

## NOTICE OF CLASS ACTION SETTLEMENT

*Rapp et al. v. RCI Management Services, Inc., et al.*, Case Number 22LA0884  
In The Circuit Court of St. Clair County, Illinois

IF YOU PROVIDED YOUR FINGERPRINT IN CONNECTION WITH A PURCHASE AT SCARLETT'S CABARET IN WASHINGTON PARK, ILLINOIS OR RICK'S CABARET IN CHICAGO, ILLINOIS BETWEEN SEPTEMBER 17, 2017, TO JUNE 18, 2025, YOU MAY BE ENTITLED TO BENEFITS FROM A CLASS ACTION SETTLEMENT.

***A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.***

This Notice contains information about a proposed class action settlement in the case of *Rapp et al. v. RCI Management Services, Inc., et al.*, Case Number 22LA0884, pending in the Circuit Court of St. Clair County, Illinois. On June 18, 2025, the Court preliminarily approved the settlement. If, between September 17, 2017, and June 18, 2025, you provided your fingerprint in connection with a purchase at the gentleman's club "Scarlett's Cabaret" in Washington Park, Illinois or "Rick's Cabaret" in Chicago, Illinois, you are a member of the Settlement Class. Excluded from the Settlement Class are (1) any Judge or Magistrate presiding over this Action and members of their families; (2) Persons who properly execute and file a timely request for exclusion from the Settlement Class; (3) the legal representatives, successors or assigns of any excluded Persons. If you are a member of the Settlement Class, then you are entitled to benefits under the terms of the proposed Settlement.

This notice is to advise you of the terms of the proposed Settlement, and your rights in connection with it. This Notice contains only a summary of the Settlement Agreement. Your legal rights are affected whether you act or don't act. ***Read this notice carefully.***

The proposed settlement is not an admission of wrongdoing by Defendants, and Defendants deny that they have violated the any law.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
<b>SUBMIT A CLAIM FORM BY SEPTEMBER 16, 2025</b>	Members of the Settlement Class can choose to submit a claim to receive a VIP Membership Card.
<b>ASK TO BE EXCLUDED FROM THE CLASS BY SEPTEMBER 16, 2025</b>	If you choose to exclude yourself (opt out), you will not be included in the Settlement. You will receive no benefits, and you will not release any claims you may have against Defendants regarding the allegations in this case ever again.
<b>OBJECT BY SEPTEMBER 16, 2025</b>	If you wish to object to the Settlement, you must file your objection in writing with the Clerk of the Court, and send a copy of your objection to the attorneys for all Parties. If you exclude yourself from the Settlement, you cannot file an objection. Settlement Class Members who do not timely make their objections in this manner will be deemed to have waived all objections and shall not be heard or have the right to appeal approval of the Settlement. If you file an objection and wish it to be considered, <b><u>you must also appear</u></b> at the Final Approval Hearing, in-person or through counsel, to show cause of why the proposed Settlement should not be approved as fair, reasonable, and adequate.

<b>DO NOTHING</b>	You will be included in the Settlement Class, but receive no benefits. You will be bound by the Court's judgment of dismissal, and release claims against Defendants and Released Parties relating to the claims in this case.
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The Court in charge of this action has preliminarily approved the Settlement as fair, reasonable, and adequate, and must decide whether to give final approval to the Settlement. The relief provided to Settlement Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. ***Please be patient.***

## BASIC INFORMATION

### **1. Why was this Notice issued?**

The Court authorized notice of a proposed settlement in a class action lawsuit entitled *Rapp et al. v. RCI Management Services, Inc., et al.*, Case Number 22LA0884, that is pending in St. Clair County, Illinois ("Lawsuit"). The settlement would resolve the Lawsuit brought on behalf of the Settlement Class. If you are a member of the Settlement Class and you submit an Approved Claim to the Settlement Administrator before the deadline, and if the Court grants final approval of the Settlement, you can receive benefits under the Settlement. You also have other options as described in this notice.

### **2. What is a class action?**

In a class action, one or more people called "Class Representatives" (in this case, Adam Rapp, Ulysses Loera, Larrin Johns, and Sinko Higgins) sue on behalf of a group or a "class" of people who have similar claims. In a class action, a court resolves the issues for all class members, except for those who exclude themselves from the Class.

### **3. What is this lawsuit about?**

The plaintiffs in this case filed a class action lawsuit alleging that RCI Management Services, Inc., RCI Dining Services (Harvey), Inc., and Pooh-Bah Enterprises, Inc. ("Defendants") collected customers' fingerprints in connection with certain transactions at the gentleman's clubs "Scarlett's Cabaret" in Washington Park, Illinois and "Rick's Cabaret" in Chicago, Illinois. The plaintiffs further allege that Defendants collected these fingerprints without making the disclosures and receiving the written consent required by the Illinois Biometric Information Privacy Act, 740 ILCS 14/1, et seq. ("BIPA").

Defendants deny the claims in the lawsuit and contend that they did not do anything wrong. Rather, the Parties have, without admitting liability, agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

The Parties (Plaintiffs and Defendants) and Class Counsel (identified below) are not aware that any biometric identifiers or information have been compromised, breached, or hacked. Defendants have denied and continue to deny wrongdoing or liability under the statute for the allegations in the lawsuit and has denied that any data collected by its timekeeping system has been compromised, breached, or hacked.

#### 4. Why is there a Settlement?

To resolve this matter without the expense, delay, and uncertainties of continued litigation, the Parties have reached a Settlement, which resolves all claims against Defendants.

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 submit a Claim Form, object, or to exclude themselves from the Settlement Class. If the Court does not grant final approval of 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'S INCLUDED IN THE SETTLEMENT?

#### 5. How do I know if I am in the Settlement Class?

The following **Settlement Class** has been conditionally certified by the Court for settlement purposes only:

All individuals whose ink fingerprints were placed on a receipt for a transaction at Rick's Cabaret in Chicago, Illinois or Scarlett's Cabaret in Washington Park, Illinois between September 17, 2017, to June 18, 2025.

If you believe you fall within this definition, you may make a claim against the Settlement. **However, to receive any benefit under the Settlement, you must submit a valid Claim Form.**

#### THE SETTLEMENT BENEFITS

#### 6. What does the Settlement provide?

Defendants have agreed to make a "Settlement Fund" available to provide Settlement Class Members with benefits, to pay a service award to Plaintiffs for serving as the Class Representatives, to pay attorneys' fees and expenses to Class Counsel, and to pay settlement administration costs.

If the Settlement is approved, each Settlement Class Member who submits an Approved Claim will be entitled to a VIP Membership Card. The VIP Membership Card will be valid for one year from date of issuance and will provide the cardholder with certain benefits when attending either "Scarlett's Cabaret" in Washington Park, Illinois or "Rick's Cabaret" in Chicago, Illinois. The following is a non-exclusive list of VIP Member benefits: (i) the cardholder (as well as one guest) can enter Scarlett's Cabaret or Rick's Cabaret at any time without having to pay a cover charge; (b) the cardholder is allowed free and unlimited access to VIP Seating; (c) the cardholder will be invited to exclusive quarterly VIP Events; (d) the cardholder will be given discounts on bottles of alcohol they purchase; (e) the cardholder will be provided free food and non-alcoholic drinks when they visit Scarlett's Cabaret or Rick's Cabaret. VIP Membership Cards normally retail for \$1,000.

A copy of the Settlement Agreement further detailing the above benefits can be found at the following: [www.RCIfingerprintsettlement.com](http://www.RCIfingerprintsettlement.com).

#### **7. How can I get a VIP Membership Card from the Settlement?**

If you are a member of the Settlement Class, you must submit a timely and properly completed Claim Form postmarked **no later than September 16, 2025**, to receive a VIP Card. You can fill out a claim form by going to [www.RCIfingerprintsettlement.com](http://www.RCIfingerprintsettlement.com). You can also request a paper copy of the Claim Form to be sent to you by emailing the Settlement Administrator at [info@RCIfingerprintsettlement.com](mailto:info@RCIfingerprintsettlement.com) or calling (833) 360-6906. Settlement Class Members must indicate in the Claim Form whether they would like a VIP Membership Card for Rick's Cabaret in Chicago, Illinois or Scarlett's Cabaret in Washington Park, Illinois – Settlement Class Members are only eligible to receive a VIP Membership Card for one club.

#### **8. When will I get my VIP Membership Card?**

The Final Approval Hearing is scheduled for October 16, 2025, at 9:00 a.m. 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 your VIP Card, if eligible, within 45 calendar days after the Effective Date of the Settlement. Updated information about the case can be obtained through Class Counsel at the telephone number or email address provided below.

### **REMAINING IN THE SETTLEMENT**

#### **9. What am I giving up if I stay in the Class?**

If the Court approves the proposed Settlement and the Settlement becomes final, the Court will enter a judgment that will dismiss the Action with prejudice on the merits as to all members of the Settlement Class who do not exclude themselves by timely submitting a valid Opt-Out. This means that members of the Settlement Class who do not exclude themselves will be barred from bringing their own lawsuits for recovery against Defendants and Released Parties related to the Released Claims. Giving up your legal claims is called a release. The precise terms of the release are in the Settlement Agreement, which is available on the website identified above. Unless you formally exclude yourself from this Settlement, you will release your claims.

The settlement in this matter also encompasses and resolves the claims made by the class representative in *Loera v. Pooh-Bah Enterprises, Inc.*, Case No.: 2021CH04759, pending in the Circuit Court of Cook County. Accordingly, the Parties shall seek a dismissal of the *Loera* matter on August 17, 2025.

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.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully.

#### **10. What happens if I do nothing at all?**

If you are a member of the Settlement Class and do nothing, you will be included in the Settlement Class but receive no benefits. You will be bound by the Court's judgment of dismissal, and release claims against Defendants and Released Parties relating to the claims in this case.

#### **THE LAWYERS REPRESENTING YOU**

#### **11. Do I have a lawyer in the case?**

The Court has appointed Beaumont Costales, LLC to be the attorneys representing the Settlement Class. They are called "Class Counsel." They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

#### **12. How will the lawyers be paid?**

Any Class Counsel attorneys' fees and costs awarded by the Court will be paid out of the Settlement Fund in an amount to be determined by the Court. The fee petition will seek no more than \$1,180,000, plus reimbursement of reasonable costs and expenses, though the Court may award less than this amount. Under the Settlement Agreement, any amount awarded to Class Counsel will be paid out of the Settlement Fund.

Subject to approval by the Court, the Class Representatives will seek to be paid up to \$10,000 each from the Settlement Fund.

#### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

#### **13. How do I exclude myself from of the Settlement?**

If you do not want to be legally bound by the Settlement, you must exclude yourself by mailing your written request for exclusion to the Settlement Administrator, Simpluris, at the address listed below, postmarked on or before the deadline. Your written request for exclusion must be signed and identify the name of the case and case number, *Rapp et al. v. RCI Management Services, Inc., et al.*, Case No. 22LA0884, include your full name, current address, telephone number, and a statement that you wish to be excluded from the Settlement. If you exclude yourself, you will not receive any benefits from this Settlement, but you will not release any claims you may have against Defendant.

You must mail or deliver your exclusion request postmarked no later than **September 16, 2025**, to:

Rapp v. RCI Management Services, Inc.  
c/o Settlement Administrator  
P.O. Box 25226  
Santa Ana, CA 92799  
info@RCIfingerprintsettlement.com

**14. 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 the Released Parties for the Released Claims.

**15. If I exclude myself, can I get anything from this Settlement?**

No. If you exclude yourself, you will not any benefits from the Settlement.

**OBJECTING TO THE SETTLEMENT**

**16. How do I object to the Settlement?**

If you are a Settlement Class Member and do not exclude yourself from the Settlement Class, you can object to the Settlement. If you wish to object to the Settlement, you must file your objection in writing with the Clerk of the Court of the Circuit Court of St. Clair County, Illinois, 10 Public Square A300, Belleville, IL 62220. Any objection to the proposed Settlement must include: (i) the Settlement Class Member's full name, address, and current telephone number; (ii) the case name and number of the state court action; (iii) the date range during which the Settlement Class Member was employed by Defendants; (iv) information or documents sufficient to allow the Parties to confirm that the objector is a Settlement Class Member; (v) all grounds for the objection, with specific factual and legal support for the stated objection, including any supporting materials; (vi) if applicable, the identification of any other objections the Settlement Class Member has filed, or has had filed on their behalf, in any other class action cases in the last four years; (viii) a list of all exhibits and witnesses the objector may introduce into evidence or call to testify at the Final Approval Hearing; and (ix) 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 **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.

Settlement Class Members who do not timely make their objections in this manner will be deemed to have waived all objections and shall not be heard or have the right to appeal approval of the Settlement.

You must also mail or deliver a copy of your objection to Class Counsel and Defendants' Counsel listed below postmarked no later than **September 16, 2025**.

<b>Court</b>	<b>Class Counsel</b>	<b>Defendants' Counsel</b>
Circuit Court of St. Clare County 10 Public Square A300, Belleville, IL 62220	Roberto Costales Beaumont Costales LLC 107 W. Van Buren, Suite 209 Chicago, Illinois 60605	John Prusik Quintairos, Prieto, Wood & Boyer, P.A. 141 West Jackson Boulevard, Suite 1575, Chicago, IL 60604

Any Settlement Class Member objector who has filed and served a timely written objection in accordance with this Section must also appear at the Final Approval Hearing either in person or through

counsel hired by the objector. No objector may appear at the Final Approval Hearing unless he/she/they has filed a timely objection that complies with the procedures provided in this Section.

### **THE COURT'S FINAL APPROVAL HEARING**

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

The Court has already granted preliminary approval of the Settlement. The Court will hold the Final Approval Hearing at **9:00 a.m., on October 16, 2025**, in Courtroom 401 of the St. Clair County Courthouse, 10 Public Square, Belleville, Illinois 62220. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Class; to consider the Class Counsel's request for attorneys' fees and expenses; and to consider the request for an Incentive Award to the Class Representative. At that hearing, the Court will be available to hear any timely filed objections and arguments concerning the fairness of the Settlement.

You are **not** obligated to attend this hearing unless you object to the Settlement. Class Counsel will answer questions the Court may have. But you are welcome to come at your own expense.

The hearing may be postponed to a different date or time without notice.

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 Settlement Class Members will receive no benefits from the Settlement. Plaintiff, Defendants, and all of the Settlement 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 Defendants 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.

### **GETTING MORE INFORMATION**

#### **18. How do I update my Address?**

You can notify the Settlement Administrator of any changes in your mailing address. To update your address, contact the Settlement Administrator listed below.

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

This Notice only summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at [www.RCIfingerprintsettlement.com](http://www.RCIfingerprintsettlement.com). You may also write with questions to Rapp v. RCI Management Services, Inc., c/o Settlement Administrator P.O. Box 25226, Santa Ana, CA 92799. You can call the Settlement Administrator at (833) 360-6906, if you have any questions. Before doing so, however, please read this full Notice carefully. In addition, all pleadings and documents filed in court may be reviewed or copied in the Office of the Clerk.

**Please do not contact the Court Clerk, the Judge, Defendants' Counsel, or Defendants; they are not in a position to give you any advice about the Settlement.**