

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 TIMEKEEPING PURPOSES TO WOOD DALE MEMORY CARE INC. D/B/A THE RADCLIFF AT ANY TIME BETWEEN MARCH 6, 2015 AND DECEMBER 15, 2021.

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 and is not notice of a lawsuit against you.

What is this Notice About?

A proposed settlement has been reached in a class action lawsuit against Wood Dale Memory Care, Inc. d/b/a The Radcliff (“Defendant”) regarding timekeeping devices used by Defendant from March 6, 2015 through December 15, 2021, which required employees to provide biometric information (e.g. fingerprints etc.) for timekeeping purposes, allegedly in violation of the Illinois’ Biometric Information Privacy Act (“BIPA”). The case is entitled *McClain, et al. v. Wood Dale Memory Care, Inc. d/b/a The Radcliff*, Case No. 2020 L 000280, pending in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois. 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 Wheaton, Illinois.

Am I a Member of the Settlement Class?

You are a member of the Settlement Class if, at any time between March 6, 2015 through December 15, 2021, you were required to provide your fingerprint for timekeeping purposes to Wood Dale Memory Care, Inc. d/b/a The Radcliff within the state of Illinois.

What Can I Get From the Proposed Settlement?

Defendant has agreed to create a fund totaling \$100,000.00 from which all payments contemplated by the Settlement Agreement will be paid, including: (a) Incentive Awards to Plaintiffs, Patricia McClain and Veronica Edwards, in an amount up to \$4,000 each; (b) reasonable attorneys’ fees to Class Counsel not to exceed 35% percent 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 distributed to *cy pres* recipient Prairie State Legal Services. Defendant has also agreed to alter its biometric timekeeping practices, as explained in the detailed Settlement Agreement at the website www.fishlawfirm.com/wooddale.

The Settlement Administrator will issue a check to each Class Member who does not otherwise exclude themselves following the final approval of the settlement. It is believed that each Class Member will receive approximately \$500 from the Settlement Fund, but the exact amount is not yet known and could be more or less.

Who Represents the Class?

The Court has approved the following attorney to represent the Settlement Class, who is referred to as “Class Counsel,” Fish Potter Bolaños, P.C., 200 E. 5th Ave Ste. 123, Naperville, IL 60563, admin@fishlawfirm.com, (312) 861-1800. You will not be charged for this lawyer. If you want to be represented by your own lawyer instead, you may hire one at your own expense.

What Are Your Options?

1. If you want to participate in the settlement and receive a settlement payment, do nothing. A check will be mailed to you if the Court grants final approval of the settlement.
2. If you do not want to be legally bound by the settlement, you must exclude yourself by February 14, 2022. To do so, you must mail your written request for exclusion to the Settlement Administrator, Analytics, at McClain v Wood Dale Memory Care, c/o Analytics Consulting LLC, P.O. Box 2002, Chanhassen, MN 55317-2002. Your written request for exclusion must identify the name of the case and case number, *McClain, et al. v. Wood Dale Memory Care, Inc. d/b/a The Radcliff*, Case No. 2020 L 000280 (DuPage County), include your full name and current address, a statement that you wish to be excluded from the settlement and must be personally signed by you. If you exclude yourself, you will not receive money from this settlement, but you will retain your legal rights regarding any claims that you may have against Defendant.
3. You may object to the settlement by February 14, 2022, if you have not already excluded yourself from the settlement. If you want to object to the settlement, you must file the objection with the Clerk of the Court in DuPage County and mail or e-mail a copy of the written statement to Class Counsel and Defendant's Counsel at the addresses below by February 14, 2022.

Class Counsel

David Fish
Fish Potter Bolaños, P.C.
Fifth Avenue Station
200 E. 5th Avenue, Suite 123
Naperville, IL 60563
admin@fishlawfirm.com

Defendant's Counsel

Daniel C. Shapiro
Shapiro & Associates Law
618 Academy Dr, Suite B
Northbrook, IL 60062
dshapiro@shapiroassociateslaw.com

The written objection must include the case name and number, *McClain, et al. v. Wood Dale Memory Care, Inc. d/b/a The Radcliff*, Case No. 2020 L 000280 (DuPage County), your full name and current address, the specific grounds for the objection, all information you wish for the Court to consider, the name and contact information of your attorney, if any, and a statement indicating whether you intend to appear at the Final Approval hearing. No Class Member will be entitled to object to the settlement unless written notice of the Class Member's intention has been mailed to the Clerk of the Court by February 14, 2022, and copies provided to Class Counsel and Defendant's Counsel.

How do I update my Contact Information?

You must notify the Settlement Administrator of any changes in your mailing address so that your settlement award will be sent to the correct address. To update your address, contact Analytics, the Settlement Administrator, at the address listed below.

When is the Final Approval Hearing?

The Court will hold a hearing in this case on **April 6, 2022 at 9:00 a.m.**, in Courtroom 2010 of the Circuit Court of DuPage County, 505 N. County Farm Road, Wheaton, Illinois 60187 and via Zoom link available at <https://www.18thjudicial.org/>, to consider, among other things, (1) whether to approve the Settlement; (2) a request by the lawyers representing all class members for an award of no more than 35% of the settlement fund plus costs; and (3) a request for a service award of \$4,000 for each Class Representative McClain and Edwards. You may appear at the hearing, but you are not required to do so.

If you have any questions or for more information, contact the Settlement Administrator or Class Counsel at:

Settlement Administrator

McClain v Wood Dale Memory Care
c/o Analytics Consulting LLC
P.O. Box 2002
Chanhassen, MN 55317-2002
(866) 929-1667

Class Counsel

David Fish
Fish Potter Bolaños, P.C.
Fifth Avenue Station
200 E. 5th Avenue, Suite 123
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