

NOTICE OF CLASS ACTION SETTLEMENT

Griffin v. Timeco Systems, Inc., Case No. 2023CH38

1. Introduction

An Illinois circuit court in Kankakee County preliminarily approved a class action settlement in the lawsuit *Griffin v. Timeco Systems, Inc.*, Case No. 2023CH38 (the “Lawsuit”).

You received this notice because you are a Settlement Class Member. The Court has approved this Notice to inform you of your rights. As further explained in this Notice, you have the following four options:

Summary of Your Options	
1.	<p>Receive a Settlement Payment. To get a Settlement Payment, you must complete, sign and return a Claim Form, in exchange for giving up certain legal claims you have.</p> <p>The Claim Form is attached to this Notice and is also accessible via the QR code printed to the right on this Notice. To receive a Settlement Payment, the Claim Form must be submitted on the website or be completed and returned via U.S. Mail and postmarked on or before October 12, 2024.</p>
2.	<p>Exclude Yourself from the Settlement. If you do not want to receive a Settlement Payment and do not want to give up any legal claims, you can exclude yourself from the Settlement by following the instructions below.</p>
3.	<p>Object to the Settlement. You can object to the Settlement by the following the instructions below; or</p>
4.	<p>Do Nothing. If you do nothing, you will not receive a settlement payment, but you will still give up certain legal claims you have.</p>



Before any money is paid, the Court will decide whether to grant final approval of the settlement.

2. What Is this Lawsuit About?

This Lawsuit is about whether Timeco Systems, Inc. (“Timeco”) violated the Illinois Biometric Information Privacy Act (“BIPA”). Among other things, BIPA prohibits private companies from capturing, collecting, or otherwise obtaining an individual’s biometric identifier or biometric information, including a fingerprint or identifying information based on a fingerprint, without first providing an individual with certain written disclosures and obtaining written consent. The Lawsuit alleges that Timeco violated BIPA by collecting fingerprint data from employees in Illinois without first providing written notice and obtaining written consent.

Timeco denies any violation of the law. The parties agreed to a settlement to resolve the Lawsuit. The Court did not decide whether Timeco violated the law.

You can learn more about the Lawsuit by contacting the settlement administrator, Analytics Consulting LLC, at (855) 603-5868, or Settlement Class Counsel, identified in Section 7 of this Notice. You may also review the Settlement Agreement and related case documents at the settlement website: www.BiometricPrivacyLawsuit.com.

3. Who Is Included in the Settlement?

The settlement includes all individuals who scanned their finger on a Timeco device within the State of Illinois between February 1, 2018 and May 31, 2023 before Timeco’s BIPA Notice was available (“Settlement Class” or “Settlement Class Members”). Excluded from the Class are persons who timely elect to exclude themselves (as described below).

4. What does the Settlement Provide?

The class action settlement provides for a total payment of \$1,407,000 that Timeco has agreed to pay to settle the claims of Settlement Class Members. Subject to Court approval, the gross settlement fund shall be reduced by the following: (1) an award of up to one third of the total settlement for Settlement Class Counsel's attorney fees (estimated to be \$469,000) and litigation costs of up to \$2,500; (2) a Service Award of \$7,500 to Class Representative Shannon Griffin; and (3) the Settlement Administrator's costs estimated to be less than \$25,000. Following these reductions, the remaining amount shall be the net settlement fund, which shall be distributed equally to Settlement Class Members who timely return valid claim forms ("Settlement Class Participants").

The amount of money each Settlement Class Participant will receive will depend on the number of Settlement Class Members who timely return valid claim forms. Settlement Class Counsel estimate that Settlement Class Participants will receive approximately **\$641.79** each.

Unless Settlement Class Members exclude themselves from the settlement as explained below, they will give up all claims against the Released Parties arising out of or relating to the collection, storage, possession, disclosure or use of data derived from fingerprints or finger scanning using Timeco's systems in Illinois, between February 1, 2018 and May 31, 2023, including but not limited to claims under the Illinois Biometric Information Privacy Act including statutory and common law claims, as well as related claims for liquidated damages, penalties, attorney fees and costs, expenses, and interest.

The "Released Parties" include Timeco and its current and former owners, affiliates, parents, subsidiaries, divisions, officers, directors, shareholders, agents, vendors, employees, attorneys, insurers, benefit plans, predecessors, and successors. Excluded from the release are any of Timeco's customers. The full release of claims is set forth in the Settlement Agreement.

5. What Are a Settlement Class Member's Options?

- 1. Request a settlement payment.** *If you are a Settlement Class Member and want to receive a settlement payment, you must complete and submit online, or return via U.S. Mail, a claim form by **October 12, 2024**.* You may return your claim form in the accompanying pre-paid envelope (if you received this Notice by mail). Or you may complete and submit a claim form online through the settlement website: **www.BiometricPrivacyLawsuit.com**, which is also accessible through the QR code printed on the first page of this Notice. If you are a Settlement Class Member and you timely return a completed and valid claim form, and if the Court grants final approval of the settlement, you will receive a check or an electronic payment, depending on which method of payment you select on the claim form. If required by law, you may also be sent a 1099 tax reporting form.
- 2. Exclude yourself from the settlement and receive no money.** If you are a Settlement Class Member and do not want to be legally bound by the settlement, you must exclude yourself from the settlement by **October 12, 2024**. If you do this, you will NOT get a settlement payment. To do so, you must mail or email your written request for exclusion to the Settlement Administrator (contact information below in Section 9 of this Notice). 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 it must be signed by you (an electronic signature qualifies). 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 Timeco and the other Released Parties.
- 3. Object to the Settlement.** If you are a Settlement Class Member, you may object to the settlement by **October 12, 2024**. If you want to object to the settlement, you must mail or email a written objection to the Settlement Administrator (contact information below in Section 9 of this Notice), which includes your full name, address, telephone number, the last four digits of your Social Security Number, the grounds for the objection, whether the objection applies to you only, a subset of the class, or the entire class, and copies of any other documents that you wish to submit in support of your objection. Any objection must also be personally signed by you (an electronic signature qualifies). If you exclude yourself from the settlement, you cannot file an objection.
- 4. Do Nothing.** You may choose to do nothing. If you are a Settlement Class Member and you do nothing, you will receive no money from the settlement, but you will still be bound by all orders and judgments of the Court. You will not be able to file or continue a lawsuit against the Released Parties regarding any legal claims released in this settlement.

6. 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, should you be eligible to receive one, will be sent to the correct address. To update your address, contact the Settlement Administrator, listed below in Section 9 of this Notice.

7. Who Are the Attorneys Representing the Class and How Will They Be Paid?

The Court has appointed Settlement Class Counsel, identified below, to represent Settlement Class Members in this settlement.

Douglas M. Werman
Maureen A. Salas
Werman Salas P.C.
77 West Washington Street
Suite 1402
Chicago, IL 60602
(312) 419-1008
dwerman@falsalaw.com
msalas@falsalaw.com

Jordan Richards
USA Employment Lawyers
Jordan Richards PLLC
1800 SE 10th Ave.
Suite 205
Fort Lauderdale, FL 33316
jordan@jordanrichardspllc.com

Settlement Class Counsel will request up to one-third of the total settlement amount as attorney fees plus reimbursement of their costs. You may review Settlement Class Counsel's request for attorney fees and costs at the settlement website, www.BiometricPrivacyLawsuit.com, after **August 28, 2024**. You will not have to pay Settlement Class Counsel from your settlement award or otherwise.

You also have the right to hire your own attorney at your own expense.

8. When is the Final Approval Hearing?

The Court will hold a hearing in this case on **November 14, 2024 at 9:30 a.m.**, to consider, among other things, (1) whether to finally approve the settlement; (2) a request by the lawyers representing Settlement Class Members for an award of no more than one-third of the settlement as attorney fees plus litigation costs; and (3) a request for a Service Award for the Settlement Class Representative Shannon Griffin; and (4) a request for the Settlement Administrator's costs.

You may appear at the final approval hearing, but you are not required to do so.

9. What If You Have Questions or Want More Information?

If you have any questions or for more information, contact the Settlement Class Counsel (identified in Section 7 of this Notice) or the Settlement Administrator at:

Settlement Administrator
Griffin v. Timeco
c/o Analytics Consulting LLC
PO Box 2006
Chanhassen MN 55317-2006
Phone: (855) 603-5868
Email: BiometricPrivacyLawsuit@noticeadministrator.com

PLEASE DO NOT CONTACT THE COURT OR TIMECO ABOUT THIS SETTLEMENT.