

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Prelipceanu v. Jumio Corp., Case No. 2018-CH-15883, (Cir. Ct. Cook Cnty.)
For more information, visit www.IDBIPASettlement.com, or call 1-866-524-0722.

Para una notificación en Español, visite www.IDBIPASettlement.com.

PLEASE READ THIS NOTICE CAREFULLY. YOU MAY BE ENTITLED TO A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT IF YOU ARE AN INDIVIDUAL IN ILLINOIS WHOSE BIOMETRICS OR PHOTOS WERE COLLECTED, CAPTURED, PURCHASED, RECEIVED THROUGH TRADE, OTHERWISE OBTAINED OR IN THE POSSESSION OF JUMIO AND/OR ANY OF ITS PARENTS, SUBSIDIARIES, OR AGENTS, OR THEIR TECHNOLOGY, AT ANY TIME BETWEEN DECEMBER 21, 2013 AND DECEMBER 23, 2019.

*This is a court-authorized notice of a proposed class action settlement.
This is not a solicitation from a lawyer and is not notice of a lawsuit against you.*

WHY DID I GET A NOTICE?

This is a court-authorized notice of a proposed settlement in a class action lawsuit. The case is *Prelipceanu v. Jumio Corp.*, Case No. 2018-CH-15883, pending in the Circuit Court of Cook County, Illinois, before the Honorable Michael T. Mullen. The Settlement would resolve a lawsuit brought on behalf of persons who allege Jumio captured scans of their face geometry through its NetVerify identity verification service without first providing customers with legally required written disclosures and obtaining written consent. Jumio vigorously denies that it violated the law, and affirmatively states that it complied with Illinois law in all respects.

If you received notice by mail, you have been identified as an individual who, between December 21, 2013 and December 23, 2019, may have used Jumio services through a Jumio Customer and may qualify to receive cash compensation. Jumio Customers use Jumio services, including to verify individuals’ identity online, by matching individuals’ photos with their photo ID. If you were in Illinois when you used Jumio’s services, you may be part of the Settlement Class. All individuals in Illinois whose Biometrics or photos were collected, captured, purchased, received through trade, otherwise obtained or in the possession of Jumio and/or any of its parents, subsidiaries, or agents, or their technology, at any time between December 21, 2013 and December 23, 2019 are part of the Settlement Class. The Settlement covers all members of the Settlement Class who do not opt out, as further explained below. The Court has granted preliminary approval of the Settlement and has conditionally certified the Settlement Class for purposes of settlement only. This notice explains the nature of the class action lawsuit, the terms of the Settlement, and the legal rights and obligations of the Settlement Class Members. Please read the instructions and explanations below so that you can better understand your legal rights. This notice is only a summary of the proposed Settlement of this lawsuit. More details are available in the Settlement Agreement, which sets forth the rights and obligations of the Parties, and which, along with other documents, can be obtained at www.IDBIPASettlement.com as well as from the Settlement Administrator or from Class Counsel.

WHAT IS THIS LAWSUIT ABOUT?

The Illinois Biometric Information Privacy Act, 740 ILCS 14/1, *et seq.* (“BIPA”), prohibits private companies from collecting, capturing, receiving through trade, or otherwise obtaining a person’s biometric identifiers and/or biometric information, such as a scan of face geometry, without first providing such individual with certain written disclosures and obtaining written consent. BIPA also requires that private entities that possess biometrics publish a publicly available retention schedule. This lawsuit alleges that Jumio violated BIPA by collecting or capturing the scans of face geometry of consumers through its NetVerify service without first providing the required disclosures or obtaining the required consent. Jumio offers NetVerify as an identity and/or age verification service that other companies (Jumio’s Customers) can use on their own websites. NetVerify operates by examining the faces in photo identification and/or selfies uploaded to the service to verify the individual’s identity or age. Jumio vigorously disputes the claims in the lawsuit and denies that it violated BIPA.

WHY IS THIS A CLASS ACTION?

A class action is a lawsuit in which an individual called a “Class Representative” brings a single lawsuit on behalf of other people who have similar claims. All of these people together are a “Class” or “Class Members.” Once a Class is certified, a class action Settlement finally approved by the Court resolves the issues for all Settlement Class Members, except for those who choose to exclude themselves from the Settlement Class.

WHY IS THERE A SETTLEMENT?

To resolve this matter without the expense, delay, and uncertainties of litigation, the Parties have reached a Settlement that resolves all claims by individuals in Illinois whose Biometrics or photos were collected, captured, purchased, received through trade, otherwise obtained or in the possession of Jumio and/or any of its parents, subsidiaries, or agents, or their technology between December 21, 2013 and December 23, 2019. The Settlement requires Jumio to pay money to the Settlement Class, as well as to pay settlement administration expenses, attorneys' fees and costs to Class Counsel, and an incentive award to the Class Representative, if approved by the Court. The Settlement is not an admission of wrongdoing by Jumio, and does not imply that there has been, or would be, any finding that Jumio violated the law.

The Court has already preliminarily approved the Settlement. Nevertheless, because the settlement of a class action determines the rights of all members of the class, the Court overseeing this lawsuit must give final approval to the Settlement before it can be effective. The Court has conditionally certified the Settlement Class for settlement purposes only, so that members of the Settlement Class can be given this notice and the opportunity to exclude themselves from the Settlement Class, to voice their support or opposition to final approval of the Settlement, or to submit a Claim Form to receive the relief offered by the Settlement. If the Court does not give final approval to the Settlement, or if it is terminated by the Parties, the Settlement will be void, and the lawsuit will proceed as if there had been no settlement and no certification of the Settlement Class.

WHO IS IN THE SETTLEMENT CLASS?

You are a member of the Settlement Class if you are an individual in Illinois and your Biometrics or photos were collected, captured, purchased, received through trade, otherwise obtained or in the possession of Jumio and/or its parents, subsidiaries, agents or technology between December 21, 2013 and December 23, 2019. If you received notice by mail, you may fit this description, and you may submit a claim for cash. If you did not receive notice by mail, but believe you fit this description, you may also submit a claim for cash.

WHAT ARE MY OPTIONS?

(1) Accept the Settlement.

To accept the Settlement, you must submit a Claim Form by **March 23, 2020**. You may obtain a Claim Form at www.IDBIPASettlement.com, by emailing info@IDBIPASettlement.com, or by calling the Settlement Administrator at 1-866-524-0722. You may submit your Claim Form online at the same website, or by email to the Settlement Administrator at info@IDBIPASettlement.com, or by U.S. Mail to *Prelipceanu v. Jumio Corporation BIPA* Settlement Administrator, P.O. Box 43172, Providence, RI 02940-3172. If the Settlement is approved and your claim is deemed valid, a check will be mailed to you. The actual cash amount an individual will receive is dependent on the number of valid claims submitted. ***Submitting a valid and timely Claim Form is the only way to receive the monetary benefits offered by this Settlement.***

(2) Exclude yourself.

You may exclude yourself from the Settlement. If you do so, you will not receive any cash payment. You will not release any claims you may have against Jumio and the Released Parties (as that term is defined in the Settlement Agreement) and are free to pursue whatever legal rights you may have at your own risk and expense. To exclude yourself from the Settlement, you must mail a signed letter to the Settlement Administrator at *Prelipceanu v. Jumio Corporation BIPA* Settlement Administrator, P.O. Box 43172, Providence, RI 02940-3172, postmarked by **February 26, 2020**. You may also exclude yourself online at www.IDBIPASettlement.com. The exclusion letter must be signed by you and must state that you exclude yourself from this Settlement and must include the name and case number of this litigation, as well as your full name, address, telephone number, and a statement that you wish to be excluded.

(3) Object to the Settlement.

If you wish to object to the Settlement, you must submit your objection in writing to the Clerk of the Court of the Circuit Court of Cook County, Illinois, Chancery Division, Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602. The objection must be received by the Court no later than **February 26, 2020**. You must also send a copy of your objection to the attorneys for all Parties to the lawsuit, including Class Counsel (Evan M. Meyers, MCGUIRE LAW, P.C., 55 West Wacker Drive, 9th Floor, Chicago, IL 60601), as well as the attorneys representing the Defendant (Susan Fahringer, PERKINS COIE, LLP, 1201 Third Ave. Suite 4900, Seattle, WA 98101), postmarked no later than **February 26, 2020**. Any Settlement Class Member who intends to object to the settlement must include in any such objection: (i) his/her full name, address and current telephone number; (ii) the case name and number of this Action; (iii) the Defendant's Customer to whom, or website at which, he/she provided his/her Biometrics; (iv) all grounds for the objection, with factual and legal support for the stated objection, including

any supporting materials; (v) the identification of any other objections he/she has filed, or has had filed on his/her behalf, in any other class action cases in the last four years; and (vi) the objector's signature. If you hire an attorney in connection with making an objection, that attorney must also file with the court a notice of appearance by the objection deadline of **February 26, 2020**. 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.

You may appear at the Final Approval Hearing, which will be held on **March 31, 2020 at 11 a.m.**, in Courtroom 2510 of the Circuit Court of Cook County, Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602, in person or through counsel to show cause why the proposed Settlement should not be approved as fair, reasonable, and adequate. Attendance at the hearing is not necessary; however, persons wishing to be heard orally in opposition to the approval of the Settlement, the request for attorneys' fees and expenses, and/or the request for an incentive award to the Class Representative are required to indicate in their written objection their intention to appear at the hearing on their own behalf or through counsel and to identify the names of any witnesses they intend to call to testify at the Final Approval Hearing, as well as any exhibits they intend to introduce at the Final Approval Hearing.

(4) Do Nothing.

If you do nothing, you will receive no money from the Settlement Fund, but you will still be bound by all orders and judgments of the court. Unless you exclude yourself from the Settlement, you will not be able to file or continue a lawsuit against Jumio, Jumio's Customers, or other Released Parties regarding any of the Settled Claims. ***Submitting a valid and timely Claim Form is the only way to receive the monetary benefits offered by this Settlement.***

To submit a Claim Form, or for information on how to request exclusion from the Class or file an objection, please visit the Settlement website, www.IDBIPASettlement.com, email info@IDBIPASettlement.com, or call 1-866-524-0722.

WHAT DOES THE SETTLEMENT PROVIDE?

Cash Payments. Jumio has agreed to create a Settlement Fund with a value of \$7,000,000.00 for the Class Members. All Settlement Class Members are entitled to submit a Claim Form in order to receive a payment out of the Settlement Fund. If the Settlement is approved, each Settlement Class Member who submits a timely, valid Claim Form will be entitled to a cash payment out of the Settlement Fund. The exact amount of each Class Member's cash payment is unknown at this time and will depend on the total number of valid Claim Forms submitted. The Settlement Administrator will issue a check to each Class Member who submits a valid Claim Form following the final approval of the Settlement. All checks issued to Settlement Class Members will expire and become void 150 days after they are issued. Additionally, the attorneys who brought this lawsuit (listed below) will ask the Court to award them attorneys' fees of up to forty percent of the Settlement Fund, plus costs and expenses, for their time, expense and effort in investigating the facts, litigating the case and negotiating the Settlement. The Class Representative also will apply to the Court for a payment of up to \$10,000 for his time, effort, and service in this matter.

WHAT RIGHTS AM I GIVING UP IN THIS SETTLEMENT?

Unless you exclude yourself from this Settlement, you will be considered a member of the Settlement Class, which means you give up your right to file or continue a lawsuit against Jumio, and all of its owners, directors, officers, employees, Customers, agents, parents, subsidiaries, contractors, insurers, reinsurers, and affiliates with respect to Jumio's collection, capture, receipt, purchase, storage, dissemination, transfer, use, sale, lease, trade, or profit from biometric information, biometric identifiers, or any data derived from or relating to the images of faces in photographs or videos, including all claims arising from or relating to the subject matter of the Action and all claims that were brought or could have been brought in the Action. Giving up your legal claims is called a release. The precise terms of the release are in the Settlement Agreement, which is available upon request and can be viewed at www.IDBIPASettlement.com. Unless you formally exclude yourself from this Settlement, you will release your claims whether or not you submit a Claim Form and receive payment. If you have any questions, you can talk for free to the attorneys identified below who have been appointed by the Court to represent the Settlement Class, or you are welcome to talk to any other lawyer of your choosing at your own expense.

WHEN WILL I RECEIVE THE CASH PAYMENT?

The Parties cannot predict exactly when (or whether) the Court will give final approval to the Settlement, so please be patient. However, if the Court finally approves the Settlement, you will receive the cash payment as soon as possible after the court order becomes final, which should occur within approximately 60 days after the Settlement has been finally approved. If there is an appeal of the Settlement, payment may be delayed. Updated information about the case is available at www.IDBIPASettlement.com, or you can call the Settlement Administrator at 1-866-524-0722, or contact Class Counsel using the information provided below.

WHEN WILL THE COURT RULE ON THE SETTLEMENT?

The Court has already given preliminary approval to the Settlement. A final hearing on the Settlement, called a Final Approval Hearing, will be held to determine the fairness of the Settlement. At the Final Approval Hearing, the Court will also consider whether to finalize the certification of the Class for settlement purposes, hear any proper objections and arguments to the Settlement, as well as any requests for an award of attorneys' fees, costs, and expenses and a Class Representative incentive award that may be sought by Class Counsel. The Court will hold the Final Approval Hearing on March 31, 2020 at 11 a.m. in Courtroom 2510 at the Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602.

If the Settlement is given final approval, the Court will not make any determination as to the merits of the claims against Defendants or their defenses to those claims. Instead, the Settlement's terms will take effect and the lawsuit will be dismissed on the merits with prejudice. Both sides have agreed to the Settlement in order to achieve an early and certain resolution to the lawsuit, in a manner that provides specific and valuable benefits to the members of the Settlement Class.

If the Court does not approve the Settlement, if it approves the Settlement and the approval is reversed on appeal, or if the Settlement does not become final for some other reason, you will not be paid at this time and Class Members will receive no benefits from the Settlement. Plaintiff, Defendant, and all of the Class Members will be in the same position as they were prior to the execution of the Settlement, and the Settlement will have no legal effect, no class will remain certified (conditionally or otherwise), and the Plaintiff and Defendant will continue to litigate the lawsuit. There can be no assurance that if the Settlement is not approved, the Settlement Class will recover more than is provided in the Settlement, or indeed, anything at all.

WHO REPRESENTS THE CLASS?

The Court has approved the following attorneys to represent the Settlement Class. They are called "Class Counsel." You will not be charged for these lawyers. If you want to be represented by your own lawyer instead, you may hire one at your own expense.

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WHERE CAN I GET ADDITIONAL INFORMATION?

This notice is only a summary of the proposed Settlement of this lawsuit. More details are available in the Settlement Agreement, which sets forth the rights and obligations of the Parties, and which, along with other documents, can be obtained at www.IDBIPASettlement.com, as well as from the Settlement Administrator or from Class Counsel. If you have any questions, you can also call the Settlement Administrator at 1-866-524-0722 or Class Counsel at the number or email addresses set forth above. In addition to the documents available on the case website, all pleadings and documents filed in court may be reviewed or copied in the Office of the Clerk. Please do not call the Judge or the Clerk of the Court about this case. They will not be able to give you advice on your options.