

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

**IF YOU LIVE IN ALABAMA, CALIFORNIA, ILLINOIS, INDIANA, NEVADA, OHIO OR SOUTH DAKOTA AND SOMEONE SEARCHED YOUR NAME AND PURCHASED A REPORT ON INSTANTCHECKMATE.COM, INTELIUS.COM, TRUTHFINDER.COM, OR USSEARCH.COM YOU CAN CLAIM A PAYMENT FROM A CLASS ACTION SETTLEMENT.**

*Don't worry, you are not being sued. This is an official court notice, not an ad for a lawyer.*

- A Settlement has been reached in a class action lawsuit between people from certain U.S. States and Instant Checkmate LLC, Truthfinder LLC, Intelius LLC, PeopleConnect, Inc., and The Control Group Media Company, LLC (“Defendants”). The Defendants operate websites that provide directory services offering information about people. The lawsuit claims that Defendants violated these states’ right of publicity laws when they used individuals’ names, ages, contact information, former residence locations, lists of possible relatives, likenesses, photographs, images, or other identifying information to advertise or promote subscriptions to Defendants’ people-search websites. Defendants deny that they violated any law. The Court has not decided who is right or wrong.
- If you received a notice of the Settlement in the mail or by e-mail, our records indicate that you are included in the Settlement, and you may submit a claim form online or by mail to receive a payment through Venmo, Zelle, or a check. Those included in the Settlement (i) have an Alabama, California, Illinois, Indiana, Nevada, Ohio, or South Dakota address, (ii) were searched for on InstantCheckmate.com, Intelius.com, Truthfinder.com, or USSearch.com, and (iii) had a report on them purchased.
- If the Court approves the Settlement, those included who submit valid claims will receive an equal share of a settlement fund that Defendants will provide for each state, after all notice and administration costs, incentive award, and attorneys’ fees have been paid. Individual payments are expected to be as follows for each state: Alabama, \$577 to \$960; California, \$82 to \$137; Illinois, \$635 to \$1,058; Indiana, \$111 to \$185; Nevada, \$82 to \$137; Ohio, \$286 to \$477; and South Dakota, \$107 to \$178. These payments could be more or less than these amounts depending on the number of valid claims submitted. Those eligible to submit claims and all residents in these states in Defendants’ database will also receive prospective relief: their names will not be displayed on pages of Defendants’ websites that include a subscription offer to Defendants’ products or services.
- Please read this notice carefully. Your legal rights are affected whether you act, or don’t act.

Questions? Visit [www.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com)

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	This is the only way to receive a payment. You must submit a complete and valid claim form either online or by mail by <b>December 1, 2023</b> .

<b>DO NOTHING</b>	You will receive no payment under the Settlement and give up your rights to sue Defendants and certain related companies and individuals about the issues in this case.
<b>EXCLUDE YOURSELF</b>	If you don't want to be a part of the Settlement, you must submit a request to be excluded by <b>December 1, 2023</b> . You will receive no payment, but you will retain any rights you currently have to sue Defendants and certain related companies and individuals about the issues in this case.
<b>OBJECT</b>	Write to the Court explaining why you don't like the Settlement by <b>December 1, 2023</b>
<b>ATTEND A HEARING</b>	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.

The Court in charge of this case must still decide whether to approve the Settlement. Payments will be provided only after any issues with the Settlement are resolved. Please be patient.

### BASIC INFORMATION

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

This notice explains the lawsuit, the Settlement, your rights, what payments are available, and how to get them.

Judge Manish S. Shah of the United States District Court for the Northern District of Illinois is overseeing this class action. The case is called *Fischer, et al. v. Instant Checkmate LLC, et al.*, No. 19-cv-04892 (N.D. Ill.).

#### 2. What is a class action and who is involved?

In a class action lawsuit, one or more people called “class representatives” bring 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 exclude themselves from the settlement classes.

In this case, the Court appointed the people who filed the lawsuit, Robert Fischer, Stephanie Lukis, Alessandra Fissinger-Figueroa, Eric Carvalho, Jose Camacho, Rhonda Cotta, Rogelio Ramirez, Jake Webb, James Anderson, Therese Backowski, Justin Rogalsky, Nateema Lewis, and Nicholas Fioritto as class representatives. The companies they sued, Instant Checkmate LLC, Truthfinder LLC, Intelius LLC, PeopleConnect, Inc., and The Control Group Media Company, LLC, are the Defendants.

## THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

### 3. What is this lawsuit about?

Defendants run websites that provide reports, including offering various information about people. It's free to search any person's first and last name, which results in a free preview of the information potentially related to the person searched. Reports about individuals—which may include those individuals' names, ages, contact information, locations, lists of possible relatives, or other identifying information—can be purchased via a subscription to the website. Certain state laws prohibit using a person's name or other identifying information to advertise, promote, or in connection with an offer for sale any of its products or services without prior written consent. These lawsuits allege that Defendants violated these laws by allegedly displaying individual's identifying information on their websites' preview pages in response to a search on the websites and, once those individuals' names were clicked on, offering to sell the searcher a subscription to that website. These state laws permit damages for each violation of their right of publicity law. Defendants deny that they violated any law.

More information about Plaintiffs' complaint in the lawsuit and the Defendants' defenses can be found in the "Court Documents" section of the Settlement Website at [www.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com).

### 4. Who is included in the Settlement Payment Classes?

You are a member of the Settlement Payment Classes if (i) you have an Alabama, California, Illinois, Indiana, Nevada, Ohio, or South Dakota address, (ii) you were searched for on InstantCheckmate.com, Intelius.com, Truthfinder.com, or USSearch.com, and (iii) the person who searched for you purchased a report in connection with that search. If you received a notice of the Settlement via email or in the mail, our records indicate that you are a Settlement Payment Class Member and are included in the Settlement. You may call or email the Settlement Administrator at (833) 200-7004 or [info@PeopleConnectRightofPublicity.com](mailto:info@PeopleConnectRightofPublicity.com) to ask whether you are a Settlement Payment Class Member.

### 5. What are the differences between the Multistate Injunction Settlement Classes and the Settlement Payment Classes?

The Multistate Injunction Settlement Classes include Alabama, California, Illinois, Indiana, Nevada, Ohio, or South Dakota residents whose name, age, location, and relatives were listed in Defendants' directory, not just those individuals who were searched on the website. The Settlement Payment Classes are a subset of individuals listed in Defendants' directory: those individuals who were searched for on the directory and for whom a report was purchased. Individuals who are only members of the Multistate Injunction Settlement Classes—those who were in Defendants' directory but were not searched for and did not have a report on them purchased—will receive Prospective Relief (described below in Question 6), but they will not be eligible to receive a cash payment under the Settlement. Settlement Payment Settlement Class Members will be eligible to receive both Prospective Relief and a cash payment.

## THE SETTLEMENT BENEFITS

### 6. What does the Settlement provide?

**Cash Payments.** If you're eligible, you can file a claim to receive a cash payment. The amount of the payment will depend on a variety of factors, including which state's class you are in (because each state's laws allow for different amounts of damages to be awarded for violation of their right of publicity laws) and how many claims are filed. The settlement creates seven State-Specific Settlement Funds: Alabama, \$877,500; California, \$1,003,556; Illinois, \$6,245,148; Indiana, \$106,695; Nevada, \$119,205; Ohio,

\$1,727,888; and South Dakota, \$22,905.

Individual payments are expected to be as follows for each state: Alabama, \$577 to \$960; California, \$82 to \$137; Illinois, \$635 to \$1,058; Indiana, \$111 to \$185; Nevada, \$82 to \$137; Ohio, \$286 to \$477; and South Dakota, \$107 to \$178. These settlement payments will be an equal share of each State-Specific Settlement Fund after the payment of settlement expenses, attorneys' fees, and any incentive award for the Class Representatives, as approved by the Court.

**Prospective Relief.** Under the Settlement, Defendants agree not to display the name of any person included in the Settlement who has an address, according to Defendants' database, in Alabama, California, Illinois, Indiana, Nevada, Ohio, or South Dakota on any page of the Instant Checkmate, Intelius, Truthfinder, and U.S. Search products that includes a subscription offer. Defendants will implement this change within thirty (30) days of the entry of a Final Approval Order.

## HOW TO GET SETTLEMENT BENEFITS

### 7. How do I get a payment?

If you are eligible and you want to get a payment, you must complete and submit a valid Claim Form by **December 1, 2023**. If you received an email notice, it contained a link to the online Claim Form, which is also available as the [Online Claim Form](#) on the website where it can be filled out and submitted online. The online claim form lets you select to receive your payment by Venmo, Zelle, or check. A paper Claim Form with pre-paid postage was attached to the postcard notice you may have received in the mail. Those who submit a paper Claim Form will receive a check by mail, if the claim is approved. These individuals will no longer be able to bring their own lawsuit against Defendants for any of the issues or claims in the case. Visit [www.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com) to view a copy of the Settlement Agreement including language regarding the release.

The Claim Form requires you to provide the following information: (i) full name, (ii) current U.S. Mail address, and (iii) current contact telephone number.

Depending on the number of valid claims submitted, certain Settlement Payment Class members may need to complete an IRS Form W-9 to satisfy tax reporting obligations. Alabama, Illinois, and Ohio Settlement Payment Class Members may complete the [Form W-9](#) on the website now; doing so now will ensure that Alabama, Illinois, and Ohio Settlement Payment Class Members receive full payment as soon as possible.

### 8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled **for January 11, 2024 at 11:00 a.m.** If the Court approves the Settlement, Settlement Payment Class Members whose claims were approved by the Settlement Administrator and, if necessary, who have completed a W-9 Form on the Settlement Website, will be issued a check or electronic payment (as chosen by the Class Member) within 28 days after the Settlement's Effective Date. Even if the Court approves the Settlement, there may be appeals. It is always uncertain whether and when appeals can be resolved and resolving them can take more than a year. Please be patient.

Uncashed checks and electronic payments that are unable to be completed will expire and become void 180 days after they are issued and will revert to their respective State-Specific Settlement Fund to be distributed equally to claiming class members or in a manner as otherwise directed by the Court upon application made by Class Counsel.

## THE LAWYERS REPRESENTING YOU

### 9. Do I have a lawyer in the case?

Yes, the Court has appointed lawyers from the law firms Edelson PC, Bursor & Fisher, P.A., Beaumont Costales LLC, and East End Trial Group as the attorneys to represent you and other Class Members. These attorneys are called “Class Counsel.” Class Counsel can be reached by calling at (312) 242-0859.

### 10. 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.

### 11. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys’ fees and expenses of up to 35% of each State- Specific Settlement Fund, after first deducting Settlement Administration Expenses and any incentive awards to the Class Representatives. Class Counsel will file with the Court and post on the Settlement Website its request for attorneys’ fees and incentive awards on November 17, 2023.

Class Counsel will also request an incentive award for each Class Representative from the State- Specific Settlement Fund associated with the class they represent as follows: Alabama, \$5,000; California, \$750; Illinois, \$10,000 to the Illinois Injunction Settlement Class Representatives Fischer and Lukis, and \$1,000 each to the Illinois Injunction Settlement Class Representative Fissinger-Figueroa and the Illinois Settlement Payment Class Representative Carvalho; Indiana, \$1,000; Nevada, \$750; Ohio, \$2,500; South Dakota, \$1,000. If the Settlement is finally approved, the Court will determine the proper amount of any attorneys’ fees and expenses to award Class Counsel and the proper amount of any incentive award to the Class Representatives. The Court may award less than the amounts requested.

## YOUR RIGHTS AND OPTIONS

### 12. What happens if I do nothing at all?

If you do nothing, you will receive no money from any State-Specific 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 Defendants or other Released Parties regarding any of the Released Claims as those terms are defined in the Settlement Agreement. **Submitting a valid and timely Claim Form is the only way to receive a payment from 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.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com) or call (833) 200-7004.

### 13. What happens if I ask to be excluded?

You may exclude yourself from the Settlement if you are a member of a Settlement Payment Class. If you do so, you will not receive any cash payment, but you will not release any claims you may have against the Released Parties (as that term is defined in the Settlement Agreement) and are free to pursue whatever legal rights you may have by pursuing your own lawsuit against the Released Parties at your own risk and expense. If you stay in the Settlement Class, you will no longer be able to file your own lawsuit against Defendants for any of the issues or claims in the case. (See Question 15).

#### 14. How do I ask to be excluded?

You can mail or email a letter stating that you want to be excluded from the Settlement. Your letter must: (a) be in writing; (b) identify the case name, *Fischer, et al. v. Instant Checkmate LLC, et al.*, No. 19-cv-04892 (N.D. Ill.); (c) identify if the person seeking exclusion is a member of the Alabama Settlement Class, the California Settlement Class, the Illinois Settlement Payment Class, the Indiana Settlement Class, the Ohio Settlement Class, the South Dakota Settlement Class, or the Nevada Settlement Class; (d) state the full name and current address of the person seeking exclusion; (e) be signed by the person(s) seeking exclusion; and (f) be postmarked or received by the Settlement Administrator on or before **December 1, 2023**. Each request for exclusion must also contain a statement to the effect that “I hereby request to be excluded from the proposed Settlement Payment Class in *Fischer, et al. v. Instant Checkmate LLC, et al.*, No. 19-cv-04892 (N.D. Ill).” You must mail or e-mail your exclusion request no later than **December 1, 2023** to:

Fischer v. Instant Checkmate LLC  
c/o Settlement Administrator  
P.O. Box 25043  
Santa Ana, CA 92799-25043  
-or-  
info@PeopleConnectRightofPublicity.com

You can't exclude yourself over the phone. No person may request to be excluded from the Settlement Class through “mass” or “class” opt-outs. This means that each individual who seeks to exclude themselves must send an individual, separate request to the Settlement Administrator that complies with each of the above requirements.

#### 15. If I don't exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendants and any other Released Party for the claims being resolved by this Settlement.

#### 16. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you will not receive a payment.

#### 17. How do I object to the Settlement?

If you do not exclude yourself from the Settlement, you can object to the Settlement if you don't like any part of it. You may object to the entire settlement or to only a part of it, including the request for attorneys' fees and incentive awards. All class members, whether they are eligible to claim money or not, can object to the Settlement. 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 proposed Settlement in *Fischer, et al. v. Instant Checkmate LLC, et al.*, No. 19-cv-04892 (N.D. Ill.), no later than **December 1, 2023**. Your objection must be electronically filed or delivered to the Court at the following address:

Clerk of the United States District Court for the Northern District of Illinois  
Everett McKinley Dirksen United States Courthouse  
219 South Dearborn Street Chicago, Illinois 60604

Filing instructions for *pro se* litigants can be found [here](#).

The objection must be in writing, must be signed by the objector, and must include the following information: (a) your full name and current address, (b) a statement that you believe you are a member of the Alabama Injunction Settlement Class, Alabama Settlement Payment Class, California Injunction Settlement Class, California Settlement Payment Class, Illinois Injunction Settlement Class, Illinois Settlement Payment Class, Indiana Injunction Settlement Class, Indiana Settlement Payment Class, Nevada Injunction Settlement Class, Nevada Settlement Payment Class, Ohio Injunction Settlement Class, Ohio Settlement Payment Class, South Dakota Injunction Settlement Class, or South Dakota Settlement Payment Class, (c) whether the objection applies only to the objector, to a specific subset of the objector’s respective Settlement Class, or to the entirety of the objector’s Settlement Class, (d) the specific grounds for your objection, (e) all documents or writings that you wish the Court to consider, (f) the name and contact information of any 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 (g) a statement indicating whether you intend to appear at the Final Approval Hearing.

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 objection by the objection deadline of **December 1, 2023**. 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 **December 1, 2023**, you must send via mail, email, or delivery service copies of your objection and any supporting documents to both Class Counsel and Defendants’ lawyers at the addresses listed below:

Class Counsel	Defendants’ Counsel
Eli Wade-Scott ewadescott@edelson.com EDELSON PC 350 North LaSalle Street, 14th Floor Chicago, Illinois 60654	Debbie L. Berman dberman@jenner.com Jenner & Block LLP 353 N. Clark Street Chicago, IL 60654-3456

Class Counsel will file with the Court and post on the Settlement Website its request for attorneys’ fees and incentive awards on November 17, 2023.

**18. What’s the difference between objecting to and excluding myself from the Settlement?**

Objecting simply means telling the Court that you don’t like something about the Settlement. You can only object if you remain a member of the class. Only class members entitled to a payment can request exclusion. Excluding yourself from a Settlement Payment Class is telling the Court that you don’t want to be a Settlement Payment Class Member. If you exclude yourself, you have no basis to object because the case no longer affects you.

**THE COURT’S FINAL APPROVAL HEARING**

**19. When and where will the Court decide whether to approve the Settlement?**

The Court will hold the Final Approval Hearing at **11:00 a.m. on January 11, 2024** before the Honorable Manish S. Shah in Room 1919 at the Everett McKinley Dirksen United States Courthouse, 219 South

Dearborn Street, Chicago, Illinois 60604, or via remote means as instructed by the Court. 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. 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 Representatives.

**Note:** The date and time of the Final Approval Hearing are subject to change by Court Order. Any changes will be posted at the Settlement Website, [www.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com).

#### **20. 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 or mailed on time and meets the other criteria required in the objection (*see* Question 17), the Court will consider it. You may also pay your own lawyer to attend, but you don't have to.

#### **21. May I speak at the hearing?**

Yes. If you do not exclude yourself, 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* Question 17 above) and intend to appear at the hearing, you must state your intention to do so in your objection.

### **GETTING MORE INFORMATION**

#### **22. Where do I get more information?**

This notice summarizes the proposed Settlement. More details, including the complete Settlement Agreement and other documents are available at [www.PeopleConnectRightofPublicity.com](http://www.PeopleConnectRightofPublicity.com) or at the Clerk's Office in the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays. You can also contact the Settlement Administrator at [info@PeopleConnectRightofPublicity.com](mailto:info@PeopleConnectRightofPublicity.com) or (833) 200-7004, or Class Counsel at (312) 242-0859, with any questions about the Settlement.

**PLEASE DO NOT CONTACT THE COURT, THE JUDGE, THE DEFENDANTS OR THE DEFENDANTS' LAWYERS WITH QUESTIONS ABOUT THE SETTLEMENT OR DISTRIBUTION OF SETTLEMENT PAYMENTS.**