



## **OneOrlando Fund**

### **FINAL PROTOCOL**

**AUGUST 12, 2016**

**The Final Protocol has been approved by the OneOrlando Fund Board and incorporates feedback received from the community and the general public at two Town Hall meetings held on August 4, 2016 at the Amway Center in Orlando Florida, as well as comments received via email, written correspondence and telephone communication with the Fund Administrator, and feedback from the OneOrlando Fund Board, Equality Florida, and the National Center for Victims of Crime/National Compassion Fund.**

The OneOrlando Fund was established through the generosity of businesses, foundations and individual donors. OneOrlando Fund will be used to assist those families of the victims who were killed, the victims who were physically injured and the victims who were physically present during the shootings inside the Pulse Nightclub in Orlando, Florida on June 12, 2016 (the "Pulse Nightclub Attack"). OneOrlando is a project within Strengthen Orlando, Inc., a 501 (c)(3) nonprofit organization, Federal Tax ID #27-1964941 and Florida Registration #CH32010. The National Compassion Fund is a project of the National Center for Victims of Crime, a 501(c)(3) nonprofit organization, Federal Tax ID #30-0022798 and Florida Registration #CH21962.

The payments from the Fund are to be apportioned to the victims in accordance with the severity of the injuries arising from the Pulse Nightclub Attack.<sup>1</sup>

The Distribution classifications are outlined below:

#### **PRIORITIZATION OF ELIGIBLE INDIVIDUAL CLAIMS**

##### **A. Individual Death Claims**

Eligible claimants for deceased victims killed as a result of the Pulse Nightclub Attack will receive the highest category of payment under the scope of this Protocol.

##### **B. Individual Physical Injury Claims for Victims Requiring Overnight Hospitalization**

Eligible claimants who were physically injured and hospitalized (within 48 hours of the Pulse Nightclub Attack) for one or more nights between June 12, 2016 and September 12, 2016 (the last day to submit a claim to the Fund) due to physical injuries resulting from the Pulse Nightclub Attack will receive payment under this Final Protocol.

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<sup>1</sup> Determination of the amounts for each eligible claimant will depend upon the following: 1) the balance in the OneOrlando Fund on September 26, 2016; 2) the receipt of updated data regarding the nature and the number of physical injuries, and the number of individuals physically present inside the Pulse Nightclub; 3) completion of the review of all submitted claims; and 4) review and approval by the Administrators.

**C. Individual Physical Injury Claims of Victims Treated at Orlando Area Hospitals (or treated by a private physician) on an Emergency Out-Patient Basis**

Eligible Claimants who were physically injured as a result of the Pulse Nightclub Attack who were treated on an emergency out-patient basis (within 48 hours of the Pulse Nightclub Attack) at one of the Orlando, Florida area hospitals, or treated by a private physician, and released without an overnight hospital stay, will receive a payment under this Final Protocol.

**D. Individual Claims of Victims Present Inside the Pulse Nightclub**

Eligible Claimants who were physically present inside the Pulse Nightclub at the time of the Attack, but did not suffer physical injury requiring medical treatment will receive a payment under this Final Protocol. Proof of such physical presence will be based upon law enforcement records.

**PROCESS AND PROCEDURES**

Eligible claimants must file either a Claim Form for Deceased Victims, a Claim Form for Physical Injury or a Claim Form for Physical Presence inside the Pulse Nightclub in order to be eligible to participate and receive a payment from the Fund. A single Claim Form should be submitted for each eligible claimant.

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

**A.** The Fund will be administered by Kenneth R. Feinberg, the National Center for Victims of Crime/National Compassion Fund and the OneOrlando Fund Board.

**B.** A uniform Claim Form (one for a deceased victim, one for a physically injured victim and one for physical presence inside the Pulse Nightclub) and Final Protocol, in English and in Spanish, (will be provided to all known claimants and potential claimants by US mail and/or email. The Final Protocol and Claim Forms will also be available for download via [OneOrlando.org](http://OneOrlando.org) and [NationalCompassionFund.org](http://NationalCompassionFund.org) beginning on August 12, 2016. Copies may also be requested by emailing the Fund Administrators. Only one Claim Form should be submitted by or on behalf of each victim. The Claim Form should be completed and submitted to the Fund Administrators (along with all required supporting documentation) postmarked no later than September 12, 2016. Requests for copies of the Claim Forms and questions regarding the completion of the Claim Form should be sent via email to [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org) or by telephone to (855) 4VICTIM (855 484-2846).

**C.** Claim Forms should be mailed or sent via overnight courier to:

OneOrlando Fund  
c/o National Center for Victims of Crime  
2000 M Street, NW, Suite 480  
Washington, DC 20036

**D.** Individual claimants may request a face-to-face personal meeting (or telephonic meeting) with the Fund Administrators before the final processing of all claims is completed. These meetings will be scheduled before the individual claim is processed but will not serve to alter the Final Protocol or any allocation set forth in the Final Protocol. Requests to meet with the Fund Administrators should be sent by email to the Fund Administrators at [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org) or by telephone to (855) 4VICTIM (855 484-2846).

**E.** 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, a representative from the Fund Administrators' office will work with the claimant in an effort to cure any such deficiencies.

**F.** Payments will be issued immediately following the rendering of a final review and determination of all eligible claims by the Fund Administrators. The Fund Administrators will submit final payment determinations to the Chairman of the OneOrlando Fund Board for transmission of the payments, by check or electronic bank wire, to each eligible claimant. Payments will be made by electronic funds transfer or by check sent to claimants via courier service.

**G.** A Claim Form filed for a deceased victim 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 personal representative legally authorized to administer the estate must sign the Claim Form. The Personal Representative must prepare a proposed plan of distribution of the funds among the decedent's legal heirs and beneficiaries. The proposed plan will be distributed to all such legal heirs and beneficiaries, each of whom must consent to the proposed distribution by signing a consent form. If agreement among the heirs and beneficiaries cannot be reached as to who will serve as the Personal Representative, or with regard to the proposed distribution, the claimant(s) will be required to obtain legal authorization from the Probate Court to determine who is the legally responsible person eligible to file the claim. Under those circumstances, the Administrator will recommend that the OneOrlando Fund deposit the affected funds with the Probate Court, to be held in a separate account and to be distributed only upon resolution of accordance with a valid court order.

**H.** For claims for a minor child, the Claim Form will require the signature of both parents (if both parents are living). For claims for incompetent adults, the Claim Form will require proof of representative capacity, such as a power of attorney, guardianship, appointment of guardian or attorney ad litem.

**I.** A Claim Form filed for a physical injury claimant must include a hospital record which confirms: i) date of admission to the hospital, ii) date of discharge from the hospital, and iii) the nature of the injury and that the injury was sustained as a result of the Pulse Nightclub Attack.

**J.** A Claim Form filed for physical presence inside the Pulse Nightclub must be corroborated by confirmation by law enforcement records.

**K.** The OneOrlando Fund cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend you consult your tax advisor for any questions regarding tax liability for these payments.

**L.** A full audit of the OneOrlando Fund will be conducted by an independent auditing firm as soon as possible after October 15, 2016. The results of this audit will be made available to all claimants, donors and the general public along with a Final Report from the Fund Administrators.

## **OUTREACH**

**A.** Two public meetings were conducted by the Fund Administrators on August 4, 2016 at the Amway Center in Orlando, Florida (400 West Church Street, Suite 200, Orlando, FL 32801) to explain the contents of the draft Protocol and the claim submission process and to invite input and comments from potential claimants and the general public. Information collected from these group meetings and various communications and correspondence between the claimants and other interested parties and the Fund Administrators were considered in finalizing the Final Protocol.

**B.** The Final Protocol and the Claim Forms will be disseminated to all known and registered victims and made available on the [OneOrlando.org](http://OneOrlando.org) website and the [NationalCompassionFund.org](http://NationalCompassionFund.org) website beginning on August 12, 2016. Email requests for copies of the final documents should be made to [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org). **The deadline for submission of the Claim Form is September 12, 2016.** The Fund Administrators will work directly with all claimants as requested to make sure that all claims are submitted by the September 12 deadline.

**C.** Optional face-to-face meetings with the Fund Administrator will be scheduled at the claimant's request. All claims will be processed during the period between September 12 and September 26, 2016. All claimants requesting face-to-face meetings with the Fund Administrators before the claim is processed will be afforded such a meeting during the period between September 12 and September 25, 2016. Meetings will be scheduled at mutually convenient times and locations. In lieu of a face-to-face meeting, the claimant may request a telephonic meeting. To request a meeting, please send your request via email to [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org) or by telephone at (855) 4VICTIM (855 484-2846).

Victims of family members in need of services can receive assistance through the Orlando United Assistance Center. Appointments can be scheduled by calling (407) 500-HOPE (407-500-4673) or by visiting [cityoforlando.net/hope](http://cityoforlando.net/hope).

## **TIMELINE**

- August 4, 2016: Two Town Hall meetings at 12:30 p.m. and 6:30 p.m. conducted by the Fund Administrators in Orlando, Florida, each lasting for 90 minutes.
- August 12, 2016: The Final Protocol and Claim Forms disseminated to all known claimants and potential claimants who registered through the Fund website. These documents will be made available on the Fund website for families and all interested parties.
- August 12 – September 12, 2016: Claim Forms completed and submitted to the Fund Administrators along with the required documentation.
- September 12, 2016: Deadline for submission of Claim Forms.
- September 12 – September 25, 2016: All personal meetings requested with the Fund Administrators completed.
- September 12 – September 26, 2016: All claims reviewed by the Fund Administrators and recommendations for payments to eligible claimants submitted to the OneOrlando Fund Board for independent review and approval.
- September 27, 2016: Payment Distribution to approved eligible claimants begins on a rolling basis.
- After October 15, 2016: Independent Audit begins.