

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

ANDREA JONES individually and on behalf of  
all others similarly situated,

*Plaintiff,*

v.

ROSEBUD RESTAURANTS, INC. doing  
business as ROSEBUD RESTAURANT  
GROUP,

*Defendant.*

Case No.: 2019 CH 10620

Hon. Caroline Kate Moreland

**PRELIMINARY APPROVAL ORDER**

This matter having come before the Court on Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement ("the Motion"), the Court having reviewed and considered the Motion and attachments, including the Stipulation of Class Action Settlement ("Settlement" or "Settlement Agreement") and its attachments, and the Court being fully advised in the premises,

IT IS ORDERED AS FOLLOWS:

1. Capitalized terms not defined in this Order are defined in the Parties' Settlement Agreement.
2. The Court finds, on a preliminary basis, that the Settlement is fair, reasonable, and adequate.
3. The Settlement Agreement was negotiated at arm's-length between counsel for the Parties who are experienced in class action litigation.
4. For settlement purposes only, the Court preliminary certifies the following Settlement Class:

All employees of Defendant who used a finger-scan point of sale system in Illinois between September 13, 2014 and the date of preliminary approval, who do not timely exclude themselves from the settlement.

5. Excluded from the Settlement Class are (a) any Judge presiding over this action and members of their families; (b) Defendant, Defendant's subsidiaries, parent companies, successors, predecessors, and any entity in which Defendant or its parents have a controlling interest; (c) persons who properly execute and file a timely request for exclusion from the Settlement Class; (d) persons whose claims in this matter have been finally adjudicated on the merits or otherwise released; (e) counsel for all Parties and members of their families and (f) the legal representatives, successors or assigns of any such excluded persons or entities.

6. For settlement purposes only, the Court appoints Andrea Jones as the Class Representative.

7. For settlement purposes only, the Court appoints as Class Counsel:

David Fish  
John Kunze  
Mara A. Baltabols  
The Fish Law Firm, P.C.  
200 East Fifth Ave., Suite 123  
Naperville, IL 60563

8. The Court appoints Analytics LLC as the Settlement Administrator to perform all duties described in the Settlement Agreement or ordered by this Court.

9. The Court approves the proposed Class Notice and Claim Form and orders their distribution to Class Members as described in the Settlement Agreement. The Class Notice, Claim Form, and the method of distribution satisfy due process, the requirements of Section 2-803 of the Illinois Code of Civil Procedure and constitute the best notice practicable under the circumstances.

10. Any person in the Settlement Class may submit a request for exclusion from the Settlement on or before the Objection/Exclusion Deadline (42 days from Notice mailing). To be valid, any

request for exclusion must (a) be in writing; (b) identify the case name *Andrea Jones v. Rosebud Restaurants, Inc.*, Case No. 2019 CH 10620 (Cir. Ct. Cook Cty.), (c) state the full name and current address of the person in the Settlement Class seeking exclusion; (d) be physically signed by the person(s) seeking exclusion; and (e) be postmarked or received by the Settlement Administrator on or before the Objection/Exclusion Deadline. Each request for exclusion must also contain a statement to the effect that “I hereby request to be excluded from the proposed Settlement Class in *Andrea Jones v. Rosebud Restaurants, Inc.*, Case No. 2019 CH 10620 (Cir. Ct. Cook Cty.)” A request for exclusion that does not include all of the foregoing information, that is sent to an address other than that designated in the Notice, or that is not postmarked or delivered to the Settlement Administrator within the time specified, shall be invalid and the persons serving such a request shall be deemed to remain Settlement Class Members and shall be bound as Settlement Class Members by the Settlement Agreement, if approved. No person may request to be excluded from the Settlement Class through “mass” or “class” opt-outs.

11. Any person who elects to request exclusion from the Settlement Class shall not (a) be bound by any orders or Final Judgment entered in the Action, (b) receive a Settlement Payment under this Settlement Agreement, (c) gain any rights by virtue of this Settlement Agreement, or (d) be entitled to object to any aspect of this Settlement Agreement or Final Judgment.

12. Any Settlement Class Member who does not request to be excluded from the Settlement may object to this Settlement. To do so, the Settlement Class Member must present the following information in a statement signed by the objector: (a) the Settlement Class Member’s full name and current address, (b) a statement that he or she believes himself or herself to be a member of the Settlement Class, (c) the specific grounds for the objection, (d) all documents or writings that the Settlement Class Member desires the Court to consider, (e) the name and contact information

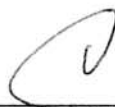
of any and all attorneys representing, advising, or in any way assisting the objector in connection with the preparation or submission of the objection or who may profit from the pursuit of the objection; and (f) a statement indicating whether the objector intends to appear at the Final Approval Hearing (either personally or through counsel, who must file an appearance or seek *pro hac vice* admission). All written objections must be filed with the Court and postmarked, e-mailed or delivered to Class Counsel and Defendant's Counsel no later than the Objection/Exclusion Deadline.

13. Class Counsel shall file a motion for final approval of the Settlement, attorneys' fees and litigation costs, and incentive award for the Class Representative by August 3, 2020.

14. The Court schedules a Final Approval Hearing for August 17, 2020 in Courtroom 2302 of the Circuit Court of Cook County, Illinois, Richard J. Daley Center, 50 W. Washington Street, Chicago, Illinois 60602 at 10:00 a.m., to consider, among other things, (1) whether to finally approve the Settlement; (2) whether to approve Class Counsel's request for attorneys' fees and litigation costs; and (3) whether to approve the Class Representative's request for an incentive award.

15. The Final Approval Hearing may be postponed, adjourned, transferred, or continued by order of the Court without further notice to Settlement Class Members. At or following the Final Approval Hearing, the Court may enter a Final Judgment approving the Settlement and entering a Final Approval Order in accordance with the Settlement that adjudicates the rights of all Settlement Class Members.

Entered: May 4, 2020

  
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Judge Moreland