

CIRCUIT COURT OF WILLIAMSON COUNTY, ILLINOIS
FIRST JUDICIAL CIRCUIT

Sahlin v. Hospital Housekeeping Systems, LLC, Case No. 2021L28

IF YOU ARE OR WERE EMPLOYED BY HHS IN THE STATE OF ILLINOIS BETWEEN NOVEMBER 30, 2015 AND NOVEMBER 30, 2020, AND HAD YOUR BIOMETRIC IDENTIFIERS AND/OR BIOMETRIC INFORMATION COLLECTED, CAPTURED, RECEIVED, OR OTHERWISE OBTAINED OR DISCLOSED BY HHS OR ITS AGENT(S) YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.

A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

A Settlement has been reached in a class action lawsuit against Hospital Housekeeping Systems, LLC (“HHS”). The class action lawsuit involves whether HHS unlawfully collected, captured, received, or otherwise disclosed its Illinois employees’ Biometric Identifiers and/or Biometric Information through its finger clock-in system. HHS denies the claims in the lawsuit, denies that it did anything wrong, and denies that class certification is warranted or appropriate. The Court did not resolve any claims or defenses, and the parties have agreed to settle the dispute solely to avoid the cost and uncertainty of continued litigation.

- You are included in the class if you are or were employed by HHS in the state of Illinois between November 30, 2015 and November 30, 2020, and had your biometric identifiers and/or biometric information collected, captured, received, or otherwise obtained or disclosed by HHS or its agent(s).
- Current employees included in the Settlement will receive a \$950 payment from the Settlement Fund and former employees will be eligible to receive up to a \$950 payment from the Settlement Fund.
- Read this notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	<p>If you are an active HHS employee, once the Settlement becomes Final, you will receive a \$950 payment from the Settlement Fund in the form of a check or via direct deposit, at HHS’s election. If you are no longer employed by HHS after the Court approves the settlement, then you still will receive your \$950 share of the Settlement Fund in the form of a check issued to your last known mailing address.</p> <p>If you are a former HHS employee, you must submit a claim to receive up to a \$950 payment from the Settlement Fund in the form of a check. If you are a former HHS employee and do nothing, you won’t get a share of the Settlement benefits and will give up your rights to sue HHS about the claims in this case.</p>
SUBMIT A CLAIM FORM BY OCTOBER 7, 2021	<p>If you are a former HHS employee, this is the only way to receive a payment up to \$950.</p> <p>If you are an active HHS employee, you do not need to file a Claim Form. You will automatically receive a \$950 payment from the Settlement Fund, as long as you do not exclude yourself from the Settlement.</p>
EXCLUDE YOURSELF FROM THE CLASS BY JULY 22, 2021	<p>You will receive no benefits, but you will retain any rights you currently have to sue HHS about the claims in this case. Excluding yourself is the only option that allows you to ever bring or maintain your own lawsuit against HHS regarding the allegations in this case ever again.</p>
OBJECT BY JULY 22, 2021	<p>Write to the Court explaining why you don’t like the Settlement and think it shouldn’t be approved. Filing an objection does not exclude you from the Settlement.</p>

These rights and options—**and the deadlines to exercise them**—are explained in this Notice.

The Court in charge of this action has preliminarily approved the Settlement as fair, reasonable, and adequate, and must decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options, before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The case is pending in the Circuit Court of Williamson County, Illinois, First Judicial Circuit. The case is called *Sahlin v. Hospital Housekeeping Systems, LLC*, Case No. 2021L28. The person who sued is called the Plaintiff. The Defendant is Hospital Housekeeping Systems, LLC.

2. What is a class action?

In a class action, one or more people called class representatives (in this case, Stephanie Sahlin) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the Class.

3. What is this lawsuit about?

This lawsuit claims that HHS violated Illinois law by unlawfully collecting, capturing, receiving, or otherwise disclosing its Illinois employees’ Biometric Identifiers and/or Biometric Information through its fingerprint clock-in system. HHS denies the claims in the lawsuit, denies that it did anything wrong and denies that class certification is warranted or appropriate. The Court did not resolve the claims and defenses raised in this action. Nor has the Court determined that HHS did anything wrong or that this matter should be certified as a class action except if the Settlement is fully approved by the Court. Rather, the Parties have, without admitting liability, agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiff or HHS should win this case. Instead, both sides agreed to a Settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation, and Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

The issuance of this Notice is not an expression of the Court’s opinion on the merit or the lack of merit of the Representative Plaintiff’s claims or the defenses in the lawsuit. Both parties recognize that to resolve the issues raised in the lawsuit would be time-consuming, uncertain, and expensive.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits the following description is a member of the **Settlement Class**:

Questions? Call 1-833-636-2115 toll-free or visit www.HHSFingerprintSettlement.com

All individuals who worked or are currently working for HHS in the State of Illinois who had their Biometric Identifiers and/or Biometric Information collected, captured, received, or otherwise obtained or disclosed by HHS or its agent(s) within the five-year period preceding the date of the Complaint.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: A Settlement Fund has been created totaling \$801,800.00. Class Member payments, as well as the cost to administer the Settlement, the cost to inform people about the Settlement, attorneys' fees and costs, and an award to the Class Representative, will come out of this fund (*see* Question 12).

Prospective Relief: HHS has represented that it is no longer using "biometric" time clocks in Illinois and agreed that should it reinstate them in Illinois, it will provide all notices and consents as required by Illinois law.

A detailed description of the settlement benefits can be found in the [Settlement Agreement](#) available at www.HHSFingerprintSettlement.com/documents.

7. How can I get a payment from the Settlement?

If you are an **active** HHS employee, you will automatically receive a \$950 payment via check or direct deposit, at HHS's election, so long as you do not request to be excluded from the Settlement Class. If you are no longer employed by HHS after the Court approves the settlement, then you still will receive your \$950 share of the Settlement Fund in the form of a check issued to your last known mailing address.

If you are a **former** HHS employee, you must submit a timely and properly completed Claim Form **no later than October 7, 2021** to receive up to a \$950 payment. Claim Forms can be found and submitted online or you may have received a Claim Form in the mail as a postcard attached to a summary of this notice. To submit a Claim Form online or to request a paper copy, go to www.HHSFingerprintSettlement.com or call toll-free 1-833-636-2115.

8. When will I get my payment?

The hearing to consider the fairness of the settlement is scheduled for August 23, 2021. If the Court approves the settlement, eligible Class Members whose claims were approved by the Settlement Administrator will receive their payment within 60 days after the Settlement has been finally approved and/or after any appeals process is complete. Class Members who are **active** HSS employees will receive their payments via check or direct deposit, at HHS's election. Class members who are **former** HHS employees will receive their payment in the form of a check. All checks will expire and become void 90 days after they are issued.

REMAINING IN THE SETTLEMENT

9. What am I giving up if I stay in the Class?

If the Settlement becomes final, you will give up your right to sue HHS and other Released Parties for the claims being resolved by this Settlement. The specific claims you are giving up against HHS are described in the Settlement Agreement. You will be “releasing” HHS and certain of its affiliates, employees and representatives as described in Section 3.2 of the Settlement Agreement. Unless you exclude yourself (*see* Question 13), you are “releasing” the claims, regardless of whether you submit a claim or not. The Settlement Agreement is available through the “important documents” link on the website.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can talk to the lawyers listed in Question 11 for free or you can, of course, talk to your own lawyer at your expense if you have questions about what this means.

10. What happens if I do nothing at all?

If you are an **active** HHS employee, once the Settlement becomes Final, you will receive a \$950 payment from the Settlement Fund in the form of a check or via direct deposit, at HHS’s election.

If you are a **former** HHS employee, you must submit a claim to receive up to a \$950 payment. If you are a **former** HHS employee and do nothing, you won’t get a share of the Settlement benefits and will give up your rights to sue HHS about the claims in this case.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in the case?

The Court has appointed Bursor & Fisher, P.A to be the attorneys representing the Settlement Class. They are called “Class Counsel.” They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

12. How will the lawyers be paid?

Any Class Counsel attorneys’ fees and costs awarded by the Court will be paid out of the Settlement Fund in an amount to be determined by the Court. The fee petition will seek no more than 37.5% of the Settlement Fund; the Court may award less than this amount. Under the Settlement Agreement, any amount awarded to Class Counsel will be paid out of the Settlement Fund.

Subject to approval by the Court, the Class Representative may be paid up to \$5,000 from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

13. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must mail or otherwise deliver a written request for exclusion stating that you want to be excluded from the *Sahlin v. Hospital Housekeeping Systems, LLC*, Case No. 2021L28 settlement. Your letter or request for exclusion must also include your name, your address, your signature, the name and number of this case, and a statement that you wish to be excluded. You must mail or deliver your exclusion request no later than postmarked or received by **July 22, 2021** to:

HHS BIPA Settlement Administrator
c/o JND Legal Administration
PO Box 91348
Seattle, WA 98111

14. If I don't exclude myself, can I sue HHS for the same thing later?

No. Unless you exclude yourself, you give up any right to sue HHS for the claims being resolved by this Settlement.

15. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you will not receive any payment from the Settlement Fund.

OBJECTING TO THE SETTLEMENT

16. How do I object to the Settlement?

If you are a Class Member and do not exclude yourself from the Settlement Class, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Sahlin v. Hospital Housekeeping Systems, LLC*, Case No. 2021L28 and identify all your reasons for your objections (including citations and supporting evidence) and attach any materials you rely on for your objections. Your letter or brief must also include your name, your address, the basis upon which you claim to be a Class Member, the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection, and your signature. If you, or an attorney assisting you with your objection, have ever objected to any class action settlement where you or the objecting attorney has asked for or received payment in exchange for dismissal of the objection (or any related appeal) without modification to the settlement, you must include a statement in your objection identifying each such case by full case caption. You must also mail or deliver a copy of your letter or brief to Class Counsel and HHS's Counsel listed below.

Class Counsel will file with the Court and post on the website its request for attorneys' fees by July 9, 2021.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question Number 20), you must say so in your

Questions? Call 1-833-636-2115 toll-free or visit www.HHSFingerprintSettlement.com

letter or brief and file the objection with the Court and mail a copy to these three different places postmarked no later **July 22, 2021**. **IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FAIRNESS HEARING.**

Court	Class Counsel	HHS's Counsel
Circuit Court of Williamson County, First Judicial Circuit, 200 West Jefferson Street Marion, IL 62959	Philip L. Fraietta Bursor & Fisher P.A. 888 Seventh Avenue New York, NY 10019	Mary A. Smigielski Lewis Brisbois Bisgaard & Smith LLP 550 West Adams Street, Suite 300 Chicago, IL 60661

17. What's the difference between objecting and excluding myself from the Settlement?

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

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold the Final Approval Hearing at 9:30 a.m. on **August 23, 2021** at the Williamson County Courthouse, 200 West Jefferson Street, Marion, IL 62959. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Class; to consider the Class Counsel's request for attorneys' fees and expenses; and to consider the request for an incentive award to the Class Representative. At that hearing, the Court will be available to hear any timely filed objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check www.HHSFingerprintSettlement.com or call 1-833-636-2115. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

19. Do I have to come to 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 send an objection or comment, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

20. May I speak at the hearing?

Yes. So long as you timely filed an objection to the settlement, you may ask the Court for permission to speak at the Fairness Hearing, but do not have to. To do so, you must include in your letter or brief objecting to the settlement a statement saying that it is your “Notice of Intent to Appear in *Sahlin v. Hospital Housekeeping Systems, LLC*, Case No. 2021L28.” It must include your name, address, telephone number and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court and postmarked no later than **July 22, 2021**, and be sent to the addresses listed in Question 16.

GETTING MORE INFORMATION

21. Where do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.HHSFingerprintSettlement.com. You may also write with questions to HHS BIPA Settlement Administrator, c/o JND Legal Administration, P.O. Box 91348, Seattle, WA 98111. You can call the Settlement Administrator at 1-833-636-2115 or Class Counsel at 1-646-837-7150, if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the case website. Please do not telephone the Court to inquire about the settlement or the claims process.