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October 19, 2015

Arthur S. Hardy
Attorney for the
Sarasota County School Board
1626 Ringling Blvd Ste300
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**Re: Notice of Settlement of United States ex rel. Fulk v. United Parcel Service, Inc.,
United States District Court for the Eastern District of Virginia (No. 1:11-cv-890)**

Dear Sir / Madam:

I write to inform you of an October 6, 2015, multistate settlement of the above-captioned litigation. You are receiving this notice because your organization has been identified as a local governmental entity that is entitled to participate in the settlement proceeds. Accordingly, enclosed is a check for \$46.22 for your consideration.

This check constitutes your entity's pro rata share of the proceeds under a settlement agreement entered into by this office. Enclosed for your information is the complaint in the lawsuit and the settlement agreement.

This settlement is the result of a *qui tam* or False Claims Act lawsuit which alleged that United Parcel Service, Inc. ("UPS") may have overcharged many governmental customers. Certain UPS employees allegedly recorded inaccurate delivery times on packages sent by governmental customers through next-day delivery services, resulting in premium-priced packages that appeared to have been delivered by their guaranteed commitment times when they had not been timely delivered. The civil lawsuit also alleged that certain UPS employees applied inapplicable or inappropriate exception codes to excuse late next-day packages, including claims of weather emergencies despite sunny conditions, resulting in governmental customers being unable to claim or receive refunds for the late deliveries under the terms of their contracts.

While the lawsuit did not include local government purchases in Florida, this office asked that the settlement be expanded to provide relief to local governmental entities and UPS agreed to the request. In connection with the settlement discussions, UPS provided purchase data for Florida local governmental entities. This office then used the purchase information and a common damage formula to determine the amount that each governmental entity would receive.

By accepting and depositing the enclosed check by November 13, 2015, you are consenting to and agreeing to be bound by the provisions of the enclosed Settlement Agreement, including the release and excluded claim provisions in Paragraphs 8 and 9 of the Settlement Agreement. If you do not deposit the enclosed check by November 13, 2015, you will forfeit your pro rata share of the settlement proceeds

While the ultimate decision must be made by your entity, this office believes that the settlement represents a favorable outcome. If you have any questions about this notice or the settlement terms, please feel free to contact me at your earliest convenience.

Thank you for allowing this office the opportunity to serve you.

Sincerely,

A handwritten signature in black ink that reads "Russell S. Kent". The signature is written in a cursive style with a large, stylized "K" at the end.

Russell S. Kent
Special Counsel for Litigation

Enclosures