

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**  
*Taylor v. Sunrise Senior Living Management, Inc.*, 2017-CH-15152  
(Circuit Court of Cook County, Illinois)

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**If You Are a Current or Former Sunrise Employee and Used the Kronos Time Clock Finger-Scanning Option at a Sunrise Senior Living Management Facility in Illinois between November 14, 2012 and December 31, 2017, a Class Action Settlement May Affect Your Rights.**

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*An Illinois State 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 between Sunrise Senior Living Management, Inc. (“Defendant” or “Sunrise”) and some of its current and former Illinois employees. The suit alleges that Sunrise violated an Illinois law called the Biometric Information Privacy Act (“BIPA”) by collecting Illinois employees’ fingerprints on time clocks in Illinois without obtaining their informed written consent. Sunrise denies any wrongdoing and maintains that it has not violated any laws. The settlement does not establish who is correct, but rather is a compromise to end the lawsuit and avoid the uncertainties and expenses associated with ongoing litigation.
- You are included in the Settlement if you are a current or former employee of Sunrise who worked at a facility in the State of Illinois and used the Kronos time clock finger-scanning option between November 14, 2012 and December 31, 2017.
- If you’re eligible and the Court approves the Settlement, a check will automatically be mailed to you for approximately \$75 if you were employed by Sunrise between November 14, 2015 and December 31, 2017 (“Subclass 1”), or approximately \$25 if you were employed by Sunrise between November 14, 2012 and November 13, 2015 (“Subclass 2”), which accounts for payment of the costs—if approved by the Court—of administrative expenses and legal fees. Sunrise has also agreed to comply with the BIPA in the future.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>DO NOTHING</b>	You will receive a payment under the Settlement and give up your rights to sue Defendant about the issues in this case.
<b>EXCLUDE YOURSELF</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>	Write to the Court explaining why you don’t like the Settlement.
<b>ATTEND THE 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.

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.

## BASIC INFORMATION

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

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A Court authorized this notice to let you know about a proposed Settlement with the Defendant. 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 Anna M. Loftus of the Circuit Court of Cook County, Illinois, is overseeing this class action. The case is called *Taylor v. Sunrise Senior Living Management, Inc.*, 2017-CH-15152. The person who filed the lawsuit, Jonnae Taylor, is the Plaintiff. The company she sued, Sunrise Senior Living Management, Inc., is the Defendant.

### 2. What is a class action lawsuit?

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A class action is a lawsuit in which one or more plaintiffs—in this case, Jonnae Taylor—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?

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This lawsuit alleges that Sunrise violated an Illinois law called the Biometric Information Privacy Act (“BIPA”) by collecting Illinois employees’ fingerprints on time clocks without obtaining their informed written consent or having a policy about later keeping/discarding the fingerprint information.

Sunrise 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 time-consuming and expensive litigation. The Settlement is not an admission of wrongdoing by Sunrise. More information about the complaint in the lawsuit and the Defendant’s position can be found in the “Court Documents” section of the settlement website at [www.SunriseFingerScanSettlement.com](http://www.SunriseFingerScanSettlement.com).

### 4. Why is there a settlement?

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The Court has not decided whether Plaintiff or Defendant should win this case. Instead, both sides agreed to the Settlement. That way, they can avoid the uncertainty and expense of ongoing litigation, and Class Members will get compensation now rather than years from now—if ever. Plaintiff and her attorneys (“Class Counsel”) believe that the Settlement is in the best interests of the Class Members.

## WHO'S INCLUDED IN THE SETTLEMENT?

### 5. Who is in the Settlement Class?

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The Court decided that this Settlement includes all current or former employees of Sunrise who worked at a facility in the State of Illinois and used the Kronos time clock finger-scanning option between November 14, 2012 and December 31, 2017.

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

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If you are a current or former employee of Sunrise who worked at a facility in the State of Illinois and used the Kronos time clock finger-scanning option between November 14, 2012 and December 31, 2017, you are a member of the Settlement Class and may be entitled to a cash payment.

## THE SETTLEMENT BENEFITS

### 7. What does the Settlement provide?

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**Cash Payments to Class Members:** If you're eligible and the Court approves the Settlement, Sunrise has agreed to pay a gross payment of \$115 per class member if you were employed by Sunrise between November 14, 2015 and December 31, 2017 ("Subclass 1"), or a gross payment of \$40 if you were employed by Sunrise between November 14, 2012 and November 13, 2015 ("Subclass 2"). If you were employed by Sunrise during both of these class periods, you are a member of only Subclass 1. Class counsel will apply to the Court for compensation of administrative expenses and up to 35% of the gross payments to class members in legal fees. These amounts will be deducted from each payment before the payments are disbursed, which, if granted, class counsel expect will result in payments to Subclass 1 of approximately \$75, and payments to Subclass 2 of approximately \$25.

**Agreement on Future Conduct:** As part of the Settlement, Sunrise has agreed that it will comply with BIPA in the future by implementing policies and procedures to comply with the Illinois Biometric Information Privacy Act by obtaining written releases from Illinois employees who use the Kronos time clock finger-scanning option, making BIPA-required disclosures, and establishing a retention policy.

## HOW TO GET BENEFITS

### 8. How do I get a payment?

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If you are a Class Member, the Settlement Administrator will send a check to your last known address. If you have moved, you can update your address at the settlement website, [www.SunriseFingerScanSettlement.com](http://www.SunriseFingerScanSettlement.com). All change of address notifications must be received by February 1, 2019.

## **9. When will I get my payment?**

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The hearing to consider the fairness of the Settlement is scheduled for February 14, 2019 at 10:30 a.m. If the Court approves the Settlement, eligible Class Members will automatically be sent a check. Please be patient. All checks will expire and become void 90 days after they are issued. Uncashed checks will be donated to the Illinois Bar Foundation.

### **THE LAWYERS REPRESENTING YOU**

## **10. Do I have a lawyer in the case?**

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Yes, the Court has appointed lawyers Jay Edelson and J. Eli Wade-Scott of Edelson PC and David Fish of the Fish Law Firm as the attorneys to represent you and other Class Members. These attorneys are called “Class Counsel.” In addition, the Court appointed Plaintiff Jonnae Taylor to serve as the Class Representative. She is a Class Member like you. Class Counsel can be reached by calling 1-866-354-3015.

## **11. Should I get my own lawyer?**

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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?**

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Class Counsel will ask the Court for attorneys’ fees and expenses of up to 35% of the total amount Sunrise agreed to pay each class member (\$115 for Subclass 1 and \$40 for Subclass 2) and will also request an incentive award of \$1,500 for the Class Representative. The Court will determine the proper amount of any attorneys’ fees and expenses to award Class Counsel and the proper amount of any 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?**

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If you do nothing, you will be in the Class, 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 the Defendant or any other related entity for the claims or legal issues being resolved by this Settlement.

## **14. What happens if I ask to be excluded?**

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

## **15. How do I ask to be excluded?**

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You can send a letter stating that you want to be excluded from the Settlement. Your letter must: (1) be in writing; (2) identify the case name, “*Taylor v. Sunrise Senior Living Management, Inc.*, 2017-CH-15152 (Cir. Ct. Cook Cty.),” (3) state your full name and current address; (4) be physically signed by you, and (5) be postmarked or received by the Settlement Administrator on or before January 18, 2019. 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 *Taylor v. Sunrise Senior Living Management, Inc.*, 2017-CH-15152 (Cir. Ct. Cook Cty.).” You must mail your exclusion request no later than **January 18, 2019** to:

*Taylor v. Sunrise*  
c/o Settlement Administrator  
P.O. Box 58044  
Philadelphia, PA 19102-8044

You can’t exclude yourself on the phone or by email.

## **16. If I don’t exclude myself, can I sue the Defendant for the same thing later?**

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No. Unless you exclude yourself, you give up any right to sue the Defendant 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?**

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

## **18. How do I object to the Settlement?**

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If you do not exclude yourself from the 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 *Taylor v. Sunrise Senior Living Management, Inc.*, 2017-CH-15152 (Cir. Ct. Cook Cty.), no later than **January 18, 2019**. Your objection must be sent to the Circuit Court of Cook County at the following address:

Clerk of the Circuit Court of Cook County - Chancery Division  
Richard J. Daley Center, 8th Floor  
50 West Washington Street  
Chicago, Illinois 60602

The objection must be in writing, must be personally 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, hand, or overnight delivery service, by no later than the **January 18, 2019** deadline, copies of your objection and any supporting documents to both Class Counsel and the Defendant’s lawyers at the addresses listed below:

<b>Class Counsel</b>	<b>Defense Counsel</b>
Jay Edelson J. Eli Wade-Scott EDELSON PC 350 North LaSalle Street, 14th Floor Chicago, IL 60654	Jason Schwartz Joshua A. Jessen GIBSON, DUNN & CRUTCHER LLP 1050 Connecticut Avenue, N.W. Washington, DC 20036-5306

Class Counsel will file with the Court and post on the settlement website its request for attorneys’ fees and incentive award on January 4, 2019.

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### **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 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 case no longer affects you.

### **THE COURT’S FINAL APPROVAL HEARING**

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

The Court will hold the Final Approval Hearing on **February 14, 2019 at 10:30 a.m.** before the Honorable Anna M. Loftus in Room 2410 of the Richard J. Daley Center, 50 West Washington Street, 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 and time of the fairness hearing are subject to change by Court Order. Any changes will be posted at the settlement website, [www.SunriseFingerScanSettlement.com](http://www.SunriseFingerScanSettlement.com).

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### **21. Do I have to come to the hearing?**

No. Class Counsel will answer any questions the Court may have. You are, however, 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.

## **22. May I speak at the hearing?**

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Yes. If you do not exclude yourself from the 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. Where do I get more information?**

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This notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at [www.SunriseFingerScanSettlement.com](http://www.SunriseFingerScanSettlement.com), contact Class Counsel at 1-866-354-3015, or visit the office of the Clerk of the Circuit Court of Cook County – Chancery Division, Richard J. Daley Center, 8th Floor, 50 West Washington Street, Chicago, Illinois 60602, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT WITH QUESTIONS ABOUT THE SETTLEMENT OR ADMINISTRATION PROCESS.**