

NOTICE OF SETTLEMENT OF PROPOSED CLASS ACTION

TO: ALL PERSONS WHO RECEIVED AN IMMUNOGLOBULIN SHOT AS A RESULT OF POSSIBLE EXPOSURE TO HEPATITIS A IN MILAN, ROCK ISLAND COUNTY, ILLINOIS BETWEEN JULY 15 AND AUGUST 31, 2009.

THIS NOTICE MAY AFFECT YOUR RIGHTS
PLEASE READ IT CAREFULLY

1. **Why should I read this Notice?**

The purpose of this Notice is to inform you that your rights may be affected by the proposed settlement of the lawsuit entitled Patterson v. JKLM, Inc. d/b/a McDonalds, CIVIL ACTION No. 09L89, pending in the Circuit Court for the Fourteenth Judicial Circuit of Rock Island County, Illinois.

2. **What is the lawsuit about?**

The plaintiff, Cody Patterson, acting on behalf of himself and all those similarly situated, commenced this lawsuit against the defendant JKLM, Inc. d/b/a McDonalds on July 21, 2009. In July, 2009, the Rock Island County Health Department announced that people who dined at the McDonald's Restaurant located at 400 West 1st Street, Milan, Illinois, 61264 between Monday, June 1 and Wednesday, July 15, 2009, may have been exposed to Hepatitis A. The health department recommended that all persons who had eaten at JKLM, Inc. d/b/a McDonalds between those dates obtain immunoglobulin ("IG") shots.

The plaintiff, on behalf of himself and all those similarly situated, seeks to recover compensation from JKLM, Inc. d/b/a McDonalds for all persons who were allegedly exposed to the Hepatitis A virus while consuming the defendant JKLM, Inc.'s food and drink in Milan, Illinois between June 1 and July 15, 2009, and who subsequently obtained immunoglobulin shots at 1) a County Health Department clinic between July 15, 2009 and August 31, 2009, or 2) private health care providers.

The compensation sought includes the cost of obtaining the shots, and the value of lost time required to obtain the shots.

3. **What are the terms of the settlement?**

Under the proposed settlement, JKLM, Inc. d/b/a McDonalds will pay the class a lump sum of \$500,000.00. Each claimant who submits a valid and timely claim form will receive a pro-rata share of the lump sum.

4. **Who is covered by the class?**

On June 25, 2010, the Rock Island County Circuit Court provisionally certified the following Class for settlement purposes.

All persons, excluding employees of JKLM, Inc., who were allegedly exposed to the Hepatitis A virus while consuming the defendant JKLM, Inc.'s food and drink in Milan, Illinois between June 1 and July 15, 2009 or through exposure to other persons who had done so, and who subsequently obtained immunoglobulin shots at 1) any public Health Department Clinic between July 15 and August 31, 2009, or 2) private health care providers. The class does not include claims for those persons who fell ill with Hepatitis A virus.

Employees of JKLM, Inc. d/b/a McDonalds are excluded from the Class.

5. **How do I make a claim?**

To make a claim, you must submit a claim form so that it is received by the Claims Administrator on or before **September 30, 2010**. You can obtain a claim form by calling 800-641-3270 or by downloading the form from the following website address: **www.MilanShotClass.com**. You must provide the information requested on the claim form to support and verify your claim, and mail it to the Claims Administrator so that it is received no later than **September 30, 2010**. The address of the Claims Administrator is:

The Notice Company
Hepatitis Class Action
P.O. Box 778
Hingham, MA 02043

You must complete and submit a separate claim form for each person who obtained an IG shot. FAILURE TO SUBMIT A VALID AND TIMELY CLAIM FORM SO THAT IT IS RECEIVED BY SEPTEMBER 30, 2010 WILL BAR YOU FROM PARTICIPATING IN THE SETTLEMENT AND BAR YOU FROM PROCEEDING ON ANY CLAIM ARISING OUT OF THE CIRCUMSTANCES DESCRIBED IN PARAGRAPH 2.

6. **What do I need to do to join the class?**

If you wish to participate in the proposed settlement, you must make a claim as described in the previous section. Your claim will then be paid, following the Court's approval of the settlement. You will not be charged anything individually to remain in the Class. Attorney fees awarded to the Class Counsel will be paid by JKLM, Inc. d/b/a McDonalds separately from the \$500,000.00 settlement.

Any potential class member who wishes to do so may enter an appearance in this litigation through his or her own attorney, but must pay separately for the fees and expenses incurred by that attorney.

In order to participate in the settlement, you must submit a valid claim form so that it is received by September 30, 2010. Should you decide to enter an appearance, in this litigation, however, you must still submit a claim form so that it is received by September 30, 2010. Failure to do so will preclude you from participating in the settlement. Any claim received after September 30, 2010 will not be accepted or paid.

7. **Can I exclude myself from the class?**

Any person who would otherwise be a member of the Class may be excluded from the Class and from the settlement by mailing a written request for exclusion to the Claims Administrator so that it is received no later than **August 27, 2010**. Your request for exclusion must (a) specify your name and mailing address, (b) be signed and dated, and (c) state that you request to be excluded from the Milan Class Action. A member of the Class filing such a request shall be deemed excluded from the settlement Class and from this settlement.

Any potential member of the Class who does not file a timely written request for exclusion as provided in the preceding section will be bound by the settlement and all subsequent proceedings, orders and judgments in the lawsuit, even if that member of the Class subsequently initiates litigation against JKLM, Inc. d/b/a/ McDonalds relating to any policy and/or the matters released.

8. **Can I object to the settlement?**

Any member of the Class who has not filed a written request for exclusion and who wishes to object to the fairness, reasonableness, or adequacy of the settlement must serve a notice of intent to appear and/or object, together with copies of any papers the member of the Class intends to present to the Court in connection with such objection, on the Class Counsel and counsel for JKLM, Inc. d/b/a/ McDonalds no later than **August 27, 2010**. A copy of the notice of intent and any accompanying papers must also be filed with the Court no later than August 27, 2010.

Class members may make such appearances or objections either on their own or through attorneys hired at their own expense. If an attorney will represent any such Class member, he or she must (i) file a notice of appearance with the Court no later than August 27, 2010, and (ii) serve on the Class Counsel and on counsel for JKLM, Inc. d/b/a McDonalds a copy of the same. Any such Class Member or their counsel may, by entering into a confidentiality agreement, obtain access at the offices of Foote, Meyers, Mielke & Flowers, of Geneva, Illinois, to the original filed complaint, answer, any orders entered by the court in the lawsuit, and to such additional pleadings as may be agreed upon by JKLM, Inc. d/b/a/ McDonalds counsel and the Class Counsel.

Only those Class Members who follow the procedures set forth above may appear at the Final Approval Hearing and/or have their objections considered by the Court.

Any Class Member who does not appear individually or through counsel and/or who does not challenge the fairness, reasonableness or adequacy of the settlement shall waive and forfeit any and all rights that he or she may have to appear separately and/or object.

9. **Who represents the class?**

The Court has designated Cody Patterson as Class Representative. The Court has appointed Foote, Meyers, Mielke & Flowers, and Marler Clark, LLP, PS, as the Class Counsel. If you have any questions for the Class Counsel, you may write to them at:

Craig S. Mielke
FOOTE, MEYERS, MIELKE & FLOWERS
3 North Second Street, Suite 300
Saint Charles, IL 60174

David W. Babcock
MARLER CLARK, LLP, PS
701 Fifth Avenue, Suite 6600
Seattle, WA 98104

PLEASE DO NOT CONTACT THE COURT

10. **Reasons for the settlement.**

The Class Representative and the Class Counsel support the proposed settlement because they believe it provides for prompt, efficient, and fair relief to the Class. In ultimately deciding to recommend this settlement, the Class Counsel considered the relative risks, costs, and benefits to the Class of settlement or continuing litigation. The Class members incur no risk or cost in obtaining the proposed relief.

11. **Who pays the attorneys' fees and costs?**

JKLM, Inc. d/b/a/ McDonalds has agreed to pay the Class Counsels' fees at 20% of the total settlement. The amount of the attorneys' fees finally awarded will be paid separately by JKLM, Inc. d/b/a/ McDonalds and will not reduce any benefit provided to the Class or the plaintiffs. The Class Counsel have agreed not to seek an additional award of fees or expenses for the litigation.

12. **Settlement approval procedure.**

The Court will hold a Final Approval Hearing on **September 16, 2010**, at 2:30 p.m. in Courtroom 301 of the Rock Island County Circuit Court. The address of the Court is 210 15th Street, Rock Island, IL 61201. At the hearing, the Court will consider whether the proposed settlement should be granted final approval as fair, adequate, and reasonable, and in the best interests of the Class as a whole. The Parties will request that the Court enter a Final Approval Order.

You may attend this hearing if you wish, but you are not required to do so in order to participate in the Settlement. You may also seek to intervene individually or to comment upon or object to the settlement.

Class Members shall have the right to be excluded or to object to the proposed settlement in the manner described above. No such objection shall be valid unless it is in writing, signed personally by the Class Member under penalty of perjury, and submitted to the Court and served on the Class Counsel and counsel for JKLM, Inc. d/b/a McDonalds no later than August 27, 2010.

If you do not file an objection by August 27, 2010, you will not be entitled to be heard at the Final Approval Hearing, or to otherwise contest the approval of the settlement, or to appeal from any orders or judgments of the Court entered thereon.

The Court's determination on the final approval of the proposed settlement will be binding on all Class members. If the Court grants final approval of the settlement, the judgment will release JKLM, Inc. d/b/a McDonalds from all claims for damages caused to all persons who were allegedly exposed to the Hepatitis A virus while consuming the defendant JKLM, Inc. d/b/a McDonalds' food and drink in Milan, Illinois between June 1 and July 15, 2009, and who subsequently obtained immunoglobulin shots.

The compensation included in the settlement covers the cost of the shots, and the value of lost time required to obtain the shots. This release will bar any further suit on the settled claims by or on behalf of the Class Members, and any persons claiming by or through them, including heirs, assigns, administrators, devisees, predecessors, successors, attorneys, or representatives of any kind.

If the Court does not approve the settlement, the case will proceed as active litigation.

13. **Where do I get additional information?**

The foregoing is only a summary of the circumstances surrounding the litigation, the claims asserted, the proposed settlement, and related matters. You may seek the advice and guidance of your own private attorney, at your own expense, if you desire.

If you wish to communicate with the Class Counsel identified above or wish to obtain relevant Court documents, you may do so by writing to the Class Counsel at:

Craig S. Mielke
FOOTE, MEYERS, MIELKE & FLOWERS
3 North Second Street, Suite 300
Saint Charles, IL 60174

David W. Babcock
MARLER CLARK, LLP, PS
701 Fifth Avenue, Suite 6600
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