



U.S. District Court for the Northern District of Illinois

Howe v. Speedway LLC

Case No. 1:19-cv-01374

Class Action Settlement Notice

Authorized by U.S. District Court for the Northern District of Illinois

Did you scan your finger while working for Speedway in Illinois between September 1, 2012 and November 1, 2017?

There is a class action settlement and, if it is approved and you don't opt out, you will be sent a payment of about **\$970**.

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 September 16, 2025.

If you disagree with any of the settlement's terms, you need to submit your objection(s) by September 16, 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.SpeedwayBIPASettlement.com, where you can learn more and—if you're a Class Member—update the address where your check will be mailed.
 - The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be provided only after any issues, if any, 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 Speedway, LLC, the operator of several convenience stores and fuel stations 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 Edmond E. Chang of the United States District Court for the Northern District of Illinois is overseeing this class action. The case is called ***Howe v. Speedway LLC***, Case No. 1:19-cv-01374. The individual who filed the lawsuit, **Christopher Howe**, is the Plaintiff. The company he sued, **Speedway, LLC (“Speedway”)**, is the Defendant.

What is a class action lawsuit?

A class action is a lawsuit in which an individual called a “Class Representative” brings 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 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
Do Nothing	You will receive your Class Member payment (estimated to be \$970) under the Settlement and give up your rights to sue Speedway about the issues in this case.
Exclude Yourself (i.e., Opt Out)	You will receive no payment, but you will retain any rights you currently have to sue Speedway about the issues in this case.
Object	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 Speedway about the issues in this case.
Attend a Hearing	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: **September 16, 2025**
- Your deadline to update your address on the Settlement Website: **October 21, 2025**
- Final settlement approval hearing: **October 21, 2025**

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 fingerprint, faceprint, or a scan of your iris. This lawsuit

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, **www.SpeedwayBIPASettlement.com**.

alleges that Speedway violated BIPA by collecting Illinois employees' biometric data when they scanned their fingers on a timekeeping system while working for Speedway in Illinois without first giving notice or getting consent. Speedway denies these allegations and denies that it violated BIPA. The Settlement does not establish who is right or wrong. Speedway denies that it did anything wrong. You can access Plaintiff's complaint and Speedway's answer and defenses under important documents on the Settlement Website at www.SpeedwayBIPASettlement.com.

Learning About the Settlement

Why is there a settlement in this lawsuit?

In May 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. Class settlements can provide money to class members, but require the final approval of the court.

Who is included in the Class?

This Class includes all individuals who used a finger scanner on a timeclock while working for Speedway in the state of Illinois between September 1, 2012, and November 1, 2017.

Some exceptions to participating apply (see "Who is not included in the Class?" below).

Who is not included in the Class?

Excluded from the Class are (1) the Court and members of their families; (2) persons who properly execute a timely request for exclusion from the Class; and (3) persons whose claims in this matter have been finally adjudicated on the merits or otherwise released.

How do I know if I am part of this Settlement?

If you used a finger scanner on a timeclock while working for Speedway in the state of Illinois between September 1, 2012, and November 1, 2017, and are not subject to any of the exclusions above, then you are a member of the Class and are entitled to payment. If you received a notice of the Settlement via email, or a postcard 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 (844) 496-0738 or info@SpeedwayBIPASettlement.com to ask whether you are a member of the Class.

The Settlement Benefits

What does the Settlement provide?

If the Court approves the Settlement, Speedway has agreed to create a Settlement Fund of \$12,122,775. Class Counsel expect that each Class Member will receive a Settlement payment of approximately \$970 after all fees and costs are deducted.

How do I get a payment?

If you are a Class Member and do nothing, you will automatically receive a check in the mail at your last known address. You can request to update your address on the Settlement Website. For security reasons, you will need to enter your Unique ID and PIN to login to update your address. Your Unique ID is located on the notice you may have received via email or mail. If you cannot locate your Unique ID, email the Settlement Administrator at info@SpeedwayBIPASettlement.com.

When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for October 21, 2025, at 12:15 p.m. (CT). If the Court approves the Settlement, and there are no objections or appeals, eligible Class

Members will automatically be sent their payment within 45 days via check in the mail (see “How do I get a payment?” above). It may take a few weeks to arrive in the mail. Please be patient.

All uncashed checks will expire and become void 120 days after issuance.

If the total amount of voided checks exceeds \$74,000, those funds will be redistributed in a second round of *pro rata* payments to Class Members who cashed their first check and will become void 120 days after issuance.

If the total amount of voided checks is less than \$74,000 after the initial round of payments, or if there are still funds remaining after a second round of payments due to uncashed checks, those funds will be sent to a “cy pres” recipient, subject to Court approval. A “cy pres” recipient is a non-profit organization whose work or purpose relates to the issues in this case, and who will use the funds to benefit people similar to those in the Class.

The Lawyers Representing You

Do I have a lawyer in this case?

Yes, the Court has appointed lawyers Ryan Stephan, Jim Zouras, and Andrew Ficzkowski of Stephan Zouras, LLC, and J. Eli Wade-Scott and Schuyler Ufkes of Edelson PC as the attorneys to represent you and other Class Members. These attorneys are called “Class Counsel.” In addition, the Court appointed Plaintiff Christopher Howe to serve as the Class Representative. He is a Class Member like you. Class Counsel can be reached by calling (312) 233-1550 and/or (312) 589-6370.

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 attorneys' fees of up to 37.5% of the Settlement Fund and reimbursement of their expenses. They will also request an incentive award of \$10,000 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:

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

What happens if I do nothing at all?

If you do nothing, you will be a Class Member, and if the Court approves the Settlement, you will automatically be sent a payment via check to your last known address, 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 Speedway, 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 Speedway or the Released Parties and can pursue whatever legal rights you may have against Speedway 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 and number, *Howe v. Speedway, LLC*, No. 19-cv-01374 (N.D. Ill.); (c) state the full name, current address, and telephone number of the person in the Class seeking exclusion; (d) be personally signed by the person seeking exclusion; and (e) a statement that he/she wishes to be excluded from the Class, such as "I hereby request to be excluded from the proposed Class in *Howe v. Speedway, LLC*, No. 19-cv-01374 (N.D. Ill.)."

You must mail your exclusion request no later than September 16, 2025, to:

Speedway BIPA Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

You can't exclude yourself over the phone or by email. No person may request to be excluded from the 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.

A request to be excluded that is sent to an address other than that

designated in this notice, or that is not postmarked within the time specified, will be invalid and you will be considered a member of the Class and will be bound as a Class Member by the Settlement Agreement, if approved by the Court.

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

No. Unless you exclude yourself, you give up any right to sue Speedway 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 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 *Howe v. Speedway, LLC*, No. 19-cv-01374 (N.D. Ill.), no later than September 16, 2025. Your objection must be e-filed or delivered to the Court at the following address:

Everett McKinley Dirksen United States Courthouse
219 South Dearborn Street, Courtroom 2341
Chicago, Illinois 60604

The objection must be in writing, must be signed, and must include the following information: (a) the case name and number, *Howe v. Speedway, LLC*, No. 19-cv-01374; (b) a statement that you believe yourself to be a member of the Class; (c) the specific basis for and an explanation of the objection; (d) your full name, address, telephone number, and email address; (e) all documents or writings that you desire the Court to consider; (f) a list of all proposed class action settlements in which you have filed an objection in the last five years;

(g) 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 the objection or who may profit from the pursuit of the objection; and (h) a statement of whether you (or your counsel) intend to appear at the Final Approval Hearing. You must submit any objection in writing by September 16, 2025, in order to be heard by the Court at the Final Approval Hearing. You must also identify any witnesses you may seek to call to testify at the Final Approval Hearing and all exhibits you intend to seek to introduce into evidence at the Final Approval Hearing, which must also be attached to, or included with, the written objection. 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 appearance or *pro hac vice* admission by the objection deadline of September 16, 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 filing your objection with the Court, by no later than September 16, 2025, you must also send via mail or delivery service, with the requisite postmark, copies of your objection and any supporting documents to the Settlement Administrator and Class Counsel at the addresses listed below:

Speedway BIPA Settlement Administrator info@SpeedwayBIPASettlement.com P.O. Box 25226 Santa Ana, CA 92799	Ryan F. Stephan James B. Zouras Andrew C. Ficzkowski STEPHAN ZOURAS, LLC 222 West Adams St. Suite 2020 Chicago, Illinois 60606	J. Eli Wade-Scott Schuyler Ufkes EDELSON PC 350 N LaSalle St. 14th Floor Chicago, IL 60654
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Class Counsel will file with the Court and post on the Settlement Website their request for attorneys' fees and expenses, and Plaintiff's request for an incentive award on September 2, 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 Class as a Class Member. Excluding yourself from the Class is telling the Court that you don't want to be a 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 **October 21, 2025, at 12:15 p.m. (CT)** before the Honorable Edmond E. Chang in Room 2341 at the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604. 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.SpeedwayBIPASettlement.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 and 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 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, with or without counsel, 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 in the "Important Documents" section of the Settlement Website at www.SpeedwayBIPASettlement.com. To get a copy of important documents in the case, and to get answers to your questions:

- Visit the case website at www.SpeedwayBIPASettlement.com
- Contact the Settlement Administrator at (844) 496-0738 or info@SpeedwayBIPASettlement.com
- Contact Class Counsell at (312) 233-1550 and/or (312) 589-6370 (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
Case website	www.SpeedwayBIPASettlement.com
Settlement	Speedway BIPA Settlement Administrator

Administrator	info@SpeedwayBIPASettlement.com P.O. Box 25226 Santa Ana, CA 92799 (844) 496-0738
Your Lawyers	Ryan F. Stephan James B. Zouras Andrew C. Ficzek STEPHAN ZOURAS, LLC 222 West Adams Street, Suite 2020 Chicago, Illinois 60606 Tel: 312.233.1550 Fax: 312.233.1560 Email: lawyers@stephanzouras.com J. Eli Wade-Scott Schuyler Ufkes Edelson PC 350 N LaSalle St, 14th Floor Chicago, IL 60654 Tel: 312.589.6370 Email: sufkes@edelson.com
Court (DO NOT CONTACT)	Everett McKinley Dirksen United States Courthouse, Courtroom 2341 219 South Dearborn Street Chicago, IL 60604