



State of Illinois

Circuit Court of Cook County

Hernandez Bernardo, et al. v. Windy City Amusements Inc., et al.

Case No. 2025 CH 00879



Class Action Settlement Notice

The Circuit Court of Cook County authorized this notice. The notice is not a solicitation from a lawyer.

Records show that between 2015 and 2025 you were employed by Windy City Amusements.

If the records are correct, then you may:

- 1. Be included in a class action lawsuit, and**
- 2. Be eligible to receive money from a Settlement.**

To receive money, you must submit a Claim Form by February 5, 2026

You can submit a Claim Form at the link below:

www.windycityamusementssettlement.com.

Important things to know:

- If you take no action, you will still be bound by the case, and your rights will be affected.
- Windy City Amusements and the other Defendants in the case have promised that they will not retaliate against you for submitting a Claim Form and receiving money in this case.
- You can learn more at: www.windycityamusementssettlement.com

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Why did I get this notice?

A Court authorized this notice to tell you about a settlement in a class action lawsuit, *Hernandez Bernardo, et al. v. Windy City Amusements Inc., et al.*, brought on behalf of people who work or have worked as H-2B employees at carnivals for Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno. **You received this notice because you may be a member of the group of people affected, called the “class.”** This notice gives you information about the Settlement and your legal rights, and tells you how to submit a Claim Form to obtain money, how to object to the Settlement, and how to opt out if you do not want to be part of the lawsuit or Settlement.

The people who sued are called the “Plaintiffs,” and the companies and individuals they sued are called the “Defendants.”

If you have questions or need assistance, please go to www.windycityamusementssettlement.com or call 1-866-344-6230.

What is the deadline to take action?

The deadline to submit a Claim Form, object to the Settlement, or opt out of the case is February 5, 2026.

Who is in the class?

If you are receiving this Class Notice, then you have been identified as someone who is possibly a Class Member. The Court has approved the following definition of the Class:

All H-2B employees of Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno who worked at carnivals between January 27, 2015, and September 8, 2025.

Do I have a lawyer in this lawsuit?

For this case, the Court has preliminarily appointed the following lawyers to represent you and other Class Members:

Christopher Wilmes and Margaret Truesdale of Hughes Socol Piers

Resnick & Dym, Ltd. These are the lawyers who are bringing this case on your behalf. **You will not be charged for their services**, although their fees will be paid with the Court's approval from the Settlement that was negotiated for the Class.

These lawyers will ask the Court to approve payment of \$400,000 from the Settlement fund as attorneys' fees and costs in this Action. Any costs of administering the settlement will be paid from the amount allocated for attorneys' fees.

If you want to be represented by your own lawyer, you may hire one at your own expense.

About the Lawsuit and the Settlement

What is this lawsuit about?

This lawsuit claims that Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, and Anthony Salerno did not properly provide H-2B employees their wages for hours worked over forty hours in a workweek pursuant to Illinois law.

Defendants have denied all allegations and that they acted wrongfully or unlawfully.

Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendants and has not found that Defendants did anything wrong. In 2025, the Parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. By settling, the Parties avoid the cost of a trial and potentially an appeal, and the people who qualify will receive compensation.

The Class Representatives and their attorneys think the Settlement is best for all Class Members. The Settlement is on behalf of the workers who brought the case and all members of the Settlement Class. The Settlement does not mean that Defendants did anything wrong, no trial has occurred, and no merit determinations have been made.

Why is this a class action?

In a class action, one or more people called Class Representatives sue as representatives of a larger group of people with allegedly similar legal claims. Together they are called a “Class.” Individuals in the Class are called “Class Members.” In a class action, one Court resolves the issues for all Class Members except for those who exclude themselves from the class or “opt out.”

What benefits does the Settlement provide to Class Members?

Under the Settlement, Defendants have agreed to pay Class Members and Class Counsel a total of \$1,200,000 to settle this lawsuit. From this total amount, payments will be made to the lawyers for the class for attorneys’ fees and costs, to the Settlement Administrator for the costs of administering the Settlement, and to the Class Representatives for their efforts in pursuing these claims. The Class Representatives will each be paid a payment of \$5,000 for serving as Class Representatives. After these payments are made, \$790,000 will be made available to the approximately 166 Class Members.

The money you may receive from this Settlement will depend on how much you earned working for Defendants. Because greater damages and penalties are available for work in the years 2022-2025, the work for those years will be weighted at 300%, whereas the work for the years 2015-2019 and 2021 will be weighted at 100%. Based on Defendants’ wage records, if you return a Claim Form, then you will receive no less than \$«SETTLEMENT_AMOUNT» as part of the Settlement. If Class Members do not return a claim form by the February 5, 2026 deadline, then their part of the Settlement will be distributed amongst the other Class Members who do return Claim Forms.

What am I giving up to get a payment in this lawsuit?

Unless you exclude yourself, you are staying in the Settlement Class, and that means you cannot sue Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno about the issues in this case. It also means that all of the Court’s orders will apply to you and legally bind you.

If you submit a Claim Form, or simply stay in the Settlement Class, you will agree to release all “Released Parties” of all “Released Claims.” “Released Parties” and “Released Claims” are defined in the Settlement Agreement between the Parties, which you can request a copy of by

calling 1-866-344-6230 or you can view the Agreement at www.windycityamusementssettlement.com.

What happens next in this lawsuit?

The Court must decide whether to approve the Settlement. Any Settlement Payments will be distributed to Class Members if the Court approves the Settlement and after any appeals are resolved. The approval process may take several months, and significantly longer if there are appeals.

The Court will hold a Final Approval Hearing on March 11, 2026, at 9:30 a.m. by Zoom (Meeting ID: 956 5899 1093; Password: 129359). Please check the Settlement Website to make sure that the location, date and time have not been rescheduled. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are written objections, the Court will consider them. The court may listen to people who have asked to speak about an objection. At the time of or after the hearing, the Court will consider whether to grant final approval of the Settlement, how much to pay the lawyers for representing the Class and how much to award the Class Representatives for representing the Settlement Class. At or after the Final Approval Hearing, the Court will decide whether to approve the Settlement. It is not known how long this decision will take.

You do not have to attend the hearing, but you are welcome to attend. You may get your own lawyer to attend, but it is not necessary.

Deciding What To Do

What are my options?

You have four options.

1. You can file a claim form.
2. You can object to the Settlement.
3. You can opt out of the Settlement.
4. You can do nothing.

Filing a Claim Form

What happens if I file a Claim Form?

If you file a Claim Form, you will receive money from the Settlement, if the Settlement is approved by the Court. You will not be able to start, continue, or be part of any other lawsuit against Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno about the issues in this case.

Defendants have agreed that they will not retaliate against you for submitting a Claim Form and receiving money in this case.

How do I file a Claim Form?

You can file a Claim Form in a number of ways. To file a Claim Form, (i) go to www.windycityamusementssettlement.com and fill out the claim form online, (ii) fill out the attached Claim Form and mail it to the Settlement Administrator, or (iii) email a picture or scan of the Claim Form to the Settlement Administrator at claims@ilymgroup.com.

Objecting

What happens if I object?

If you disagree with any part of the Settlement and do not want to opt out, you may object. The Court will consider objections that are submitted on time. The Court can only approve or deny the Settlement—it cannot change the terms of the Settlement.

You can file a Claim Form even if you object to the Settlement.

Even if you object, you will not be able to start, continue, or be part of any other lawsuit against Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno about the issues in this case.

How do I object?

To object to the Settlement, you must mail or email a written statement to the Settlement Administrator explaining your objection to the Settlement. For the Court to consider the objection, you must send it to the following mailing address or email address by February 5, 2026:

ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781
Telephone: (888) 250-6810
Fax: (888) 845-6185
Email: claims@ilymgroup.com

You must give reasons why you think the Court should not approve the Settlement. You may, but do not need to, hire your own lawyer to help you.

You or your lawyer may appear at the Final Approval Hearing if you have filed a written objection as provided here. The right to object to the proposed Settlement must be exercised individually by an individual Class Member, not as a member of group or subclass.

Doing Nothing

What happens if I do nothing?

If you do nothing, you will not be able to obtain any money from the Settlement, but your rights will still be affected. You will not be able to start, continue, or be part of any other lawsuit against Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno about the issues in this case.

Opting Out

What if I don't want to be part of this case?

If you do not want to be a part of the Settlement, you can opt out. If you opt out, you will receive no payment from this Settlement. If you opt out, you may preserve your right to start, continue, or be part of a

different lawsuit against Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno about the issues in this case.

How do I opt out?

To opt out of the case, you must submit a written statement requesting exclusion from the class by mail or email by February 5, 2026 to the Settlement Administrator:

ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781
Telephone: (888) 250-6810
Fax: (888) 845-6185
Email: claims@ilymgroup.com

Be sure to include your name, address, telephone number, and the last four digits of your social security or tax identification number that you used when working for Defendants Windy City Amusements Inc., 2M Maintenance Inc., Mark Salerno, or Anthony Salerno in any such written statement.

Key Resources

How do I get more information?

This notice summarizes the case. There are more details in the case documents. To get a copy of the case documents or get answers to your questions:

- contact the lawyers who represent the class (information below); or
- visit the case website at www.windycityamusementssettlement.com.

Resource	Case Information
Case website	www.windycityamusementssettlement.com
Toll Free Number	1-866-344-6230

Settlement Administrator	ILYM Group, Inc. P.O. Box 2031 Tustin, CA 92781 Telephone: (888) 250-6810 Email: claims@ilymgroup.com
Your Lawyers	Christopher Wilmes Margaret Truesdale Hughes Socol Piers Resnick & Dym, Ltd 70 West Madison Street, Suite 4000 Chicago, IL 60602 1-866-344-6230 cwilmes@hsplegal.com mtruesdale@hsplegal.com
Court (DO NOT CONTACT)	Circuit Court of Cook County Richard J. Daley Center 50 West Washington Street Chicago, IL 60602

PLEASE DO NOT CALL OR WRITE THE COURT, THE JUDGE OR HER STAFF, OR DEFENDANTS OR DEFENDANTS' COUNSEL FOR INFORMATION OR ADVICE ABOUT THIS SETTLEMENT