

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Tapia-Rendon v. Employer Solutions Staffing Group II, LLC, et al., Case No. 21-cv-3400

**IF YOU USED AN EASYCLOCKING, EASYWORKFORCE, OR TIMELOGIX
FINGERPRINT TIMECLOCK IN ILLINOIS BETWEEN JUNE 24, 2016 AND AUGUST
15, 2023, A CLASS ACTION MAY AFFECT YOUR RIGHTS.**

This is an official court notice. You are not being sued. This is not an ad for a lawyer.

- A class action has been filed against WorkEasy Software, LLC f/k/a EasyWorkforce Software, LLC (“EasyWorkforce”) claiming that it violated Illinois law by capturing, collecting, and disclosing biometric data without proper consent, and by failing to adequately secure that data.
- You may be included in this class action if, between June 24, 2016 and August 15, 2023, you used an EasyClocking, EasyWorkforce, or TimeLogix fingerprint timeclock to clock in and out at a job in Illinois.
- The Court has not yet decided whether EasyWorkforce did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you are choosing to stay in the lawsuit. You will automatically keep the possibility of getting money or benefits that may come from a trial or settlement. But, you are giving up any rights to separately sue EasyWorkforce about the same legal claims in this lawsuit.
EXCLUDE YOURSELF	Get out of this lawsuit. Get no money or benefits. Keep rights. If you ask to be excluded and money or other benefits are later awarded, you won’t be able to share in those. But, you keep any rights to separately sue EasyWorkforce about the same legal claims in this lawsuit.

- If this case is not dismissed or settled before trial, lawyers must prove the claims against EasyWorkforce at a trial. There is no trial date currently set, but it will likely be sometime in 2025. If you remain in the Class and money or other benefits are obtained from EasyWorkforce, you will be notified about how to obtain those benefits.

By order of: Hon. Matthew Kennelly, United States District Court for the Northern District of Illinois
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QUESTIONS? VISIT www.EasyWorkforceBIPALawsuit.com OR CALL TOLL FREE 1-844-917-4405

- Your rights and options are explained in this notice. To ask to be excluded, you must act before **March 17, 2025**.

BASIC INFORMATION

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

A Court authorized this notice to explain that it has allowed, or “certified,” a class action that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. A trial is to decide whether the claims being made against EasyWorkforce, on your behalf, are correct.

Judge Matthew Kennelly of the United States District Court for the Northern District of Illinois, is overseeing this class action. The case is called *Tapia-Rendon v. Employer Solutions Staffing Group II, LLC, et al.*, Case No. 21-cv-3400. The person who filed this lawsuit, Maria Tapia-Rendon, is the Plaintiff. One of the companies she sued, EasyWorkforce, is a Defendant.

2. What is a class action?

A class action is a lawsuit in which one or more plaintiffs—in this case, Maria Tapia-Rendon—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. In this case, the Court certified both a class and a smaller group within that class known as a subclass.

3. What is this lawsuit about?

This lawsuit alleges that EasyWorkforce violated a law called the Biometric Information Privacy Act (“BIPA”) by collecting fingerprint data through fingerprint-scanning timeclocks in Illinois without complying with the law’s requirements. That law says companies can’t collect, store, or share biometric data, which includes things like face, hand, or fingerprint scans, without first giving notice and getting consent. BIPA also requires companies that collect those types of information to adequately secure that data.

EasyWorkforce denies all of the claims in the lawsuit. EasyWorkforce claims that the type of information it collected isn’t covered by BIPA, that it didn’t disclose that information, and that it adequately secured the information it possessed.

4. Who is included in the Class and Subclass?

The Court decided that the Class includes anyone who used a cloud-based EasyWorkforce biometric device in Illinois on from June 24, 2016 to August 15, 2023, and that the Subclass

includes all Class members who used a cloud-based EasyWorkforce biometric device in Illinois on or before April 30, 2022.

There are approximately 21,915 people in the Class, and nearly that many in the Subclass.

5. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found, among other things, that:

- There are legal questions and facts that are common to all of the Class and Subclass members;
- Maria Tapia-Rendon's claims are typical of the claims of the rest of the Class and Subclass;
- Maria Tapia-Rendon and the lawyers representing the Class from Loevy + Loevy and Nick Larry Law LLC will fairly and adequately represent the Class's interests;
- The common legal questions and facts are more important than questions that affect only individuals; and
- This class action will be more efficient than having many lawsuits.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Class Certification Order, which is available in the "Court Documents" section of the case website.

THE CLAIMS IN THE LAWSUIT

6. What claims does the lawsuit allege?

The lawsuit claims that EasyWorkforce captured or collected the Class members' fingerprints and identifying information derived from their fingerprints (known as "biometric information") without their informed, written consent, that EasyWorkforce disclosed the Subclass members' biometric information without their informed, written, consent, and that EasyWorkforce failed to adequately secure the Subclass members' biometric information. Plaintiff claims that all of this violated the Biometric Information Privacy Act.

You can read a copy of Plaintiff's Amended Class Action Complaint, which describes these summarized allegations in much greater detail, at www.EasyWorkforceBIPALawsuit.com.

7. How did EasyWorkforce answer?

EasyWorkforce claims, among other things, that its timeclocks didn't do anything wrong or violate any law. EasyWorkforce claims that its timeclocks don't necessarily scan fingerprints, and that the information it possessed isn't covered by BIPA. You can read a copy of EasyWorkforce's Answer to Plaintiff's Amended Class Action Complaint, which explains EasyWorkforce's response in greater detail, at www.EasyWorkforceBIPALawsuit.com.

8. Has the Court decided who is right?

The Court hasn't decided whether the Plaintiff or EasyWorkforce are correct. By establishing the Class and Subclass and issuing this notice, the Court is not suggesting that Plaintiff will win or lose the lawsuit. The Plaintiff must prove her claims at the trial.

9. What is Plaintiff asking for?

The Plaintiff is asking the Court to award each Class and Subclass member money damages for the privacy violations alleged in the lawsuit. She is also seeking an injunction from the Court, which would require EasyWorkforce to stop and/or correct the conduct that is being challenged in the lawsuit. And she is asking that EasyWorkforce be ordered to pay her costs and attorneys' fees.

10. Is there any money available now?

No money or benefits are available now because the Court and/or jury have not decided whether EasyWorkforce did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to obtain any benefit.

WHO IS IN THE CLASS?

You need to determine whether you are affected by this lawsuit?

11. Am I part of the Class?

The Court decided that there is one "Class" in this case, and that certain individuals within that Class are also part of a "Subclass."

The Court found that the people in the Class are **"All individuals who used any cloud-based [EasyWorkforce] biometric device in Illinois on or after June 24, 2016."**

The Court found that the people in the Subclass are **"All Class Members who used a cloud-based [EasyWorkforce] biometric device in Illinois on or before April 30, 2022."**

Because all Subclass members are a part of the larger Class, when this document refers to the “Class” or to “Class members,” it refers to both the Class and the Subclass.

12. How do I determine whether I am a part of the Class?

If you worked at a job in Illinois where you used an EasyWorkforce timeclock to clock in and out of shifts or breaks with your fingerprint at any time between June 24, 2016 and August 15, 2023. You are a Class member even if you don’t work at that job anymore, and if you only used the fingerprint scanner for part of your time at the job. You’re also a Class member even if you worked at that job only for a short time.

EasyWorkforce sold its timeclocks under the EasyClocking and Timelogix brand names. Its timeclocks generally had one of those brand names printed somewhere on the outside of the clock. You can see some of the timeclocks at issue in this lawsuit at <https://easyclocking.com/biometric-time-clocks/> or at <https://time-logix.com/products/fingerprint-and-smart-card-rfid-employee-time-clock>.

You may have received a postcard from the class action administrator, EisnerAmper, explaining that the case records indicate that you are a Class member. EisnerAmper sent that postcard because, according to the records obtained from EasyWorkforce and its customers in Illinois, you used an EasyWorkforce biometric timeclock during the relevant time period.

If you’re not sure whether you’re a Class member, please call 1-844-917-4405.

13. How do I determine whether I am a part of the Subclass?

All Subclass members are Class members, but only certain Class members are Subclass members. The Subclass consists only of those Class members who used one of EasyWorkforce’s biometric timeclocks in Illinois on or before April 30, 2022. If you didn’t start using the timeclock until after that date, you may be a Class member, but you’re not a Subclass member.

14. I’m still not sure if I’m included.

If you are still not sure whether you are included in either the Class or Subclass, please call class action administrator at 1-844-917-4405.

YOUR RIGHTS AND OPTIONS

You have a choice about whether to stay in the Class or ask to be excluded before trial, and you have to decide this now.

15. What happens if I do nothing at all?

By doing nothing, you are staying in the Class. This means that regardless of whether the Plaintiff wins or loses the legal motions or trial, you will be legally bound by all of the orders and judgments of the Court and you will not be able to separately sue, or continue to sue EasyWorkforce as part of any other lawsuit about the same legal claims that are the subject of this lawsuit. However, if Plaintiff recovers money or other benefits, either as a result of trial or settlement, you will be notified about how to obtain your share.

16. Why would I ask to be excluded?

If you exclude yourself, you cannot get any money or benefits from this lawsuit if any are obtained, but you will keep your right to separately sue EasyWorkforce over the legal issues in this case.

17. How do I ask to be excluded?

You can mail a letter stating that you want to be excluded from the Lawsuit. Your letter must: (1) be in writing, (2) identify the case name, “*Tapia-Rendon v. Employer Solutions Staffing Group II, LLC, et al.*,” Case No. 21-cv-3400,” (3) state your full name and current address, (4) be physically signed by you or your representative, and (5) be postmarked for delivery by mail to the Notice Administrator on or before **March 17, 2025**. Your request to be excluded must also include a statement to the effect that: “I hereby request to be excluded from the EasyWorkforce Class in *Tapia-Rendon v. Employer Solutions Staffing Group II, LLC, et al.*,” Case No. 21-cv-3400.” You must mail your exclusion request no later than March 17, 2025 to:

EasyWorkforce Class Action Administrator
P.O. Box 3637
Baton Rouge, LA 70821

You can’t exclude yourself over the phone.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in the case?

The Court has appointed Thomas R. Kayes of Loevy + Loevy and J. Dominick Larry of Nick Larry Law LLC as the attorneys to represent the Class and Subclass. They are called “Class Counsel.”

By order of: Hon. Matthew Kennelly, United States District Court for the Northern District of Illinois
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They are experienced in handling similar class actions. More information about these lawyers, their firms, and their experience is available at <https://www.loevy.com/> and www.nicklarry.law.

19. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel are working on your behalf. You can hire your own lawyer, but you will have to pay that lawyer.

20. How will the lawyers be paid?

If Class Counsel obtain money or other benefits for the Class, they may ask the Court for attorneys' fees and expenses. You won't have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by EasyWorkforce.

THE TRIAL

The Court has not yet scheduled a trial to decide who is right in this case.

21. How and when will the Court decide who is right?

As long as the case isn't decided through legal motions or settled, Class Counsel will have to prove Plaintiff's claims at a trial. The trial will take place at the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Courtroom 2103, Chicago, Illinois 60604, but the date of the trial has not yet been scheduled. During the trial, a jury will hear all of the evidence to help them reach a decision about whether the Plaintiff or EasyWorkforce are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win or that they will get any money for the Class.

22. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff, and EasyWorkforce will present its defenses. You or your own lawyer are welcome to come at your own expense.

23. Will I get money after the trial?

If Plaintiff obtains money or other benefits as a result of the trial or a settlement, you will be notified about how to obtain a share of the recovery. Currently, we do not know if any benefits will be available or how long this process will take.

GETTING MORE INFORMATION

24. How do I get more information?

The website, www.EasyWorkforceBIPALawsuit.com, contains several Court documents that provide additional information about the case. It will be updated with the most current information about the lawsuit as it becomes available. You may also write with questions to the EasyWorkforce BIPA Class Action Administrator, P.O. Box 3637, Baton Rouge, LA 70821-3637. You can call the Administrator at 1-844-917-4405 or Class Counsel at (708) 722-2241 or (773) 694-4669.