

Kandel et al. v. United States Class Administrator
P.O. Box 3560
Portland, OR 97208-3560

Final Fairness Hearing Date: May 25, 2021

Kandel et al. v. United States, United States Court of Federal Claims, Case No. 06-872C

A PARTIAL SETTLEMENT HAS BEEN AGREED TO IN THE CASE OF *KANDEL ET AL. V. UNITED STATES* INVOLVING LUMP-SUM PAY FOR UNUSED ANNUAL LEAVE TO 492 CLAIMANTS WHO FILED A TIMELY CLAIM WITH THE CLASS ADMINISTRATOR AND DID NOT PROVIDE EITHER A PCC FORM 2764 OR A SOCIAL SECURITY NUMBER.

A **SETTLEMENT AGREEMENT** has been agreed to in this case under which the United States will pay a lump sum to a Settlement Fund to settle class action claims for lump-sum payment for unused annual leave by 492 former employees of the PCC who filed valid, timely claims for back pay and had separated at different times on and between September 23, 1996, and September 6, 1999. **THE SETTLEMENT AGREEMENT includes only 492 former employees of the Panama Canal Commission (“PCC”) for whom the Class Administrator does not have either a Social Security number (SSN) or a PCC Form 2764.** The settlement does not include a settlement of attorney fees, costs, and expenses, or costs and expenses of the Class Administrator, pursuant to the Equal Access to Justice Act (“EAJA”).

Each member of the certified PCC Subclass will receive a distribution of the Settlement Fund of \$75. The United States Court of Federal Claims denied the payment of interest under the Back Pay Act. The United States Court of Appeals for the Federal Circuit affirmed the decision by the United States Court of Federal Claims.

Defendant does not admit any wrongdoing or liability on its part; the proposed settlement is for payment of authorized individual claims. The settlement provides that there will be no deductions of United States taxes.

The Court will hold a hearing by government Zoom videoconferencing at the United States Court of Federal Claims, 717 Madison Place, NW, Washington, DC 20439, at **1:30 p.m. (EDT) on May 25, 2021**, to determine whether it should approve the proposed settlement. If you wish to be heard orally in opposition to the proposed settlement, you must so state as part of your timely filed objection. Written objections to the proposed settlement by class members will be considered by the Court but only if such objections are filed in writing with the Clerk of the Court by mail postmarked no later than **May 10, 2021**. **Class members who support the proposed settlement do not need to take any action to indicate their approval.**

The Settlement Agreement, as well as Plaintiffs’ Motion for Approval of the Settlement, can be viewed in its entirety on the settlement website at www.FedLumpSum.com. It also has been sent by email and First-Class Mail to those members of the PCC Subclass who have provided the Class Administrator with their personal email address or their postal address.

For more information about this case, you may call the Class Administrator toll-free at (866) 329-5558, or visit the class website at www.FedLumpSum.com.

Sincerely,

Kandel et al. v. United States Class Administrator