

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

Velasco v. Belmont Groceries, LLC, Case No. 2023-CH-01077

**IF YOU USED A HAND-SCANNING TIMECLOCK WHILE WORKING FOR
BELMONT GROCERIES, LLC D/B/A RICH'S FRESH MARKET AT ANY TIME
FROM FEBRUARY 2, 2018 TO AUGUST 1, 2022, YOU MAY BE ENTITLED TO A
CASH PAYMENT FROM A CLASS-ACTION SETTLEMENT.**

This is an official court notice. You are not being sued. This is not an ad for a lawyer.

- A settlement has been reached in a class action between Belmont Groceries, LLC d/b/a Rich's Fresh Market ("Defendant" or "Rich's Fresh Market") and its current and former workers in Illinois. The lawsuit claims that Rich's Fresh Market violated an Illinois law called the Biometric Information Privacy Act ("BIPA") by collecting workers' biometrics on timeclocks in Illinois without obtaining their informed, written consent. Rich's Fresh Market denies any wrongdoing and says that it has not violated any laws. The Settlement does not establish who is right or wrong, but rather is a compromise to end the lawsuit and avoid the uncertainties and expenses that come with continuing in court.
- You are included in the Settlement if you are a current or former worker of Rich's Fresh Market that used a hand-scanning timeclock at any time from February 2, 2018 to August 1, 2022. Exceptions to participating are detailed below.
- If you're eligible and the Court approves the Settlement, you will automatically receive a payment of approximately \$320.95. All litigation costs, settlement expenses, and legal fees will be separately paid from the settlement fund.
- Please read this notice carefully. Your legal rights are affected whether or not you act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	You will receive a payment under the Settlement and give up your rights to sue Rich's Fresh Market about the issues in this case.
EXCLUDE YOURSELF	You will receive no payment, but you will retain any rights you currently have to sue Rich's Fresh Market about the issues in this case.

By order of: Hon. Clare J. Quish, Circuit Court of Cook County, Illinois, County Dep't, Chancery Division
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QUESTIONS? VISIT WWW.BELMONTBIPALAWSUIT.COM OR CALL TOLL FREE 1-877-873-7145

OBJECT	If you do not exclude yourself, you can write to the Court explaining why you don't like the Settlement. You will remain in the Class, receive a payment under the Settlement, and give up your rights to sue Rich's Fresh Market about the issues in this case.
ATTEND A HEARING	Ask to speak in Court about the fairness of the Settlement.

BASIC INFORMATION

1. What is this notice and why should I read it?

A Court authorized this notice to let you know about a proposed Settlement with Rich's Fresh Market. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. You may be eligible to receive a cash payment as part of the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Clare J. Quish of the Circuit Court of Cook County, Illinois, County Department, Chancery Division, is overseeing this class action. The case is called *Velasco v. Belmont Groceries, LLC*, Case No. 2023-CH-01077. The person who filed this lawsuit, Tina Velasco, is the Plaintiff. The company she sued, Belmont Groceries, LLC d/b/a Rich's Fresh Market, is the Defendant.

2. What is a class action?

A class action is a lawsuit in which one or more plaintiffs—in this case, Tina Velasco—sue on behalf of a group of people who have similar claims. Together, this group is called a "Class" and consists of "Class Members." In a class action, the court resolves the issues for all class members, except those who exclude themselves from the class. After the Parties reached an agreement to settle this case, the Court granted preliminary approval of the Settlement and recognized it as a case that should be treated as a class action for settlement purposes.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

This lawsuit alleges that Rich's Fresh Market violated BIPA by using hand-scanning timeclocks in Illinois without complying with the law's requirements. That law says companies can't collect,

store, or give out biometric data, which includes things like face, hand, or fingerprint scans, without first giving notice, getting consent, and posting a policy about what they will do with the data.

Rich's Fresh Market denies Plaintiff's claims of wrongdoing and contends that it violated no laws. No court has decided who is right. The parties are instead entering into the Settlement to avoid the time and expense of continuing to fight in court. The Settlement is not an admission of wrongdoing by Rich's Fresh Market. More information about the complaint in the lawsuit and Rich's Fresh Market's position can be found in the "Court Documents" section of the settlement website at www.BelmontBIPALawsuit.com.

WHO'S INCLUDED IN THE SETTLEMENT

4. Who is included in the Settlement Class?

The Court decided that this Settlement includes all current and former workers of Rich's Fresh Market who used a hand-scanning timeclock at any time from February 2, 2018 to August 1, 2022. There are an estimated 779 people in the Settlement Class.

5. Who is not included in the Settlement Class?

Some people are excluded from the Settlement Class, for reasons including that they worked for the judge or lawyers involved. The Settlement Agreement has a list of the categories of people who are excluded.

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

If you are a current or former worker at Rich's Fresh Market that used a hand-scanning timeclock at any time from February 2, 2018 to August 1, 2022, and are not subject to any of the exclusions above, then you are a member of the Settlement Class and are entitled to a cash payment.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

If the Court approves the Settlement, Rich's Fresh Market has agreed to pay \$430,000 to create a "Settlement Fund." Class counsel will apply to the Court for compensation of up to one-third of the Settlement Fund in legal fees, plus expenses of \$1,804.17. This amount and the costs of administering the Settlement, as well as an incentive award of up to \$5,000 to the named Plaintiff, may be deducted from the Settlement Fund before it is equally distributed to class members, which, if granted, Class Counsel expect will result in settlement payments to class members of approximately \$320.95.

If any settlement checks are expire before they are uncashed, the leftover funds may be redistributed to Class Members who timely cashed their checks, depending on the cost of sending the payments. If the leftover funds are insufficient to allow for a second round of checks, or if there are funds left over even after the second round of payments, any remaining amounts will be donated to Legal Aid Chicago.

HOW TO GET BENEFITS

8. How do I get a payment?

All class members will have settlement checks automatically mailed to them at their last-known address. You can request to update your address on the “Contact” page of the settlement website, located here: www.BelmontBIPALawsuit.com, or by calling the Settlement’s toll-free number: 1-877-873-7145.

9. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for 10:30 a.m. CT on April 24, 2025. If the Court approves the Settlement and no appeals are filed, payments to eligible Class Members will be sent within 59 days. Please be patient. All checks will expire and become void 90 days after they are issued.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in the case?

Yes. The Court has appointed J. Dominick Larry of Nick Larry Law LLC as the attorney to represent you and other Class Members. He is called “Class Counsel.” In addition, the Court appointed Plaintiff Tina Velasco to serve as the Class Representative. She is a Class Member like you. The Settlement Administrator can be reached by calling 1-877-873-7145.

11. Should I get my own lawyer?

You don’t need to hire your own lawyer because Class Counsel is working on your behalf. You may hire your own lawyer, but if you want your own lawyer, you will have to pay that lawyer.

12. How will the lawyers be paid?

Class Counsel will ask for attorneys’ fees of up to one-third of the total settlement fund of the total settlement fund, which equals \$143,333.33, plus expenses of \$1,804.17. Class Counsel will also request an incentive award of \$5,000 for the Class Representative. The Court will determine the proper amount of attorneys’ fees and expenses to award Class Counsel and the proper amount of

any incentive award to the Class Representative. The Court may award less than the amounts requested.

YOUR RIGHTS AND OPTIONS

13. What happens if I do nothing at all?

If you do nothing, and you are a Settlement Class Member, and if the Court approves the Settlement, you will automatically receive a payment and you will also be bound by all orders and judgments of the Court. Unless you exclude yourself, you won't be able to start a lawsuit or be part of any other lawsuit against Rich's Fresh Market or any related entity for the claims or legal issues being resolved by this Settlement.

14. What happens if I ask to be excluded?

If you exclude yourself from the Settlement, you will receive no payment under the Settlement, and you will no longer be a Settlement Class Member. You will keep your right to start your own lawsuit against Rich's Fresh Market for the same legal claims at issue in this lawsuit. You will not be legally bound by the Court's judgments related to the Settlement Class and the Defendant in this class action.

15. How do I ask to be excluded?

You can mail a letter stating that you want to be excluded from the Settlement. Your letter must: (1) be in writing, (2) identify the case name, "*Velasco v. Belmont Groceries, LLC*, Case No. 2023-CH-01077," (3) state your full name and current address, (4) be physically signed by you or your representative, and (5) be postmarked for delivery by mail to the Settlement Administrator on or before 11:59 p.m. CT on March 14, 2025. Your request to be excluded must also include a statement to the effect that: "I hereby request to be excluded from the proposed Settlement Class in *Velasco v. Belmont Groceries, LLC*, Case No. 2023-CH-01077." You must mail your exclusion request no later than 11:59 p.m. CT on March 14, 2025 to:

Velasco v. Belmont Groceries, LLC Settlement Administrator
c/o Eisner Amper
P.O. Box 3637
Baton Rouge, LA 70821

You can't exclude yourself over the phone.

16. If I don't exclude myself, can I sue Rich's Fresh Market for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Rich's Fresh Market and any other released party for the claims being resolved by this Settlement.

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

No. If you exclude yourself, you will not receive a payment.

18. How do I object to the Settlement?

If you 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 deny approval before filing an objection. To object, you must file a letter or brief with the Court stating that you object to the Settlement in *Velasco v. Belmont Groceries, LLC*, Case No. 2023-CH-01077, no later than 11:59 p.m. CT on March 14, 2025, and you must provide copies of your objection to Class Counsel and Rich's Fresh Market's counsel. Your objection must be e-filed with the Circuit Court of Cook County, Illinois through an approved e-filing vendor or at <https://efileil.tylertech.cloud/>, or filed in-person with the Clerk of the Court at the following address, by 11:59 p.m. CT on March 14, 2025:

Clerk of the Court of the Circuit Court of Cook County, Illinois
Richard J. Daley Center
50 W. Washington St., Room 802
Chicago, Illinois 60602

The Objection must be in writing, must be signed, and must include the following information: (1) your full name and current address, (2) a statement that you believe yourself to be a member of the Settlement Class, (3) the specific grounds for your objection, (4) all documents or writings that you desire the Court to consider, (5) the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with the preparation or submission of your objection or who may profit from the pursuit of your objection, and (6) a statement indicating whether you (or your counsel) intend to appear at the Final Approval Hearing. If you are represented by a lawyer, he or she must file an appearance or seek *pro hac vice* admission to practice before the Court, and electronically file the objection.

In addition to filing your objection with the Court, you must send via mail, email, or delivery service, by no later than 11:59 p.m. CT on March 14, 2025, copies of your objection and any supporting documents to both Class Counsel and Rich's Fresh Market's lawyers at the addresses listed below:

Class Counsel	Rich's Fresh Market's Counsel
J. Dominick Larry NICK LARRY LAW LLC 1720 W. Division St. Chicago, IL 60622 nick@nicklarry.law	John C. Ochoa AMUNDSEN DAVIS, LLC 150 N. Michigan Ave., Suite 3300 Chicago, IL 60601 jochoa@amundsendavislaw.com

Your objection will not valid unless you **both** file it with the Court **and** send copies of it to Class Counsel and Rich's Fresh Market's counsel prior to the deadline for doing so.

Class Counsel will file with the Court and post on the settlement website its request for attorneys' fees and incentive award on February 28, 2025.

19. 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 Settlement Class as a Class Member. Excluding yourself from the Settlement Class is telling the Court that you don't want to be a Settlement Class Member. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold the Final Approval Hearing at 10:30 a.m. CT on April 24, 2025, before the Honorable Clare J. Quish. The hearing will take place by Zoom teleconference, using the following credentials: meeting ID: 953 7174 9534; password: 253498; telephonic dial-in: 312-626-6799, and in person in Courtroom 2301 of the Richard J. Daley Center, 50 W. Washington St., Chicago, Illinois 60602.

The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees and expenses and the incentive award to the Class Representative.

Note: The date, time, and location of the Final Approval Hearing are subject to change by Court order. Any changes will be posted at the settlement website, www.BelmontBIPALawsuit.com.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to come to the hearing at your own expense. If you file an objection, you don't have to come to Court to talk about it. As long as your written objection was filed and sent to Class Counsel and Rich's Fresh Market's counsel on time and meets the other criteria described in the Settlement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to.

22. May I speak at the hearing?

Yes. If you do not exclude yourself from the Settlement Class, you may ask the Court for permission to speak at the hearing concerning any part of the proposed Settlement. If you filed an objection, (*see* Question 18 above), and intend to appear at the hearing, you must state your intention to do so in your objection.

GETTING MORE INFORMATION

23. How do I get more information?

This notice summarizes the proposed Settlement. More details, including the Settlement Agreement and other documents, along with answers to any questions of yours, are available at the settlement website www.BelmontBIPALawsuit.com or by calling 1-877-873-7145.

PLEASE DO NOT CONTACT THE COURT, THE JUDGE, THE DEFENDANT, OR THE DEFENDANT'S LAWYERS WITH QUESTIONS ABOUT THE SETTLEMENT OR DISTRIBUTION OF PAYMENTS.