

**IN THE CIRCUIT COURT OF KANKAKEE COUNTY, ILLINOIS
TWENTY-FIRST JUDICIAL CIRCUIT**

SHANNON GRIFFIN, on behalf of herself and
all others similarly situated, known and
unknown,)

Plaintiff,)

v.)

TIMECO SYSTEMS, INC.,)

Defendant.)

Case No. 2023-CH-00038

Hon. Judge Lindsay A. Parkhurst

FILED

NOV 14 2024

Sandra M. Cramer
CIRCUIT COURT CLERK

FINAL APPROVAL ORDER

On November 14, 2024, the Court held a Final Approval Hearing and heard Plaintiff's Unopposed Motion and Memorandum of Law in Support of Final Approval of Class Action Settlement and Plaintiff's Motion for Attorneys' Fees, Litigation Costs, Settlement Administration Costs, and Service Award. The Court has considered the Motions and attached exhibits, as well as the Parties' presentation at the final approval hearing, and otherwise being fully informed on the premises, hereby finds and orders as follows:

1. Capitalized terms used in this Order that are not otherwise defined herein have the same meaning assigned to them as in the Parties' Settlement Agreement.

2. The Court has jurisdiction over the subject matter of this action, Plaintiff, the Settlement Class Members, and Defendant.

3. The Court finds that there is a bona fide legal dispute between the Parties as to whether Defendant violated the Illinois Biometric Information Privacy Act ("BIPA"), 740 ILCS 14/1, *et seq.*

4. The Court grants final approval of the Settlement memorialized in the Settlement Agreement filed with the Court.

5. The Court finds that the Settlement is fair, reasonable, and adequate. More specifically, the Court finds that: (a) the strength of Plaintiff's claims on the merits weighed against Defendant's defenses, and the complexity, length and expense of further litigation, support approval of the settlement; (b) the Maximum Gross Fund of \$1,407,000 as set forth in the Settlement Agreement is a fair, reasonable and adequate settlement of the claims; (c) the settlement was reached pursuant to arm's-length negotiations between the Parties over months; (d) the reaction of Settlement Class Members supports approval of the settlement; (e) the support for the settlement expressed by Settlement Class Counsel, who have significant experience representing parties in complex class actions (including, specifically, class actions brought under BIPA) weighs in favor of approval of the settlement; and (f) the litigation has progressed to a stage where the Court and the Parties could evaluate the merits of the case, potential damages, and the probable course of future litigation, and thus warrants approval of the settlement.

6. The Court approves the settlement as a final, fair, reasonable, adequate, and binding release of the claims of Plaintiff and the Releasing Settlement Class Members as provided in the Settlement Agreement.

For settlement purposes only, the Court finds that the Settlement Class satisfies the applicable standards for certification pursuant to Section 2-801 *et seq.* of the Illinois Code of Civil Procedure. The "Class Period" is defined as:

February 1, 2018 to the date that Defendant's BIPA policy became publicly available, which is May 31, 2023 ("BIPA Notice").

This Settlement applies to the following Settlement Class Members, defined as:

All individuals who scanned a finger on a TimeCo device within the State of Illinois during the Class Period before Defendant's BIPA Notice was available ("the Settlement Class" or "Settlement Class Members").

7. No Settlement Class Members made timely and valid requests for exclusion and all Settlement Class members are bound by this Order.

8. The Notice of Class Action Settlement ("Notice"), sent to the Settlement Class Members by the Settlement Administrator via First Class regular U.S. mail and, when available, by email, was adequate and consistent with due process. The Notice informed the Settlement Class Members of the terms of the Settlement, their estimated settlement payment, their right to request exclusion from the settlement and pursue their own remedies, and their opportunity to submit objections and appear and be heard at the Final Approval Hearing.

9. Analytics Consulting LLC ("Settlement Administrator") is administering the settlement pursuant to the Settlement Agreement, with the assistance of Settlement Class Counsel and Defendant's Counsel. The Settlement Administrator shall make settlement payments to the Settlement Class Participants as provided in the Settlement Agreement.

10. The Parties are directed to perform the obligations set forth in the Settlement Agreement, and the Court expressly adopts and incorporates herein all the terms of the Settlement Agreement.

11. The Court confirms the appointment of Douglas Werman and Maureen Salas of Werman Salas P.C. and Jordan Richards of USA Employment Lawyers -Jordan Richards PLLC as Settlement Class Counsel. The Court awards Settlement Class Counsel reasonable attorney fees of \$469,000, which is one-third of the Maximum Gross Fund, and reasonably incurred litigation expenses in the amount of \$1,332.07, which are payable as described in the Settlement Agreement.

12. The Court confirms the appointment of Shannon Griffin as Class Representative of the Settlement Class. The Court awards Class Representative Shannon Griffin a Service Award of \$7,500.00, which is payable from the Maximum Gross Fund as described in the Settlement Agreement.

13. The Court approves the requested payment of Settlement Administration Costs to the Settlement Administrator, Analytics Consulting, LLC and awards the Settlement Administrator its costs of \$20,573, which are payable from the Maximum Gross Fund as described in the Settlement Agreement.

14. This matter is dismissed with prejudice and without costs except as otherwise provided in this Order and in the Settlement Agreement and final judgment is hereby entered.

15. The Court shall retain jurisdiction with respect to the implementation and enforcement of the terms of the Settlement Agreement.

IT IS SO ORDERED.

ENTERED: 11-14-24


Judge Lindsay A. Parkhurst

Order Submitted By:

Maureen A. Salas (ARDC # 6289000)
Werman Salas P.C.
77 W. Washington St.
Suite 1402
Chicago, IL 60602
Telephone: (312) 419-1008
Email: msalas@flsalaw.com