

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

BARBARA MOCEK and MIRANDA  
VAROZ, individually and on behalf of all  
others similarly situated,

*Plaintiff,*

v.

ALLSAINTS USA LIMITED, a foreign  
business corporation,

*Defendants.*

No. 2016-CH-10056

Honorable Diane J. Larsen

FILED  
1/24/2019 10:44 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2016CH10056

**ADDENDUM TO CLASS ACTION SETTLEMENT AGREEMENT**

This Addendum to Class Action Settlement Agreement (the “Addendum”) is entered into by and among Plaintiffs Barbara Mocek and Miranda Varoz (collectively “Plaintiffs”), for themselves individually and on behalf of the Settlement Class, and Defendant AllSaints USA Limited (“AllSaints” or “Defendant”) (Plaintiffs and Defendant are collectively referred to as the “Parties”).<sup>1</sup> Except as expressly modified by this Addendum, all provisions of the Class Action Settlement Agreement (the “Agreement”) entered into by the Parties shall remain unmodified and in full force and effect. Subject to and in accordance with the foregoing, the Parties hereby agree that:

1. Section 1.17 of the Agreement (defining “Notice Date”) shall be modified to read as follows:

“**Notice Date**” means the date upon which the Notice is first disseminated, which shall be a date no later than thirty (30) days after the Court enters an Order scheduling Notice, or such other date as ordered by the Court.

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<sup>1</sup> Except as otherwise specified, defined terms shall have the meanings set forth in the Class Action Settlement Agreement.

2. Section 4.1(b) of the Agreement shall be modified to read as follows:

b. *Direct Notice.* No later than the Notice Date, the Settlement Administrator shall send notice via email substantially in the form attached as Exhibit C to the Agreement, along with an electronic link to the Claim Form, to (1) all Settlement Class Members for whom an email address is available in the Class List, and (2) to all Settlement Class Members for whom an email address has been obtained but was not included in the original Class List. If no email address is available for a Settlement Class Member, or in the event that the transmission of any email notice results in a “bounce-back” email, the Settlement Administrator shall send notice via First Class U.S. Mail through a postcard notice and accompanying Claim Form with return postage pre-paid in the form attached as Exhibit D to the Agreement to each physical address associated with that Settlement Class Member in the Class List or that has otherwise been obtained.

3. Section 4.1(c) of the Agreement shall be modified to read as follows:

c. *Internet Notice.*

i. *Settlement Website:* The Settlement Administrator will develop, host, administer, and maintain the Settlement Website, which shall be published online for public view and access no later than the Notice Date and shall contain a notice substantially in the form of Exhibit B attached to the Agreement.

ii. *Link to Settlement Website:* From the Notice Date through twenty-one (21) calendar days after the Claims Deadline, AllSaints shall include a hyperlink to the Settlement Website ([www.FACTAComplianceSettlement.com](http://www.FACTAComplianceSettlement.com)) on the FAQ section of its corporate website, [www.AllSaints.com](http://www.AllSaints.com).

iii. *Targeted Banner Advertisements*: In accordance with its Internet Notice Plan dated January 19, 2019, the Settlement Administrator shall purchase Internet banner advertisements with the goal of obtaining a total of 14,000,000 impressions targeting adults 18 years of age and older, including targeted advertisements directed at those interested in AllSaints. These banner advertisements shall begin to run no later than the Notice Date and continue for a period of fifteen (15) days thereafter, and shall be in a form and using a stock image substantially similar to Exhibit E, attached hereto.

4. Section 5.2 of the Agreement shall be modified to read as follows:

5.2 The Settlement Administrator shall be obliged to employ reasonable procedures to screen claims for abuse or fraud and deny Claim Forms where there is evidence of abuse or fraud. The Settlement Administrator shall determine whether a Claim Form submitted by a Settlement Class Member is an Approved Claim by determining if the individual is on the Class List and shall reject Claim Forms that fail to (a) comply with the instructions on the Claim Form or the terms of this Agreement, or (b) provide full and complete information as requested on the Claim Form. The Settlement Administrator may contact any Person who has submitted a Claim Form to obtain additional information necessary to verify the Claim Form. In the event an individual submits a timely Claim Form by the Claims Deadline where the individual appears on the Class List but the Claim Form is not otherwise complete, then the Settlement Administrator shall give such Person one (1) reasonable opportunity to provide any requested missing information, which information must be received by the Settlement Administrator no later than twenty-one (21) calendar days after the Claims Deadline.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have caused this Addendum to the Settlement Agreement to be executed by their duly authorized attorneys.

**Barbara Mocek**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

**Miranda Varoz**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

**EDELSON PC**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

**Carlson Lynch Sweet Kilpela & Carpenter, LLP**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

**AllSaints USA Limited**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

**Proskauer Rose LLP**

Date: \_\_\_\_\_

By: (signature) \_\_\_\_\_

Name: (printed) \_\_\_\_\_

# Exhibit E

**If You Received A Receipt From  
An AllSaints Store In The U.S.  
Exposing More Than 5 Digits  
And/Or Expiration Date Of Your  
Credit Or Debit Card Number  
You May Be Entitled To A  
Payment From A Class Action  
Settlement.**

**File a Claim**

[www.example.com](http://www.example.com)



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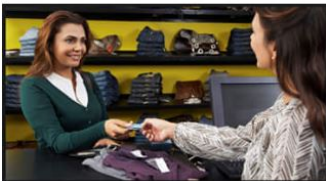
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
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