

NOTICE OF CLASS ACTION SETTLEMENT

Haywood v. thyssenkrupp Dynamic Components Danville, LLC,
No. 2021 L 57 (Vermillion Cty., IL)

ABC1234567890

Claim Number 1111111



JOHN Q CLASSMEMBER
123 MAIN ST
APT 1
ANYTOWN, ST 12345

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

TO: All persons who worked for thyssenkrupp Dynamic Components Danville, LLC formerly known as thyssenkrupp Presta Danville, LLC (“Defendant”) in the State of Illinois between November 3, 2016 and March 21, 2022 who used timekeeping technology provided by Defendant which used a scan of their finger and/or hand. These persons are the “Settlement Class” discussed below.

A. WHY HAVE YOU RECEIVED THIS NOTICE? The Court ordered us to send you this notice because you may have used timekeeping technology at one of Defendant’s facilities which utilized a scan of your finger and/or hand.

B. WHAT IS THIS LAWSUIT ABOUT? The named Plaintiff filed a class action lawsuit alleging that Defendant collected employees’ biometric information without making the disclosures and receiving the written consent required by the Illinois Biometric Information Privacy Act, 740 ILCS 14/1, et seq. (“BIPA”). Defendant denied these allegations. Notwithstanding their disagreements, the parties have proposed a settlement that, if approved by the Court, will resolve the claims.

C. WHAT IS THE PROPOSED SETTLEMENT? Without admitting any fault or liability, and in exchange for a release of all claims about the Settlement Class’s biometrics, Defendant has agreed to make available a settlement fund of \$600,000 (the “Settlement Fund”) to pay Settlement Class members, to pay an incentive award to the Plaintiff for serving as a Class Representative, and to pay attorneys’ fees and expenses to Plaintiff’s attorneys. Each person who does not timely exclude themselves from the settlement will be mailed a check for their pro rata share of the Settlement Fund. Each Class Member who does not exclude themselves from the settlement is estimated to receive \$590.

The Court has preliminarily approved this settlement, subject to a fairness hearing that will occur on June 21, 2022, in Courtroom 4A of the Vermillion County Courthouse. You are not required to appear at this hearing unless you object to the settlement.

D. WHAT CAN YOU DO NOW? YOU HAVE THREE OPTIONS.

1. **Do nothing.** If you want to receive a settlement payment, *you do not need to do anything.* If you do nothing, you will receive your pro rata share of the Settlement Fund and be bound by the settlement agreement, including the release of claims against Defendant and the Releasees (as that term is defined in the settlement agreement). If required by law, you may also be sent a 1099 tax reporting form.
2. **Exclude yourself from the Settlement Class and the settlement.** If you do not want to be legally bound by the settlement, you must exclude yourself by **June 3, 2022**. If you do this, you will NOT get a payment. To

exclude yourself, you must mail your written request for exclusion to the settlement administrator (contact information below). Your written request for exclusion must include your full name, address, telephone number, the last four digits of your Social Security Number, a statement that you wish to be excluded from the settlement and agree not to participate in the settlement, and it must be signed by you. If you exclude yourself, you will not receive money from this settlement, but you will keep your legal rights regarding any claims that you may have against Defendant and the other Releasees.

3. **Object to the settlement in writing.** If you object to the settlement and wish to file an objection rather than excluding yourself, you must file your objection in writing with the Clerk of the Clerk of the Circuit Court of Vermillion County, 7 N. Vermillion St., Danville, IL 61832. Your objection must be filed by **June 3, 2022**. You must also serve copies of your objection and any supporting memoranda or materials on the administrator, Analytics Consulting LLC, at the contact information listed below, by Your objection must be postmarked by **June 3, 2022**. Your objection must be signed by you or your attorneys, must identify your name, address, and telephone number, and must include a written statement of the grounds for the objection. If your objection does not comply with these requirements, the Court may strike and disregard your objection. It is not enough to say that you object; you must state the reasons why you believe the Court should reject the settlement. If you file an objection, then you must appear at the final approval hearing before Judge Fahey in Courtroom 4A of the Vermillion County Courthouse, 7 N. Vermillion St., Danville, IL 61832 on June 21, 2022, at 10:00 a.m. You are not required to attend this hearing unless you object to the settlement.

E. WHO REPRESENTS THE CLASS? The Court appointed Plaintiff to be the “Class Representative” and appointed Fish Potter Bolaños, P.C. as “Class Counsel.” At the fairness hearing, Class Counsel will request that the Court approve an incentive award of \$7,500 from the Settlement Fund for the Class Representative for their service on behalf of the Settlement Class. Class Counsel will request that the Court award them up to 35% of the Settlement Fund as attorneys’ fees, plus their out-of-pocket litigation expenses also to be paid from the Settlement Fund.

F. WHEN WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT? The Court will hold a hearing to decide whether the proposed settlement is fair and reasonable and should be approved. At that fairness hearing, the Court will hear any objections and arguments about the proposed settlement, including about the attorneys’ fees and expenses requested by Class Counsel and the incentive award requested for the Class Representative. The fairness hearing will take place on June 21, 2022, at 10:00 a.m., in Courtroom 4A of the Vermillion County Courthouse, 7 N. Vermillion St., Danville, IL 61832. You do not need to attend this hearing unless you object. The fairness hearing may be continued to a future date without further notice. If the Court does not approve the settlement, the litigation will proceed as if no settlement has been attempted. If the settlement is not approved, there is no assurance that the Settlement Class will recover more than is provided in the settlement, or anything at all.

G. HOW DO I OBTAIN MORE INFORMATION? This Notice is general and does not cover all the issues and proceedings in the settlement or the underlying litigation. You can learn more about the settlement by contacting the settlement administrator, Analytics Consulting LLC, at **1-833-392-2921**, or Settlement Class counsel, Fish Potter Bolaños, P.C. at (312) 861-1800. You may also review the settlement agreement and related case documents at the website: www.fishlawfirm.com/dynamic.

If you have any questions or for more information, contact the settlement administrator or Settlement Class counsel at:

Settlement Administrator

Haywood v thyssenkrupp Dynamic Components
c/o Analytics Consulting LLC
P.O. Box 2002
Chanhassen, MN 55317-2002
(833) 392-2921
DynamicBIPA@noticeadministrator.com

Settlement Class Counsel

David Fish
Mara Baltabols
Fish Potter Bolaños, P.C.
Fifth Avenue Station
200 E. 5th Avenue, Suite 123
Naperville IL 60563
(312) 861-1800
admin@fishlawfirm.com

Please do not contact the Clerk of the Court, the Judge, or the Judge’s staff, because they cannot answer your questions or give you advice about this settlement.

BY ORDER OF THE COURT