

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

JOE YOUNG, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

TRI CITY FOODS, INC., a Delaware
corporation,

Defendant.

Case No. 2018 CH 13114

Calendar 15

PRELIMINARY APPROVAL ORDER

This matter having come before the Court on Plaintiff's Motion for and Memorandum in Support of Preliminary Approval of Class Action Settlement of the above-captioned matter (the "Action") between Joe Young ("Plaintiff") and Defendant Tri City Foods, Inc. ("Defendant"), as set forth in the Class Action Settlement Agreement (the "Settlement Agreement") between Plaintiff and Defendant, and the Court having duly considered the papers and arguments of counsel, the Court hereby finds and orders as follows:

1. Unless defined herein, all defined terms in this order shall have the respective meanings ascribed to the same terms in the Settlement Agreement.

Certification of the Settlement Class

2. The Court has conducted a preliminary evaluation of the terms set forth in the Settlement Agreement. Based on this preliminary evaluation, the Court preliminarily finds that the Settlement Class meets all applicable requirements of Section 2-801 of the Illinois Code of Civil Procedure for settlement purposes only, including that the Settlement Class is sufficiently numerous, that there are questions of law and fact common to members of the Settlement Class

that predominate, that the proposed Class Representative and Class Counsel will fairly and adequately protect the interests of the Settlement Class, and that class treatment is an appropriate method for the fair and efficient adjudication of the Action.

3. Pursuant to Section 2-801 of the Illinois Code of Civil Procedure, and for settlement purposes only, the Court certifies the following Settlement Class, consisting of:

All individuals who scanned their finger at a restaurant in Illinois operated by Tri City Foods, Inc. between October 22, 2013 and July 16, 2025.

Excluded from the Settlement Class are (1) any Judge or Magistrate presiding over this action and members of their families, (2) Defendant, Defendant's subsidiaries, parent companies, successors, predecessors, and any entity in which Defendant or its parents have a controlling interest, (3) persons who properly prepare and submit a timely postmarked request for exclusion from the Settlement Class, (4) persons for whom Defendant's records reflect a biometric consent form timely-signed prior to the person's first use of the POS system's finger scanner, and (5) the legal representatives, successors or assigns of any such excluded persons.

Preliminary Approval of the Settlement

4. Based on its review of the Settlement Agreement, the Court preliminarily finds that: (i) there is good cause to believe that the Settlement Agreement is fair, reasonable, and adequate, and (ii) the Settlement Agreement has been negotiated at arm's length between experienced attorneys familiar with the legal and factual issues of this case with the assistance of an experienced mediator. The Court further finds that the Settlement warrants Notice of its material terms to the Settlement Class for their consideration and reaction. Therefore, the Court grants preliminary approval of the Settlement.

5. For settlement purposes only, the Court hereby approves the appointment of Plaintiff Joe Young as the Class Representative.

6. For settlement purposes only, the Court hereby approves the appointment of the following attorneys as Class Counsel and finds that they are competent and capable of exercising the responsibilities of Class Counsel:

J. Eli Wade-Scott
Schuyler Ufkes
EDELSON PC (Firm ID: 62075)
350 North LaSalle Street, 14th Floor
Chicago, Illinois 60654

David Fish
WORKPLACE LAW PARTNERS, P.C. (Firm ID: 44086)
155 N. Michigan Ave. Suite 719
Chicago, IL 60601

Notice and Administration

7. Pursuant to the Settlement Agreement, Analytics Consulting LLC, is hereby appointed as Settlement Administrator and shall be required to perform all of the duties of the Settlement Administrator as set forth in the Settlement Agreement and this order.

8. The Court approves the proposed plan for giving Notice to the Settlement Class, which includes direct Notice via U.S. Mail and email, and the creation of the Settlement Website (www.TCFBIPASettlement.com), as fully described in the Settlement Agreement. The plan for giving Notice—in form, method of dissemination, and content—fully complies with the requirements of 735 ILCS 5/2-803 and due process and is due and sufficient notice to all persons in the Settlement Class.

9. The Court hereby directs the Parties and Settlement Administrator to disseminate the Notice to the Settlement Class no later than **August 20, 2025**.

Exclusions

10. All persons who meet the definition of the Settlement Class and who wish to exclude themselves from the Settlement Class must submit their request for exclusion in writing

no later than the Exclusion Deadline of **October 15, 2025**.

11. To be valid, any request for exclusion must (a) be in writing; (b) identify the case name *Young v. Tri City Foods, Inc.*, No. 2018-CH-13114 (Cir. Ct. Cook Cty.); (c) state the full name and current address of the person in the Settlement Class seeking exclusion; (d) be signed by the person seeking exclusion or their parent or guardian, if a minor; and (e) be postmarked to the Settlement Administrator on or before the Exclusion Deadline. Each request for exclusion must also contain a statement to the effect that “I hereby request to be excluded from the proposed Settlement Class in *Young v. Tri City Foods, Inc.*, No. 2018-CH-13114 (Cir. Ct. Cook Cty).” A request for exclusion that does not include all of the foregoing information, that is mailed to an address other than that designated in the Notice, or that is not postmarked to the Settlement Administrator within the time specified, shall be invalid and the persons serving such a request shall be deemed to remain Settlement Class Members and shall be bound as Settlement Class Members by the Settlement Agreement, if finally approved. No person may request to be excluded from the Settlement Class through “mass” or “class” opt-outs, meaning, *inter alia*, that each individual who seeks to opt out must mail an individual, separately signed request to the Settlement Administrator that complies with all requirements of this paragraph.

Objections

12. Any Settlement Class Member may comment in support of, or in opposition to, the Settlement Agreement at their own expense; provided, however, that all comments and objections must be (1) filed with the Court, and (2) postmarked and delivered to Class Counsel and the Settlement Administrator no later than the Objection Deadline of **October 15, 2025**.

CLASS COUNSEL
J. Eli Wade-Scott
Schuyler Ufkes
EDELSON PC

SETTLEMENT ADMINISTRATOR
Young v Tri City Foods Settlement
PO Box 2010
Chanhassen, MN 55317-2010

350 North LaSalle Street, 14th Floor
Chicago, Illinois 60654

13. Any Settlement Class Member who intends to object to the Settlement Agreement must present the objection in writing, which must be personally signed by the objector and must include: (a) the Settlement Class Member's full name and current address; (b) a statement that he or she believes himself or herself to be a member of the Settlement Class; (c) the specific grounds for the objection; (d) all documents or writings that the Settlement Class Member desires the Court to consider; (e) the name and contact information of any and all attorneys representing, advising, or in any way assisting the objector in connection with the preparation or submission of the objection or who may profit from the pursuit of the objection; and (f) a statement indicating whether the objector intends to appear at the Final Approval Hearing (either personally or through counsel, who must file an appearance or seek *pro hac vice* admission).

14. Any Settlement Class Member who fails to timely file a written objection with the Court and notice of his or her intent to appear at the Final Approval Hearing in accordance with the terms of this order and as detailed in the Notice, and at the same time provide copies to Class Counsel and the Settlement Administrator, shall not be permitted to object to this Settlement Agreement at the Final Approval Hearing, and shall be foreclosed from seeking any review of the Settlement Agreement, the Final Approval Order, or Alternative Approval Order, by appeal or other means, and shall be deemed to have waived his or her objections and be forever barred from making any such objections in the Action or any other action or proceeding.

Final Approval Hearing

15. On **November 13, 2025 at 10:00 a.m.**, or at such other date and time later set by Court order, this Court will hold a Final Approval Hearing via Zoom (Meeting ID: 955 3557 3920) in Courtroom 2410 at the Richard J. Daley Center, 50 West Washington Street, Chicago,

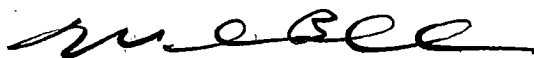
Illinois 60602, on the fairness, adequacy, and reasonableness of the Settlement Agreement, and to determine whether: (a) final approval of the Settlement Agreement should be granted and (b) Class Counsel's request for a Fee Award, and the Class Representative's request for an incentive award, should be granted.

16. Class Counsel shall file papers in support of their Fee Award and the Class Representative's requested incentive award (collectively, the "Fee Petition") with the Court on or before **October 1, 2025** (i.e., 14 days prior to the Objection Deadline). Defendant may, but is not required to, file a response to Class Counsel's Fee Petition with the Court on or before **October 15, 2025**. Class Counsel may file a reply in support of their Fee Petition with the Court on or before **October 29, 2025**.

17. Plaintiff shall file his papers in support of final approval of the Settlement Agreement, and in response to any objections, with the Court on or before **October 29, 2025** (i.e., 14 days after the Objection Deadline).

IT IS SO ORDERED.

ENTERED: _____



Honorable William B. Sullivan, Circuit Judge
Richard J. Daley Center
50 W. Washington St., Room 2410
Chicago, Illinois 60602
Phone: (312) 603-6025
Email: calendar15.chancery@cookcountyil.gov
Zoom Meeting ID: 955 3557 3920
Zoom Passcode: Password Not Required
Zoom Dial-in Number: (312) 626-6799

