

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LAMONT DAVIS, NAKEA BLOUNT,  
and SHAMIKAH SLAUGHTER, on  
behalf of themselves and all other  
persons similarly situated, known and  
unknown,

Plaintiffs,

v.

HEARTLAND EMPLOYMENT  
SERVICES, LLC,

Defendant.

No. 19-cv-00680  
Judge Franklin U. Valderrama

**Preliminary Approval Order**

This matter having come before the Court on Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement (the Motion), the Court having reviewed and considered the Motion, the supporting Memorandum of Law and attached exhibits, including the Class Action Settlement Agreement (Settlement or Settlement Agreement) and its attachments, and the Court being fully advised in the premises,

**IT IS ORDERED AS FOLLOWS:**

1. Capitalized terms not defined in this Order are defined in the Parties' Settlement Agreement.
2. The Court finds, on a preliminary basis, that the Settlement is fair, reasonable, and adequate.

3. The Settlement Agreement was negotiated at arm's-length between counsel for the Parties who are experienced in class action litigation.

4. The Court finds, on a preliminary basis, that Settlement Class Counsel has adequately represented the proposed Settlement Class Members, which are defined as follows:

All hourly employees of Defendant who enrolled in or used a finger-scan timekeeping system while working for Defendant in Illinois between December 18, 2013 and April 23, 2019, excluding those persons subject to individual arbitration agreements who did not opt-out of those arbitration agreements (the Class or Class Members).

5. The Court finds that distribution of notice to the proposed Settlement Class Members is justified because Plaintiffs have shown that the Court will likely be able to (i) approve the Settlement under Federal Rule of Civil Procedure 23(e)(2) and (ii) certify the proposed class for purposes of settlement.

6. For settlement purposes only, the Court appoints Lamont Davis, Nakea Blount, and Shamikkah Slaughter as Settlement Class Representatives.

7. For settlement purposes only, the Court appoints as Settlement Class Counsel:

Douglas M. Werman Zachary C. Flowerree Werman Salas P.C. 77 West Washington Street Suite 1402 Chicago, IL 60602 (312) 419-1008	David Fish Mara Baltabols The Fish Law Firm, P.C. 200 East Fifth Ave. Suite 123 Naperville, IL 60563 (630) 355-7590
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8. The Court appoints Analytics Consulting LLC as the Settlement Administrator to perform all duties described in the Settlement Agreement and ordered by this Court.

9. The Court finds that distribution of the proposed Notice of Class Action Settlement and accompanying Claim Form (Notice) by mail, text message (where reasonably possible), and email (where reasonably possible) is the best practicable means of providing notice under the circumstances and, when completed, shall constitute due and sufficient notice of the proposed Settlement and the Final Approval Hearing to all persons affected by or entitled to participate in the Settlement, in full compliance with the notice requirements of Fed. R. Civ. P. 23, due process, the Constitution of the United States, and other applicable laws. The proposed Notice is accurate, objective, and informative. It provides Class Members with all of the information necessary to evaluate the fairness of the Settlement and to make an informed decision regarding whether to participate in the Settlement.

10. To be eligible to receive Settlement payments, Settlement Class Members must complete and return or postmark for return a valid Claim Form as described in the Notice within 90 days from the date of initial Notice distribution.

11. Any Settlement Class Member may request to be excluded from the Settlement by submitting a written request for exclusion to the Settlement Administrator as described in the Notice within 90 days from the date of initial Notice distribution.

12. Any Settlement Class Member who excludes himself or herself from the Settlement will not be entitled to any recovery under the Settlement and will not be bound by the Settlement or have any right to object, appeal, or comment on it.

13. Any Settlement Class Member who does not request to be excluded from the Settlement may object to the Settlement by submitting a written statement to the Settlement Administrator as described in the Notice within 90 days from the date of initial Notice distribution.

14. Settlement Class Counsel shall file a motion for attorneys' fees, litigation costs, settlement administration costs, and the Class Representatives' Service Awards (Fee Petition) within 60 days from the date of initial Notice distribution. The Settlement Administrator shall post the Fee Petition on the Settlement website.

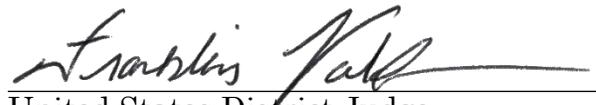
15. Settlement Class Counsel shall file a motion for final approval of the Settlement at least 21 days before the final approval hearing. The motion for final approval shall include copies of any objections submitted and identify any Class Members who have requested to be excluded from the Settlement.

16. The Court schedules a Final Approval Hearing for October 25, 2021 at 10:00 a.m. as a telephonic hearing. The call-in number is (888) 808-6929, and the access code is 5348076. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial

of entry to future hearings, or any other sanctions deemed necessary by the Court. At this hearing, the Court shall consider, among other things, (1) whether to finally approve the Settlement; (2) whether to approve Class Counsel's request for attorneys' fees and litigation costs; (3) whether to approve the Settlement Administrator's costs; and (4) whether to approve the Class Representatives' request for Service Awards. Settlement Class Members may, but are not required to, appear at the Final Approval Hearing and request to speak in favor or against the Settlement. At least seven days before the Final Approval Hearing, Settlement Class Counsel shall ensure the Settlement Administrator posts the Final Approval Hearing details on the Settlement website.

17. The Final Approval Hearing may be postponed, adjourned, transferred, or continued by order of the Court without further notice to Settlement Class Members. At or following the Final Approval Hearing, the Court may enter a Final Judgment approving the Settlement and entering a Final Approval Order in accordance with the Settlement that adjudicates the rights of all Settlement Class Members.

Dated: May 18, 2021

  
United States District Judge  
Franklin U. Valderrama