

NOTICE OF CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
CASE NO. 13 C 01525

Lucas, et al. v. Ferrara Candy Company, et al.
c/o Garden City Group

WHY YOU ARE RECEIVING THIS NOTICE

You received this Notice because the lawyers for the Plaintiffs and Defendants in the above-styled case identified you as a person in the Class, defined as:

All African Americans who sought a work assignment through REM or through Labor Power and were otherwise eligible to work at Ferrara or who were Ferrara Direct Applicant Class Members¹ but, on one or more occasions, were not assigned or hired to work at Ferrara in such capacity during the period of February 27, 2009 through the Preliminary Approval Date (December 22, 2015).

Accordingly, you are eligible to participate in the settlement of this lawsuit by completing the attached Claim Form and timely mailing it to the Settlement Administrator. To receive your share of the Settlement Fund, you must mail the attached Claim and Release Form no later than May 3, 2016. The Claim and Release must be signed and returned, without alteration or amendment.

If you accurately complete and timely submit the attached Claim Form you will receive a Settlement Payment based on the following formula:

Each Claimant shall receive a *pro rata* share of the Class Settlement Fund (Class Settlement Fund ÷ Total Valid Claims), provided such payment(s) does not exceed seven thousand and five hundred dollars (\$7,500.00) per Claimant.

In addition, the Defendants in this case have agreed to work with or continue to work with one or more community-based organizations in the Chicago Metropolitan area that specialize in providing job assistance to minorities in order to recruit diverse applicants. Defendants have each also agreed to undergo diversity training for hiring staffs and human resources personnel within 12 months of the Effective Date of this settlement, and such training shall include equal employment opportunity and compliance with various federal and state civil rights laws, to include the following topics: (1) equal employment opportunity (2) federal, state and local prohibitions of unlawful discrimination and retaliation (3) diversity issues and (4) other topics that will encourage equal employment in recruiting, hiring, assigning, promoting and retaining minorities.

¹ A "Ferrara Direct Applicant Class Member" refers to all African Americans who submitted a written application to Ferrara's Forest Park, Illinois facility between February 27, 2011 and December 22, 2015 for a position as a Machine Operator, Mogul Cook, Engrosser, Janitor, Quality Control Technician, or Shipping Clerk, or who listed "open" on their application and by doing so were seeking a position as a Machine Operator, Mogul Cook, Engrosser, Janitor, Quality Control Technician, or Shipping Clerk. "Ferrara Direct Applicant Class Member" does not include any African Americans who: (a) sought a position through REM or Labor Power during the Class Period; (b) was hired by Ferrara as a Machine Operator, Mogul Cook, Engrosser, Janitor, Quality Control Technician, or Shipping Clerk between February 27, 2011 and December 22, 2015; (c) was offered a position of Machine Operator, Mogul Cook, Engrosser, Janitor, Quality Control Technician, or Shipping Clerk between February 27, 2011 and December 22, 2015; or (d) was offered to interview for the positions of Machine Operator, Mogul Cook, Engrosser, Janitor, Quality Control Technician, or Shipping Clerk between February 27, 2011 and December 22, 2015, but declined the interview or did not report for the interview.

If this information is accurate, fill out and mail the attached Claim Form — no postage required.

HOW TO OPT-OUT OF OR OBJECT TO THIS AGREEMENT

If you do not wish to participate in the settlement and receive a settlement payment, you may also exclude yourself from the settlement. To exclude yourself you must submit the following written statement “I request to be excluded from the settlement in *Lucas et al. vs. Ferrara Candy Company, et al.*, Case No. 13-CV-01525 (USDC Northern District of Illinois, Eastern Division).” If you exclude yourself, you cannot receive money from these settlements. **You may also object to the terms of the settlement.** If you choose to object to the settlement, you must on or before May 3, 2016, mail your written objection to the Settlement Administrator with copies to Class Counsel and Defendants’ counsel. If you choose to opt-out or object to the settlement, you must also include your full name, address, and telephone number, and you must personally sign the letter. The statement must be signed by you, dated, and returned to the Settlement Administrator and postmarked no later than May 3, 2016. Full details on how to exclude yourself or object to the settlement are available in the Complete Notice. PLEASE REVIEW THE COMPLETE NOTICE PRIOR TO EXCLUDING YOURSELF FROM THE SETTLEMENT OR OBJECTING TO THE TERMS OF THE SETTLEMENT.

PLEASE NOTE: This is only a summary of the settlement terms. A Complete Notice is available that provides the details of this lawsuit and settlement. To obtain a copy of the Complete Notice, contact the Settlement Administrator at:

**Lucas v. Ferrara Candy Company
c/o GCG
P.O. Box 35100
Seattle, WA 98124-1100**

FILE THE ATTACHED CLAIM FORM WITH A POSTMARK NO LATER THAN MAY 3, 2016.

QUESTIONS? CALL TOLL-FREE 1-888-586-9841