

EIGHTEENTH JUDICIAL CIRCUIT COURT OF DUPAGE COUNTY, ILLINOIS

**If you scanned or otherwise used your finger (or any portion thereof) or any other biometric identifier or information to enroll in or clock into or out of C Studio Manufacturing, LLC’s timekeeping system in the state of Illinois at any time from March 9, 2018 through the November 6, 2023, you may be entitled to a cash payment from a proposed class action settlement.**

Esta Notificación de arreglo colectivo está disponible en español.

Visite el siguiente sitio web: [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com)

*A court authorized this Notice. It is not a solicitation from a lawyer.*

*Your legal rights are affected whether you act or do not act. Please read this notice carefully.*

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	If you scanned or otherwise used your finger (or any portion thereof) or any other biometric identifier or information to enroll in or clock into or out of C Studio Manufacturing, LLC’s timekeeping system in the state of Illinois at any time from March 9, 2018 through the November 6, 2023, the only way to get a payment is to submit a Claim Form. Claim Forms must be submitted online or postmarked by February 5, 2024.
<b>EXCLUDE YOURSELF (OPT OUT)</b>	Get no cash payment. This is the only option that allows you to ever be part of any other lawsuit against C Studio Manufacturing, LLC about the legal claims in this case. Requests for Exclusion must be postmarked by February 20, 2024.
<b>OBJECT OR COMMENT</b>	Write to the Court about why you do not like the Settlement. The deadline to file and serve an objection is February 20, 2024.
<b>GO TO A HEARING</b>	Ask to speak in Court about why you do not support the proposed Settlement or any of its provisions. The Final Approval Hearing will be held on March 21, 2024 at 10:00 A.M. CST.
<b>DO NOTHING NOW</b>	Doing nothing now means you will get no monetary benefits from the Settlement. If you do nothing, you give up rights to submit a Claim Form for monetary benefits or to bring a lawsuit against C Studio Manufacturing, LLC and related entities arising from or relating to the Illinois Biometric Information Privacy Act (“BIPA”), biometric data, biometric information, or biometric identifiers.

These rights and options -- **and the deadlines to exercise them** -- are explained in this Notice. The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made under the Settlement Agreement if the Court approves the Settlement and after appeals are resolved. Please be patient.

**QUESTIONS? Read on, visit [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com) or call (888) 491-3942.**

## WHAT THIS NOTICE CONTAIN

<b>BASIC INFORMATION</b> .....	3
1. Why did I receive a notice?	
2. What is this lawsuit about?	
3. What is a class action?	
4. Why is there a Settlement?	
<b>WHO IS IN THE SETTLEMENT</b> .....	3
5. How do I know if I am part of the Settlement?	
6. I am still not sure if I am included.	
<b>THE SETTLEMENT BENEFITS -- WHAT YOU GET</b> .....	4
7. How can I get a payment?	
8. When would I get my cash payment or credit?	
9. What if Settlement Class Members claim more than the amount available in the Settlement Fund?	
10. What am I giving up to stay in the Settlement Class?	
<b>EXCLUDING YOURSELF FROM THE SETTLEMENT (OPTING OUT)</b> .....	4
11. How do I get out of the Settlement?	
12. If I do not exclude myself, can I sue C Studio for the same thing later?	
13. If I exclude myself, can I get money from the Settlement?	
14. If I exclude myself, can I object to the Settlement?	
15. If I do not submit a Request for Exclusion by February 20, 2024 or I do not send it to the address listed above, can I still exclude myself?	
<b>THE LAWYERS REPRESENTING YOU</b> .....	5
16. Do I have a lawyer in the case?	
17. How will the lawyers be paid?	
<b>OBJECTING TO THE SETTLEMENT</b> .....	6
18. How do I tell the Court that I do not like the Settlement?	
19. What is the difference between objecting and excluding?	
20. If I do not submit an objection by February 20, 2024 or I do not properly file and service, can I still object to the Settlement?	
<b>THE COURT’S FINAL APPROVAL HEARING</b> .....	7
21. When and where will the Court decide whether to approve the Settlement?	
22. Do I have to attend the hearing?	
23. May I speak at the hearing?	
<b>IF YOU DO NOTHING</b> .....	8
24. What happens if I do nothing at all?	
<b>GETTING MORE INFORMATION</b> .....	8
25. Are there more details about the Settlement?	
26. How do I get more information?	

## BASIC INFORMATION

### 1. Why did I receive a notice?

This notice has been approved by the Court and summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please review the Settlement Agreement, available at [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com). Judge Angelo J. Kappas of the Eighteenth Judicial Circuit Court of DuPage County, Illinois is overseeing this class action. The lawsuit is known as *Martinez v. C Studio*, Case No. 2023CH000053 (Ill. Cir. Ct., DuPage Cty.).

### 2. What is this lawsuit about?

The lawsuit claimed that C Studio Manufacturing, LLC (“C Studio”) collected, used, stored, obtained, and disseminated Plaintiff’s biometric information and/or identifiers in violation of the Illinois Biometric Information Privacy Act, 740 ILCS 14/1 *et. seq.* C Studio denies all of the allegations in the lawsuit.

### 3. What is a class action?

In a class action lawsuit, one or more people (called named plaintiffs) sue on behalf of other people who have similar claims. The people together are a class or class members. The company they sued is called the defendant. One court resolves the issues for everyone in the class, except for those people who choose to exclude themselves, or opt out, of the class.

### 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiff or C Studio, the Defendant, here. Instead, both sides agreed to a Settlement. The Plaintiff and Class Counsel believe the proposed Settlement confers substantial benefits on the Settlement Class and have determined that the Settlement is in the best interest of the Settlement Class and represents a fair, reasonable and adequate resolution of the lawsuit.

C Studio denies the claims in the lawsuit; denies all allegations of wrongdoing, fault, liability or damage to the Plaintiff and the Settlement Class; and denies that it acted improperly or wrongfully in any way. C Studio nevertheless recognizes the expense and time that would be required to defend the lawsuit through trial and have taken this into account in agreeing to this Settlement.

## WHO IS IN THE SETTLEMENT

To see if you will get any of the benefits of this Settlement, you first have to decide if you are a Settlement Class Member.

### 5. How do I know if I am part of the Settlement?

The Court decided that everyone who fits this description and does not fall under the exclusions below is a Settlement Class Member: *All persons who scanned or otherwise used their finger (or any portion thereof) or any other biometric identifier or information to enroll in or clock into or out of Defendant’s timekeeping system in the state of Illinois at any time from March 9, 2018 through the date of Preliminary Approval.*

Excluded from the Settlement Class are: (1) Class Counsel; (2) the judges who have presided over this lawsuit; and (3) all persons or entities who have timely elected to become Opt Outs from the Settlement Class in accordance with the Settlement Agreement.

### 6. I am still not sure if I am included.

If you are still unsure whether you are included, you can call or email the Settlement Administrator at [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com).

## THE SETTLEMENT BENEFITS -- WHAT YOU GET

### 7. How can I get a payment?

The proposed Settlement creates a common fund of \$150,000 to pay approved claims made by Settlement Class Members. Settlement Class Members may submit a claim for a cash payment of no more than \$1,250. To receive payment, you must complete, sign, and submit or postmark a Claim Form by the Claim Deadline.

### 8. When would I get my cash payment or credit?

The Court will hold a hearing on March 21, 2024 at 10:00 A.M. CST, to decide whether to approve the Settlement. If the Court approves the Settlement after that, there may be appeals. It is always uncertain whether those appeals can be resolved, and resolving them can take time, perhaps more than a year. Please be patient.

### 9. What if Settlement Class Members claim more than the amount available in the Settlement Fund?

If Settlement Class Members' claims from the Settlement Fund would result in C Studio paying more than \$150,000 into the Settlement Fund, then each Settlement Class Member's claim will be reduced pro rata, meaning that each cash award will be reduced by an equal percentage until the Settlement Class Members' claims no longer exceed the funds available for payment from the \$150,000.

If the Settlement Fund is undersubscribed (*i.e.*, fewer claims for compensation are approved than dollars available in the Settlement Fund), any amounts remaining in the Settlement Fund will revert in full to C Studio.

### 10. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself, you are staying in the Settlement Class, and that means that you cannot sue, continue to sue or be part of any other lawsuit against C Studio and related entities about the legal issues in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you sign the Claim Form, you will agree to a Release of claims which describes exactly the legal claims that you give up if you get Settlement benefits. The Release is defined and detailed in the Settlement Agreement, which is available at [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com).

### EXCLUDING YOURSELF FROM THE SETTLEMENT (OPTING OUT)

If you do not want to participate in this Settlement, but you want to keep the right to sue or continue to sue C Studio, on your own, about the legal issues in this case, then you must take steps to get out. This is called excluding yourself or opting out of the Settlement Class.

### 11. How do I get out of the Settlement?

Any member of the Settlement Class who wants to be excluded from the Settlement Class and to become an Opt Out must submit a Request for Exclusion to the Settlement Administrator at the address provided below. Any request to be excluded from the Settlement Class must be postmarked on or before February 20, 2024 and must:

- i. Have the signature of the member of the Settlement Class, even if represented by counsel. If the member of the Settlement Class is an entity and not an individual, the Request for Exclusion must be signed by an officer or director of the entity with authority to act on behalf of that entity. If the member of the Settlement Class Member is represented by counsel, the Request for Exclusion shall also be signed by that attorney.
- ii. State the name, address and telephone number of the Person requesting exclusion; and

- iii. Contain a clear and unambiguous statement communicating that such Person elects to be excluded from the Settlement Class, does not wish to be a Settlement Class Member and elects to be excluded from any judgment entered pursuant to the Settlement.

Requests for Exclusion must be mailed to:

C Studio BIPA Settlement Administrator  
ATTN: *Exclusion Request Mail*  
PO Box 23459  
Jacksonville, FL 32241

You may exclude yourself on an individual basis only; so-called “mass” or “class” opt outs are not allowed.

**12. If I do not exclude myself, can I sue C Studio for the same thing later?**

No. Unless you exclude yourself, you will be bound by the Final Order and Judgment, and you give up the right to sue C Studio for the claims that this Settlement resolves. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. You must exclude yourself from this Settlement Class to continue your own lawsuit.

**13. If I exclude myself, can I get money from the Settlement?**

No. If you exclude yourself, do not submit a Claim Form to ask for a cash payment. But you may sue, continue to sue or be part of a different lawsuit against C Studio.

**14. If I exclude myself, can I object to the Settlement?**

No. A member of the Settlement Class who submits a timely Request for Exclusion may not file an objection to the Settlement and shall be deemed to have waived any rights or benefits under this Settlement Agreement.

**15. If I do not submit a Request for Exclusion by February 20, 2024 or I do not send it to the address listed above, can I still exclude myself?**

No. Any member of the Settlement Class who fails to submit a timely and complete Request for Exclusion sent to the proper address shall be subject to and bound by this Settlement and every order or judgment entered pursuant to this Settlement. Any purported Request for Exclusion or other communication sent to such address that is unclear or internally inconsistent with respect to the desire of the member of the Settlement Class to be excluded from the Settlement Class will be deemed invalid unless determined otherwise by the Court. Requests for Exclusion signed only by counsel or another representative shall not be permitted.

**THE LAWYERS REPRESENTING YOU**

**16. Do I have a lawyer in the case?**

The Court has appointed Daniel Schlade and James Dore of Justicia Laboral, LLC to represent you as Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

**17. How will the lawyers be paid?**

Class Counsel will ask the Court for Attorneys’ Fees and Expenses up to \$50,000 and a payment of up to \$1,000 for the Plaintiff. The Court may award less than these amounts. The fees and expenses that the Court approves will be paid from the Settlement Fund. The costs to administer the Settlement will also be paid from the Settlement Fund. Class Counsel’s Motion for Attorneys’ Fees and Expenses will be available on the Settlement Website once it has been filed.

## **OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement or some part of it.

### **18. How do I tell the Court that I do not like the Settlement?**

If you are a Settlement Class Member, you can object to the Settlement if you do not like any part of it. You can ask the Court to deny approval by filing a written notice of objection. You cannot ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no cash payments will be provided under the Settlement, and the lawsuit will continue. If that is what you want to happen, you may object. Please note that you cannot both object to the Settlement and opt out of it.

Any objection to the proposed Settlement must be in writing. If you file a timely written notice of objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. Your objection must be filed on or before February 20, 2024, or it will not be considered.

Any Settlement Class Member who wishes to be heard at the Final Approval Hearing, or who wishes for any objection to be considered, must file a written notice of objection by February 20, 2024 that must:

- i. Have the signature of the member of the Settlement Class objecting, even if represented by counsel. If the member of the Settlement Class is an entity and not an individual, the objection must be signed by an officer or director of the entity with authority to act on behalf of that entity. If the Settlement Class Member that is objecting to the Settlement is represented by counsel, the objection shall also be signed by that attorney;
- ii. State the name, address and telephone number of the Settlement Class Member objecting;
- iii. State the name, address and telephone number of every attorney representing or assisting the objector;
- iv. Contain a detailed statement of each objection asserted, including the grounds for objection, together with any documents such Settlement Class Member wishes to be considered in support of the objection;
- v. A list of all cases in which the Settlement Class Member or Settlement Class Member's counsel filed an objection or in any way participated -- financially or otherwise -- in objecting to a class settlement during the preceding five years; and
- vi. Contain a statement regarding whether the Settlement Class Member intends to appear at the Final Approval Hearing, either with or without counsel, and a list of all persons, if any, who will be called to testify in support of the objection.

A Settlement Class Member must file a notice of objection, including any request to be heard with the Clerk of the Court, and serve by mail or hand delivery such notice of objection, including any request to be heard, including all papers or evidence in support thereof, upon one of the Class Counsel and Defense Counsel, at the addresses set forth below, no later than February 20, 2024.

<b>Clerk of the Court</b>	<b>Class Counsel</b>	<b>Defense Counsel</b>
Office of the Circuit Court Clerk for DuPage County, Illinois 505 County Farm Road P.O. Box 707 Wheaton, Illinois 60187	Daniel Schlade James Dore Justicia Laboral, LLC 6232 N. Pulaski, #300 Chicago, IL 60646 Telephone: (773) 415-4898	Robert C. Collins III Latham & Watkins LLP 330 North Wabash Ave. Suite 2800 Chicago, Illinois 60611

Any Settlement Class Member who does not properly or timely file his or her objection with the Clerk of the Court, along with the required information and documentation set forth above, or to serve it as provided above, shall not be heard during the Final Approval Hearing, shall not have their objections considered by the Court and shall be foreclosed from seeking any adjudication or review of the Settlement by appeal or otherwise.

**19. What is the difference between objecting and excluding?**

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

**20. If I do not submit an objection by February 20, 2024 or I do not properly file and serve it, can I still object to the Settlement?**

No. Any Settlement Class Member who does not properly or timely file his or her objection with the Clerk of the Court, along with the required information and documentation set forth above, or to serve it as provided above, shall not be heard during the Final Approval Hearing, shall not have their objections considered by the Court and shall be foreclosed from seeking any adjudication or review of the Settlement by appeal or otherwise.

**THE COURT’S FINAL APPROVAL HEARING**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

**21. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Final Approval Hearing at 10:00 A.M. CST on March 21, 2024 in Courtroom 2020 at the Eighteenth Judicial Circuit Court of DuPage County, Illinois, 421 North County Farm Road, Wheaton, Illinois 60187 or by remote means as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are timely and proper objections, the Court will consider them. The Court will listen to people who have timely and properly asked to speak at the hearing. The Court may also decide how much to pay Class Counsel and award Plaintiff. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

**22. Do I have to attend the hearing?**

No. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you submit an objection, you do not have to come to Court to talk about it. As long as you timely and properly submitted your written objection, along with the required information and documentation set forth above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

**23. May I speak at the hearing?**

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must submit a written notice of objection that states your intention to appear at the Final Approval Hearing, either with or without counsel, as outlined above. Be sure to include your name, address, telephone number and your signature as well as the signature of any attorney representing you, in addition to the other information outlined above. Your written notice of objection indicating your intention to appear must be filed with the Clerk of the Court, and served by mail or hand delivery upon one of the Class Counsel and Defense Counsel, at the addresses set forth in Section 18 above, no later than February 19, 2024. You cannot speak at the hearing if you excluded yourself.

## IF YOU DO NOTHING

### 24. What happens if I do nothing at all?

If you do nothing, you will not receive any monetary benefits from this Settlement. If the Settlement is granted final approval and the judgment becomes final, you will give up your right to be able to start a lawsuit, continue with a lawsuit or be part of any other lawsuit against C Studio and related entities about the legal issues in this case ever again.

## GETTING MORE INFORMATION

### 25. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement and other important case documents at [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com).

### 26. How do I get more information?

You can call toll-free (888) 491-3942, email [info@cstudiobipasettlement.com](mailto:info@cstudiobipasettlement.com) or visit the website at [www.cstudiobipasettlement.com](http://www.cstudiobipasettlement.com), where you will be able to find the Claim Form, Motions for Approval of Attorneys' Fees and Expenses and Plaintiff's Settlement Award and Settlement Agreement and other important documents related to the Settlement. **You should check the website regularly for updates on the case, including regarding the Settlement, the approval process for the Settlement, the scope and terms of the Settlement Class and the scope and terms of the Settlement.**

You may also contact the attorneys appointed by the Court to serve as Class Counsel:

Daniel Schlade  
James Dore  
Justicia Laboral, LLC  
6232 N. Pulaski, #300  
Chicago, IL 60646  
Telephone: (773) 415-4898

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE**