

Let this be filed.


PAUL L. FRIEDMAN
United States District Judge

DATE: 2/25/99

P. O. Box 411
Magnolia Springs, AL
36555-0411

January 27, 1999

FILED

FEB 25 1999

**Clerk, U.S. District Court
District of Columbia**

98-1978

Honorable Paul L. Friedman
United States District Judge
Barrett Pettyman United States Courthouse
333 Constitution Avenue, Northwest
Washington, D. C. 20001

Dear Judge Friedman:

The purpose of this letter is to bring to your attention my concern about what I view to be a flaw in the proposed settlement between black farmers and the U. S. Department of Agriculture. Specifically, contained at page 15, clause 9(iv) and 9(v), is the following statement:

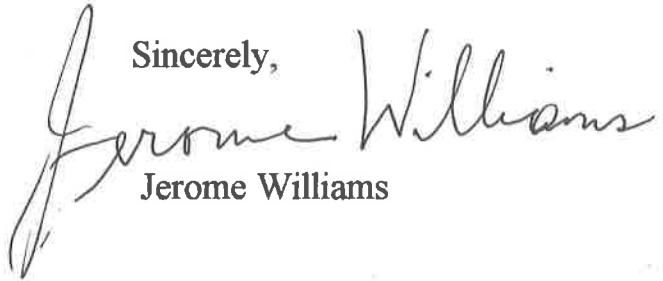
- (iv) **If the adjudicator determines that a class member's claim is not supported by substantial evidence, the class member shall receive no relief under this Consent Decree.**
- (v) **The decision of the adjudicator shall be final. The parties hereby agree to forever waive their right to seek review in any court or before any tribunal of the decision of the adjudicator with respect to any claim that is, or could have been decided by the adjudicator.**

There are a number of farmers that will find it difficult if not impossible to meet a standard that from its inception, was either by design or without thought an impediment to their recovery efforts. This matter should be brought to the attention of both defense counsel and plaintiff counsel. Perhaps this is not the purpose of the settlement agreement, but farmers should be given every opportunity to state their claims. The USDA has done an egregious harm and should not be allowed to put impediments in the way of making plaintiffs whole, because of a technicality.

124

Lastly, there should be an allowance for farmers to request under the Freedom of Information Act documents they might have displaced that would support their claim or offer a reasonable substitute. I hope the court will look at the serious possible harm, if no allowance is made beyond the above clauses to aid their presentation and details of how they were discriminated.

Sincerely,

A handwritten signature in cursive script that reads "Jerome Williams". The signature is written in black ink and is positioned to the right of the typed name.

Jerome Williams

Enclosures: