

**YOU MAY BE ENTITLED TO A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT IF YOU WERE REQUIRED TO PROVIDE YOUR FINGERPRINT OR OTHER BIOMETRIC INFORMATION FOR EMPLOYEE TIMEKEEPING OR DOOR ACCESS PURPOSES TO MOMENCE PACKING COMPANY AND DID NOT SIGN A CONSENT FORM AT ANY TIME BETWEEN AUGUST 30, 2014 AND DECEMBER 14, 2020.**

*This is a court-authorized notice of a proposed class action settlement. This is not a solicitation from a lawyer and is not notice of a lawsuit against you.*

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Claim Number 1111111



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A proposed settlement has been reached in a class action lawsuit against Momence Packing Company (“Defendant”) regarding timekeeping devices used by Defendant from August 30, 2014 through **December 14, 2020**, which required employees to provide biometric information (e.g. fingerprints etc.) for timekeeping and door access purposes, allegedly in violation of the Illinois’ Biometric Information Privacy Act (“BIPA”). The case is entitled *Anton Tucker vs. Momence Packing Co.*, Case No. 2019-L-000098, currently pending in the Circuit Court of the Twenty-First Judicial Circuit, Kankakee County Illinois, Law Division. The proposed settlement is not an admission of wrongdoing by Defendant, and Defendant denies that it violated the law. The Court has not decided who is right or wrong. Rather, to save the time, expense, and distraction of litigation, the parties have agreed to settle the lawsuit. The settlement has been preliminarily approved by a court in Kankakee, Illinois.

**Am I a Member of the Settlement Class?**

You are a member of the Settlement Class if, at any time between August 30, 2014 through December 14, 2020, you were a Defendant temporary worker or employee in the State of Illinois who used a finger or hand scanner for door access or timekeeping purposes and did not sign a consent form.

**What Can I Get From the Proposed Settlement?**

Defendant has agreed to create a fund totaling \$798,847.00 from which all payments contemplated by the Settlement Agreement will be paid, including: (a) an Incentive Award to Plaintiff, Antwan Tucker, in an amount up to \$7,500; (b) reasonable attorneys’ fees to Class Counsel not to exceed 35% of the settlement fund plus reimbursement of reasonable costs; (c) costs incurred by or on behalf of the Settlement Administrator in administering the settlement; (d) an equal share of the remaining Settlement Fund to each Settlement Class Member; and (e) if applicable, any remaining amounts to Prairie State Legal Services and the Defendant. Defendant has also agreed to alter its biometric timekeeping practices, as explained in the detailed notice and Settlement Agreement at the website listed below.

**What are my Options?**

Please visit the website for Class Counsel at [www.fishlawfirm.com/momence](http://www.fishlawfirm.com/momence), for details about your options and related deadlines. If you do not want to be legally bound by the Settlement Agreement, you must exclude yourself by **February 15, 2021**. If you do not exclude yourself from the settlement reached, you will release any claims you may have, as more fully described in the Settlement Agreement, available at [www.fishlawfirm.com/momence](http://www.fishlawfirm.com/momence).

You may also object to the settlement by making a valid objection by **February 15, 2021**. The long form notice, available on the website explains how to exclude yourself or object. The Court will hold a hearing on March 15, 2021 at 9:30 a.m., to consider whether to approve the Settlement Agreement and a request by Class Counsel for attorneys’ fees, costs, and expenses of up to one-third of the Settlement Fund for their work in the case, and an Incentive Award payment in an amount up to \$7,500 to Class Representative, Antwan Tucker. You may appear at the hearing, either by yourself or through an attorney hired by you, but you don’t have to. The hearing will take place in Courtroom 204 of the Twenty-First Judicial Circuit, Kankakee County, Illinois, 450 E. Court St., Kankakee, IL 60901.

**Do I Have to Do Anything to Participate in the Settlement?**

To receive your pro rata share of the Settlement Fund and be bound by the Settlement Agreement, including the release of claims against Defendant and its affiliated entities and agents, you do not need to do anything.