

# **NOTICE OF CLASS ACTION SETTLEMENT**

*Cruz v. Jame Roll Form Products LLC d/b/a Venus Processing & Storage, Inc.*,  
Case No. 2021CH04132 (Circuit Court of Cook County, Illinois)

## **1. Introduction**

A state court in Chicago preliminarily approved a class action settlement in the lawsuit *Cruz v. Jame Roll Form Products LLC d/b/a Venus Processing & Storage, Inc.*, Case No. 2021CH04132 (Circuit Court of Cook County, Illinois) (the “Lawsuit”).

The Court has approved this Notice to inform individuals who are included in the settlement of their rights. As described in more detail below, individuals who are included in the settlement may:

- (1) request a settlement payment and give up certain legal claims they have;
- (2) exclude themselves from the settlement, not receive a settlement payment, and not give up any legal claims;
- (3) object to the settlement; or
- (4) do nothing, not receive a settlement payment, and give up certain legal claims they have.

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 Jame Roll Form Products LLC d/b/a Venus Processing & Storage, Inc. (“Jame Roll”) 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 or handprint, without first providing an individual with certain written disclosures and obtaining written consent. The Lawsuit alleges that Jame Roll violated BIPA by using a finger scan timekeeping system on workers in Illinois without written notice and consent.

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

You can learn more about the Lawsuit by contacting the settlement administrator, JND Legal Administration at 1-855-579-1308, or Settlement Class Counsel, Justicia Laboral LLC, at (312) 500-1146. You may also review the Settlement Agreement and related case documents at the settlement website: **[www.FPbipasettlement.com](http://www.FPbipasettlement.com)**.

## **3. Who Is Included in the Settlement?**

The settlement includes all individuals who scanned their finger(s) in one or more of Jame Roll’s timekeeping systems in Illinois between August 19, 2016 to May 24, 2022, scanned their hand or finger into a timekeeping system while working for Defendant in Illinois without first executing a written consent (“Settlement Class” or “Settlement Class Members”). Excluded from the Settlement Class are persons who timely elect to exclude themselves, the Court and staff to whom this case is assigned, and any member of the Court’s or its staff’s immediate families.

#### 4. What does the Settlement Provide?

The class action settlement provides for a total payment of \$538,125.00 that Jame Roll 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 thirty-five percent (35%) of the total settlement for Settlement Class Counsel's attorney fees and litigation costs; (2) a Service Award of \$5,000 to Class Representative Sebastian Lazaro Cruz; and (3) the Settlement Administrator's costs estimated to be less than \$30,000.00. 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 **\$275 to \$400** 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 at timekeeping systems of Jame Roll in Illinois, between August 19, 2016 to May 24, 2022, 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 Jame Roll and their current and former owners, affiliates, parents, subsidiaries, divisions, officers, directors, shareholders, agents, employees, attorneys, insurers, benefit plans, predecessors, successors. 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 postmark and mail for return, a claim form by December 1, 2022.* 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.FPbipasettlement.com**. 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 **December 1, 2022**. 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 in Question 9). 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 Defendant, and the other Released Parties.

- (3) **Object to the Settlement.** If you are a Settlement Class Member, you may object to the settlement by **December 1, 2022**. If you want to object to the settlement, you must mail or email a written objection to the Settlement Administrator (contact information in Question 9), 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 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 by mail at Cruz v. Jame Roll Form Products, c/o JND Legal Administration, PO Box 91306, Seattle, WA 98111 or by email at [info@FPbipasettlement.com](mailto:info@FPbipasettlement.com).

#### **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.

Justicia Laboral LLC  
James M. Dore and Dan Schlade  
6232 N. Pulaski Rd., #300  
Chicago, IL. 60646  
(312) 500-1146

Settlement Class Counsel will request up to thirty-five percent (35%) 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.FPbipasettlement.com](http://www.FPbipasettlement.com) after **October 1, 2022**. 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 **January 25, 2023** at 11 a.m., via Zoom with the following Zoom Credentials: Meeting ID: 955 0046 1687; Password: 640378, 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 thirty-five percent of the settlement as attorney fees plus litigation costs; and (3) a request for a Service Award for the Settlement Class Representative Sebastian Lazaro Cruz; 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.

Seven days before the final approval hearing, the Settlement Administrator will post on the Settlement website whether the final approval hearing will be held by telephone or in person (and will provide phone number or courtroom information).

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

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

<b>Settlement Administrator</b>	<b>Settlement Class Counsel</b>
Cruz v. Jame Roll Form Products c/o JND Legal Administration PO Box 91306 Seattle, WA 98111  1-855-579-1308 info@FPbipasettlement.com	Justicia Laboral LLC James M. Dore and Dan Schlade 6232 N. Pulaski Rd., #300 Chicago, IL. 60646  (312) 500-1146 legal@justicialaboral.com

**PLEASE DO NOT CONTACT THE COURT OR JAME ROLL ABOUT THIS SETTLEMENT.**