

**NEWTOWN – SANDY HOOK  
VICTIM COMPENSATION FUND**

**FINAL PROTOCOL**

**July 17, 2013**

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**FUNDING**

The Newtown-Sandy Hook Community Foundation, Inc. was established to oversee the distribution of the funds received by the Sandy Hook School Support Fund (the "Fund"), which was created to provide a vehicle for donors seeking to make donations to assist victims of the tragic events of December 14, 2012. The Fund was established jointly by the United Way of Western Connecticut and Newtown Savings Bank. A three-member Distribution Committee was appointed, chaired by retired Federal Judge Alan Nevas. Judge Nevas is joined on the Committee by Newtown residents Dr. John Woodall and Joe Smialowski. Kenneth Feinberg and Camille Biros served as Special Advisors to the Committee. The Committee was formed to determine the allocation of funds to eligible claimants.

On April 24, 2013, the Newtown-Sandy Hook Community Foundation announced the release of funds totaling \$7,700,000 to be distributed to the 40 victims and families most severely impacted by the tragic events of December 14, 2012. The 40 victims include the families of the 26 deceased victims, the families of the 12 surviving children present in the classrooms directly involved in the shootings and the two individuals injured in the tragedy (the "Claimants").

In accordance with this Protocol, the distribution of payments from the Fund to the Claimants will be allocated and distributed according to the following guidelines:

**A. Claims for Deceased Victims**

Approximately 95% of the aggregate total of the Compensation Fund (\$7,310,000) is allocated to the families of the deceased victims. The remaining 5% of the aggregate total of the Compensation Fund will be allocated to the two physical injury victims and those families whose children were present in the classrooms during the tragic events of December 14, 2012. Claimants within this Category A will each receive the same payment amount.

- For the 26 families who lost a family member as a result of the events of December 14, 2012, the following payment will be offered. A single claim form should be submitted for each Claimant filing an eligible Death Claim.
- Eligible Claimants in this Category A will receive:
  - Payment of \$281,000

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**B. Physical Injury Claims**

- For the two victims who were physically injured as a result of the tragic events on December 14, 2012 the following payment will be offered. A single claim form should be submitted for each Claimant filing an eligible Physical Injury Claim.
- Eligible Claimants in this Category B will receive:
  - Payment of \$75,000

**C. Claimants who were present in the Classrooms where the shootings occurred on December 14, 2012**

- For the (12) families of the surviving children present in the classrooms during the tragic events of December 14, 2012 who witnessed the shootings, the following payment will be offered. A single claim form should be submitted for each Claimant filing an eligible claim for presence in the classrooms where the shootings occurred.
- Eligible claimants in this Category C will receive:
  - Payment of \$20,000

**PROCESS AND PROCEDURES**

The process and procedures for consideration of eligible claims will be as follows:

A. A uniform claim form (one for a deceased victim and one for a physically injured victim or an individual present in the classroom) and a copy of the Final Protocol will be provided to Claimants on July 17, 2013 by U.S. mail and by email. Only one claim form may be filed for each victim. Completed claim forms should be submitted to the Claims Administrator by August 5, 2013 to the following address:

Claims Administrator  
Newtown-Sandy Hook Victim Compensation Fund  
P.O. Box 194  
Newtown, CT 06470

B. Individual Claimants may request a personal meeting (or telephonic meeting) with a member of the Distribution Committee or a Special Advisor to the Distribution Committee between August 5 and August 19. These meetings will not serve to alter this Final Protocol or any allocation set forth in this Final Protocol. Requests to meet with a Special Advisor should be sent by email request to: [Susan@FeinbergRozen.com](mailto:Susan@FeinbergRozen.com) or by telephone at 202 371-1110.

C. In the event that a Claimant submits an incomplete or deficient claim, e.g., the Claimant failed to include required documentation or failed to sign the claim form, the Claims Administrator in conjunction with the Distribution Committee will informally work with the Claimant in an effort to cure any such deficiencies.

D. Payments will be issued immediately following the rendering of a final review of all eligible claims. The Claims Administrator, working with the Distribution Committee and Special Advisors, will authorize payment, according to the payment instructions provided in the claim form, to each eligible claimant. Checks will be sent to Claimants via courier.

E. A claim form filed for a death Claimant will require the spouse's signature if the deceased individual was married at the time of death. In cases where the victim was not married, the person who is legally responsible for administering the estate: the personal representative, the executor of the victim's will or the Administrator of the Estate must sign the claim form. In the case of conflicting claims that cannot be resolved, the Administrator will deposit the funds into a trust account in the resident state of the victim. The claim form will require the signature of both parents for a claim filed for a minor child (if both parents are living). If the signature of both parents cannot be obtained, the parent filing the claim must provide a legal document granting the parent submitting the claim sole custody, guardianship or conservatorship which authorizes the submitting parent to act on the child's behalf.

F. In the event that an eligible Claimant does not file a claim, or if any funds remain in the Compensation Fund on October 31, 2013, such funds will be distributed to all previously approved eligible claimants in the same manner as the initial distribution.

G. Individuals should contact their tax advisor for any questions regarding tax liability for these payments. Letters from the Internal Revenue Service and State of Connecticut Department Revenue Services have been provided, in conjunction with the claim forms.

H. After December 31, 2013, a full audit of the Newtown Sandy Hook Community Foundation will be conducted by an independent auditing firm. The results of this audit will be made available to all claimants, donors and the general public along with a Final Report from the Distribution Committee.

## **OUTREACH**

A. Meetings were conducted by the Distribution Committee and the Special Advisor to the Distribution Committee on July 11, 2013 and on July 12, 2013 to explain the contents of the draft Protocol and the claim submission process and to invite Claimant input. Information collected from these meetings was considered in developing this Final Protocol.

B. The Final Protocol and the claim forms will be disseminated to the victims and families and available to any interested parties on July 17, 2013. **The deadline for submission of the claim form is August 5, 2013.** The Claims Administrator along with the Distribution Committee and the Special Advisors will work directly with all claimants as requested to make sure that all claims are submitted by the August 5, 2013 deadline.

C. All Claimants may request a personal meeting (or telephonic meeting) with a member of the Distribution Committee or a Special Advisor. All claimants requesting a personal meeting before the claim is processed will be afforded such a meeting. Meetings will be scheduled at mutually convenient times and locations between August 5 and August 19, 2013. To request a meeting with a Special Advisor, please send your request via email to the Special Advisors c/o [Susan@Feinbergrozen.com](mailto:Susan@Feinbergrozen.com) or by telephone at 202 371-1110.

### **TIMELINE**

- July 11 and July 12, 2013: the Fund Administrator conducted two group meetings in Newtown, CT.
- July 15, 2013: Distribution Committee finalized the Protocol and Claim Forms.
- July 17, 2013: Final Protocol and Claim Forms disseminated to victims, families, and any interested parties.
- August 5, 2013: Deadline for submission of Claim Forms to the Claims Administrator.
- August 5 through August 19, 2013: All personal meetings requested with a member of the Distribution Committee or a Special Advisor will be completed.
- August 5 through August 19, 2013: All claims reviewed, Final Payments determined.
- Payment Distribution – Payments to be issued following the rendering of final payment determinations – approximately on August 19, 2013.