

**A FEDERAL COURT ORDERED THIS NOTICE.
THIS IS NOT A SOLICITATION FROM A LAWYER**

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

SHAWANA SANDERS and KENYATTA
WILLIAMS, on their own and on behalf of all
similarly situated individuals,

Plaintiffs,

v.

Global Radar Acquisition, LLC, d/b/a Global
HR Research,

Defendant.

Civil Action No. 2:18-cv-555-UA-UAM

NOTICE OF CLASS ACTION SETTLEMENT

IF YOU APPLIED FOR WORK THROUGH A1 HR, CONTINUUM, OR ACCESSPOINT ON
OR AFTER JULY 11, 2013 AND ON OR BEFORE JANUARY 11, 2019, YOU MAY BE
ENTITLED TO A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT.

A settlement has been proposed in a class action lawsuit brought under the Fair Credit Reporting Act (“FCRA”) against Global Radar Acquisition, LLC, doing business as Global HR Research (“**Global HR**” or the “**Defendant**”), on behalf of all natural persons residing in the United States, any U.S. territory, the District of Columbia, or Puerto Rico who were the subject of a consumer report furnished by Global HR for employment purposes to a client of A1 HR, Continuum, or Accesspoint between July 11, 2013 and January 11, 2019.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	You will remain a Settlement Class Member, be bound by the Settlement, including the release of claims described below, and receive a cash payment of approximately \$117.25.
OBJECT TO THE SETTLEMENT	You can remain a Settlement Class Member, but write to the Court and explain why you don’t think the settlement is fair, reasonable, or adequate. This is called an objection. You must file your objection by October 18, 2019 . More information relating to objections is found below, in Section 16.
EXCLUDE YOURSELF ENTIRELY	You can remove yourself from participation in this class action and not receive a benefit from this Settlement. However, you will retain any right to file a separate lawsuit against the Defendant. Your request to opt out of the settlement must be postmarked by October 18, 2019 .

QUESTIONS? CALL TOLL-FREE 1-833-261-2496 OR VISIT WWW.SANDERSFCRASSETTLEMENT.COM

— BASIC INFORMATION —

1. WHY DID I RECEIVE THIS NOTICE?

A Court authorized the 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. Judge John E. Steele, of the United States District Court for the Middle District of Florida, is overseeing this class action. The case is known as *Sanders v. Global Radar Acquisition, LLC*, Case No. 2:18-cv-555-UA-UAM (the “**Lawsuit**”).

You are receiving this notice because you applied for work through A1 HR, Continuum, or Accesspoint and Defendant Global HR provided that potential employer a consumer report, commonly known as a background check, about you, making you eligible for a payment from the Settlement Fund.

2. WHAT IS THIS LAWSUIT ABOUT?

What the Plaintiffs Claimed

Shawana Sanders and Kenyatta Williams (the “**Plaintiffs**” or “**Class Representatives**”) claim that the Defendant violated the Fair Credit Reporting Act, 15 U.S.C. §§ 1681a–x (the “**FCRA**”) in connection with providing background checks to certain employers for those employers to use in their hiring processes. Specifically, the Plaintiffs contend that the Defendant violated the FCRA by providing certain reports without having first obtained certification from the employers that they would comply with certain sections of the FCRA in using those reports.

How the Defendant Responded

The Defendant has denied all claims in the Lawsuit and contends that it acted lawfully and in compliance with the FCRA at all times. The Defendant has multiple defenses to the claims in the Lawsuit. Despite denying liability and wrongdoing, the Defendant has decided it is in its best interest to settle the Lawsuit to avoid the burden, expense, risk, and uncertainty of continuing the litigation.

3. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action lawsuit, one or more people called “Class Representative” (in this case, Shawana Sanders and Kenyatta Williams) sue on behalf of other people who have similar claims. The group of people together is a “Class” or the “Class Members.” The person who sued is called the Plaintiff, or Class Representative. The company sued (in this case, Global HR) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class. Any judgment or settlement of the case resolves the claims for all people in the Class. The proposed Settlement in this case would fully and finally resolve, on the terms described below and in the Settlement Agreement, any claims you might have against the Defendant.

— PERSONS INVOLVED AND BENEFITS PROVIDED BY THE SETTLEMENT —

4. HOW DO I KNOW IF I AM AFFECTED BY THE SETTLEMENT?

You are a member of the Settlement Class and are affected by the settlement if the Defendant provided a background report about you to one of three companies for those companies to use in their hiring processes.

Specifically, for the purposes of settlement only, the Court has provisionally certified a “**Settlement Class**” defined as follows:

All natural persons residing in the United States (including all territories and other political subdivisions of the United States) who were the subject of a consumer report furnished by Global HR Research for employment purposes to A1 HR, Continuum, or Accesspoint between July 11, 2013 and January 11, 2019

If you fall within the foregoing Settlement Class definition, you will be a Settlement Class Member unless you exclude yourself from the Settlement Class.

5. WHAT DOES THE SETTLEMENT PROVIDE?

The Defendant has agreed to pay \$3,653,650 (the “**Settlement Fund**”) for the benefit of the Settlement Class, which funds will be used to make the payments to Settlement Class Members described below, to pay Plaintiffs’ attorneys’ fees and litigation expenses, and perhaps to pay the costs of administering the Settlement.

If the Court approves the Settlement, a check for your portion of the Settlement Fund (expected to be approximately \$117.25) will be mailed to you automatically and without you having to do anything.

6. WHAT DO I HAVE TO DO TO RECEIVE MY PAYMENT?

Nothing. The Settlement Administrator will mail you a check automatically about 35 days after the Court grants final approval to the Settlement. The Administrator will mail that check to the address available in Global HR’s files. If you have relocated since the time of your application, please update the Administrator with your new address. You can contact the Administrator at the address below in Section 9 to let it know your address has changed.

7. WHEN WOULD I GET MY SETTLEMENT CHECK?

The Settlement Administrator will begin issuing checks from the Settlement Fund after the Court approves the Settlement. The Court will hold a hearing on November 12, 2019 to decide whether to approve the Settlement. If the Court approves the Settlement, there may then be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year after Court approval.

If there are no appeals, the Administrator will mail checks approximately 45 days after the Court grants final approval to the Settlement. Please keep a close eye on your mail.

— **THE RELEASE OF CLAIMS BY CLASS MEMBERS** —

8. WHAT AM I GIVING UP TO GET A BENEFIT OR STAY IN THE SETTLEMENT CLASS?

Unless you exclude yourself, you are staying in the Settlement Class, which means that you cannot be part of any other lawsuit against the Defendant (or other parties released by the Settlement) about the legal claims in this case and legal claims that could have been brought in this case. It also means that all of the Court’s orders will apply to you and legally bind you. If you do not exclude yourself from the Settlement Class, you will agree to a “Release of Claims,” stated below, which describes exactly the legal claims that you give up if you get settlement benefits. Basically, you are releasing your right to individually sue for certain violations of federal or state law.

The “Release” contained in the Settlement Agreement applies to:

Global Radar Acquisition, LLC d/b/a Global HR Research, f/k/a Radar Post-Closing Holding Company, Inc., f/k/a Global HR Research, Inc. and its current and former parents, subsidiaries, affiliates, divisions, associates, agents, successors, assignors, assignees, and/or assigns and their respective subsidiaries, affiliates, divisions, associates, agents, successors, assignors, assignees and/or assigns, and each of their respective present, former or future officers, directors, shareholders, agents, control persons, advisors, employees, representatives, consultants, insurers and reinsurers, accountants, attorneys, and any representative of the above.

Those “Released Claims” are:

All class action and individual claims under 15 U.S.C. §§ 1681a–x (including against Defendant’s insurers). Plaintiffs and all Class Members release their right to bring a class action or individual action as well as actual, statutory and punitive damages and any other remedy based upon such Released Claims.

— **EXCLUDING YOURSELF FROM THE SETTLEMENT** —

If you want to reserve your right to sue the Defendant on your own for any actual damages relating to Defendant’s provision of consumer reports about you, you must exclude yourself from participation in the Settlement. This precludes you from participating in the Settlement Fund, and you will not receive any payments from the Settlement Fund.

9. HOW DO I EXCLUDE MYSELF FROM PARTICIPATION IN THE SETTLEMENT?

You may “opt out” or exclude yourself from the Settlement as explained below.

REQUESTS FOR EXCLUSION THAT ARE NOT POSTMARKED ON OR BEFORE OCTOBER 18, 2019, WILL NOT BE HONORED.

You cannot exclude yourself by telephone or by e-mail. You also cannot exclude yourself by mailing a request to any location other than that specified below or by mailing a request after the deadline. You also cannot exclude yourself as part of a group, aggregate, or class involving more than one person.

If you exclude yourself, you should promptly consult your own attorney about your rights as the time to file an individual lawsuit is limited.

To exclude yourself from the settlement, you must send a letter stating that you want to be excluded from the settlement of *Sanders v. Global Radar Acquisition*. Be sure to include: (1) the name of the Lawsuit, *Sanders v. Global Radar Acquisition*, Case No. 2:18-cv-555-UA-UAM (M.D. Fla.); (2) your full name, current address, telephone number, and last four digits of your Social Security Number; (3) a statement of intention to exclude yourself from the Settlement; and (4) your original signature. You must mail your Exclusion Request no later than October 18, 2019 to:

Sanders FCRA Settlement Administrator
c/o JND Legal Administration
PO Box 91205
Seattle, WA 98111

To be valid, your Exclusion Request must be postmarked by **October 18, 2019**. This is also known as “opting-out” of the Settlement.

10. IF I EXCLUDE MYSELF FROM PARTICIPATION IN THE SETTLEMENT, CAN I SUE THE DEFENDANT LATER?

Yes. You may need to retain your own attorney, and you will be required to file a complaint in the appropriate court within the time provided by applicable statutes of limitations and make the applicable evidentiary showing subject to the governing burdens of proof, before receiving any recovery with respect to your claim. The Defendant has not agreed to pay you any money if you pursue this route, and will be able to assert defenses to your claims. A judge or jury will decide whether you are in fact entitled to any actual damages.

11. IF I EXCLUDE MYSELF FROM THE SETTLEMENT, WILL I RECEIVE ANY PAYMENT IN THE SETTLEMENT?

No.

QUESTIONS? CALL TOLL-FREE 1-833-216-4459 OR VISIT WWW.SANDERSFCRASSETTLEMENT.COM

12. IF I DO NOT EXCLUDE MYSELF, CAN I SUE THE DEFENDANT FOR THE SAME THING LATER?

No. Unless you exclude yourself, you give up the right to sue the Defendant and the Released Parties for the claims that this Settlement resolves. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. You may need to exclude yourself from *this* class action to continue your own lawsuit. Remember, your Exclusion Request must be postmarked by October 18, 2019.

— THOSE REPRESENTING YOU —

13. DO I HAVE A LAWYER IN THE CASE?

Yes. The Plaintiff retained (a) **Marc Edelman** of Morgan & Morgan, 201 N Franklin St, 7th Floor, Tampa, FL 33602; and (b) **Leonard A. Bennett and Craig C. Marchiando** of Consumer Litigation Associates, P.C., 763 J. Clyde Morris Blvd 1A, Newport News, VA 23601, and the Court appointed them to represent you and the rest of the Settlement Class in connection with the preliminary approval of the settlement. Together, these attorneys are called “**Class Counsel.**” These lawyers will not separately charge you for their work on the case. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. HOW WILL THE LAWYERS BE PAID?

Class Counsel will ask the Court for an award of attorneys’ fees, which the Defendant has agreed to pay as part of the Settlement Fund, with Class Counsel requesting 33% of the Settlement Fund. However, the Court may ultimately award less than this amount. The requested 33% will also include Class Counsel’s costs and expenses incurred by them and by the Class Representatives in litigating this matter. The Defendant has paid for the costs of this notice to you and the costs of administering the settlement separately from the money paid into the Settlement Fund.

15. ARE THE CLASS REPRESENTATIVES ENTITLED TO ANY ADDITIONAL PAYMENT?

In addition to the monetary relief described above, Class Counsel will ask the Court to approve a payment to each of the Class Representatives of an amount not to exceed \$5,000 as an award for their efforts and time expended in prosecuting the Lawsuit. However, the Court may ultimately award less than this amount. Any payment will be made from the Settlement Fund.

— OBJECTING TO THE SETTLEMENT —

16. HOW DO I TELL THE COURT THAT I DO NOT LIKE THE SETTLEMENT?

If you are a Settlement Class Member, you can object to the Settlement if you do not think any part of the Settlement is fair, reasonable, or adequate. You can and should explain the detailed reasons why you think that the Court should not approve the Settlement, if this is the case. The Court and Class Counsel will consider your views carefully. To object, you must send a letter stating that you object to the Settlement in *Sanders v. Global Radar Acquisition*. Be sure to include: (1) the name of the Lawsuit, *Sanders v. Global Radar Acquisition*, Case No. 2:18-cv-555-UA-UAM (M.D. Fla.); (2) your full name, current address, telephone number, and last four digits of your Social Security Number; (3) a detailed explanation of the reasons you object to the settlement and any papers in support of your position; and (4) signed verification of membership in the Settlement Class. Mail the foregoing to these three different places so that it is received no later than October 18, 2019:

COURT

Clerk of the Court
United States District Court
2110 First Street
Fort Myers, Florida 33901

CLASS COUNSEL

Leonard A. Bennett
**CONSUMER LITIGATION
ASSOCIATES, P.C.**
763 J. Clyde Morris Blvd 1A
Newport News, VA 23601

DEFENSE COUNSEL

Pamela Q. Devata
SEYFARTH SHAW LLP
233 S. Wacker Dr., Ste. 8000
Chicago, IL 60606-6448

You must also file a statement with the Court that tells the Court the date that you also mailed or delivered copies of these papers to Class Counsel and Defense Counsel.

17. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND EXCLUDING?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you remain in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object to the Settlement because the case no longer affects you.

— THE COURT’S FAIRNESS HEARING —

18. WHEN AND WHERE WILL THE COURT DECIDE TO APPROVE THE SETTLEMENT?

The Court will hold a hearing to decide whether to approve the settlement. You may attend and you may ask to speak, but you do not have to.

The Court will hold a Fairness Hearing on November 12, 2019 at 9:00 a.m. in the courtroom of Judge John E. Steele, of the United States District Court for the Middle District of Florida, 2110 First Street, Fort Myers, Florida 33901. At this hearing, the Court will consider whether the

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Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who have submitted timely requests to speak at the hearing. The Court may also decide the amount that Class Counsel and the Class Representative will be paid. After the hearing, the Court will decide whether to finally approve the Settlement.

19. 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 so desire. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

20. MAY I SPEAK AT THE HEARING?

You may ask the Court for permission to speak at the fairness hearing. To do so, you must send a letter saying that it is your “Notice of Intent to Appear in *Sanders v. Global Radar Acquisition*.” Be sure to include your name, address, telephone number, and your signature. Your Notice of Intent to Appear must be sent to the Clerk of Court, Class Counsel, and Defense Counsel, at the three addresses previously provided in Section 16, and must be received by October 18, 2019. You cannot speak at the hearing if you have excluded yourself.

21. HOW DO I GET MORE INFORMATION?

If you have questions about the case, you can call toll free (833) 216-4459 or write to:

Sanders FCRA Settlement Administrator
c/o JND Legal Administration
PO Box 91205
Seattle, WA 98111