

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KEITH FANGMAN, et al,	::	Case No. 1:08-CV-702
	:	
Plaintiffs,	:	Judge Michael R. Barrett
	:	
vs.	:	
	:	NOTICE OF SETTLEMENT
CITY OF CINCINNATI,	:	AGREEMENT
	:	
Defendant	:	

NOTICE OF SETTLEMENT AGREEMENT

This lawsuit was filed by City employees challenging restrictions by the City on political contributions and political activity. Plaintiffs are City employees Keith Fangman, Paul Graves and David Feiman. The plaintiffs filed the lawsuit as a class action. A Motion to Certify the Class was filed but the case was settled without a class being certified. This means that the settlement in this case does not formally apply to other City workers. The settlement, however, includes new rules on donations and political activity that the City will include in a new policy so as a practical matter other workers are impacted by this agreement since they will be covered by the rule. This Notice is required by the Court.

The parties have reached a settlement that the Court has approved. The date of the settlement agreement is December 21, 2009. The City has adopted a revision of its Rule 2.2, which governs participation of city employees in political activity. The rule applies to classified and unclassified employees. The revised rule is posted on the City website. In summary, the revised rule provides as follows:

Contributions. City employees are permitted to give money to candidates for all federal offices and all offices out of the state of Ohio. Employees are not permitted to donate money to Ohio State, County, or local candidates for partisan office.

Political Activity. Employees are permitted to participate in political activity on behalf of any issue or federal candidate as long as the activity occurs while the employee is not on duty, not on city property, and not in uniform or otherwise using city resources or official title. Participation in elections for Ohio state and local offices remains more restricted. The revised rule allows employees to distribute campaign literature in federal elections and in other specific private political activity. The permitted activities are set forth in detail in the revised rule. Employees are not permitted to participate in political activity on behalf of any City candidate.

Opinions. If classified employees are denied permission to participate in political activities or need guidance on whether a proposed activity is permitted, the employees may submit a description of contemplated activity to the Civil Service Commission (CSC). The CSC will advise the employee whether or not the activity is permitted. The CSC will keep records of its opinions and post them to the city website for the guidance of all employees. Unclassified employees may submit a description of contemplated activity to the City Solicitor's Office, which will advise unclassified employees and keep records of its opinions and post those to the city website.

The lawsuit will be dismissed after the City adopts the revised rule. City employees with questions about the settlement agreement and lawsuit may contact:

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