

## CLASS COUNSEL'S DESCRIPTION OF THE CASE

If your TLC license was suspended sometime between 2003 and 2020 based upon a criminal arrest, then you are a member of the plaintiff class in a lawsuit called *Nnebe v. Daus*. The lawsuit concerns a practice of the NYC Taxi and Limousine Commission, which, for many years has suspended without any hearing the licenses of taxi or for-hire vehicle drivers who were arrested. In theory, you and other suspended drivers could have a hearing after which a judge and the TLC chairperson would determine whether the suspension would be lifted or extended.

In reality, the suspensions were always extended. No driver was reinstated. The process was a sham. No driver received a fair hearing. Essentially for that reason, in 2019, **the United States Court of Appeals for the Second Circuit, the second highest court in the United States, ruled that the TLC's practice was unconstitutional and illegal and denied drivers Due Process of Law. Since you were denied your right, you may be entitled to money damages to compensate you for your loss.**

Following the Court of Appeals' ruling, the federal district court certified the case as a class action. This certification means that **any driver who was suspended based on arrest would benefit from the Court of Appeals ruling** (and would not be required to file his own lawsuit). All class members will be entitled to nominal damages (\$1). However, the district court also ruled that each driver could be eligible for actual money damages (lost earnings and possibly other related damages) by proving at an individual hearing that – had there been a fair process in place at the time of your arrest – your suspension would have been lifted. **These hearings will begin in the near future.**

**If you received the class notice, you should contact Class Counsel, the lawyers who represent the class and the class members,** to request a hearing to obtain damages. You can contact Class Counsel by phone at [\(929\) 477-9200](tel:9294779200) or by email at [tlcsuspensioncase@llrlaw.com](mailto:tlcsuspensioncase@llrlaw.com).

If you request a hearing, a judge or special master will determine whether— if you had been allowed a fair hearing to determine whether or not you were an actual risk to the public — your license would have been suspended.

The judge or special master may consider the seriousness of the arrest charge, your record at the time of your arrest, the circumstances of your alleged crime and other factors. For example, If your alleged crime was a misdemeanor, if it occurred off duty and if you had no previous convictions, you may have a good argument that, with a fair hearing, you would have shown that you were not a risk to the public and your suspension should have been lifted. **If that's the case, you will be entitled to money damages.** The amount of damages you may be able to recover will depend on how much income you lost during your suspension and perhaps other harm that flowed from the suspension.

**While every case is different, Class Counsel are prepared to argue for every driver and to seek damages. But to obtain money damages, you need to contact Class Counsel and request to be put on a list of drivers seeking a hearing.**

**Depending on how many drivers request a hearing, it is possible that not all drivers will actually need to go through a hearing in order to recover damages.**