

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ROBERT BENNETT, JR., et al.
Plaintiffs

v.

REGENTS OF THE UNIVERSITY OF CALIFORNIA; et al.
Defendants

CASE NO. BC 160056

NOTICE OF CERTIFICATION OF NON-MONETARY CLASS ACTION

**PLEASE READ THIS NOTICE CAREFULLY
YOUR LEGAL RIGHTS MAY BE AFFECTED**

TO: ALL PERSONS WHO HAVE SIGNED PAPERS WILLING THEIR BODIES TO DEFENDANT UCLA - SCHOOL OF MEDICINE - DEPARTMENT OF ANATOMY AND WHO HAVE NOT YET PASSED AWAY

PLEASE TAKE NOTICE that a Class Action lawsuit alleging that the School of Medicine of UCLA (sued herein as the Regents of the University of California and referred to hereinafter as "UCLA") and certain persons within the WILLED BODY PROGRAM engaged in various wrongful acts relating to decedent's remains donated to the WILLED BODY PROGRAM. The action is pending in Department 59 of the Superior Court of the State of California for the County of Los Angeles. On May 11, 2000, the Court granted Plaintiffs' motion for Class Certification as to a non-monetary class seeking injunctive and declaratory relief only. If you signed papers willing your body to the UCLA - School of Medicine - Department of Anatomy and you have not yet passed away, you are a member of the Class for whom injunctive relief is sought and you should read this Notice carefully. This Notice is to inform you about the lawsuit, the Court's order certifying the case as a Class Action, and your rights as a class member of the class.

I. Nature and Status of The Lawsuit

Class Plaintiffs allege that for many years UCLA improperly handled the remains of decedents who had donated their remains to the Department of Anatomy's Willed Body Program. The alleged wrongful conduct included allegations of mistreatment of the donated human remains. Additionally, it is alleged that the remains were not properly "interred" in a dignified manner.

The original lawsuit alleged various causes of action. However, the only claims certified as a class action by the Court are Class Plaintiffs' claims for declaratory and injunctive relief. Denial of certification of the damage claims may be the subject of an appeal.

Class Plaintiffs are seeking an injunction against the Defendants compelling them to refrain from any further wrongful conduct as it relates to the UCLA Willed Body Program.

Defendants deny all allegations and deny that the complained of conduct was or now is ongoing.

The Court has not made any rulings on the merits of Class Plaintiffs' claims or Defendants' defenses and has not yet scheduled a trial in this matter.

II. About Class Actions

A class action is a lawsuit in which the claims and rights of many people are decided in a single proceeding. Representative plaintiffs ("Class Representatives") assert claims on behalf of the entire class. This avoids the necessity of a large number of individual lawsuits and enables the court to resolve similar claims efficiently. In a class action, the court supervises the prosecution of the class claims by class counsel to assure fairness. Class Plaintiffs' counsel are proceeding on a contingency basis, and, if they are successful, any fees and costs paid to them are subject to court approval.

III. Class Certification And Class Definition

On May 11, 2000, the Los Angeles County Superior Court granted Class Plaintiffs' motion for Class Certification with respect to their claim for declaratory and injunctive relief.

IV. Other Claims

Mr. Bennett is also pursuing damage claims against Defendants based on various causes of action. However, these claims are not included in the Court certification order.

V. Type of Recovery

If a judgment is obtained for the entire Class, by way of trial or settlement, the result will be most likely be an Order directing the defendants to refrain from the complained of conduct now and in the *future* and to comply with the *Uniform Anatomical Gift Act*. The Court could

also make any other Orders it deemed appropriate.

You will be advised of any such Orders and/or the outcome of any trial or settlement in this matter.

VI. Class Representatives And Class Counsel

The Court has appointed Barbara Baines as the Class Representatives.

The Court has appointed as Plaintiffs Class Counsel the law firms of Arias, Ozzello & Gignac, LLP, and the law firm of Kiesel Boucher & Larson, LLP.

VII. Representation By Counsel

As a member of the Class, you may communicate with, seek the advice of, or enter an appearance through counsel of your own choice at your own expense. Any member of the class who does not enter an appearance either individually or through his or her own counsel will be represented by counsel for the Class Plaintiffs and will have no individual liability for attorneys fees and costs.

VIII. Attorneys' Fees And Costs

In Class Actions, counsel who generate a benefit for the Class may be entitled to an award of attorneys' fees and costs. Should Class Counsel prevail in this matter they will apply to the Court for an award of attorney's fees from the Defendant and for reimbursement of their actual out-of-pocket costs.

IX. Additional Information

The information contained in this Notice is only a summary of the litigation. For more detailed information, you may review the complete court files in this case at the office of the Clerk of the Los Angeles County Superior Court, 111 North Hill Street, Los Angeles, California, during its regular business hours.

Additional information regarding the litigation and this Notice may be obtained by contacting any the following:

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All questions regarding the litigation or this Notice should be directed to above-named counsel.

PLEASE DO NOT CONTACT THE COURT REGARDING SUCH QUESTIONS

DATED: October 27, 2003

Commissioner Bruce E. Mitchell
Superior Court of the County of Los Angeles