

**IN THE UNITED STATES DISTRICT COURT  
OR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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AVA JACKSON,  
on behalf of herself and all other  
persons similarly situated,  
known and unknown

*Plaintiff,*

v.

HC JOLIET, LLC,

*Defendant.*

---

No. \_\_\_\_\_

**NOTICE OF REMOVAL**

Defendant, HC Joliet, LLC (“HC Joliet”), through its undersigned attorneys, hereby removes to the United States District Court for the Northern District of Illinois, Eastern Division, the action captioned *Ava Jackson v. HC Joliet, LLC*, currently pending in the Circuit Court for the Twelfth Judicial Circuit in Will County, Illinois, Case No. 2019 L 000898. In support of removal, HC Joliet states as follows:

1. On October 15, 2019, Plaintiff Ava Jackson (“Plaintiff”) filed this action on behalf of herself and all other similarly situated individuals in the Circuit Court of Will County, Illinois. Plaintiff asserts a class action claim for alleged violations of the Illinois Biometric Information Privacy Act (“740 ILCS 14/1 *et seq.*”) (“BIPA”). A true and accurate copy of the complaint filed in the state court action, along with all other process, pleadings, and orders with which HC Joliet has been served are attached hereto as Exhibit A.

2. HC Joliet currently is the only defendant in the state court litigation, and was served on November 5, 2019. Removal is timely because this notice is filed within 30 days of service of the Complaint and Summons. *See* 28 U.S.C. § 1446(b)(1).

**REMOVAL IS PROPER**

3. Removal to this Court is proper because the United States District Court for the Northern District of Illinois, Eastern Division is the District Court of the United States for the district and division embracing the state court action filed by Plaintiff in Will County, Illinois. *See* 28 U.S.C. § 93(a)(1).

4. This putative class action is subject to this Court’s jurisdiction: (1) under 28 U.S.C. 1332(a), because complete diversity exists and the amount in controversy for the name plaintiff’s claims exceeds \$75,000; and (2) under the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d) (“CAFA”), because minimal diversity exists and the amount in controversy exceeds \$5,000,000.

**II. Removal is Proper Under Section 1332 Diversity Jurisdiction**

5. This Court has complete diversity jurisdiction under 28 U.S.C. § 1332(a), which provides that “district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between- (1) citizens of different States. . . .”

6. Complete diversity exists between Plaintiff and HC Joliet. Plaintiff is a citizen of Indiana. (Compl. ¶ 17.) HC Joliet is an Illinois limited liability company. For purposes of diversity jurisdiction, a limited liability company is a citizen of any state of which a member of the company is a citizen. *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195–96 (1990). HC Joliet’s sole member is CRC Holdings, Inc. For purposes of diversity jurisdiction, a corporation is “a citizen of any State by which it has been incorporated and of the state where it has its principal

place of business.” 28 U.S.C. § 1332(c)(1). CRC Holdings is a Florida corporation with its principal place of business in Pennsylvania.

7. Based on the Complaint’s allegations, the amount in controversy exceeds \$75,000. When analyzing the amount in controversy in a class action under 28 U.S.C. § 1332(a), at least one named plaintiff must satisfy the jurisdictional amount. *See, e.g., Richardson v. DSW, Inc.*, No. 05 C 4599, 2005 WL 2978755, at \*1 (N.D. Ill. Nov. 3, 2005).

8. To be clear, HC Joliet denies Plaintiff’s claims of wrongdoing and maintains that neither Plaintiff nor any of the proposed class members has a viable claim or is entitled to any damages in this case. However, for purposes of diversity jurisdiction regarding a BIPA lawsuit, the recent decision in *Peatry v. Bimbo Bakeries USA, Inc.*, 393 F. Supp. 3d 766 (N.D. Ill. Aug. 7, 2019) illustrates that the defendant is entitled to accept the complaint’s allegations solely for the purpose of assessing the alleged amount in controversy. Diversity jurisdiction exists where the “complaint and BIPA together can plausibly be read to suggest that a violation of at least some of the BIPA provisions at issue allegedly occurred every time [plaintiff] and the putative class members” were the subject of biometric technology. *See id.* at 769.

9. In the complaint, Plaintiff alleges that she has been to HC Joliet’s casino “approximately 30 times in the last three to five years,” and that HC Joliet’s facial recognition technology has scanned her facial geometry on each of these visits. Compl. ¶¶ 24, 27. Plaintiff seeks damages for “each violation of [BIPA] as provided by 740 ILCS 14/20(1)-(2).” Compl. ¶¶ 50(a), 57(a). Given that Plaintiff is claiming she was submitted to HC Joliet’s technology up to “thirty times,” and given that Plaintiff claims that HC Joliet *recklessly* violated BIPA each time HC Joliet’s facial recognition technology allegedly scanned his facial geometry on each visit to HC Joliet’s casino, the amount in controversy is potentially \$150,000, which is in excess

of the diversity threshold (*i.e.*, 30 visits X \$5,000 in recklessness-related statutory damages under BIPA). *See* 740 ILCS 14/20(1)-(2). Thus, removal is proper under 28 U.S.C. § 1332(a).

### **III. Removal is Proper Under CAFA**

10. Alternatively, this Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332(d). CAFA grants district courts original jurisdiction over civil actions filed under federal or state law in which any member of a class of plaintiffs is a citizen of a state different from any defendant (referred to as minimal diversity), the putative class has more than 100 members, and the amount in controversy for the putative class members exceeds \$5,000,000, exclusive of interest and costs. CAFA authorizes removal of such actions under 28 U.S.C. § 1446. The putative class action described in the Complaint satisfies the requirements of CAFA.

11. Minimal diversity is met for the reasons stated above. Plaintiff is a Citizen of Indiana, and HC Joliet (tracking down through its LLC members) is a Citizen of Florida and Pennsylvania. Upon information and belief, there are non-named absent members of the proposed class that are not citizens of Florida and Pennsylvania.

12. As to CAFA's numerical requirement, Plaintiff's complaint purports to bring this case on behalf of the following proposed class:

All individuals who are members of Defendant's rewards program and who had their facial geometry scans collected or possessed by Defendant in Illinois between October 15, 2014 and the present.

Compl. ¶ 30. Plaintiff alleges that the proposed class "includes hundreds and likely thousands of members." Compl. ¶ 32. Thus, CAFA's class member numerical requirement is met.

13. Finally, the CAFA amount in controversy is met. A notice of removal "need include only a plausible allegation" that CAFA's \$5 million amount in controversy threshold is satisfied. *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014). It "need

not contain evidentiary submissions.” *Id.* at 84. HC Joliet denies Plaintiff’s claims of wrongdoing and maintains that neither Plaintiff nor any of the proposed class members has a viable claim or is entitled to any damages in this case. However, Plaintiff’s allegations (discussed above) allows this Court to infer that many class members visited HC Joliet more than one time. This inference, coupled by Plaintiff’s allegations that the class “includes hundreds and likely thousands of members,” and that HC Joliet engaged in reckless conduct under BIPA (thereby allowing for potentially \$5,000 per violation), allows this Court to determine that the CAFA amount in controversy is met. Accordingly, accepting Plaintiff’s allegations as true solely for purposes of determining removal under Section 1332, Plaintiff’s complaint seeks more than \$5 million in compensatory damages in the aggregate.<sup>1</sup>

14. Finally, Plaintiff also requests injunctive relief. Compl. ¶¶ 50(b), 57(b). This request further increases the amount in controversy, which provides a further basis for removal. *See Keeling v. Esurance Ins. Co.*, 660 F.3d 273, 274 (7th Cir. 2011).

15. Promptly after filing this Notice of Removal, HC Joliet will give written notice of the removal to all parties and will file a notice in the Will County Circuit Court.

WHEREFORE, HC Joliet respectfully requests that the action pending against it in the Circuit Court for the Twelfth Judicial Circuit in Will County, Illinois, Civil Division, be removed to this Court.

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<sup>1</sup>HC Joliet denies Plaintiff’s claims of wrongdoing, denies that class certification is proper, and denies that Plaintiff or any of the class members are entitled to any damages. HC Joliet disputes Plaintiff’s interpretation of the remedies under BIPA, including Plaintiff’s position that it is entitled to a separate statutory damages amount for each time that Plaintiff visited HC Joliet. The above simply assumes *for CAFA removal purposes only* that if Plaintiff is able to establish a class and prove the allegations in the complaint, the total amount of monetary relief sought by Plaintiff and the proposed class would exceed \$5 million, exclusive of interests and costs.

Dated: November 14, 2019

Respectfully submitted,

HC JOLIET, LLC

*/s/ Daniel R. Saeedi*

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Telephone: 312-527-4000

Facsimile: 312-966-8584

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2019, the foregoing was served by electronic mail upon the following:

Douglas M. Werman ([dwerman@flsalaw.com](mailto:dwerman@flsalaw.com))  
Maureen A. Salas ([msalas@flsalaw.com](mailto:msalas@flsalaw.com))  
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# **EXHIBIT A**



Andrea Lynn Chastee  
Will County Circuit Cler  
Twelfth Judicial Circuit Cou  
Electronically File  
19L89  
Filed Date: 10/15/2019 5:26 PM  
Envelope: 697015  
Clerk: C

**IN THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL CIRCUIT  
WILL COUNTY, ILLINOIS**

AVA JACKSON, on behalf of herself )  
and all other persons similarly situated, ) Case No. 19L898  
known and unknown, )  
 ) Judge  
Plaintiff, )  
 )  
v. )  
 )  
HC JOLIET, LLC, )  
 )  
Defendant. )

**CLASS ACTION COMPLAINT**

Ava Jackson (“Plaintiff”) files this Class Action Complaint (“Complaint”) against HC Joliet, LLC (“Defendant”) for violations of the Illinois Biometric Information Privacy Act.

**SUMMARY OF CLAIMS**

1. Penn National Gaming, Inc. is one of the leading casino and gaming companies in the United States.
2. Defendant is an operating subsidiary or affiliate of Penn National Gaming, Inc.
3. Defendant operates Hollywood Casino in Joliet, Illinois (“Hollywood Joliet”).
4. Hollywood Joliet had gross receipts of \$118,059,563 and admitted 957,117 patrons in 2018, with an average daily admission of 2,622 patrons, according to the 2018 Annual Report by the Illinois Gaming Board.
5. Defendant uses facial recognition technology with its video security cameras at its Hollywood Joliet casino.
6. Defendant’s facial recognition technology identifies a person by scanning the geometry of a person’s facial features and comparing that scan against databases of stored facial geometry templates.

**Initial case management set for**  
2/10/2020 **at:** 9:00 **a.m.**

7. Plaintiff is a member of Defendant's rewards program who gambled at Defendant's Hollywood Joliet casino during the limitations period.

8. Defendant's facial recognition technology scanned Plaintiff's and other rewards program members' facial geometry and stored templates of their facial geometry in Defendant's databases.

9. Each time Plaintiff and other rewards program members gambled at Defendant's casino Defendant's facial recognition technology scanned the geometry of their faces to identify them against stored facial geometry templates in Defendant's databases.

10. Facial geometry is a *unique* and *permanent* identifier.

11. In enacting the Biometric Information Privacy Act, the Illinois legislature recognized that biologically unique identifiers, like facial geometry, and information based on those identifiers, cannot be changed when compromised, and thus subject a victim of identity theft to heightened risk of loss.

12. As a result, Illinois restricted private entities, like Defendant, from collecting, storing, using, or transferring a person's biometric identifiers and information without adhering to strict informed-consent procedures and data retention/destruction policies.

13. Defendant collected, stored, and used the unique biometric facial geometry identifiers, or identifying information derived from facial geometry, of Plaintiff and others similarly situated without following the detailed requirements of the Biometric Information Privacy Act.

14. As a result, Plaintiff and others similarly situated lost the right to control their biometric identifiers and information.

## **JURISDICTION AND VENUE**

15. This Court has personal jurisdiction over Defendant because, during the relevant time period, Defendant did business in Illinois, was registered to do business in Illinois, and committed the statutory violations alleged in this Complaint in Illinois.

16. Will County is an appropriate venue for this litigation because Defendant has offices in Will County, does business there, and committed the statutory violations alleged in this Complaint in Will County.

## **THE PARTIES**

17. Plaintiff is an individual who is a citizen of Indiana.

18. Defendant is an Illinois limited liability company.

19. Defendant is owned by Penn National Gaming, Inc.

## **REQUIREMENTS OF THE BIOMETRIC INFORMATION PRIVACY ACT**

20. In enacting the Biometric Information Privacy Act, the Illinois legislature recognized that the full ramifications of biometric technology are not yet fully known and so the public will benefit from “regulations on the collection, use, safeguarding, handling, storage retention, and description of biometric identifiers and information.” 740 ILCS 14/5(f)-(g).

21. The Biometric Information Privacy Act prohibits a “private entity” from capturing or collecting biometric identifiers or information from an individual unless that private entity first obtains the individual’s written release authorizing the private entity to capture or collect an individual’s biometric identifiers and/or biometric information. 740 ILCS 14/15(b)(3).

22. Relatedly, the Biometric Information Privacy Act prohibits a private entity from capturing or collecting biometric identifiers or information from an individual unless that private entity first informs the individual, in writing, of the following: (a) that the private entity is

collecting biometric identifiers or information, (b) the purpose of such collection, and (c) the length of time the private entity will retain the biometric identifiers or information. 740 ILCS 14/15(b)(1)-(2).

23. In addition, the Biometric Information Privacy Act prohibits a private entity from possessing biometric identifiers or information unless it creates and follows a written policy, made available to the public, establishing a retention schedule and destruction guidelines for its possession of biometric identifiers and information. 740 ILCS 14/15(a).<sup>1</sup>

### **BACKGROUND FACTS**

24. Plaintiff gambled at Defendant's Hollywood Joliet casino approximately 30 times in the last three to five years, including most recently during the week of September 23, 2019.

25. Plaintiff has been a member of Defendant's rewards program for approximately three to five years.

26. Defendant's facial recognition technology scanned Plaintiff's facial geometry from security camera footage and stored a facial geometry template for Plaintiff.

27. Each time Plaintiff gambled at Defendant's Hollywood Joliet casino, Defendant's facial recognition technology scanned Plaintiff's facial geometry and compared those scans against stored facial geometry templates in Defendant's databases.

28. Defendant failed to inform Plaintiff and other rewards program members in writing that it was collecting their biometric identifiers or information, the purpose and length of term for such collection, and failed to obtain their written consent *before* Defendant collected their facial geometry scans.

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<sup>1</sup> The Biometric Information Privacy Act has other requirements not yet relevant to this lawsuit.

29. Defendant never established and followed a publicly available written policy establishing a retention schedule and guidelines for permanently destroying scans of Plaintiff's and other rewards program members' facial geometry.

### **CLASS ACTION ALLEGATIONS**

30. Plaintiff seeks to represent the following class:

All individuals who are members of Defendant's rewards program and who had their facial geometry scans collected or possessed by Defendant in Illinois between October 15, 2014 and the present ("the Class").

31. Plaintiff and the Class are similar to one another because they were all subject to the same allegedly illegal practice: Defendant's collection and possession of their facial geometry scans despite Defendant failing to adhere to the requirements of the Biometric Information Privacy Act.

32. The Class includes hundreds and likely thousands of members.

33. As a result, the Class is so numerous that joining of all class members in one lawsuit is not practical.

34. The issues involved in this lawsuit present common questions of law and fact, including: whether Defendant used facial recognition technology at its Illinois casino; whether Defendant collected and/or possessed the Class's "biometric identifiers" or "biometric information" through the use of facial recognition technology at its Illinois casino; and whether Defendant complied with the procedures in 740 ILCS 14/15(a) and (b) of the Biometric Information Privacy Act.

35. These common questions of law and fact predominate over variations that may exist between members of the Class, if any.

36. Plaintiff, the members of the Class, and Defendant have a commonality of interest

in the subject matter of the lawsuit and the remedies sought.

37. If individual actions were required to be brought by each member of the Class injured or affected, the result would be a multiplicity of actions, creating a hardship to the Class, to the Court, and to Defendant.

38. Accordingly, a class action is an appropriate method for the fair and efficient adjudication of this lawsuit and distribution of the common fund to which the Class is entitled.

39. Defendant's books and records are material to Plaintiff's case as they disclose when Defendant scanned the facial geometry of Plaintiff and the Class and what information Defendant provided Plaintiff and the Class about the collection, retention, and use of their biometric identifiers and information.

40. Plaintiff and her counsel will fairly and adequately protect the interests of the Class.

41. Plaintiff retained counsel experienced in complex class action litigation.

**COUNT I**  
**Violation of the Biometric Information Privacy Act (740 ILCS 14/15(b))**  
**(Class Action)**

42. Plaintiff realleges and incorporates the previous allegations of this Complaint.

43. Defendant is a "private entity" under the Biometric Information Privacy Act. 740 ILCS 14/10.

44. Plaintiff's and the Class's facial geometry scans qualify as "biometric identifier[s]" as defined by the Biometric Information Privacy Act. 740 ILCS 14/10.

45. Defendant has "biometric information" from Plaintiff and the Class through its acquisition and retention of identifying information based on Plaintiff's and the Class's facial geometry scans.

46. Defendant violated the Biometric Information Privacy Act by capturing or

collecting Plaintiff's and the Class's facial geometry scans and identifying information based on those scans without *first* informing them in writing that Defendant was doing so.

47. Defendant violated the Biometric Information Privacy Act by capturing or collecting Plaintiff's and the Class's facial geometry scans and identifying information based on those scans without *first* informing them in writing of the purpose of Defendant doing so and the length of time Defendant would store and use Plaintiff's and the Class's biometric identifiers and/or biometric information.

48. Defendant violated the Biometric Information Privacy Act by capturing or collecting Plaintiff's and the Class's facial geometry scans and identifying information based on those scans without *first* obtaining their informed written consent authorizing Defendant to capture or collect Plaintiff's and the Class's biometric identifiers and/or biometric information.

49. Unlike other companies in Illinois, Defendant failed to take notice and follow the requirements of the Biometric Information Privacy Act, even though the law was enacted in 2008 and numerous articles and court filings were published about the law's requirements before Defendant committed the violations alleged in this Complaint.

50. As a result, Defendant's violations of the Biometric Information Privacy Act were reckless or, in the alternative, negligent.

WHEREFORE, Plaintiff and the Class pray for a judgment against Defendant as follows:

- A. Awarding liquidated or actual monetary damages, whichever is higher, to Plaintiff and the Class for each violation of the Biometric Information Privacy Act as provided by 740 ILCS 14/20(1)-(2);
- B. Enjoining Defendant from committing further violations of the Biometric Information Privacy Act as authorized by 740 ILCS 14/20(4);
- C. Awarding Plaintiff's reasonable attorneys' fees and costs incurred in filing and prosecuting this action as provided by 740 ILCS 14/20(3); and

- D. Awarding such other and further relief as this Court deems appropriate and just as provided by 740 ILCS 14/20(4).

**COUNT II**  
**Violation of the Biometric Information Privacy Act (740 ILCS 14/15(a))**  
**(Class Action)**

51. Plaintiff realleges and incorporates the previous allegations of this Complaint.

52. Defendant is a “private entity” under the Biometric Information Privacy Act. 740 ILCS 14/10.

53. Plaintiff’s and the Class’s facial geometry scans qualify as “biometric identifier[s]” as defined by the Biometric Information Privacy Act. 740 ILCS 14/10.

54. Defendant has “biometric information” from Plaintiff and the Class through its acquisition and retention of identifying information based on Plaintiff’s and the Class’s facial geometry scans.

55. Defendant violated the Biometric Information Privacy Act by possessing Plaintiff’s and the Class’s facial geometry scans and identifying information based on those scans without creating and following a written policy, made available to the public, establishing and following a retention schedule and destruction guidelines for their possession of biometric identifiers and information.

56. Unlike other companies in Illinois, Defendant failed to take notice and follow the requirements of the Biometric Information Privacy Act, even though the law was enacted in 2008 and numerous articles and court filings were published about the law’s requirements before Defendant committed the violations alleged in this Complaint.

57. As a result, Defendant’s violations of the Biometric Information Privacy Act were reckless or, in the alternative, negligent.



WHEREFORE, Plaintiff and the Class pray for a judgment against Defendant as follows:

- A. Awarding liquidated or monetary damages, whichever is higher, to Plaintiff and the Class for each violation of the Biometric Information Privacy Act as provided by 740 ILCS 14/20(1)-(2);
- B. Enjoining Defendant from committing further violations of the Biometric Information Privacy Act as authorized by 740 ILCS 14/20(4);
- C. Awarding Plaintiff's reasonable attorneys' fees and costs incurred in filing and prosecuting this action as provided by 740 ILCS 14/20(3); and
- D. Awarding such other and further relief as this Court deems appropriate and just as provided by 740 ILCS 14/20(4).

Dated: October 15, 2019

Respectfully submitted,

/s/Douglas M. Werman  
One of Plaintiff's Attorneys

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*Attorneys for Plaintiff*

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  Will _____ COUNTY	<b>SUMMONS</b>	<i>For Court Use Only</i>          19L898  _____ <b>Case Number</b>
<b>Instructions ▼</b> Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/ Respondents. Enter the Case Number given by the Circuit Clerk.	AVA JACKSON, on behalf of herself and all other persons similarly situated, known and unknown <u>Plaintiff / Petitioner (First, middle, last name)</u>  v.  HC JOLIET, LLC <u>Defendant / Respondent (First, middle, last name)</u>	

In 1, if your lawsuit is for money, enter the amount of money you seek from the Defendant/ Respondent.

In 2, enter your contact information. If more than 1 person is bringing this lawsuit, attach an *Additional Plaintiff/Petitioner Contact Information* form.

In 3, enter the name of the person you are suing and their address. If more than 1 person is being sued, attach an *Additional Defendant/Respondent Contact Information* form.

1. **Information about the lawsuit:**  
 Amount claimed: \$ 50,000.00 + (to be determined)
2. **Contact information for the Plaintiff/Petitioner:**  
 Name (First, Middle, Last): Ava Jackson c/o Werman Salas P.C.  
 Street Address, Apt #: 77 W. Washington St., Suite 1402  
 City, State, ZIP: Chicago, IL 60602  
 Telephone: (312) 419-1008  
 See attached for additional Plaintiff/Petitioner contact information
3. **Contact information for the Defendant/Respondent:**  
 Name (First, Middle, Last): HC JOLIET, LLC c/o Reg. Agent: The Corporation Co  
 Street Address, Apt #: 118 W. Edwards Street, Suite 200  
 City, State, ZIP: Springfield, IL 62704  
 Telephone: \_\_\_\_\_  
 See attached for additional Defendant/Respondent contact information

**Important Information for the person receiving this form:**

You have been sued.  
 Follow the instructions on the next page on how to appear/answer.

- If you do not appear/answer the court may decide the case without hearing from you and enter a judgment against you for what the plaintiff/petitioner is asking.
- Your written appearance/answer must be filed on time and in the proper form.
- Forms for a written appearance/answer are available here:  
<http://www.illinoiscourts.gov/forms/approved/default.asp>

If you cannot afford to pay the fee for filing your appearance/answer, ask the circuit clerk for an *application for waiver of court fees.*

You should read all of the documents attached.

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In 4, the Circuit Clerk will give you the court date or appearance date, check any boxes that apply, and include the address of the court building and room where the Defendant/ Respondent must file their response.

**4. Instructions for person receiving this form (Defendant/Respondent):**

To respond to this *Summons* you must:

Go to court:  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: \_\_\_\_\_ Court Room: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

File a written *Appearance* and *Answer/Response* with the court:  
On or before this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

File a written *Appearance* and *Answer/Response* with the court within 30 days from the day you receive this *Summons* (listed below as the "Date of Service").  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: 14 W. Jefferson Street  
City, State, ZIP: Joliet, IL 60432

**STOP!**  
The Circuit Clerk will fill in this section.

Witness this Date: 10/18/19  
Clerk of the Court: Andrea Lynn Chasteen



**STOP!**  
The officer or process server will fill in the Date of Service.

**This *Summons* must be served within 30 days of its date, listed above.**

Date of Service: \_\_\_\_\_  
*(Date to be entered by an officer or process server on the copy of this Summons left with the Defendant/Respondent or other person.)*

**Plaintiff/Petitioner:** To serve this *Summons*, you must hire the sheriff (or a private process server outside of Cook County) to deliver it and your Complaint/Petition to the Defendant/Respondent. If the sheriff (or private process server outside of Cook County) tries but can't serve the *Summons*, fill out another summons and repeat this process.

**Attention:** E-Filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp>, or talk with your local circuit clerk's office.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  Will _____ COUNTY	<b>AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT/PETITION</b>	<i>For Court Use Only</i>
<b>Instructions</b> Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the name of the person you are suing as Defendant/Respondent. Enter the Case Number given by the Circuit Clerk.	AVA JACKSON, on behalf of herself and all other persons similarly situated, known and unknown <u>Plaintiff / Petitioner (First, middle, last name)</u>  v.  HC JOLIET, LLC <u>Defendant / Respondent (First, middle, last name)</u>	_____ <b>Case Number</b>

**\*\*Stop. Do not complete the form. The sheriff will fill in the form.\*\***

DO NOT complete this section. The sheriff will complete it.

My name is \_\_\_\_\_ and I swear under oath  
*First, Middle, Last*  
 that I served the **Summons and Complaint/Petition** on the Defendant/Respondent

\_\_\_\_\_ as follows:  
*First, Middle, Last*

- Personally on the Defendant/Respondent:  
 Male:  Female:  Approx. Age: \_\_\_\_\_ Hair Color: \_\_\_\_\_  
 Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
 On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_
  
- At the Defendant/Respondent's home:  
 On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 And left it with: \_\_\_\_\_  
*First, Middle, Last*  
 Male:  Female:  Approx. Age: \_\_\_\_\_  
 and by sending a copy to this defendant in a postage-paid, sealed envelope to the above address on \_\_\_\_\_, 20 \_\_\_\_\_.
  
- On the Corporation's agent, \_\_\_\_\_  
*First, Middle, Last*  
 On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

**DO NOT** complete this section. The sheriff, or private process server will complete it.

**By:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

**FEES**

By certified/registered \$ \_\_\_\_\_

Service and Return \$ \_\_\_\_\_

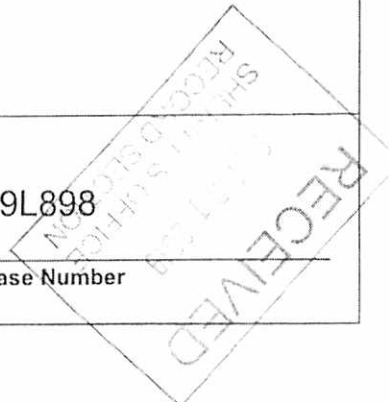
Miles: \_\_\_\_\_ \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

John Chasteen  
 Will County Circuit Clerk  
 Twelfth Judicial Circuit Court  
 Electronically Filed

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts

STATE OF ILLINOIS, CIRCUIT COURT  Will _____ COUNTY	<h2 style="margin:0;">SUMMONS</h2>	For Court Use Only 19L898 Filed Date: 11/5/2019 3:56 PM Envelope: 7247114 Clerk: HW
<b>Instructions ▼</b> Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/Respondents. Enter the Case Number given by the Circuit Clerk.	AVA JACKSON, on behalf of herself and all other persons similarly situated, known and unknown <u>Plaintiff / Petitioner (First, middle, last name)</u>  v.  HC JOLIET, LLC <u>Defendant / Respondent (First, middle, last name)</u>	19L898 <hr/> Case Number



In 1, if your lawsuit is for money, enter the amount of money you seek from the Defendant/Respondent.

In 2, enter your contact information. If more than 1 person is bringing this lawsuit, attach an *Additional Plaintiff/Petitioner Contact Information* form.

In 3, enter the name of the person you are suing and their address. If more than 1 person is being sued, attach an *Additional Defendant/Respondent Contact Information* form.

1. **Information about the lawsuit:**  
 Amount claimed: \$ 50,000.00 + (to be determined)
2. **Contact information for the Plaintiff/Petitioner:**  
 Name (First, Middle, Last): Ava Jackson c/o Werman Salas P.C.  
 Street Address, Apt #: 77 W. Washington St., Suite 1402  
 City, State, ZIP: Chicago, IL 60602  
 Telephone: (312) 419-1008  
 See attached for additional Plaintiff/Petitioner contact information
3. **Contact information for the Defendant/Respondent:**  
 Name (First, Middle, Last): HC JOLIET, LLC c/o Reg. Agent: The Corporation Co  
 Street Address, Apt #: 118 W. Edwards Street, Suite 200 *600 S 2nd*  
 City, State, ZIP: Springfield, IL 62704  
 Telephone: \_\_\_\_\_  
 See attached for additional Defendant/Respondent contact information

**Important Information for the person receiving this form:**

You have been sued.  
 Follow the instructions on the next page on how to appear/answer.

- If you do not appear/answer the court may decide the case without hearing from you and enter a judgment against you for what the plaintiff/petitioner is asking.
- Your written appearance/answer must be filed on time and in the proper form.
- Forms for a written appearance/answer are available here:  
<http://www.illinoiscourts.gov/forms/approved/default.asp>

If you cannot afford to pay the fee for filing your appearance/answer, ask the circuit clerk for an *application for waiver of court fees*.

You should read all of the documents attached.

1117541

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In 4, the Circuit Clerk will give you the court date or appearance date, check any boxes that apply, and include the address of the court building and room where the Defendant/Respondent must file their response.

4. Instructions for person receiving this form (Defendant/Respondent):

To respond to this *Summons* you must:

- Go to court:  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: \_\_\_\_\_ Court Room: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_
- File a written *Appearance* and *Answer/Response* with the court:  
On or before this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_
- File a written *Appearance* and *Answer/Response* with the court within 30 days from the day you receive this *Summons* (listed below as the "Date of Service").  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_  a.m.  p.m.  
Address: 14 W. Jefferson Street  
City, State, ZIP: Joliet, IL 60432

**STOP!**  
The Circuit Clerk will fill in this section.

Witness this Date: 10/18/19  
Clerk of the Court: *Andrea Lynn Chastee*



**STOP!**  
The officer or process server will fill in the Date of Service.

This *Summons* must be served within 30 days of its date, listed above.

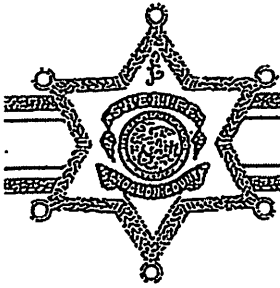
Date of Service: \_\_\_\_\_  
*(Date to be entered by an officer or process server on the copy of this Summons left with the Defendant/Respondent or other person.)*

**Plaintiff/Petitioner:**

To serve this *Summons*, you must hire the sheriff (or a private process server outside of Cook County) to deliver it and your Complaint/Petition to the Defendant/Respondent. If the sheriff (or private process server outside of Cook County) tries but can't serve the *Summons*, fill out another summons and repeat this process.

**Attention:**

E-Filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp>, or talk with your local circuit clerk's office.



**SANGAMON COUNTY SHERIFFS OFFICE**  
"Keeping the Peace Since 1821"

**JACK CAMPBELL**  
#1 Sheriffs Plaza  
Springfield, IL 62701

Investigations - (217) 753-6840  
Corrections - (217) 753-6886

Administration - (217) 753-6855  
Records - (217) 753-6846

SG TRACKING #19- 7436

I, T. Rodesick

certify that I served this summons as follows:

- Personal service on an individual, by leaving a copy of the summons and complaint with the defendant personally
- Abode service on an individual, by leaving a copy of the summons and complaint with a member of the household thirteen (13) years or older, informing said person of the contents thereof, and also by sending a copy of the summons, in a sealed envelope, postage paid, to the individual listed in the summons.
- Corporation service, by leaving a copy of the summons and complaint with an agent or officer of the corporation listed in the summons.
- Other service, as described below.

Case Number 19L899  
 Name of defendant HC Joliet  
 Name of other person Summons left with D. Poindexter  
 Sex: ( M ) ( F ) Race: B Approx. Age: 40  
 Date of Service 11/5 /2019 Time 222P  
 Date of Mailing \_\_\_\_\_

Address at which paper was served:  
600 S 2nd  
SAFLE R

Service fees (Circle One) \$50.00 or \$100.00

Circle One: PAID PAUPER NO CHARGE

Jack Campbell, Sheriff of Sangamon County Sheriff's Office  
 By [Signature], Deputy # 3321



# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Joliet, Illinois' Hollywood Casino Hit with Class Action Over Facial Scanning of Rewards Program Members](#)

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