

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS
Kelsey Delisle, et al. v. McKendree University, Case No. 3:20-CV-01073-SMY

IF YOU WERE ENROLLED IN AN IN-PERSON UNDERGRADUATE PROGRAM AT MCKENDREE UNIVERSITY DURING THE SPRING 2020 SEMESTER, YOU MAY BE ENTITLED TO A FREE ONLINE MCKENDREE COURSE AS PART OF A CLASS ACTION SETTLEMENT.

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

- A Settlement has been reached in a class action lawsuit against McKendree University (“McKendree” or “Defendant”). The class action lawsuit alleges McKendree breached a contract with its students to provide in-person educational services for the Spring 2020 Semester by transitioning to remote learning in March 2020 without issuing partial tuition and fee refunds.
- You are included if you are a person who was enrolled as an undergraduate student in a class at any of McKendree’s physical locations during the Spring 2020 Semester. Those included in the Settlement will be eligible to enroll in one (1) online class (not to exceed three (3) credit hours) offered by McKendree in one of the following three semesters: Fall 2025, Spring 2026, or Fall 2026. Enrollment in any course is dependent upon course availability and space in the course.
- Read this Notice carefully. Your legal rights are affected whether you act, or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	You will be eligible to enroll in (1) one online class (not to exceed three (3) credit hours) offered by McKendree in one of the following three semesters: Fall 2025, Spring 2026, or Fall 2026 – and will give up your rights to sue the Defendant about the claims in this case.
EXCLUDE YOURSELF	You will receive no benefits, but you will retain any rights you currently have to sue the Defendant about the claims in this case.
OBJECT	Write to the Court explaining why you don’t like the Settlement.
GO TO THE HEARING	Ask to speak in Court about your opinion of the Settlement.

These rights and options—**and the deadlines to exercise them**—are explained in this Notice.

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options, before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Staci M. Yandle, of the U.S. District Court for the Southern District of Illinois, is overseeing this case. The case is called *Kelsey Delisle, et al. v. McKendree University*, Case No. 3:20-CV-01073-SMY. The people who are suing are called the Plaintiffs. The Defendant is McKendree University.

2. What is a class action?

In a class action, one or more people called class representatives (in this case, Kelsey Delisle and Riley Ponce) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the Class.

3. What is this lawsuit about?

This lawsuit claims that Defendant breached a contract with its students to provide in-person educational services for the Spring 2020 Semester by transitioning to remote learning in March 2020 without issuing partial tuition and fee refunds. The Defendant denies it violated any law. The Court has not determined who is right. Rather, the Parties have agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or the Defendant should win this case. Instead, both sides agreed to a Settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation, and Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

WHO’S INCLUDED IN THE SETTLEMENT?

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

The Court decided that everyone who fits the following description is a member of the **Settlement Class**:

All people enrolled as undergraduate students at any of McKendree’s physical locations during the Spring 2020 Semester.

Questions? Call (800) 245-0980 Toll Free, or Visit www.MckendreeUniversitySettlement.com

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

One Free Online Class: All Class Members are entitled to enroll in one (1) online class (not to exceed three (3) credit hours) offered by McKendree in one of the following three semesters: Fall 2025, Spring 2026, or Fall 2026. Enrollment in any course is dependent upon course availability and space in the course. The Settlement also provides for attorneys' fees to Class Counsel and an award to the Class Representatives (*see* Question 11).

A detailed description of the settlement benefits can be found in the Settlement Agreement, a copy of which is accessible on the Settlement Website by clicking [here](#).

7. When will I get my free online class?

The hearing to consider the fairness of the Settlement is scheduled for December 18, 2025. If the Court approves the Settlement, eligible Class Members will be able to enroll in their online class starting in the Fall 2025 semester.

HOW TO GET BENEFITS

8. How do I get my free online class?

If you are a Class Member and you want to take advantage of the free online class, please click [here](#) for instructions on enrolling.

REMAINING IN THE SETTLEMENT

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

If the Settlement becomes final, you will give up your right to sue the Defendant and other Released Parties for the claims being resolved by this Settlement. The specific claims you are giving up against the Defendant are described in the Settlement Agreement. You will be “releasing” the Defendant and certain of its affiliates, employees and representatives as described in Section 1.20 of the Settlement Agreement. Unless you exclude yourself (*see* Question 12), you are “releasing” the claims, regardless of whether you submit a claim or not. The Settlement Agreement is available through the “court documents” link on the website.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can talk to the lawyers listed in Question 10 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

Questions? Call (800) 245-0980 Toll Free, or Visit www.MckendreeUniversitySettlement.com

THE LAWYERS REPRESENTING YOU

Do I have a lawyer in the case?

The Court has appointed the Mahoney Law Firm, 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.

11. How will the lawyers be paid?

The Defendant has agreed to pay Class Counsel two hundred and fifty thousand dollars (\$250,000.00) for attorneys’ fees and costs, subject to approval by the Court.

Subject to approval by the Court, Defendant has agreed to pay the Class Representatives a service award of \$2,500 each for their services in helping to bring and resolve this case.

EXCLUDING YOURSELF FROM THE SETTLEMENT

12. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must submit a request for exclusion by 11:59 p.m. EST on November 3, 2025. Requests for exclusion may be submitted either on the Settlement Website (via the online form accessible [here](#) or by mailing or otherwise delivering a letter (or request for exclusion) stating that you want to be excluded from the *Kelsey Delisle, et al. v. McKendree University*, Case No. 3:20-CV-01073-SMY Settlement. Your letter or request for exclusion must also include your name, your address, your signature, the name and number of this case, and a statement that you wish to be excluded. If you choose to submit a request for exclusion by mail, you must mail or deliver your exclusion request, postmarked no later than November 3, 2025, to the following address:

McKendree University Settlement
c/o Atticus Administration
PO Box 64053
Saint Paul, MN 55164

13. If I don’t exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

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

No. If you exclude yourself, you will not be eligible to enroll in the one free online McKendree course.

Questions? Call (800) 245-0980 Toll Free, or Visit www.MckendreeUniversitySettlement.com

15. What information is needed from me to participate in the Settlement?

None. McKendree has provided to Class Counsel a list of the Class Members and their contact information.

OBJECTING TO THE SETTLEMENT

16. How do I object to the Settlement?

If you are a Class Member, 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 not approve it. The Court will consider your views. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Kelsey Delisle, et al. v. McKendree University*, Case No. 3:20-CV-01073-SMY and identify all your reasons for your objections (including citations and supporting evidence) and attach any materials you rely on for your objections. Your letter or brief must also include your name, your address, the basis upon which you claim to be a Class Member, the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection, and your signature. If you, or an attorney assisting you with your objection, have ever objected to any class action settlement where you or the objecting attorney has asked for or received payment in exchange for dismissal of the objection (or any related appeal) without modification to the Settlement, you must include a statement in your objection identifying each such case by full case caption. You must also mail or deliver a copy of your letter or brief to Class Counsel and Defendant's Counsel listed below.

Class Counsel will file with the Court and post on this website its request for attorneys' fees by November 18, 2025.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question Number 19), you must say so in your letter or brief. File the objection with the Court (or mail the objection to the Court) and mail a copy of the objection to Class Counsel and Defendant's Counsel, at the addresses below, postmarked no later than **November 3, 2025**

Court	Class Counsel	Defendant's Counsel
The Honorable Staci M. Yandle United States District Court for the Southern District of Illinois 301 West Main Street Benton, IL 62812	Ryan J. Mahoney Leigh Perica Mahoney Law Firm, LLC 2220 S. State Route 157 Suite 250 Glen Carbon, IL 62034	Kyle Seelbach Husch Blackwell LLP 8001 Forsyth Blvd. Suite 1500 St. Louis, MO 63105

17. 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. Excluding yourself from the Class is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold the Final Approval Hearing at 9:30 a.m. on December 18, 2025 at United States District Court for the Southern District of Illinois, 301 West Main Street, Benton, IL 62812. 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 service award to the Class Representative. At that Hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The Hearing may be postponed to a different date or time without notice, so it is a good idea to check for updates by visiting the Settlement Website at www.MckendreeUniversitySettlement.com or calling 800-245-0980. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of the Final Approval Hearing.

19. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

20. May I speak at the Hearing?

Yes. You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your "Notice of Intent to Appear in *Kelsey Delisle, et al. v. McKendree University*, Case No. 3:20-CV-01073-SMY." It must include your name, address, telephone number and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court and postmarked no later than **November 3, 2025** and be sent to the addresses listed in Question 16.

GETTING MORE INFORMATION

21. Where do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.MckendreeUniversitySettlement.com. You may also write with questions to McKendree University Settlement, c/o Atticus Administration PO Box 64053, Saint Paul, MN 55164. You can call Class Counsel at (618) 961-8288, if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the case website.