



# OneOrlando Fund

## Frequently Asked Questions

### Section 1: General Information

#### 1.1

##### **What is the OneOrlando Fund?**

The OneOrlando Fund (the “Fund”) was established through the generosity of businesses, foundations and individual donors. Following the horrific tragedy at Pulse, there was a tremendous outpouring from the community seeking to provide financial support. In response, Orlando Mayor Buddy Dyer announced the formation of the OneOrlando Fund.

Equality Florida, the GLBT Community Center of Central Florida (The Center) and the National Compassion Fund announced a partnership with the OneOrlando Fund to ensure all funds collected for victims are disbursed in a unified process that will expedite funds, ensure transparency and safeguard against fraud.

The 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 inside the Pulse Nightclub in Orlando, Florida on June 12, 2016 at the time of the Pulse Nightclub Attack but did not suffer physical injury. OneOrlando is a project within Strengthen Orlando, a 501(c)(3) nonprofit organization. The Final Protocol for the OneOrlando Fund incorporates feedback received from the community and the general public at Town Hall meetings held on August 4, 2016 at the Amway Center and from comments received from correspondence and communications with the Fund Administrator and has been approved by the OneOrlando Board, Equality Florida and the National Center for Victims of Crime/National Compassion Fund.

#### 1.2

##### **Who makes up the OneOrlando Fund Board?**

The OneOrlando Board, chaired by Orlando Magic President Alex Martins, was developed to provide oversight and guidance to ensure that funds are dispersed in a timely, accountable and transparent manner.

The members of the board represent the diversity of Orlando, including those in the Hispanic and LGBTQ communities. OneOrlando Board members include:

- Rena Langley, Senior Vice President, Public Affairs & Worldwide Government and Industry Relations, Walt Disney World
- Diane O’Dell, Vice President of Community Relations, Universal Orlando Resort
- Stephanie Ghertner, Director, Darden Foundation & Community Affairs
- Mark Meyer, Industry Manager, JPMorgan Chase
- Paul F. Bryan, Chief Executive Officer, Grover Bryan, Inc.
- Jennifer Foster, Owner and Executive Producer, Foster Productions, Inc.
- Diana Bolivar, President, Hispanic Chamber of Commerce of Metro Orlando
- Carlos Carbonell, Chief Executive Officer, Echo Interaction Group
- Ken Robinson, President and Chief Executive Officer, Dr. Phillips Inc. and The Dr. P. Phillips Foundation
- Mark Shamley, President and Chief Executive Officer, Association of Corporate Contributions Professionals (ACCP)
- Michael Farmer, Statewide Deputy Director of Development, Equality Florida Action, Inc.
- Tim Vargas, Board President, GLBT Community Center of Central Florida (The Center)

- Chris McCullion, Chief Financial Officer, City of Orlando
- Walter G. Hawkins, Director of Urban Development, City of Orlando Downtown Development Board/Community Redevelopment Agency

### 1.3

#### **What is Strengthen Orlando?**

The OneOrlando Fund is a project of Strengthen Orlando, Inc, a 501(c)(3) nonprofit corporation that the City of Orlando had previously created for the purpose of supporting and starting projects to strengthen the Orlando community. This nonprofit has setup a separate, dedicated board and bank account to administer the OneOrlando Fund.

### 1.4

#### **Who is administering the Compensation Fund?**

Kenneth R. Feinberg will administer the Fund with assistance from the National Center for Victims of Crime. Mr. Feinberg previously served as the Special Master for the September 11<sup>th</sup> Victim Compensation Fund of 2001, and as Claims Administrator for the Virginia Tech Hokie Spirit Memorial Fund, the Aurora Victim Relief Fund, One Fund Boston and the Claims Administrator for the BP Oil Spill Compensation Fund.

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## **Section 2: Eligibility**

### 2.1

#### **Who is an eligible claimant?**

There are four categories of Eligible Claimants. (Determination of the amounts for each of the categories below will depend upon the following: 1) the balance in the OneOrlando Fund as of September 26, 2016; 2) the receipt of updated data regarding the nature and the number of injures; 3) completion of the review of all submitted claims and 4) review and approval by the OneOrlando Fund Board.)

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

Eligible claimants for deceased victims killed as a result of the Pulse Nightclub Attack.

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

Eligible claimants who were physically injured and hospitalized 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.

#### **C. Individual Physical Injury Claims of Victims Treated at Orlando Area Hospitals on an Emergency Out-Patient Basis (within 48 hours of the Pulse Nightclub Attack).**

Eligible Claimants who were physically injured as a result of the Pulse Nightclub Attack who were treated on an emergency out-patient basis at one of the Orlando, Florida area hospitals within 48 hours of the Pulse Nightclub Attack 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.

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## **Section 3: Filing a Claim**

### 3.1

#### **How do I get the Claim Form?**

A copy of the Final Protocol and a copy of the Claim Forms will be provided to all known claimants and to those potential claimants who registered through the OneOrlando Fund website. In addition, copies of the Claim Form and all other Program documents are available in one of the following ways:

**A. Through the Fund's Website:** Copies of the Claim Forms and all program documents are available through the following websites: (A fillable PDF of the Claim Form is available on the websites shown below. You may complete the fillable PDF, print out the completed copy of the PDF form and send it to the address shown below.)

[www.OneOrlando.org](http://www.OneOrlando.org)

[www.NationalCompassionFund.org](http://www.NationalCompassionFund.org)

**B. By Telephone:** You can request a Claim Form and all Program documents to be mailed to you by calling the Fund Administrator at the following toll free number (855) 484-2846. The OneOrlando Fund Administrator will mail or email you a Claim Form for you to fill out and sign.

### 3.2

#### **Where do I submit the Claim Form when complete?**

You should submit your Claim Form by mail or overnight courier to the Fund Administrator at the following address:

Fund Administrator

**OneOrlando** Fund

c/o National Center for Victims of Crime

2000 M Street, NW, Suite 480

Washington, DC 20036

### 3.3

#### **Do I waive my legal rights by filing a claim?**

No. By participating in the OneOrlando Fund, you do not waive any legal rights to file a lawsuit.

### 3.4

#### **What is the deadline for filing a claim?**

The Claim Form should be completed and submitted to the Fund Administrator (along with all required supporting documentation) postmarked no later than September 12, 2016.

### 3.5

**Who can answer my questions about completing the Claim Form?** Questions regarding the completion of the Claim Form should be sent via email to [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org) (email is preferred), or by telephone to (855) 484-2846.

### 3.6

#### **Will there be an opportunity for claimants to have a meeting with the Fund Administrator?**

Individual claimants may request a meeting with the Fund Administrator 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. All claimants requesting face-to-face meetings with the Fund Administrator before the claim is processed will be afforded a meeting between September 12 and September 25, 2016. Requests to meet with the Fund Administrator should be sent by email to the Fund Administrator at [OneOrlando@ncvc.org](mailto:OneOrlando@ncvc.org), or by telephone to (855) 484-2846.

#### **3.7. If my appointment as Personal Representative of the Estate is not yet approved, should I file my claim and then submit the Court approved appointment?**

**Yes, you must submit your Application on or before the deadline of September 12, 2016 in order to be considered for a payment from the OneOrlando Fund.** Once you have received the Court approved appointment document you must file that with the Fund.

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## **Section 4: Supporting Documentation**

### 4.1

#### **What type of documentation must be submitted with the Claim Form?**

A Claim Form filed for a deceased victim must be filed by the individual legally responsible for administering the decedent's estate. Families of deceased victims are urged to resolve all issues which may exist with regard to agreement as to who is the individual legally responsible for administering the estate of the deceased and therefore eligible to file the claim on behalf of the deceased. If agreement cannot be reached or in the case of conflicting claims (more than one claim filed for the same victim) which have not been resolved, 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.

A Claim Form filed for a death claimant will require:

- Death Certificate
- Marriage License (if applicable)
- Documentation of Status as Legal Representative of the Estate
- Proof of Legal Representation if represented by an attorney.
- A list of the decedent's heirs and a Proposed Distribution Plan
- Consent Forms signed by each legal heir and beneficiary consenting to the Proposed Distribution Plan

If the victim was married at the time of death, the spouse's signature is required on the Claim Form. In cases where the victim was not married, the personal representative legally responsible and designated by the court administering the estate must sign the Claim Form. If you need assistance or have questions with regard to the Personal Representative or Probate Court issues, please call the Orlando United Assistance Center at (407) 500-4673.

#### **4.1.a. What types of supporting documents are acceptable to send in with claim applications for a deceased claimant?**

1. Death certificate of the deceased victim – Original or certified copy of Letters of Administration (Document proving Personal Representative status): Certified copy
2. Proof of relationship to victim: for a spouse, a copy of the marriage license or joint tax return, for a child, a copy of the child's birth certificate: Notarized copy
3. Death certificate of legal heir, to show that they are not alive to consent to the Distribution Plan: Notarized copy
4. Proof of legal representation: a photocopy a retention agreement signed by the claimant and the attorney.

**If you have already submitted an application but you did not submit the types of copies of documents specified for any of the supporting documentation, you should do so as soon as possible. It is not necessary to send in another application.**

#### **4.1.b. Who should be listed on the list of heirs and beneficiaries in the claim form?**

All members of the decedent's immediate family including spouse, children, parents, siblings, and the name of domestic partner (if applicable) should be listed on the form regardless of whether they will receive any compensation.

#### **4.1.c. Who needs to sign a consent form?**

Consent forms signed by *each* legal heir listed on the Distribution Plan must be submitted to the Fund Administrator. If you need additional copies of the Consent form you may make photocopies or you can print the pdf found [online](#). If a legal heir is deceased please provide a notarized copy of that individual's death certificate.

#### **4.1.d. My child will receive benefits from the fund, but they are under 18. Will you pay the benefits to me to hold until they turn 18?**

No, a Court ordered guardianship or trust must be established for payment of funds for the benefit of minors.

A Claim Form filed for a physical injury claimant will require:

- If the injured victim is a minor child, the Claim Form will require the signature of both parents, if both parents are living.
- If the Claimant is a minor or an incompetent adult, the person filing the claim for the Claimant **must provide proof of representative capacity, such as a power of attorney, guardianship, appointment as guardian ad litem, custodial parent or the equivalent as required by the law of the resident state/province of the incompetent adult or minor.**
- Proof of Legal Representation (if represented by an attorney).
- HIPAA Release Form (Copy of HIPAA Release Form attached).

A Claim Form filed for Presence at Site:

- The Fund Administrator will look to law enforcement officials to assist with confirmation of the claimant's presence inside the Pulse Nightclub on June 12, 2016.

**Note for All Claim Types:** Claim Forms submitted for minors will require the signature of both parents, if both parents are living, or by the legally designated guardian. A Claim Form submitted for an incompetent adult will require proof of representative capacity, such as a power of attorney, guardianship appointment, appointment of guardian or attorney ad litem. The claimant's name should be included on each page of submitted documentation.

#### 4.2

##### **How many Claim Forms can be filed per victim?**

Only one claim form should be filed by or on behalf of each victim.

#### 4.3

##### **What if I need more space to write on the Claim Form?**

If you need additional space for one or more of the Claim Form sections, attach an additional page(s) and include the Claimant's name on each page.

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## **Section 5: Payments**

### 5.1

#### **When will payments be issued?**

Payments will be issued on a rolling basis beginning on September 27, 2016, immediately following the determination of all eligible claims.

### 5.2

#### **How will the amounts for each of the categories of injuries be determined?**

Determination of the amounts for each of the categories of injuries will depend upon the following: 1) the balance in the OneOrlando Fund; 2) the receipt of updated data regarding the nature and the number of injures; 3) completion of the review of all submitted claims and 4) review and approval by the OneOrlando Fund Board.

### 5.3

#### **Are payments from the OneOrlando Fund subject to federal income tax?**

The OneOrlando Fund cannot provide tax advice to those receiving payments from the Fund and the Fund Administrator recommends you consult your tax advisor for any questions regarding tax liability for these payments.

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## **Section 6: OneOrlando FAQ**

### 6.1

#### **What percentage of the money raised will go to administration and overhead costs?**

None. The OneOrlando Fund is committed to giving 100% of the donations that are being received directly back to the victims' families and the survivors. We will not have any paid staff and are working with service providers to ensure there is no other overhead.

## 6.2

### **Why is the distribution a gift and not earmarked towards paying off specific bills victims or survivors might have?**

The OneOrlando Fund was not setup to pay for victims bills or to pay off any other debt but instead serve as a gift to the victims of the pulse tragedy. As in past victims funds, the victims will receive their money with no strings or obligations attached. This is the most equitable way to distribute the funds.

## 6.3

### **Why is the distribution amount and categorization not based on needs?**

The goal of the OneOrlando fund continues to be how to distribute the generosity of the world to the victims of the Pulse tragedy and to do so quickly and in a transparent manner. To begin determining exact needs of each victim would take years if not longer as the impacts of the tragedy are still not fully understood. It would also not be equitable to make any payments until there was a full understanding of the lifetime needs of each victim therefore delaying the distribution. Additionally, the OneOrlando Fund has committed to no overhead costs it would take a team of people to validate and sort through these needs. Instead the OneOrlando Fund will use the national model for victim fund compensations which uses hospitalization as an adequate surrogate for need.

## 6.4

### **Where can victims get financial and legal advice?**

Victims' families and survivors can contact the Orlando United Assistance Center at 407-500-HOPE or at [cityoforlando.net/hope](http://cityoforlando.net/hope) to get connected with free legal and financial assistance.

## 6.5

### **Does the final protocol recognize mental health?**

The final protocol recognizes anyone who was in the club at the time of the shooting suffered emotional harm and is eligible for payment

## 6.6

### **Why aren't businesses included as victims eligible to make claims?**

While it would be ideal to provide compensation for anyone impacted by the Pulse tragedy, it's important to give a meaningful amount to those who were most impacted by the tragedy. There is simply not enough money to distribute to the hundreds of victims who were present at Pulse and to the multitude of businesses and their employees who may have also been impacted.

## 6.7

### **Why are the families of those who were killed receiving more money than those who were physically injured that may have a lifetime of needs?**

It is well understood and documented that death receives the most compensation in any payment. The emotional hardship caused by losing someone is almost always more than the hardship caused by injury.

## 6.8

### **Why is the claims window only 30 days?**

Based on prior learnings, 30 days will be sufficient for all victims to file their claim. With the cooperation of law enforcement and the local hospitals there should be no reason a victim cannot file a claim within this window. A 30 day period also ensures we are able to get the funds to victims as quickly as possible.

## 6.9

### **Why can only one claim per victim be filed?**

If there are multiple claim forms for a given victim, somebody is going to have to make determinations as to who is the personal representative and who should receive the funds. This is the responsibility of the victim or a family member seeking to act as personal representative of the victim. Competing family members are encouraged to make these decisions on their own and in most cases will. If not, the distribution of money will be tendered to the probate court, permitting family members to litigate in court.

## 6.10

### **How will the OneOrlando Fund handle the circumstances of same-sex partners?**

The fact that LGBTQ victims were targeted in the Pulse shooting, and at a place at which they believed they would be safe, unlike any other mass shooting anywhere, is unique and tragic, and the OneOrlando

Fund Board grappled with whether and how to address same-sex relationships in the claims process. The Board's role is to distribute the monies directly to the victims in an efficient manner and encourages families to ensure that those who deserve compensation receive it. If families cannot agree, their disputes will have to be settled by the courts; that's what courts of law do, and the Board doesn't have the legal or practical means to resolve such matters.

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### **Fundraising Questions**

#### **Can I get your EIN/Tax ID?**

Our Tax ID is 27-1964941

#### **Will you support matching funds from companies?**

We will gladly accept matching funds from companies but we don't have any full-time staff at OneOrlando and therefore don't have the staff to verify donations from your employees. What most companies are doing is requesting that employees share the donation receipt back with the company and the company keeps track of it on their end. Thank you for your understanding and patience.

#### **I am doing an event or selling services and I would like to donate the proceeds to the OneOrlando Fund, is that OK and can you support our event?**

We greatly appreciate your support. At this point, the OneOrlando Fund is not endorsing or promoting any specific events or fundraisers. We don't have any paid staff and have no plans to bring staff on so that we can have no overhead costs. You are welcome to make a donation to the OneOrlando Fund with any proceeds from any event or fundraiser.

#### **What are the ways I can contribute?**

You can donate

- Online at [OneOrlando.org](http://OneOrlando.org)
- Checks may be made payable to OneOrlando Fund and sent to:
  - OneOrlando
  - PO Box 4990
  - Orlando, FL 32802-4990
- Via wire transfer (please contact [info@oneorlando.org](mailto:info@oneorlando.org) for instructions)

#### **I would like to donate my services or volunteer can I do that with OneOrlando?**

Thank you for your offer to donate your product or services. The OneOrlando Fund is not coordinating volunteers. Please check out the service providers listed at [cityoforlando.net/hope](http://cityoforlando.net/hope) and contact a service provider to provide support to victims' families and survivors.

#### **Are you selling T-Shirts or other merchandise?**

The OneOrlando Fund is not selling any items. There are other organizations that are selling items that they state will go to the OneOrlando Fund. At this point, we do not have any way of providing a list of verified fundraisers.

#### **Can I get a high-resolution version of the OneOrlando logo?**

These formats are available to download: [PNG](#) | [EPS](#) | [PDF](#)

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- [Orlando Mayor Buddy Dyer Announces Kenneth R. Feinberg Administrator of OneOrlando Fund](#) July 1, 2016
- [OneOrlando Announces Partnership with Equality Florida, The GLBT Center and the National Compassion Fund](#) June 30, 2016

OneOrlando is a project within Strengthen Orlando. Strengthen Orlando is a 501(c)(3) nonprofit organization, Federal Tax ID #27-1964941 and Florida Registration #CH32010.



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