

THIS NOTICE IS AUTHORIZED BY
THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF IOWA

**IMPORTANT NOTICE OF COURT CERTIFICATION OF CLASS ACTION AGAINST
BARNSTORMERS BASKETBALL, INC. D/B/A BARNSTORMERS BASKETBALL OF
IOWA (“BARNSTORMERS”)**

**JOHN DOE, and all others similarly situated v. BARNSTORMERS BASKETBALL, INC.
d/b/a BARNSTORMERS BASKETBALL OF IOWA**

United States District Court, Southern District of Iowa, Eastern Division
Civil Action No. 3:20-cv-5-SHL

The United States District Court for the Southern District of Iowa authorized this Notice. This is not a solicitation from a lawyer. You are not being sued. However, your legal rights may be affected by the information contained in this Notice.

To: All past or present Barnstormers Basketball, Inc. participants who: 1. Were affiliated with a Barnstormers Basketball, Inc. team at any point in time between 2005 and April 5, 2018 while Greg Stephen was involved with the organization; and 2. fell victim to Greg Stephen’s illicit acts of secretly procuring nude images and/or recordings of minors.

I. INTRODUCTION

The Court has ordered this Notice to be given to all past or present Barnstormers Basketball, Inc. participants who:

1. were affiliated with a Barnstormers Basketball, Inc. team at any point in time between 2005 and April 5, 2018 while Greg Stephen was involved with the organization; and
2. fell victim to Greg Stephen’s illicit acts of secretly procuring nude images and/or recordings of minors.

This lawsuit is styled John Doe, and all others similarly situated v. Barnstormers Basketball, Inc. d/b/a Barnstormers Basketball of Iowa, No. 3:20-cv-5-SHL (the “Lawsuit”). The Lawsuit is pending in the United States District Court for the Southern District of Iowa before United States Magistrate Judge Stephen Locher (the “Court”).

This Notice informs you of your legal rights and options in this Lawsuit.

II. NATURE OF LAWSUIT

This Lawsuit was filed against Barnstormers by Plaintiff John Doe, on behalf of himself and other current and former Barnstormers participants. Former Barnstormers co-director and coach Gregory Scott Stephen was arrested and pled guilty to illicit acts of secretly procuring nude images and/or

recordings of minors, including some Barnstormers participants. It is alleged, among other things, that Barnstormers was negligent in its hiring, retention, and supervision of Gregory Scott Stephen by failing to implement appropriate safeguards to protect minor athletes from sexual exploitation. Barnstormers denies the allegations.

The Court has ruled that the negligence claims against Barnstormers can proceed as a class action and authorized the distribution of this Notice to Class Members to inform them of their rights and options.

The Court has not made any determination about the merits of the claims alleged in the Lawsuit.

III. CLASS DESCRIPTION

In a class action, one or more people called “Class Representatives”—here, John Doe—assert legal claims on behalf of themselves and other similar individuals, collectively called the “Class.” Class Members automatically are included in the case unless they choose to exclude themselves, in writing, from the Class.

The Class includes all past or present Barnstormers Basketball, Inc. participants who: 1. Were affiliated with a Barnstormers Basketball, Inc. team at any point in time between 2005 and April 5, 2018 while Greg Stephen was involved with the organization; and 2. fell victim to Greg Stephen’s illicit acts of secretly procuring nude images and/or recordings of minors.

IV. YOUR LEGAL RIGHTS AND OPTIONS

1. REMAIN IN THE CLASS: If you do nothing, you will remain in the Class. By remaining a Class Member, you may receive compensation from a future trial or settlement. You will also be legally bound by orders that the Court issues and judgments that the Court enters regarding the Class. Regardless of whether the Class wins or loses, you will not be able to sue Barnstormers in a separate action for the claims made in this lawsuit.

If you believe you qualify as a Class Member, you are requested—but not required—to fill out and return the Questionnaire attached to the end of this Notice. If you choose to complete the Questionnaire, the information you provide will be used confidentially by the Court and parties to the Lawsuit. It will **NOT** be distributed to the public at large, including the media. Failure to respond to the Questionnaire will not result in your exclusion from the class or preclude you from recovery if liability is established.

2. ASK TO BE EXCLUDED FROM THE CLASS: If you do not wish to be included in the Class, you must make a written request to be excluded. By excluding yourself, you will retain the right to sue Barnstormers in a separate case on your own behalf for negligence, subject to strict time limitations for filing such an action. If you ask to be excluded from the Class, you will not be entitled to share in any recovery that the Class may obtain from Barnstormers as a result of a trial or settlement in this Lawsuit.

V. LEGAL COUNSEL

Attorney Guy R. Cook of the Grefe & Sidney, P.L.C. law firm has been designated by the Court as

Lead Counsel for the Class in this Lawsuit. If you choose to remain in the Class, you do not need to hire your own attorney because Class Counsel will represent you and all other Class Members. Class Counsel will represent you and the other Class Members on a contingency basis and will only be paid out of any recovery. If there is no recovery, you will not owe Class Counsel any compensation. You are permitted to hire separate counsel if you so choose; however, you will be responsible for that attorney's fees and expenses.

VI. IF YOU WISH TO EXCLUDE YOURSELF FROM THE CLASS

If you wish to be excluded from the Class, you must send an "Exclusion Request" in the form of a letter sent by certified mail or email. The letter must include (1) your name and address, (2) a statement that you wish to be excluded from the John Doe, and all others similarly situated, v. Barnstormers Basketball, Inc. d/b/a Barnstormers Basketball of Iowa class action lawsuit, and (3) your signature.

Your Exclusion Request must be postmarked or emailed no later than April 8, 2022 and mailed to Grefe & Sidney, PLC, 500 E. Court Ave, Suite 200, Des Moines, Iowa 50309, or emailed to gcook@grefesidney.com and berickson@grefesidney.com.

The Court will exclude from the class any members who timely request exclusion in the manner outlined above.

VII. QUESTIONS REGARDING THIS NOTICE

If you have questions about this Notice, your eligibility to participate in the Class, or the Lawsuit generally, you may contact Class Counsel, Grefe & Sidney, P.L.C.:

Guy R. Cook
Laura N. Martino
Benjamin T. Erickson
Michael D. Currie
500 E. Court Avenue, Suite 200
Des Moines, Iowa 50309
Telephone: 515-245-4300
Fax: 515-245
Email: gcook@grefesidney.com
Email: lmartino@grefesidney.com
Email: berickson@grefesidney.com
Email: mcurrie@grefesidney.com

Please do NOT contact the Court or the Court clerk with questions about this Notice.

QUESTIONNAIRE

The distribution of this Questionnaire has been ordered by the Court. The Questionnaire is designed to help the Court and parties gather information related to the Lawsuit. Completion of this Questionnaire is voluntary. Failure to complete the Questionnaire will not result in your exclusion from the class if you otherwise qualify as a Class Member or preclude you from recovery if liability is established.

If you: 1. Were affiliated with a Barnstormer Basketball, Inc. team at any point in time between 2005 and April 5, 2018 while Greg Stephen was involved with the organization; and 2. fell victim to Greg Stephen’s illicit acts of secretly procuring nude images and/or recordings of minors, please answer the questions below.

Your responses to these questions will be kept confidential for use by the Court and the parties to this litigation and will NOT be distributed to the public.

1. Name: _____

2. Date of Birth: _____

3. Current Address: _____

4. Telephone Number: _____

5. Email Address: _____

6. Place an “X” next to any of the following that applied to you on November 2,

2018: I lived in the State of Iowa: _____

I did not live in the State of Iowa: _____

7. State the date(s) you participated on a Barnstormer basketball team:

8. State, to the best of your knowledge, the date(s) any nude images and/or recordings were procured from you by Gregory Scott Stephen (if you cannot recall specific dates, please try to put the year(s) the images/recordings were taken):

9. Place an "X" next to any of the following activities that describe your understanding of how nude images and/or recordings were procured from you by Gregory Scott Stephen (you may designate more than one):

Through social media accounts (i.e. Facebook, Snapchat, etc.) you believed belonged to a youth female: _____

Through text messaging: _____

Through a secretly placed camera or video recorder: _____

Other (specify): _____

10. Place an "X" next to any of the following that apply to you (you should designate only one):

I have sought and received medical treatment (including visits with a physician, therapist, counselor, psychologist, etc.) as a result of secret images and/or recordings procured from me by Gregory Scott Stephen: _____

I have not sought or received medical treatment (including visits with a physician, therapist, counselor, psychologist, etc.) as a result of secret images and/or recordings procured from me by Gregory Scott Stephen: _____

CERTIFICATION

I have carefully read the foregoing, know the contents thereof, and hereby certify both the truth of the information contained herein and that I signed it as a free act.

(Signature)

(Date)

Upon completion, please return this Questionnaire either by mail or email

to:

By Mail:

**Grefe & Sidney, PLC
500 E. Court Ave, Suite
200 Des Moines, Iowa
50309**

By Email to any of the following:

**Email: gcook@grefesidney.com
Email: lmartino@grefesidney.com
Email: berickson@grefesidney.com
Email: mcurrie@grefesidney.com**