



United States District Court for Southern District of New York

*Grissom v. Sterling Infosystems, Inc.*

Case No. 1:20-cv-07948-VSB

## **Class Action Settlement Notice**

*Authorized by the U.S. District Court*

---

You are not being sued.

This notice explains the Settlement, the Settlement Classes, and your legal rights and options.

Please read the entire notice carefully.

You should:

1. Read this notice.
2. If you do not want to remain in the Damages Class, submit an exclusion request by February 11, 2025.
3. If you believe you are eligible to request a higher settlement payment, submit a Request for Enhanced Payment by February 11, 2025

Important things to know:

- If you remain in the Damages Class, and the Court approves the Settlement, you will receive a money payment.
- If you take no action, you will still be bound to the Settlement and its releases.
- If you believe you may be eligible for a higher settlement payment, you have until February 11, 2025 to submit a Request for an Enhanced Payment.
- You can learn more at: [www.grissomfcrsettlement.com](http://www.grissomfcrsettlement.com).

## TABLE OF CONTENTS

About This Notice .....	3
Why did I get this notice?.....	3
What do I do next?.....	3
Your Legal Rights & Options .....	3
What are the most important dates?.....	4
Learning About the Lawsuit & Settlement.....	4
What is This Lawsuit About?.....	4
What Can I Get Out of The Settlement?.....	5
Who Are The Attorneys Representing The Class And How Will They be Paid?.....	5
Deciding What You Want to Do?.....	6
What are my options?.....	6
Doing Nothing?.....	6
What Are The Consequences of Doing Nothing?.....	6
Opting Out?.....	6
What Happens if I Opt-Out of The Damages Class?.....	6
How do I Opt-Out?.....	6
Objecting to the Settlement.....	7
What Happens if I Object to The Settlement?.....	7
How Do I Object to The Settlement?.....	7
Additional Information?.....	7
When And Where Will The Court Decide Whether to Approve The Settlement?.....	7
Where Can I Get Additional Information?.....	7

About This Notice

**Why did I get this notice?**

You have been identified as a member of a class in a purported class action lawsuit. Specifically, Defendant’s records indicate that it prepared a consumer report on you between September 25, 2018 and June 4, 2021, that included a criminal record that Defendant had matched to you and you either disputed the record and had an amended report issued, or a pre-adverse action notice was sent to you regarding the report. As a class member, you are eligible to receive a payment as part of this class action settlement.

What is a class action lawsuit?  
A class action is a lawsuit in which one or more people sue on behalf of a larger group, called the Class.

This notice describes your rights. Please review it carefully.

**What do I do next?**

**Your Legal Rights & Options:**

<b>DO NOTHING, STAY IN THE CLASS, AND RECEIVE A CASH PAYMENT</b>	<p>You do not need to do anything to receive a payment. Once the settlement is approved, you will be sent a check. If you do nothing, you will be bound by the Court’s decisions regarding the settlement. You will not be able to pursue any potential claims against the Defendant that have been released as part of the settlement. Review the full release at <a href="http://www.grissomfcrasettlement.com">www.grissomfcrasettlement.com</a>.</p> <p>If you believe you may be eligible for a higher settlement payment as outlined below, complete and return a Request for an Enhanced Payment by February 11, 2025. If you disputed your report and an amended report was issued, you are already entitled to an Enhanced Payment. If you have questions about whether you disputed your report, please contact the Settlement Administrator.</p>
<b>EXCLUDE YOURSELF FROM THE SETTLEMENT</b>	<p>You can opt-out of the settlement if you want to maintain any legal rights you may have against Defendant. But if you opt-out, you will not receive a settlement payment if the Court grants final approval.</p> <p>To opt-out from the settlement, you must send a written request addressed to the Settlement Administrator and state that you wish to be excluded from the settlement and include the information discussed in more detail in this Notice. The opt-out deadline is February 11, 2025.</p>
<b>OBJECT TO THE SETTLEMENT</b>	<p>You have the right to write to the Court to object to the settlement if you believe it is unfair. You would remain a part of the Class and be bound by the Court’s decisions regarding the settlement. The objection deadline is February 11, 2025.</p>

Read on to understand the specifics of the settlement and what each choice would mean for you. The Court still has to decide whether to grant final approval of the settlement. Payments will be made if the Court approves the settlement and after any appeals are resolved.

### **What are the most important dates?**

The Court has scheduled a final approval hearing for May 7, 2025. If there are no appeals, checks will be sent approximately 70 days after the Court finally approves the settlement. Your deadline to opt-out of the settlement, or object to the settlement, is February 11, 2025. If you believe you may be eligible for a higher settlement payment as detailed below, complete and return a Request for Enhanced Payment by February 11, 2025.

## **Learning About the Lawsuit & Settlement**

### **What is This Lawsuit About?**

Plaintiff Grace Grissom (“Plaintiff”) filed a class action lawsuit in federal court against Sterling Infosystems, Inc. (“Defendant”) alleging that Defendant violated the Fair Credit Reporting Act (“FCRA”) by including criminal records on individuals’ consumer reports that were matched to the individuals, in part, by a SSN Trace, but which allegedly did not belong to the subject of the report. The law requires that a consumer reporting agency, like Defendant, follow reasonable procedures to assure maximum possible accuracy. Plaintiff alleged that Defendant violated the law by including records on consumer reports that allegedly did not belong to the subject of the reports.

Defendant denies that it did anything wrong or that it violated any laws. Defendant maintains that it follows reasonable procedures to assure maximum possible accuracy in the information it reports on all consumer reports. The Court has not made a determination that Defendant violated the FCRA. Nor has the Court made any determination that this lawsuit should proceed as a class action, as opposed to an individual claim brought by Plaintiff. This Notice should not be interpreted as an expression of the Court’s opinion on the merits of the lawsuit. If the Parties had not reached a settlement, Defendant would have vigorously defended the lawsuit and moved for judgment in its favor.

Within the settlement, you are a member of the “Damages Class.” The Damages Class is defined to include: all consumers for whom Defendant matched a record included in a consumer report based on a name developed through a SSN Trace from September 25, 2018 through June 4, 2021 wherein the consumer’s first name, last name, and middle name or middle initial did not exactly match the first name, last name, and middle name or initial of the record reported; and where the consumer either made a dispute to Defendant regarding the report and an amended report was issued, or a pre-adverse action notice was sent to the consumer regarding the report.

By being a member of the Damages Class, you are also a member of the “Injunctive Relief Class.” The Injunctive Relief Class includes all consumers who meet the above Damages Class definition, but who did not dispute or have a pre-adverse action notice issued to them. The Injunctive Relief component of the settlement is further described in the Injunctive Relief Long Form Notice available here: [www.grissomfcrasettlement.com](http://www.grissomfcrasettlement.com).

### **What Can I Get Out of The Settlement?**

A \$2,500,000 Settlement Fund will be used to make cash payments to the Damages Class Members and to pay, if approved by the Court, a service award to the Class Representative of up to \$10,000, and Class Counsel's attorneys' fees in the amount of one-third of the Fund and the attorneys' out of pocket costs, and to reimburse the Settlement Administrator for its expenses.

If the settlement is approved in full, each Damages Class Member will receive a settlement payment. Those Damages Class Members who already disputed the record at issue with Sterling and had an amended report issued or who complete and submit through the Settlement Website a Request for an Enhanced Payment by February 11, 2025, will receive a settlement payment that is two times the amount of those Damages Class Members who do not meet those criteria. To be eligible to return a Request for an Enhanced Payment, the Damages Class Member must attest that they were harmed by the record(s) on their consumer report by having an inaccurate record on their report and having a lost or delayed employment opportunity. Requests for an Enhanced Payment are subject to separate review by the Parties and their Counsel.

Depending on the final number of Damages Class Members and the final number of those eligible for the Enhanced Payments, and after deduction of the requested amounts to be approved by the Court to be paid from the Settlement Fund for fees, costs, and a service award, it is estimated that each Damages Class Member will receive approximately \$175-\$200, with those who submit a valid Request for an Enhanced Payment receiving twice that amount.

### **Who Are The Attorneys Representing The Class And How Will They be Paid?**

The Court has approved lawyers to represent the Settlement Class ("Class Counsel"). If you prefer to hire your own attorney to represent you in this case, you may do so at your own expense. The attorneys who have been appointed by the Court to represent the Settlement Classes are:

E. Michelle Drake  
John G. Albanese  
Berger Montague PC  
1229 Tyler Street NE, Suite 205  
Minneapolis, MN 55413  
612-594-5999  
GrissomClassCounsel@bm.net

Subject to Court approval, Class Counsel will seek attorneys' fees in the amount of one-third of the Settlement Fund (\$833,333) and reimbursement of their out-of-pocket expenses. Class Counsel may also seek a service award in an amount not to exceed \$10,000 to be paid to Plaintiff for her services in representing the Settlement Classes. The attorneys' fees, costs, service award, and settlement administration expenses will be paid from the Settlement Fund if approved by the Court.

## Deciding What You Want to Do

### What are my options?

You have three options. You can (1) do nothing and remain in the Damages Class, or (2) exclude yourself (i.e., opt-out) from the settlement, or (3) object to the settlement.

This chart shows the effects of selecting each option:

	<b>Do nothing and remain in the Damages Class</b>	<b>Opt-Out of the Damages Class</b>	<b>Object to the Settlement</b>
<b>Am I bound by the terms of the Damages Class if I...</b>	Yes	No	Yes
<b>Will I be able to receive money in the settlement if I ...</b>	Yes	No	Yes

Your options and rights are explained in the following sections, along with the steps you must take if you wish to opt-out or object.

### Doing Nothing

#### **What Are The Consequences of Doing Nothing?**

If you do nothing and remain in the Damages Class, you will receive a monetary settlement payment if the Court grants final approval of the settlement.

You will not be able to pursue claims against Defendant that are covered by the settlement's release. All the Court's decisions regarding the settlement will apply to you and you will be bound by any judgment entered.

### Opting Out

#### **What Happens if I Opt-Out of The Damages Class?**

If you exclude yourself from the Damages Class, you will not receive any money from the settlement. You will not be bound by any of the Court's orders regarding the Damages Class, or any judgment or release entered regarding the Damages Class. You will retain any legal rights you may have against Defendant. You will be responsible for the fees and costs of any services provided by your own lawyer should you choose to retain one.

#### **How do I Opt-Out?**

If you wish to be excluded, you must mail a written request for exclusion addressed to the Settlement Administrator at Grissom v Sterling Infosystems, Inc, P.O. Box 23489, Jacksonville, FL 32241. Your request for exclusion must be in writing, signed by you, and postmarked on or before February 11, 2025. The request must state: "I do not want to be part of the Class in *Grissom v. Sterling*." The request must also be dated and include your name, address, telephone number,

and the last four of your Social Security number. The address you use on your exclusion request should be the address to which this notice was mailed. If you have a new address, please also inform the Administrator of the new address so they can update the appropriate records. If you exclude yourself, you are not eligible to receive a payment.

## **Objecting to the Settlement**

### **What Happens if I Object to The Settlement?**

If you object according to the steps below, the Court will consider your objection. If it overrules your objection, you will be bound by the Court's decision, and you will remain a part of the Damages Class. You will receive a settlement payment if the Court grants final approval.

### **How Do I Object to The Settlement?**

You may object to all or part of the settlement if you think it is not fair, reasonable and/or adequate. To object, you must submit to the Settlement Administrator at Grissom v Sterling Infosystems, Inc, P.O. Box 23489, Jacksonville, FL 32241, a written explanation of the reasons you think that the Court should not approve the settlement. Be sure to sign the letter and include your name, address, last four of your Social Security number, and the basis of your objection including any documentation, and include a notation that it is for "*Grissom v. Sterling.*" The deadline to postmark an objection to the Settlement Administrator is February 11, 2025. If you are represented by counsel in your objection, include that attorney's information.

## **Additional Information**

### **When And Where Will The Court Decide Whether to Approve The Settlement?**

The Court will hold a Fairness Hearing on May 7, 2025, at 2:00 p.m. at Courtroom 518, 40 Foley Square, New York, NY 10007. At the Fairness Hearing, the Court will consider whether the proposed settlement is fair, reasonable, and adequate. The Court will also hear objections to the settlement, if any. We do not know how long the Court will take to make its decision after the Hearing. In addition, the Hearing may be continued at any time by the Court without further notice to you.

You do not have to appear in order to receive a benefit. However, you may request permission to speak at the Hearing by filing a "Request to Appear." Be sure to sign the letter and include your name, address, and a specific statement that you want to be heard on "*Grissom v. Sterling.*"

If the Court approves the settlement, the Court's judgment as to the Damages Class will be binding on all Damages Class Members who do not validly exclude themselves.

### **Where Can I Get Additional Information?**

Review the additional documents available on the Settlement Website, including the Complaint, the full Settlement Agreement, and the documents on the Injunctive Relief-side of the Settlement Website: [www.grissomfcrasettlement.com](http://www.grissomfcrasettlement.com).