

NOTICE OF CLASS ACTION SETTLEMENT

**You may benefit from this. Please read it carefully. You are not being sued.
You must submit a Claim Form to receive a settlement check.**

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT DUPAGE COUNTY, ILLINOIS, LAW DIVISION

ANGELA KARIKARI, individually and as the)	
representative of a class of similarly situated persons,)	
Plaintiff,)	No. 2019 L 000168
)	
v.)	
CARNAGIO ENTERPRISES, INC.,)	CLASS ACTION
Defendant.)	

NOTICE OF CLASS ACTION SETTLEMENT

TO: All persons who had their biometric information collected, captured, received, otherwise obtained, or disclosed between February 11, 2014 and the date of preliminary approval by Carnagio Enterprises, Inc. in the state of Illinois.

These persons are the “Settlement Class” discussed below.

A. WHY HAVE YOU RECEIVED THIS NOTICE? The Court authorized notice of a proposed settlement in a class action lawsuit, *Karikari v. Carnagio Enterprises, Inc.*, Case No. 2019 L 000168, pending in DuPage County, Illinois (“Lawsuit”). The settlement would resolve the Lawsuit brought on behalf of the Settlement Class. You are receiving this notice because you have been identified through Defendant’s records as a Settlement Class member. **Your Unique Identification Number is _____ . You will need it to submit a claim for your share of the Settlement Fund.**

B. WHAT IS THIS LAWSUIT ABOUT? The named plaintiff, Angela Karikari (“Plaintiff”), filed a class action lawsuit alleging that Carnagio Enterprises, Inc. (“Defendant”) collected its employees’ fingerprints 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 and continues to deny Plaintiff’s allegations. Notwithstanding their disagreements, the parties have proposed a settlement that, if approved by the Court, will resolve the Settlement Class’s claims relating to the collection of biometric information.

C. WHAT IS THE PROPOSED SETTLEMENT? Without admitting any fault or liability, and in exchange for a release of all claims relating to the collection of biometric information, Defendant has agreed to make up to \$895,158 (the “Settlement Fund”) available to pay claims from Settlement Class Members, to pay a service award to Plaintiff for serving as the “class representative,” to pay attorneys’ fees and expenses to Class Counsel, and to pay settlement administration costs. Each person who timely submits an approved Claim Form, will be mailed a check for their share of the Settlement Fund, which shall be calculated as follows: the Settlement Fund minus both the Service Award and Class Counsel’s Requested Fees and Expenses, which amount is then divided by the 1,417 persons on the Notice List.

The Court has preliminarily approved this settlement, subject to a fairness hearing that will occur on October 19, 2022, at 9:00 a.m., in Courtroom 2016 of the Eighteenth Judicial Circuit, DuPage County, Law Division, 505 N. County Farm Rd., Wheaton, IL 60187.

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

1. Return a completed Claim Form. To claim your share of the Settlement Fund, you must complete a Claim Form and return via mail to Karikari v. Carnagio Enterprises, Inc., c/o Analytics Consulting LLC, P.O. Box 2002, Chanhassen, MN 55317-2002, via email to CEInc.BIPA@noticeadministrator.com, or via text message to 612-473-0332, no later than **September 26, 2022**. If your claim is approved, you will be mailed a check for your share of the Settlement Fund.

2. Do nothing. If you do nothing, you will stay in the Settlement Class, be bound by any judgment entered by the Court, and you will release your claims against Defendant about collection of your biometric information, but you will receive no payment unless you submit a Claim Form.

3. Exclude yourself from the Settlement Class and the settlement. You can exclude yourself from the class action and the settlement by sending your request to Karikari v. Carnagio Enterprises, Inc., c/o Analytics Consulting LLC, PO Box 2002, Chanhassen MN 55317-2002. That request must be postmarked on or before September 26, 2022, and it must list your name, email, telephone number, street address, and the case name and number above. You must also mail copies of your request for exclusion, postmarked by the same date, to:

For the Settlement Class:

David J. Fish
Fish Potter Bolaños, P.C.
200 E. 5th Ave., Suite 123
Naperville, IL 60563

For Defendant:

Jamie L. Filipovic
O'Hagan Meyer, LLC
One E. Wacker Drive, Suite 3400
Chicago, IL 60601

4. Object to the settlement in writing. If you object to the settlement, and wish to file an objection rather than excluding yourself, you must submit your objection in writing to the Clerk of the Eighteenth Judicial Circuit, DuPage County, Law Division, 505 N. County Farm Rd., Wheaton, IL 60187. Your objection must be postmarked by September 26, 2022. You must also serve copies of your objection and any supporting memoranda or materials on the Settlement Administrator, the attorneys for the Settlement Class and the attorneys for Defendant at the contact information listed above, postmarked by the same date. Your objection must be signed under penalties of perjury and must identify (1) your name, address, fax number(s), and telephone number, (2) the specific date(s) when you worked at a Carnagio Enterprises, Inc. facility in Illinois, (3) all attorneys who assisted you in the preparation and filing of your objection, (4) a list of all other class action cases in which you or your attorneys have submitted an objection to a settlement, and (5) a statement of the reasons why you believe the Court should find that the proposed settlement is not fair, reasonable, adequate, and in the best interests of the Settlement Class. If your objection does not comply with these requirements, the Court will 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 in Courtroom 2016 of the Eighteenth Judicial Circuit, DuPage County, Law Division, 505 N. County Farm Rd., Wheaton, IL 60187 on October 19, 2022, at 9:00 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 David J. Fish and Mara A. Baltabols of Fish Potter Bolaños, P.C. and David M. Oppenheim of Bock, Hatch & Oppenheim, LLC as “Class Counsel.” At the fairness hearing, Class Counsel will request that the Court approve a service award of \$10,000 from the Settlement Fund for the Class Representative for her service on behalf of the Settlement Class. And, Class Counsel will request that the Court award them 35% of the Settlement Fund (\$313,305.30) as attorneys’ fees as well as 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 October 19, 2022, at 9:00 a.m., in Courtroom 2016 of the Eighteenth Judicial Circuit, DuPage County, Law Division, 505 N. County Farm Rd., Wheaton, IL 60187. **You do not need to attend this hearing unless you object.** The fairness hearing may be continued to a future date without further notice, and the hearing may be conducted remotely due to the ongoing Covid-19 pandemic. 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 description of the litigation is general and does not cover all of the issues and proceedings. If you have specific questions, you may write to Class Counsel at the address above. Include the case number, your name, your fax number, and your telephone number. Or, you may call Class Counsel at 312-861-1800. You may contact the Settlement Administrator by calling **855-789-2591**. To obtain a copy of the settlement agreement, you may visit the settlement website, **www.collectiveactio.io/CEInc**. To review the Class Action Complaint and other documents in this case, you may visit the office of the Clerk of the Circuit Court of Eighteenth Judicial Circuit, DuPage County, Law Division, 505 N. County Farm Rd., Wheaton, IL 60187, where files relating to this Lawsuit will be available for inspection and copying at your own expense.

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