

SECOND NOTICE OF CLASS ACTION SETTLEMENT

Note: Change in Location

TO: ALL PEOPLE IN THE UNITED STATES WITH DISABILITIES AS THAT TERM HAS BEEN DEFINED BY 42 U.S.C. 12102(2), INCLUDING THOSE PERSONS WHO HAVE AN IMPAIRMENT THAT SUBSTANTIALLY LIMITS A MAJOR LIFE FUNCTION, INCLUDING BUT NOT LIMITED TO MOBILITY, HEARING, AND SIGHT, WHO SEEK, HAVE SOUGHT, OR WILL SEEK ACCESS TO OR USE OF ANY GOOD, SERVICE, PROGRAM, FACILITY, PRIVILEGE, OR ACCOMMODATION OF THE FACILITIES OF CROCKETT HOSPITAL, LLC. You are covered by and will be bound by the settlement of a class action lawsuit involving physical access barriers at the Facilities of Crockett Hospital, LLC. This Notice is to inform you of facts which affect your legal rights.

SUMMARY OF THE LAWSUIT

A class action lawsuit entitled Access Now, Inc. et al. v. Community Hospital of Andalusia, et al., Case No. 4:01-CV-02, is currently pending in the United States District Court for the Eastern District of Tennessee involving disability access at the facilities of Crockett Hospital, LLC. (the Medical Center). The complaint alleges on behalf of all disabled individuals, including individuals with mobility, visual, or hearing impairments, that the Medical Center is in violation of the Americans with Disabilities Act and other state anti-discrimination laws affecting persons with such disabilities. The complaint alleges that the Medical Center has failed to provide equal access for persons with disabilities to the Medical Center's facilities, because numerous physical, communication, structural, and program barriers exist at the Medical Center. The Medical Center has denied these allegations. By entering into a settlement of this action, the Medical Center does not admit or imply that it engaged in any wrongful action or inaction, or damages or injured anyone in any fashion.

The lawsuit has been certified by the Court as a class action. The Plaintiffs serve as class representatives, and their counsel are Miguel M. de la O and Dave E. Marko of the law firm de la O & Marko, P.A. Those lawyers serve as counsel for the class. The Medical Center is represented by Andrew S. Naylor and Paula D. Walker of the law firm Waller Lansden Dortch & Davis.

DEFINITION OF THE CLASS

You are a member of the class if you are an individual with any type of disability whatsoever, and seek, have sought, or will seek access to or use any facility of Crockett Hospital

SUMMARY OF PROPOSED SETTLEMENT

The plaintiffs and the Medical Center have reached a proposed settlement of this class action lawsuit as to the Medical Center. The United States District Court has preliminarily approved that settlement, although the Court has made no findings and offers no opinion with respect to the merits of the settlement. The proposed settlement provides in substance that the Medical Center will make modifications and alternations to its Facilities, including public restrooms, paths of travel, parking, and other public areas within the facilities, with the express purpose of improving and/or providing equal access to and usability of the Facilities by persons with disabilities. No money damages are to be paid to members of the class.

PROCEDURES CONCERNING THE SETTLEMENT

Court Hearing. On July 19, 2004, at 1:00 p.m., eastern time, the court will hold a hearing at the United States District Court, Eastern District of Tennessee, Howard H. Baker, Jr. Courthouse in the 4th floor courtroom at 800 Market Street, Knoxville, Tennessee 37902, to determine whether the proposed settlement agreement is fair and reasonable and should be given Final Approval, and to consider the application of Named Plaintiffs' counsel for attorney's fees and costs.

Objections to the Settlement. If you believe the Court should not approve the settlement, you should advise the Court of your objections. In order to be considered by the

Court, your objections must be in writing, signed and sent via first-class mail to: Clerk of the United States District Court for the Eastern District of Tennessee, 200 South Jefferson Street, Winchester, Tennessee, 37398 and served upon Class Counsel and counsel for Defendant on or before July 1, 2004 ("Cutoff Date"). All objections must include at the top of the document the case name the case number, and the name of the Defendant to whom the objections relate. If any attorney will be representing an individual objecting to the settlement, the attorney shall file a notice of appearance with the Court and serve counsel for all parties on or before the Cutoff Date.

Any member of the class who does not timely file and serve a written objection in the manner prescribed herein (1) shall not be permitted to raise such objection, except for good cause shown, and (2) shall be deemed to have waived, and shall be foreclosed from raising, any such objection.

Entry of Judgment. If the settlement is approved by the Court, the order approving the proposed settlement and a judgment dismissing this action with prejudice as to Crockett Hospital, will be entered on or after July 19, 2004. You should not expect to receive any further notices concerning the entry of such order and judgment, or of the proceedings which occur before such entry. All class members will be bound by the judgment. **The judgment will bar all class members from asserting any claims under or relates to Title III of the ADA and its implementing regulations against the Medical Center concerning physical, communication, structural and program access barriers in accordance with the terms of the Agreement.** Also, pursuant to the terms of the settlement agreement in this matter, all class members are deemed to have waived the protection provided by any state statutes or codes with respect to unknown claims the time of a general release, and the general release in this action will be effective to **forever discharge any claims relating to physical, communication, structural and program access barriers under or related to Title III of the ADA and its implementing regulations**, if any, at the Medical Center by a class member whether known or unknown to the class member.

FURTHER INFORMATION

The nature of this lawsuit and the proposed settlement are summarized in this Notice. More detailed information about the settlement of the Action, including a complete copy of the settlement agreement, may be obtained from class counsel at:

Miguel M. de la O and David E. Marko
de la O & Marko
3001 S.W. 3rd Avenue
Miami, Florida 33129

Or by consulting the public file on the case at the Office of the Clerk of the Court, United States District Court, Eastern District of Tennessee, 200 South Jefferson Street, Winchester, Tennessee.

PLEASE FOLLOW THE PROCEDURES SET OUT ABOVE.
PLEASE DO NOT CONTACT THE JUDGE OR THE CLERK OF THE
COURT WITH ANY QUESTION ABOUT THE SETTLEMENT