check **www.ClackamasTaxForeclosureSettlement.com** for updates periodically. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys' fees and expenses. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

20. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to attend the hearing at your own expense.

21. May I speak at the hearing?

If you attend the Fairness Hearing, you may ask the Court for permission to speak if you have timely objected and you so choose. However, you cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you are a member of the Settlement Class and do nothing, meaning you do not file a timely Claim, you will **not** get a Settlement Payment. Further, unless you exclude yourself, you will be bound by the judgment entered by the Court.

GETTING MORE INFORMATION

23. Where do I get more information?

For more information, you may contact the Claims Administrator toll-free at **(833) 754-9045** or write to the Claims Administrator at *Lynch v. Multnomah County (Clackamas County)*, c/o Kroll Settlement Administration, PO Box 225391, New York, NY 10150-5391. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at www.ClackamasTaxForeclosureSettlement.com.

24. Where can I update my contact information if it changes?

To update your contact information, visit the Contact section of the settlement website or write to the Claims Administrator at *Lynch v. Multnomah County (Clackamas County)*, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY, 10150-5391. You may also contact the Claims Administrator toll-free at **(833) 754-9045**.

**- PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS -**