

**IN THE CIRCUIT COURT OF DUPAGE COUNTY
EIGHTEENTH JUDICIAL CIRCUIT**

DAVID BAMBERG, *individually and on
behalf of all others similarly situated,*

Plaintiff,

v.

DYNAMIC MANUFACTURING, INC.,

Defendant.

Case No. 2023LA000015

Judge: Hon. Timothy McJoynt

**PLAINTIFF’S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff David Bamberg (“Plaintiff”), by his undersigned counsel, respectfully submits the following Motion for Preliminary Approval of Class Action Settlement pursuant to 735 ILCS 5/2-801, and states:

1. On January 6, 2023, Plaintiff filed a putative class action lawsuit against Defendant Dynamic Manufacturing, Inc. (“Defendant”) alleging violations of Illinois’ Biometric Information Privacy Act (“BIPA”), 740 ILCS 14/1, *et seq.*

2. On February 27, 2023, Plaintiff and Defendant executed a Settlement Agreement and Release that would resolve the claims of Plaintiff and all putative class members in this matter.

3. As set forth more fully in Plaintiff’s accompanying memorandum, the proposed Settlement is fair, reasonable, and adequate, and should therefore be granted preliminary approval.

4. Further, the proposed Settlement Class meets all of the prerequisites of 735 ILCS 5/2-801 and should be certified.

For the foregoing reasons, Plaintiff respectfully requests that the Court grant this Motion and enter the Proposed Order Granting Preliminary Approval of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan submitted herewith, which (1) schedules a fairness hearing on the question of whether the proposed class action settlement should be approved as fair, reasonable, and adequate; (2) approves the form and content of the proposed Notice to the Settlement Class; (3) approves the proposed method of requesting exclusion from the Settlement; (4) directs the mailing of the Notice Form by first-class mail to the Settlement Class Members; (5) preliminarily approves the Settlement; and (6) preliminarily certifies the Settlement Class for purposes of settlement only.

Dated: March 15, 2023

Respectfully submitted,

By: /s/ Carl V. Malmstrom

Carl V. Malmstrom

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**Pro Hac Vice Application Forthcoming*

Attorneys for Plaintiff and the Putative Class