

PLEASE READ THIS NOTICE CAREFULLY. YOU MAY BE ENTITLED TO A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT IF YOU WERE REQUIRED TO PROVIDE YOUR FINGERSCAN TO CSX INTERMODAL TERMINALS, INC. AT ANY TIME SINCE MARCH 29, 2014.

*For more information, visit www.CSXBIPASettlement.com.
Para una notificación en Español, visite www.CSXBIPASettlement.com.*

A proposed settlement has been reached in a class action lawsuit against CSX Intermodal Terminals, Inc. (“CSX” or “Defendant”) regarding the use of finger scan technology at CSX facilities from March 29, 2014, to January 29, 2021, allegedly in violation of the law. The case is *Rogers v. CSX Intermodal Terminals, Inc.*, No. 2019-CH-04168 pending in the Circuit Court of Cook County, Illinois, Chancery Division. The proposed Settlement is not an admission of wrongdoing by CSX and CSX denies that it violated the law. The Court has not decided who is right or wrong. Rather, to save the time, expense, and distraction of litigation, the Parties have agreed to settle the lawsuit. That Settlement has been preliminarily approved by a court in Chicago, Illinois.

Am I a Member of the Settlement Class?

You are a member of the Settlement Class if, at any time between March 29, 2014, and January 29, 2021, you scanned your finger at a CSX facility in the state of Illinois.

What Can I Get From the Proposed Settlement?

CSX has agreed to create a fund with a total value of \$5,250,000.00 to pay valid claims, settlement administration expenses, attorneys’ fees, costs and expenses, and a Class Representative Incentive Award. Each Class Member who submits a timely, valid Claim Form will receive an equal *pro rata* payment in cash from the Settlement Fund. To receive this benefit, you must submit a Claim Form by **May 7, 2021**. Class Members can file a Claim Form online at www.CSXBIPASettlement.com, or visit the website and download a Claim Form and submit it by email to claims@CSXBIPASettlement.com or by U.S. Mail to Rogers v. CSX Settlement Administrator, P.O. Box 2438, Portland, OR 97208-2438. Visit the website below or call for more information on filing your claim. CSX has ceased using its Fingerscan System and if it should resume using a Fingerscan System in the future, it will do so in compliance with BIPA, as explained in the detailed Notice and Settlement Agreement at the website listed below.

What Are My Options?

Please contact the Settlement Administrator at 1-800-870-5804 or visit the Settlement Website, www.CSXBIPASettlement.com, for details about your options and related deadlines. If you do not want to be legally bound by the Settlement, you must exclude yourself by **April 16, 2021**. If you do not exclude yourself, you will release any claims you may have, as more fully described in the Settlement Agreement, available at www.CSXBIPASettlement.com or by contacting the Settlement Administrator. You may also object to the Settlement by making a valid objection by **April 16, 2021**. The Long-Form Notice, available on the Settlement Website or through the Settlement Administrator, explains how to exclude yourself or object. The Court will hold a hearing on **May 13, 2021**, to consider whether to approve the Settlement and a request by Class Counsel for attorneys’ fees, costs, and expenses of up to \$2,100,000.00 for their work in the case. The Court will also consider an Incentive Award payment in an amount up to \$15,000 to the Class Representative. You can appear at the hearing, but you do not have to. If you want, you can hire your own attorney, at your own expense, to appear or speak for you at the hearing.

By order of: Hon. Allen Walker, Circuit Court of Cook County, Illinois
QUESTIONS? CALL TOLL FREE 1-800-870-5804.