

# Veterans Affairs Office of Lexington County



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# VET NEWS

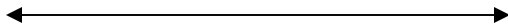
April 2009



## FOR YOUR INFORMATION:

Due to budgetary constraints, the mailing of our monthly newsletter on hold until further notice.

Our intention is to place an abridged version of the newsletter on our website until normal newsletter distribution resumes.



## DATES TO REMEMBER:

- Apr. 1st April Fool's Day
- Apr. 10th Good Friday
- Apr. 12th Easter Sunday
- Apr. 13th Administrative Professionals Day
- Apr. 13th Veterans Advisory Committee Meeting 7 PM
- Apr. 22nd Earth Day

## VETERANS ADVISORY COMMITTEE MEETING SCHEDULED

The next meeting of the Veterans Advisory Committee is set for Monday, April 13, 2009, at 7:00 P.M.

The meeting location is the Lexington County Auxiliary Administration Building at 605 West Main Street.

The Blue Star Mothers will present details regarding their first annual Palmetto Patriots Ball, set for May 16th, as well as other ongoing activities of the group.



## DATA THEFT SETTLEMENT NOTICE

This office has received notification of a proposed settlement of a class action lawsuit involving the theft of computer equipment which was reported to contain personal information of veterans, spouses of veterans and military personnel.



The claim form can be found on pages 4 and 5 of this newsletter, along with an explanation of how Class Members can apply for benefits from the settlement.

Readers may be eligible to receive benefits if they incurred **actual damages** from May 3, 2006 through February 11, 2009 that were directly related to the theft of computer equipment on May 3, 2006.

Please feel free to print out a copy of the settlement from this newsletter, or you may go to the website [www.VeteransClass.com](http://www.VeteransClass.com) for more information.



presented by  
South Carolina Blue Star Mothers  
benefiting South Carolina Veterans  
May 16, 2009

Embassy Suites Hotel, Columbia, SC  
Cocktails 6:00  
Dinner 7:00

Featuring Keynote Speaker  
Former Iraqi Freedom POW

## Ron Young

Tickets are still available and can be purchased at:

[www.bluestarmotherssc.com](http://www.bluestarmotherssc.com)

or by calling 803-206-6088

\$50.00/single—\$100.00/couple



Ron grew up in Lithia Springs, Georgia and like many young men dreamed of flying from an early age. He became an Eagle Scout and went to college where he learned he could fly Apache helicopters by joining the Army. He enlisted and soon became involved in our nations war on terror. On March 23, 2003, during one of his first combat missions in the invasion of Iraqi, he and copilot Chief Warrant Officer David Williams were shot from the sky amidst fierce gunfire about 50 miles southwest of Baghdad.

The two warrant officers eluded the pursuant Iraqi soldiers for hours under heavy gun fire but were finally taken captive and held as prisoners for 23 days. Two attempts were made to rescue the pilots under intense fire, "like a hornet's nest," but efforts were unsuccessful. Finally, Ron Young, Williams and five other POWs were rescued by Marines near Samarra. "It was awesome... beyond words.... I felt like I had won the lottery of life," Young said during his emotional rescue. He now shares his captivating story of dedication,

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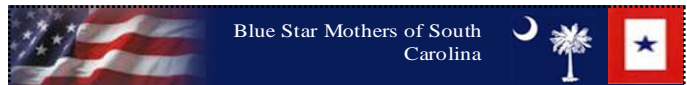
### SAVE THE DATE!

Saturday, MAY 16th, 2009  
6 P.M.—Embassy Suites  
Columbia, SC

#### SPONSORS AND DONORS

To participate as a sponsor of this event, you can reach Ann Ricard and the Blue Star Mothers at 803-206-6088 or by email:

[palmettopatriotsball@gmail.com](mailto:palmettopatriotsball@gmail.com)



#### APPLY FOR YOUR DISCHARGE ONLINE

Did you know that you can apply for military records online? Yes you can! Go to the website [www.archives.gov/veterans/evetrecs](http://www.archives.gov/veterans/evetrecs)

And click on "request military records". Remember to print out the signature page for submission as well. The request will not be fulfilled without the accompanying signature page.

#### QUOTE OF THE MONTH:

"A wise and frugal government, which shall leave men free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned - this is the sum of good government."

-Thomas Jefferson

## APRIL OUTREACH PROGRAM DATES

**April 7th: 9-12 Batesburg-Leesville**  
**April 14th: 9-12 Chapin**

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### TOLL-FREE TELEPHONE NUMBERS

Lexington Main Office: 785-8400  
 From Batesburg/Leesville: 332-8400  
 From Chapin: 941-0231

## Veterans Benefits in the American Recovery and Reinvestment Act of 2009

**Background:** H.R. 1, signed into law on February 17, 2009 by President Obama, contains several items that are of particular import to veterans. Although one of the portions of the Act addresses offshore veterans in the Philippines, relief is also included for disabled veterans at home, as well as others.

### **Disabled Veterans and those receiving pensions:**

Veterans in receipt of service-connected compensation or non service-connected pension, as well as survivors in receipt of Dependency and Indemnity Compensation (DIC), will receive a **one-time** stimulus payment of \$250.

The legislation orders the Secretary of the Treasury to disburse these funds to each individual who meets the criteria as set forth in the legislation.

- ◇ **Veterans in receipt of compensation and pension benefits during any of the months of Nov. 2008—Jan. 2009** are eligible for this benefit.
- ◇ The specific regulation and timeline for receipt of these funds is yet to be written.
- ◇ Those receiving Social Security benefits as well as VA benefits need to be aware that only **one \$250 check will be received** in connection with this legislation.

## SUPPORT GROUP MEETING ANNOUNCEMENT

If you are the wife of a combat veteran, please feel free to attend the monthly wives' support group meeting the 2nd Monday of each month in Room 110 (**auditorium**) of the Lexington County Auxiliary Administration Building. These meetings are hosted by David Cox of the Columbia Vet Center.

The group will be meeting at **12:00 p.m.** on the following dates: (with additional meeting dates to come),

- April 13th
- May 11th

No reservation is necessary, but you can call the Lexington County Veterans Affairs Office at **785-8400** for more information or for directions.



## FINANCIAL INCOME THRESHOLDS FOR VA HEALTH CARE BENEFITS 2009

**FREE VA HEALTH CARE:** 0% service connected (non-compensable) and non-service-connected veterans only:

Veteran with:	
0 dependents	\$29,402 or less
1 dependent	\$35,284 or less
2 dependents	\$37,304 or less
3 dependents	\$39,324 or less
4 dependents	\$41,344 or less

For each additional dependent add \$2020

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Other pertinent information includes:

Medicare Deductible:	\$1,066
Income and Asset Net Worth:	\$80,000

Any questions regarding these changes may be directed to our office.





LEGAL NOTICE

## **If you are a veteran, the spouse of a veteran, or a member of the military, you could get a payment from a class action settlement.**

Subject to final court approval, a nationwide class-action settlement has been reached with the United States Department of Veterans Affairs, the Secretary of the United States Department of Veterans Affairs, the Deputy Secretary of the United States Department of Veterans Affairs, and an employee of the United States Department of Veterans Affairs in their official capacities (together called the "Defendants") stemming from the theft of computer equipment which was reported to contain personal information of veterans, spouses of veterans, and military personnel. A \$20 million settlement fund will be established to reimburse people for out-of-pocket expenses as a result of the theft as well as to cover lawyers' fees, costs and expenses.

If you're included in the settlement, you may send in a claim form to ask for a payment, or you can exclude yourself from, or object to the settlement. The United States District Court for the District of Columbia authorized this notice, and will have a hearing to decide whether to approve the settlement, so that payments can be issued. You can get a detailed notice at [www.VeteransClass.com](http://www.VeteransClass.com).

### **WHO'S INCLUDED?**

The settlement includes all veterans, spouses of veterans, and military personnel who had actual damages from May 3, 2006 through February 11, 2009 that were directly related to the theft of computer equipment which was reported to contain their personal information from the home of a VA employee on May 3, 2006. The settlement also includes all representatives, heirs, administrators, executors, beneficiaries, agents, and assigns of the Class Members.

Actual damages include out-of-pocket expenses incurred as a direct result of the theft, including those that were: used to protect or monitor your personal or financial information; or the result of physical symptoms of severe emotional distress. Out-of-pocket expenses may include, for example, the purchase of credit monitoring to protect against identity loss.

### **WHAT'S THIS ABOUT?**

On May 3, 2006 computer equipment which was reported to contain personal information of veterans, spouses of veterans, and military personnel, was stolen from the home of an employee of the Department of Veterans Affairs. The equipment was reported to contain identifying information including names, social security numbers, and dates of birth for up to 17.5 million veterans, spouses of veterans, and military personnel, as well as some disability ratings. The data did not include any health records or financial information. The equipment was later recovered on June 28, 2006 by the Federal Bureau of Investigation, whose review of the equipment indicated that the data had not been accessed. The Court did not decide in favor of the Plaintiffs or Defendants. Instead, both sides agreed to a

settlement to resolve the case and provide payments to Class Members. The settlement does not mean that any law was broken and the Defendants deny all claims of wrongdoing in this case.

### **WHAT DOES THE SETTLEMENT PROVIDE?**

The Defendants will establish a \$20,000,000 settlement fund to make payments to Class Members who had eligible out-of-pocket expenses, as well as to cover lawyers' fees, costs and expenses. Any money remaining in the settlement fund after paying Class Members, lawyers' fees, costs and expenses will be donated to the Fisher House Foundation, Inc. and The Intrepid Fallen Heroes Fund. The Settlement Agreement, available at the website ([www.VeteransClass.com](http://www.VeteransClass.com)), describes all of the details about the proposed settlement.

### **HOW DO YOU ASK FOR A PAYMENT?**

To ask for a payment you must complete and submit a claim form. You can get a claim form at the website ([www.VeteransClass.com](http://www.VeteransClass.com)) or by calling the toll-free number (1-888-288-9625). The claim form describes what you must provide to prove your claim and receive a payment. Please read the instructions carefully, fill out the claim form and mail it postmarked no later than **November 27, 2009** to the address on the form.

If you submit a valid claim you will be paid the actual cost of your out-of-pocket expenses up to \$1,500. The minimum payment for each valid claim will be \$75. However, if the total amount needed to pay valid claims exceeds the amount left in the settlement fund after deducting lawyers' fees, costs and expenses, each Class Member's payment will be reduced and paid in proportion to all Class Members' payments.

### **WHAT ARE YOUR OTHER RIGHTS?**

If you don't want to be legally bound by the settlement you must exclude yourself by **June 29, 2009**, or you won't be able to sue, or continue to sue, the Defendants on your own about the legal claims in this case. If you exclude yourself, you cannot get a payment from the settlement. If you stay in the settlement, you may object to it by **June 29, 2009**. The detailed notice explains how to exclude yourself or object.

The Court will hold a hearing in this case, known as *In Re: Department of Veterans Affairs (VA) Data Theft Litigation*, MDL No. 1796, on **July 28, 2009 at 10 a.m.**, to consider whether to approve the settlement, and a request by Class Counsel for fees up to 25% of the settlement fund, plus costs and expenses. Class Counsel will also ask for an \$18,000 payment to be split among all of the Named Plaintiffs in this lawsuit, who helped the lawyers on behalf of the whole Class. You or your own lawyer may ask to appear and speak at the hearing at your own cost, but you don't have to. For more information, call toll-free 1-888-288-9625 or go to [www.VeteransClass.com](http://www.VeteransClass.com).

**1-888-288-9625**

**[www.VeteransClass.com](http://www.VeteransClass.com)**



CLAIM FORM  
VETERANS AFFAIRS CLASS ACTION SETTLEMENT

If you would like to receive a reimbursement payment from the settlement, you need to fill out and mail this claim form. Please read the detailed notice and this claim form to understand all of your legal rights and options under the settlement.

Please print clearly in blue or black ink. This claim form must be mailed and postmarked by **November 27, 2009**.

**1. CLASS MEMBER INFORMATION.**

Name: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_  
*Number and Street*

\_\_\_\_\_  
*City State Zip Code*

Telephone Number: (\_\_\_\_) \_\_\_\_\_; Email Address: *(optional)* \_\_\_\_\_

Veteran Status, Relationship to Veteran or Military Status: \_\_\_\_\_

**2. OUT-OF-POCKET EXPENSE INFORMATION.** (Attach additional sheets if necessary)

Expense Amount: \$ \_\_\_\_\_ Date of Expense: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
*Month Day Year*

Provide a brief description of why you believe this expense is a direct result of the May 3, 2006, theft of computer equipment containing personal information.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. REQUIRED DOCUMENTATION.**

Attach copies of any paperwork (such as credit card statements, invoices, medical records, cancelled checks, or receipts) that document your out-of-pocket expense(s) between May 3, 2006 and February 11, 2009.

**4. SIGN AND DATE YOUR CLAIM FORM.**

I hereby declare under penalty of perjury that the information provided is true and correct to the best of my knowledge, and that all documents attached to this form are real. I authorize the U.S. Department of Justice, Class Counsel, and the Claims Administrator to exchange and/or communicate information about me as necessary to carry out the Settlement Agreement and claims process. I also authorize the Claims Administrator to make all necessary withholdings from any reimbursement payment as required by applicable tax rules.

\_\_\_\_\_  
*Signature* \_\_\_\_\_ *Print Name* \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
*Month Day Year*

**5. MAIL YOUR CLAIM FORM.**

This claim form must be postmarked by **November 27, 2009** and mailed to:

VA Settlement Claims  
PO Box 6727  
Portland, OR 97228-6727

QUESTIONS? CALL 1-888-288-9625 OR VISIT [WWW.VETERANSCLASS.COM](http://WWW.VETERANSCLASS.COM)