

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SHADIYA SMITH, LYNDSY JONES,	
LaSHEAR ALLEN, JAKIA NEELEY	•
and TSEDKEYAH PITTMAN on behalf of)	Case No.: 15- cv- 3359
themselves and all	
other plaintiffs similarly	
situated known and unknown,	
Plaintiffs,)) Judge: Honorable James B. Zagel
v .	
SISTAR BEAUTY CORPORATION and SANG W. LEW) Magistrate Judge: Honorable Susan E. Cox
Defendants.))

AGREED JUDGMENT

This matter comes before the Court on the Plaintiffs, Shadiya Smith, Lindsy Jones, LaShear Allen, Jakia Neeley, Tsedkeyah Pittman and all other plaintiffs similarly situated ("Plaintiffs") and Defendants Sistar Beauty Corporation ("Sistar") and Sang W. Lew ("Lew," and together with Sistar, collectively "Defendants") Agreed Motion for Entry of Judgment In Favor of Class and For Notice ("Agreed Motion"), the Court being fully advised, it is hereby ordered as follows:

- 1. Plaintiffs and the Class shall be provided notice in the form attached to the Agreed Motion as Exhibit B by First Class Mail sent by Class Counsel.
- 2. Judgment is entered against Defendants Sistar Beauty Corporation and Sang W. Lew and in favor of each Plaintiff and Class member in the amount corresponding to that person as set forth on the attached Appendix 1.

- 3. The amounts set forth on Appendix 1 shall be paid by the Defendants to each Plaintiff and Class members on or before March 31, 2016. The payments shall be made by check and mailed by Defendants via First Class Mail to each Class Member at his or her last known address. By April 28, 2016, Defendants shall provide to the Class Counsel proof of mailing by providing the address and amount of the payment that was sent to each Plaintiff along with a certification, under oath, that the aforementioned payments were made.
- 4. If any checks are returned for any reason, the Defendants shall within 14 days of receiving the returned check provide to the Class Counsel the Plaintiff and/or Class member's last known telephone number. Class Counsel will then attempt to call the Class member to ascertain if an updated address is available. If such an updated address is available, the Defendants will send the check to the new address.
- 5. On May 15, 2016, Defendants will provide Class Counsel with an accounting of all un-cashed checks by providing a list of all Plaintiffs and Class Members who were sent a check but for which the check was not cashed. At this time, the Defendants will send replacement checks to the Illinois Treasurer, Unclaimed Property Division so that the payments are held by the Illinois Treasurer in the name of the individual Plaintiffs and Class Member. Defendants shall provide Class Counsel with proof of such actions on or before June 15, 2016.
- 6. The Parties will cooperate to come to an agreement as to the amount of reasonable attorney fees and costs. If they are unable to do so, then within 90 days, Plaintiffs' Counsel shall file a petition for attorney fees and costs.
- 7. The Defendants are further ordered to comply with the obligations of the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., and the Illinois Minimum Wage Law, 820 ILCS § 105/1, et seq. going forward.

Entered:

February <u>18</u>, 2016

Appendix 1—Judgment Amounts

	1
Alishia	\$221.65
Antia Handard	\$63.90
Bianca (\$84.29
Cerel 7	\$34.80
Chenice	\$730.37
Chicquit	\$70.46
Ciara	\$55.79
Conchet	\$15.85
Crystal	\$139.18
Deja V	\$426.69
Diane	\$16.90
Ebonie 4	\$316.22
Ginesha	\$0.15
leshia 🖺	\$3.35
Jacqueli	\$126.02
Jakia (\$1,127.40
Jamie 1	\$35.19
Janet 1	\$995.48
Javon V	\$220.85
Jeoffery	\$1,937.19
Jovone	\$952.53
Kamika	\$13.39
Karen	\$1,083.12
Kayla	\$554.71
Lachina	\$608.35
Lashear	\$294.24
Latoya	\$455.91
Latrice	\$13.80
Lena	\$9.90
Lyndsy	\$1,097.67
Marcia	\$16.20
Mariah	\$3.02
Melody	\$203.82
Patrice	\$0.45
Patrick	\$176.51
Rachel (\$547.47
Ranasha	\$508.80

Raquel	\$943.28
Raymona	\$107.42
Regine M	\$12.99
Selena H	\$27.80
Shadia Maria	\$884.18
Shaquara	\$133.36
Shay	\$7.30
Sylk Euse	\$550.35
Tangela	\$5.80
Tasheaka	\$17.92
Tsedkeya	\$848.58
Tyisha 💮	\$619.75
Wavie Manager	\$0.60
Whitley	\$89.15
Yasha 🗐	\$128.41
Yoshabel	\$1,903.18

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Smith, et al. v. Sistar Beauty Corporation and Sang W. Lew, Case No. 15-cv-3359 NOTICE OF PENDING LAWSUIT February , 2016

1. What is this Notice about?

The Court has authorized this notice. If you were or are an hourly employee of Sistar Beauty Corporation or Sang W. Lew (collectively "Defendants"), work or worked at Defendants' location at 8900 South Lafayette Avenue, Chicago, Illinois, and worked more than forty (40) hours per week, a class action lawsuit may affect your rights.

2. What is the lawsuit about?

The lawsuit is about whether Sistar Beauty Corporation and Sang W. Lew ("Defendants") properly calculated and paid overtime compensation to its employees who worked in excess of forty (40) hours per week. Plaintiffs Lyndsy Jones, Shadia Smith, LaShear Allen, Jakia Neely and Tsedkeyah Pittman (collectively "Plaintiffs") allege that Defendants did not properly calculate hours and overtime wages.

A judgment has already been entered against the Defendants, by agreement, that found that they are liable for overtime wages. Based upon records that were disclosed, the amount of overtime wages owed to the Plaintiffs and other employees has been calculated and you should receive a check for the overtime wages that are owed to you within 60 days if you remain a member of this lawsuit.

3. What is a Class Action Lawsuit and who is involved?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of other people who have similar claims. In this case, the Class Representatives are the Plaintiffs. The people with similar claims are a "Class" or "Class Members." The Class Representatives and the Class Members are collectively called the Plaintiffs. The company and people they sued, in this case Sistar Beauty Corporation and Sang W. Lew, are called the Defendants. In a class action lawsuit, one court resolves the issues for everyone in the Class - except for those people who choose to be excluded.

4. Why is this Lawsuit a Class Action?

This lawsuit is both a Collective Action and a Class Action. The Court allowed, or "certified" this lawsuit as a class action because:

- a. There are a sufficient number of individuals employed on an hourly basis by Sistar Beauty Corporation and Sang W. Lew;
 - b. There are legal questions and facts that are common to the Class Members;
 - c. The Class Representatives' claims are typical to the claims of the rest of the Class;
- d. The Class Representatives and the lawyers representing the Class will fairly and adequately represent the Class' interests;

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- e. Defendants have allegedly acted or refused to act on grounds generally applicable to the Class;
- f. There are more important common legal questions and acts in this case than question that affect only individuals; and
 - g. This class action will be more efficient than having many individual lawsuits.

5. Who will be my lawyers and how will the lawyers be paid?

If you do not exclude yourself from the lawsuit, you will be represented by The Fish Law Firm, P.C. as part of the Class. You do not need to pay the lawyers. The Defendants have agreed to pay the reasonable attorney fees that were incurred by the Plaintiffs' lawyers.

6. How do I ask the Court to exclude me from this Class Action?

To ask to be excluded, you must send a letter to the attorneys for the Class. The letter must be sent to Smith, et al. v. Sistar Beauty Corporation, et al. Exclusions, c/o The Fish Law Firm, 200 E. 5th Avenue, Suite 123, Naperville, Illinois 60563. The letter must state that you want to be excluded from Smith, et al. v. Sistar Beauty Corporation, et al. Be sure to include your full name and address, and be sure to sign the letter. Your letter must be received by the attorneys that represent the Class on or before [30 days from date of mailing], 2016. It is your burden to ensure that your letter is received by the attorneys for the Class by the deadline. Members of the Class who do not elect to be excluded by the date indicated above will not be entitled to elect exclusion from the Class at a later date. Any member of the Class who does not request exclusion may, if the member desires, enter an appearance in this case through the member's own counsel at the member's expense.

7. How do I get more information about the lawsuit?

If you have questions about this Notice or the lawsuit, please contact counsel for the Class: The Fish Law Firm, P.C., 200 E. 5th Ave., Suite 123, Naperville, IL 60563, Phone: 630-355-7590. Copies of the Complaint as well as significant court documents are available on the Internet at: www.fishlawfirm.com/sistarovertimelawsuit/

THIS NOTICE HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. PLEASE DO NOT CALL OR WRITE THE JUDGE IN THIS LAWSUIT OR THE CLERK OF THE COURT. NEITHER THE JUDGE NOR THE CLERK OF THE COURT CAN ANSWER QUESTIONS ABOUT THIS LAWSUIT OR THIS NOTICE.