



Circuit Court of Cook County, Illinois

*Young v. Tri City Foods, Inc.*

Case No. 18-CH-13114

# Class Action Settlement Notice

***Authorized by the Circuit Court of Cook County***

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Did you scan your finger while working at a Tri City Foods, Inc. restaurant in Illinois between October 22, 2013 and July 16, 2025?

There is a class action settlement and, if it is approved and you don't opt out, you will be sent a payment for about **\$450.**

To be a part of this settlement, you do not need to do anything.

If you do not want to be part of the class action, you need to opt out by October 15, 2025.

If you disagree with any of the settlement's terms, you need to submit your objection(s) by October 15, 2025.

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- Keep reading for more details about the settlement and your rights and options. You can also visit the Settlement Website, [www.TCFBIPASettlement.com](http://www.TCFBIPASettlement.com), where you can learn more and—if you're a Class Member—update your address and select your payment method (check or Zelle).
  - The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be provided only after any issues with the Settlement are resolved. Please be patient.

# About This Notice

## Why did I get this notice?

The Court authorized this notice to let you know about a proposed Settlement with Tri City Foods, Inc., which operates several Burger King restaurants in Illinois. 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 William Sullivan** of the Circuit Court of Cook County, Illinois is overseeing this class action. The case is called ***Young v. Tri City Foods, Inc.***, Case No. 18-CH-13114. The individual who filed the lawsuit, **Joe Young**, is the Plaintiff. The company he sued, **Tri City Foods, Inc. ("TCF")**, is the Defendant.

## What is a class action lawsuit?

A class action is a lawsuit in which an individual called a "Class Representative" bring a single lawsuit on behalf of themselves and other people who have similar legal claims. All of these people together are a "class" or "class members." A class action settlement finally approved by the Court resolves the issues for all Settlement Class Members, except for those who ask to be excluded.

## What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Options	Information about each option
<b>Do Nothing</b>	You will receive your Class Member payment (estimated to be <b>\$450</b> ) under the Settlement and give up your rights to sue Defendant about the issues in this case.
<b>Exclude Yourself (i.e., Opt Out)</b>	You will receive no payment, but you will retain any rights you currently have to sue Defendant about the issues in this case.
<b>Object</b>	If you are a Class Member, you can write to the Court explaining why you don't like the Settlement. You will remain a Class Member, receive a Class Member payment if the settlement is approved, and give up your rights to sue Defendant about the issues in this case.
<b>Attend a Hearing</b>	Ask to speak in Court about the fairness of the Settlement.

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

## What are the most important dates?

- Your deadline to object or opt out: **October 15, 2025**
- Your deadline to update your address or select a payment method (check or Zelle): **November 13, 2025**
- Final settlement approval hearing: **November 13, 2025 at 10:00 a.m.**

## What is this lawsuit about?

The Illinois Biometric Information Privacy Act ("BIPA" or "Privacy Act"), 740 ILCS 14/1, *et seq.*, prohibits private companies from capturing, obtaining, storing, and/or using the biometric identifiers and/or biometric information of another individual for any purpose, without first providing notice and getting consent in writing. Biometrics are things like your

## Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in the "Court Documents" section of the settlement website, [here](#).

fingerprint, faceprint, or a scan of your iris. This lawsuit alleges that TCF violated BIPA by collecting Illinois employees' biometric data when they scanned their finger on a Point of Sale ("POS") device at TCF's restaurants without first giving notice or getting consent. TCF denies these allegations and denies that it violated BIPA. The Settlement does not establish who is right or wrong. TCF denies that it did anything wrong. You can access Plaintiff's complaint and Defendant's answer and defenses [here](#).

## Learning About the Settlement

### Why is there a settlement in this lawsuit?

In March 2025, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation. The Court did not decide who was right.

#### What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that caused the alleged harm, but require the final approval of the Court.

### Who is included in the Settlement Class?

This Settlement Class includes all individuals who scanned their finger at a restaurant in Illinois owned or operated by Tri City Foods, Inc. between October 22, 2013 and July 16, 2025. Some exceptions to participating apply (see "Who is not included in the Settlement Class?" below). For example, individuals who signed a consent form related to the collection and use of biometric data **prior to their first use of TCF's finger-scanning POS system** are not included.

### Who is not included in the Settlement Class?

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 execute and file a timely request for exclusion from the Settlement Class, (4) persons for whom Defendant's records reflect an executed consent form related to biometrics prior to their first use of Defendant's POS system and (5) the legal representatives, successors or assigns of any such excluded persons.

## How do I know if I am part of this settlement?

If you are a current or former employee of a restaurant owned or operated by TCF in Illinois who scanned your finger in such a restaurant between October 22, 2013 and July 16, 2025, and are not subject to any of the exclusions above, then you are a member of the Settlement Class and are entitled to payment. If you received a notice of the Settlement via email or in the mail addressed to your name, our records indicate that you are a class member and are included in the Settlement. You may call or email the Settlement Administrator at 833-350-9909 or [TCFBIPASettlement@noticeadministrator.com](mailto:TCFBIPASettlement@noticeadministrator.com) to ask whether you are a member of the Settlement Class.

## The Settlement Benefits

### What does the settlement provide?

**Payments to Class Members:** If the Court approves the Settlement, TCF has agreed to create a Settlement Fund of \$15,297,800. Class Counsel expect that each class member will receive a settlement payment of approximately \$450 after all fees and costs are deducted.

**Agreement on Future Conduct:** Without admitting that it did anything wrong, TCF has stopped using finger-scanning technology in Illinois, and TCF has agreed that if it decides in the future to use finger-scanning technology in Illinois, TCF will obtain informed written consent prior to collecting finger-scan data, create a publicly-available retention schedule, and destroy finger-scan data consistent with its retention schedule. If any of the requirements of BIPA change, TCF's obligations will also automatically change consistent with BIPA.

## How do I get a payment?

If you are a Class Member and do nothing, you will receive a check in the mail automatically at your last known address. Or you can select to receive your payment electronically, via Zelle (instead of a check), on the Settlement Website [here](#). You can also request to update your address on the Settlement Website [here](#). For security reasons, you will need to enter your last name and your unique “Class Member ID” to login to update your address or select an electronic payment method. Your Class Member ID is located on the notice you may have received in the mail. If you cannot locate your Class Member ID, email the Settlement Administrator at [TCFBIPASettlement@noticeadministrator.com](mailto:TCFBIPASettlement@noticeadministrator.com).

## When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for November 13, 2025 at 10:00 a.m. If the Court approves the Settlement, and there are no objections or appeals, eligible Class Members will automatically be sent their payment within 60 days via check or Zelle, if they select Zelle as their payment method on the Settlement Website (see “How do I get a payment?” above). Please be patient.

All uncashed checks and Zelle payments that are unable to be completed will expire and become void after 180 days.

If any checks become void, they will be redistributed in a second round of payments to Class Members who cashed their first check or successfully received their first Zelle payment. If there are still funds left over after the second round of payments, those funds will be sent to the charity Legal Aid Chicago, subject to Court approval.

# The Lawyers Representing You

## Do I have a lawyer in this case?

Yes, the Court has appointed lawyers J. Eli Wade-Scott, and Schuyler Ufkes of Edelson PC and David Fish of Workplace Law Partners, P.C. as the attorneys to represent you and other Class Members. These

attorneys are called “Class Counsel.” In addition, the Court appointed Plaintiff Joe Young to serve as the Class Representative. He is a Class Member like you. Class Counsel can be reached by calling 1-866-354-3015.

### 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 do so, you will have to pay that lawyer.

### How will the lawyers be paid?

Class Counsel will ask the Court for reimbursement of their expenses and attorneys’ fees of up to 35% of the Settlement Fund and will also request an incentive award of \$5,000 for the Class Representative. The Court will determine the proper amount of any expenses and attorneys’ fees 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

### How do I weigh my options?

You have three options. You can do nothing (and thus remain in the settlement), you can exclude yourself from (or opt out of) the settlement, or you can object to the settlement. This chart shows the effects of each option:

	<b>Opt out</b>	<b>Object</b>	<b>Do Nothing</b>
<b>Can I receive settlement money if I . . .</b>	NO	YES	YES
<b>Am I bound by the terms of this lawsuit if I . . .</b>	NO	YES	YES
<b>Can I pursue my own case if I . . .</b>	YES	NO	NO
<b>Will the class lawyers represent me if I . . .</b>	NO	NO	YES

## What happens if I do nothing at all?

If you do nothing, you will be a Settlement Class Member, and if the Court approves the Settlement, you will automatically be sent a payment via check to your last known address (or via Zelle, if you selected that option), and you will also be bound by all orders and judgments of the Court. Unless you exclude yourself from the Settlement, you also won't be able to start a lawsuit or be part of any other lawsuit against TCF, or any other Released Parties (a term defined in the Settlement Agreement) for the claims or legal issues being resolved by this Settlement.

## What happens if I ask to be excluded?

You may exclude yourself from the Settlement. If you do so, you will not receive any payment, but you will not release any claims you may have against TCF or the Released Parties and can pursue whatever legal rights you may have against TCF and the Released Parties at your own risk and expense.

## 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: (a) be in writing; (b) identify the case name *Young v. Tri City Foods, Inc.*, Case No. 18-CH-13114 (Cir. Ct. Cook



Cty. Ill.); (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 sent to the Settlement Administrator postmarked on or before October 15, 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 *Young v. Tri City Foods, Inc.*, Case No. 18-CH-13114 (Cir. Ct. Cook Cty. Ill.)."

You must mail your exclusion request no later than October 15, 2025 to:

TCF BIPA Settlement Administrator  
P.O. Box 2010  
Chanhassen MN 55310-2010

You can't exclude yourself over the phone or by email. No person may request to be excluded from the Settlement Class through "mass" or "class" opt-outs, meaning that each individual who seeks to exclude themselves must mail an individual, signed, separate request to the Settlement Administrator that complies with all requirements listed above. Each request for exclusion must be separately signed and submitted.

### **If I don't exclude myself, can I sue TCF for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue TCF and any other Released Party for the claims being resolved by this Settlement.

### **If I exclude myself, can I get anything from the settlement?**

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

### **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 by filing an

objection. To object, you must file a letter or brief with the Court stating that you object to the Settlement in *Young v. Tri City Foods, Inc.*, Case No. 18-CH-13114 (Cir. Ct. Cook Cty. Ill.), no later than October 15, 2025. Your objection must be e-filed or delivered to the Court at the following address:

Clerk of the Circuit Court of Cook County - Chancery Division  
Richard J. Daley Center  
50 West Washington Street, Suite 802  
Chicago, Illinois 60602

The objection must be in writing, must be signed, and must include the following information: (a) your full name and current address, (b) a statement that you believe yourself to be a member of the Settlement Class, (c) the specific grounds for your objection, (d) all documents or writings that you desire the Court to consider, (e) 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 (f) a statement indicating whether you (or your counsel) intend to appear at the Final Approval Hearing. You must submit any objection in writing postmarked by October 15, 2025 in order to be heard by the Court at the Final Approval Hearing. If you hire an attorney in connection with making an objection, that attorney must file an appearance with the Court or seek *pro hac vice* admission to practice before the Court, and electronically file the objection by the objection deadline of October 15, 2025. If you do hire your own attorney, you will be solely responsible for payment of any fees and expenses the attorney incurs on your behalf. If you exclude yourself from the Settlement, you cannot file an objection.

In addition to timely submitting or filing your objection with the Court, by no later than October 15, 2025, you must send via mail copies of your objection and any supporting documents to Class Counsel at the address listed below:

Schuyler Ufkes  
[sufkes@edelson.com](mailto:sufkes@edelson.com)  
Edelson PC  
350 North LaSalle Street, 14th Floor  
Chicago, IL 60654

Class Counsel will file with the Court and post on the settlement website its request for attorneys' fees and expenses, and Plaintiff's request for an incentive award on October 1, 2025.

## 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 (and you will not receive payment).

## The Court's Final Approval Hearing

### When and where will the Court decide whether to approve the settlement?

The Court will hold the Final Approval Hearing on November 13, 2025 at 10:00 a.m. before the Honorable William B. Sullivan in Room 2410 of the Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602 or via remote means (via Zoom) as instructed by the Court. Instructions for participating remotely will be posted on the Settlement Website. 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 Members. **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 the Court. Any changes will be posted at the Settlement Website, [www.TCFBIPASettlement.com](http://www.TCFBIPASettlement.com).

## Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was filed or mailed 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 do so.

## 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 "How do I object to the Settlement?" above) and intend to appear at the hearing, you must state your intention to do so in your objection.

# Getting More Information

## How do I get more information?

This notice provides only a summary of the proposed settlement. The complete settlement with all its terms can be found [here](#). To get a copy of important documents in the case, click [here](#). To get answers to your questions:

- Visit the case website at [www.TCFBIPASettlement.com](http://www.TCFBIPASettlement.com)
- Contact the Settlement Administrator at 833-350-9909 or [TCFBIPASettlement@noticeadministrator.com](mailto:TCFBIPASettlement@noticeadministrator.com)
- Contact Class Counsel at 1-866-354-3015 (additional contact information below)

**PLEASE DO NOT CONTACT the Court, the Judge, the Defendant or the Defendant's lawyers with questions about the settlement or distribution of settlement payments.**

Resource	Contact Information
<b>Case website</b>	<a href="http://www.TCFBIPASettlement.com">www.TCFBIPASettlement.com</a>
<b>Settlement Administrator</b>	Analytics Consulting LLC <a href="mailto:TCFBIPASettlement@noticeadministrator.com">TCFBIPASettlement@noticeadministrator.com</a> P.O. Box 2010 Chanhassen MN 55317-2010 Tel. 833-350-9909
<b>Your Lawyers</b>	Schuyler Ufkes Edelson PC 350 N LaSalle St, 14th Floor Chicago, IL 60654 Tel. 312-589-6370 Firm ID: 62075  David Fish Workplace Law Partners, P.C. 155 N. Michigan Ave. Suite 719 Chicago, IL 60601 Tel: 312-861-1800 Fax: 630.778.0400 Firm ID: 44086
<b>Court (DO NOT CONTACT)</b>	Circuit Court of Cook County, Illinois Chancery Division Richard J. Daley Center 50 West Washington St., Room 802 Chicago, IL 60602