

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

<b>EIMEAR KENNY, on behalf of herself</b>	)	
<b>and all other persons similarly situated,</b>	)	
<b>known and unknown,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 2020-CH-07073</b>
	)	
<b>v.</b>	)	<b>Honorable Judge Alison C. Conlon</b>
	)	
<b>LOCKE TRANSPORTATION, INC.</b>	)	
	)	
<b>Defendant.</b>	)	

**PRELIMINARY APPROVAL ORDER**

This matter having come before the Court on Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement (“the Motion”), the Court having reviewed and considered the Motion, the Class Action Settlement Agreement (“Settlement” or “Settlement Agreement”), including all attachments to the Settlement Agreement, and the Court being fully advised in the premises,

IT IS ORDERED AS FOLLOWS:

1. Capitalized terms used in this Order are defined in the Parties’ Settlement Agreement.
2. The Settlement is preliminarily approved as fair, reasonable, and adequate. The Settlement Agreement was negotiated at arm’s-length between counsel for the Parties who are experienced in class action litigation.
3. For settlement purposes only, the Court finds that the requirements for a class action under Section 2-801 of the Illinois Code of Civil Procedure are preliminarily satisfied, including numerosity, commonality and predominance, adequacy, and appropriateness of class treatment.
4. For settlement purposes only, the Court preliminary certifies the following Settlement Class:  
  
All of Defendant’s workers who used Defendant’s finger scan timekeeping system in Illinois during the Class Period, which runs from October 2018 – December 9, 2020 (“Settlement Class” or “Settlement Class Members”).

5. The Parties agree that certification of the Settlement Class is a conditional certification for settlement purposes only, and that Defendant retains its right to object to certification of this Action, or any other class action, under any applicable rule, statute, law, or provision.

6. For settlement purposes only, the Court appoints Eimear Kenny as the Settlement Class Representative.

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

**The Garfinkel Group, LLC**

Max P. Barack  
max@garfinkelgroup.com  
Haskell Garfinkel  
haskell@garfinkelgroup.com  
6252 N. Lincoln Avenue  
Suite 200  
Chicago, Illinois 60659  
Telephone: (312) 736-7991

8. The Court approves the Notice of Class Action Settlement (“Notice”) attached as Attachment A to the Settlement Agreement and orders distribution of the Notice to Settlement Class Members as described in the Settlement Agreement. The Notice and the methods of distribution satisfy due process, the requirements of Section 2-803 of the Illinois Code of Civil Procedure, and constitute the best notice practicable under the circumstances.

9. The Court appoints JND Class Action Administration as the Settlement Administrator to perform all duties described in the Settlement Agreement or ordered by this Court.

10. 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 60 days from the date of initial Notice distribution.

11. 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.

12. 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 60 days from the date of initial Notice distribution.

13. Settlement Class Counsel shall file a motion for attorney fees, litigation costs, settlement administration costs, and the Class Representative's Incentive Award ("Fee Petition") within twenty-one (21) days from the date of initial Notice distribution. The Settlement Administrator shall post the Fee Petition on the Settlement website.

14. Settlement Class Counsel shall file a motion for final approval of the settlement within seven days of the Final Approval Hearing. The Court schedules a Final Approval Hearing for Tuesday, April 26, 2022 in Courtroom 2408, of the Circuit Court of Cook County, Illinois, Richard J. Daley Center, 50 W. Washington Street, Chicago, Illinois 60602 at 10:30 a.m., to consider, among other things, (1) whether to finally approve the Settlement; (2) whether to approve Settlement Class Counsel's request for attorney fees and litigation costs; (3) whether to approve the Class Representative's request for an Incentive Award; and (4) whether to approve the Settlement Administrator's costs. The hearing will be conducted remotely, and held on Zoom (Zoom Meeting ID Number: 974 5431 3798, Password: 501494).

15. The Final Approval Hearing may be held remotely via Zoom or 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 judgment approving the Settlement and entering a Final Approval Order in accordance with the Settlement that adjudicates the rights of all Settlement Class Members.

16. For clarity, the deadlines set forth above and in the Settlement Agreement are anticipated to be as follows:

<b>Class List to Administrator:</b>	<b>February 15, 2022</b>
<b>Notice distributed by:</b>	<b>February 22, 2022</b>
<b>Reminder email notice:</b>	<b>March 8, 2022</b>
<b>Fee Petition filing:</b>	<b>April 19, 2022</b>
<b>Exclusion deadline:</b>	<b>April 23, 2022</b>
<b>Objection deadline:</b>	<b>April 23, 2022</b>
<b>Final Approval Motion filing:</b>	<b>7 days before Final Approval Hearing</b>
<b>Final Approval Hearing:</b>	<b>April 26, 2022, 10:30 a.m.</b>

Entered: \_\_\_\_\_

\_\_\_\_\_  
Hon. Judge Alison C. Conlon