

This is a court-authorized website notice of a proposed settlement in a class action lawsuit regarding background reports that Checkr, Inc. produced on certain individuals. Payments to participating Class Members are likely to be between \$40 and \$50 each, as explained in paragraph 6 below.

There are two categories of Class Members. Approximately 56,629 Class Members are Entitled to Autopay. These Class Members do not have to file a Claim Form in order to receive a payment.

Other Class Members will not be paid unless they return a Claim Form and are determined to be entitled to receive a payment under the terms of the settlement.

You may find out which category you are in or file a claim by checking online at www.HowellSettlement.com or by contacting the Settlement Administrator.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
Do Nothing	<p><i>Class Members Entitled to Autopay.</i> If you do nothing, you will receive an automatic payment. The amount of the payment will vary depending on a variety of factors, but it is estimated to be between \$40 and \$50. It could be more or less than this amount. You will release any claim you may have against Checkr.</p> <p><i>Class Members Not Entitled to Autopay.</i> If you received a claim form in the mail, or if the email notice you received said you need to file a claim form to receive a payment, you must submit a Claim Form by October 24, 2018 in order to receive a payment. If you do nothing, you will not be paid and you will release any claim you may have against Checkr.</p>
Submit a Claim Form	<p><i>Class Members Not Entitled to Autopay.</i> If you received a claim form in the mail, or if the email notice you received said you need to file a claim form to receive a payment, you must submit a Claim Form online or by mail postmarked by October 24, 2018 in order to be paid. The amount of the payment will vary depending on a variety of factors, but it is estimated to be between \$40 and \$50. It could be more or less than this amount.</p>
Exclude Yourself	<p>If you exclude yourself from the settlement, you will not receive any monetary payment. By excluding yourself, you will not release any claim you may have against Checkr.</p>
Object	<p>You may tell the Court why you believe the settlement should not be approved. If the settlement is not approved, no one will be paid.</p>

Your rights and options—and the deadlines to exercise them—are explained in this Notice.

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the settlement, or to submit a claim you may view the Settlement Agreement at www.HowellSettlement.com. You may also contact the Settlement Administrator at 1-833-747-6674.

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BASIC INFORMATION

1. Why am I seeing this Notice?

The Court in this case has approved the posting of this Notice on a website so that it could be viewed by Class Members. The Class Members are:

all natural persons upon whom Defendant produced a report which included records older than seven years, which included the following terms in the “charge type” field: “infraction,” “ordinance,” “violation,” “petty offense,” “traffic,” “citation,” and “civil,” from July 28, 2015 to March 20, 2018.

Class membership is determined on the basis of Checkr’s records. If you are unsure of whether you are a Class Member, you can contact the Settlement Administrator at 1-833-747-6674.

This Notice has been posted because Class Members have a right to know about a proposed settlement of a lawsuit in which they are class members, and about all their options, before the Court decides whether to approve the settlement. If the Court approves the settlement, and after objections or appeals relating to that settlement are resolved, the benefits provided for by the settlement will be available to members of the Settlement Class.

If you are a Class Member, you should have received an e-mail and/or postcard mailing informing you whether you are a member of the Class Members Entitled to Autopay or if you are a member who is required to submit a Claim Form before receiving payment.

You are one of the Class Members Entitled to Autopay if you are an individual (1) upon whom Defendant produced a consumer report between July 28, 2015 and March 20, 2018; **and** (2) the report included a North Carolina, Florida, or Virginia record of an “infraction” older than seven years from the date of the report; **and/or** (3) the report included infraction or other qualifying low-level offense records older than seven years from the date of the report, you disputed information the report, and the dispute resulted in a change to the entries on the report which were more than seven years old. As explained in paragraph 5 below, if you are within this group, you need not submit a Claim Form to receive a payment.

If you are not in this group, you need to submit a Claim Form to receive a payment. If you are not sure whether you need to submit a claim form or not, you can find out at www.HowellSettlement.com or you may contact the Settlement Administrator.

This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. A full copy of the Settlement Agreement may be reviewed at the Settlement Website: www.HowellSettlement.com. This Notice contains only a summary of the Settlement Agreement.

The Court in charge of this case is the United States District Court for the Northern District of California. The lawsuit is called *Gregory Howell v. Checkr, Inc.*, Case No. 3:17-cv-04305 (the “Litigation”). Gregory Howell, the person who filed this lawsuit, is called the Plaintiff, and Checkr is called the Defendant.

2. What is the lawsuit about?

Plaintiff alleges that Checkr violated the Fair Credit Reporting Act (“FCRA”) by allegedly producing background reports on individuals containing non-conviction information older than seven years from the date of the report. Plaintiff alleges that this reporting caused him harm and violated the law.

Checkr vigorously denies the Plaintiff’s claim and denies all liability to Plaintiff and the Class. Checkr denies that it has violated the FCRA in any manner whatsoever, and has raised a number of defenses to the claims asserted. In particular, Checkr maintains that the background reports it produced fully complied with the FCRA and that its reports did not harm anyone.

The Parties are settling the lawsuit to avoid the risks, uncertainties and expenses associated with contested litigation. No court has found Checkr to have violated the law in any way. No court has found that the Plaintiff or the Class could recover any amount in this lawsuit.

Although the Court has authorized notice to be given of the proposed settlement, this Notice does not express the opinion of the Court on the merits of the claims or defenses asserted by either side in the Litigation.

3. Why is this case a class action?

Class actions are lawsuits in which the claims and rights of many people are decided in a single proceeding. In a class action, a representative Plaintiff is called a “Class Representative.” That Plaintiff seeks to assert claims on behalf of all similarly situated people. The Plaintiff can thus conserve resources by asserting all the claims in one lawsuit. Class actions often involve circumstances where claimed individual damages are too small for people to proceed on their own, but where the defendant’s alleged conduct possibly affected a number of people in the same way.

Lawyers who represent people who file class actions are called “class counsel.” The lawyers who brought this case (“Class Counsel”) have not yet been paid any money for their work and have paid all their expenses out of pocket. They will be paid only if they win the lawsuit or if the Court approves the settlement.

4. Why is there a settlement?

The Court did not decide this case in favor of the Plaintiff or in favor of Checkr. If approved, the settlement will stop the Parties from litigating anymore. If the lawsuit continued, Checkr would seek the dismissal of the case and oppose class certification, and therefore the potential exists that the Settlement Class would receive nothing. There also is the possibility that Checkr would be required to pay more than it has agreed to pay as a result of the settlement.

Class Counsel investigated the facts and law regarding the Plaintiff’s claims and Checkr’s defenses. The Parties engaged in extensive and arms-length negotiations to reach this settlement. Plaintiff and Class Counsel believe that the proposed settlement is fair, reasonable, and adequate, and in the best interests of the Settlement Class.

Both sides agree that, by settling, Checkr is not admitting any liability or that it did anything wrong. Both sides want to avoid the uncertainties and expense of further litigation.

WHO IS IN THE SETTLEMENT

5. How do I know if I am part of the Settlement?

You are part of the Settlement Class if you are a person upon whom Defendant produced a report from July 28, 2015 to March 20, 2018 and the report included records older than seven years, which included the following terms in the “charge type” field: “infraction,” “ordinance,” “violation,” “petty offense,” “traffic,” “citation,” and/or “civil.”

You are among the approximately 56,629 Class Members entitled to receive an automatic payment if you are an individual (1) upon whom Defendant produced a consumer report between July 28, 2015 and March 20, 2018; **and** (2) the report included a North Carolina, Florida, or Virginia record of an “infraction” older than seven years from the date of the report; **and/or** the report included infraction or other qualifying low-level offense records older than seven years, you disputed information on the report, and the dispute resulted in a change to the entries on the report which were more than seven years old. This group of individuals is known as the Class Members Entitled to Autopay, and if you are in this group you will receive an automatic payment so long as you do not opt out of the Class or object to this settlement. If you are not a Class Member Entitled to Autopay you must submit a Claim Form to receive a payment.

If you have received the email or Postcard Notice, Checkr’s records indicate you are a member of the Settlement Class. The email or Postcard Notice will tell you if you are a Class Member Entitled to Autopay (in which case

you do not need to submit a Claim Form) or are not a Class Member Entitled to Autopay (in which case you do need to submit a Claim Form if you want a payment). If you are not certain as to whether you are a Class Member, or whether you are required to file a Claim Form, you may contact the Settlement Administrator to find out. The Administrator can be reached at 1-833-747-6674. The question of class membership will be determined based on Checkr's records and investigation.

THE SETTLEMENT BENEFITS—WHAT YOU GET

6. What does the Settlement provide?

The Settlement provides money and injunctive relief for Settlement Class Members. Checkr will provide a settlement fund of \$4,460,000. This money will be available for payment to approximately 100,959 Class Members, and will also be used to pay for any court-approved attorneys' fees, Class Representative Service Payment, and Administration Costs.

The exact amount each Class Member will receive will depend on the amount of fees, service payments and costs, as well as the number of qualifying Claim Forms returned. Class Members Entitled to Autopay will receive a payment without submitting a Claim Form. It is estimated that Settlement Class Members will receive between \$40 and \$50 each. The ultimate amount could be more or less than this estimate. Class Members Entitled to Autopay will receive the same amount as those who submit a qualifying Claim Form.

The email or Postcard Notice you received will tell you if you are a Class Member Entitled to Autopay, in which case you do not need to submit a Claim Form. The email or Postcard Notice will also tell you if you are not a Class Member Entitled to Autopay, in which case you need to submit a Claim Form to be eligible to receive money from the settlement. After you submit a Claim Form, Class Counsel will review your records to determine if you are eligible to receive a payment.

In addition to a monetary benefit, the settlement also provides injunctive relief, including ensuring that, for at least 18 months, Checkr will maintain filters designed to ensure that no records with the following charge types, which are older than seven years, will be reported: "infraction" "ordinance," "violation," "petty offense," "traffic," "citation," and "civil." In the event Checkr seeks to change this policy after 18 months, it must consult information generated as a result of this settlement about which offenses are criminal or non-criminal, and it must also consult with an expert before making any such change.

7. How can I get a benefit?

If you are a Class Member Entitled to Autopay, you do not need to do anything to get a payment. If you are not a Class Member Entitled to Autopay, you need to return the Claim Form that was emailed or mailed to you, postmarked on or before **October 24, 2018**. You may also submit a claim online at www.HowellSettlement.com. The completed Claim Form must be signed and dated. After you submit a Claim Form, Class Counsel will review your records to determine if you are eligible to receive a payment.

Your interest as a Class Member will be represented by the Plaintiff and Class Counsel. You will be bound by any judgment arising from the settlement.

If you change your address, you must mail a notification of your new address to the Settlement Administrator or submit a change of address online at www.HowellSettlement.com.

8. When would I get my benefit?

The Court will hold a final approval hearing on December 3, 2018 at 11:00 AM to decide whether to approve the settlement. If the settlement is approved, there may be appeals. Payments to eligible members of the Settlement Class will be made only if the settlement is finally approved. This may take some time, so please be patient.

9. What am I giving up if I stay in the Class?

Upon the Court's approval of the settlement, all Class Members (whether or not they have timely submitted a properly completed Claim Form) who have not timely and properly opted out of the Settlement Class will fully release Checkr from any and all claims arising out of or relating directly or indirectly in any manner whatsoever to the facts alleged or that could have been alleged or asserted in the lawsuit, including but not limited to any and all claims under 15 U.S.C. § 1681c, and any analogous state law claims. This release explicitly includes claims for actual damages, statutory damages, and punitive damages, as well as for attorneys' fees and costs.

This release may affect your rights. To view the full terms of the release, which are contained in the Settlement Agreement, please visit www.HowellSettlement.com.

10. How do I get out of the Settlement?

If you choose to be excluded from the settlement (or "opt out"), you will not be bound by any judgment or other final disposition of the lawsuit. However, you will not receive any settlement payment. You will retain any claims against Defendant you might have. To opt out, you must state in writing your desire to be excluded from the Settlement Class. To be valid, your submission must be signed and dated, must provide your full name (and former names, if applicable), current address, current telephone number, and the last four digits of your social security number. You also must include an express statement that you wish to be excluded from the terms of the Agreement.

Your request for exclusion must be sent by first class mail, postmarked on or before October 24, 2018, addressed to:

Howell v. Checkr, Inc.
c/o JND Legal Administration
P.O. Box 91306
Seattle, WA 98111

If the request is not postmarked on or before October 24, 2018, your request for exclusion will be invalid, and you will be bound by the terms of the settlement approved by the Court, including the judgment ultimately rendered in the case, and you will be subject to the release referenced in paragraph 9 above.

11. If I don't exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendant for the claims that this settlement resolves, even if you do not submit a Claim Form. If you have a pending lawsuit, you should speak to your lawyer in that case.

12. If I exclude myself, can I get money from this Settlement?

No. If you exclude yourself, you are not part of the settlement.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

The Court has appointed Berger & Montague, P.C. and Schneider Wallace as Class Counsel:

E. Michelle Drake
Berger & Montague, P.C.
43 SE Main Street, Suite 505
Minneapolis, MN 55414

Carolyn Cottrell
Schneider Wallace Cottrell Konecky Wotkyns LLP
2000 Powell Street, Suite 1400
Emeryville, CA 94608

You may hire your own attorney to advise you, but if you hire your own attorney, you will be responsible for paying that attorney's fees.

14. How will the lawyers and Class Representatives be paid?

Class Counsel have not been paid anything for their representation of the Settlement Class to date. They have paid all the expenses of litigation out of their own pockets. If they were to lose the case, they would be paid nothing.

In connection with this settlement, Class Counsel intend to apply to the Court for payment of attorneys' fees and costs, in an amount not to exceed 25% of the total Gross Settlement Amount plus 25% of the value of the injunctive relief, as well as reasonably incurred costs. The Court will evaluate whether this fee request is reasonable in light of Class Counsel's skill and the risk they undertook in bringing the lawsuit. The Court may award less.

The Court has appointed the Plaintiff, Gregory Howell, as the Class Representative. Class Counsel also will seek compensation for his services to the Class Members, in an amount not to exceed \$3,500. This compensation is intended to pay the Class Representative for the time and effort put into bringing this lawsuit on behalf of everyone in the Settlement Class.

The costs of settlement administration are expected to be approximately \$114,666. If awarded by the Court, all of these amounts will be paid directly out of the settlement fund.

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I don't like the Settlement?

You can ask the Court to deny approval of the settlement by filing an objection. You cannot ask the Court to order a larger settlement; the Court can only approve or deny the settlement as is. If the Court denies approval, then no settlement payments will be sent out and the Litigation will continue. If that is what you want to happen, you must object.

You may object to the proposed settlement in writing. If you submit a written objection, you may also appear at the final approval hearing, either in person, or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney.

All written objections and supporting papers must include (1) the Objector's full name and current mailing address, (2) the last four digits of the Objector's social security number, (3) the specific reason(s) for the Objection, (4) all evidence and supporting papers (including, without limitation, all briefs, written evidence, and declarations) for the Court to consider, and (5) identification of all counsel representing or assisting the Objector, if any. Objections must be submitted to the Settlement Administrator, *Howell v. Checkr, Inc.*, c/o JND Legal Administration, P.O. Box 91306, Seattle, WA 98111. Your objection must be submitted with a postmark on or before **October 24, 2018**.

Any member of the Settlement Class who does not submit an objection in the time and manner described above will not be permitted to raise that objection later.

16. What's 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 stay in the settlement. Excluding yourself is telling the Court that you do not want to be part of the settlement. If you exclude yourself, you have no basis to object because the lawsuit no longer affects you.

17. Where and when will the Court decide whether to approve the Settlement?

There will be a final approval hearing to consider approval of the proposed settlement on December 3, 2018 at 11:00 AM in the United States District Court at the Phillip Burton Federal Building, 450 Golden Gate Avenue in San Francisco, California. The hearing may be postponed to a later date without further notice. Settlement Class Members should check www.HowellSettlement.com regularly for any changes to this date. The purpose of the hearing is to determine the fairness, reasonableness, and adequacy of the terms of settlement; whether the Settlement Class is adequately represented by the Class Representatives and Class Counsel; and whether an order and Final Judgment should be entered approving the proposed settlement. The Court also will consider Class Counsel's application for payment of attorneys' fees and expenses and the Class Representative's compensation.

You do not need to appear at the hearing. You will be represented at the final approval hearing by Class Counsel, unless you choose to enter an appearance in person or through your own counsel. The appearance of your own attorney is not necessary to participate in the hearing.

18. Do I have to come to the hearing?

No. Class Counsel will represent the Settlement Class at the final approval hearing, but you are welcome to come at your own expense. If you send any objection, you do not have to come to Court to talk about it, but you may if you wish. As long as you timely submitted your written objection, the Court will consider it. You may also pay your own lawyer to attend, if you wish.

19. May I speak at the hearing?

You may ask the Court for permission to speak at the final approval hearing. To do so, you must send with your objection a notice of intention to appear at the hearing as described in Paragraph 15 above. You cannot speak at the hearing if you excluded yourself.

GETTING MORE INFORMATION

20. Are there more details about the Settlement?

This Notice is only a summary. For a more detailed statement of the matters involved in the lawsuit or the settlement, you may refer to the papers filed in this case during regular business hours at the office of the Clerk of the Court, United States District Court for the Northern District of California at the Phillip Burton Federal Building, 450 Golden Gate Avenue in San Francisco, California, File: *Howell v. Checkr, Inc.*, Case No. 3:17-cv-04305. The full Settlement Agreement and certain pleadings filed in the case are also available at www.HowellSettlement.com or can be requested, in writing or by phone, from the Settlement Administrator.

21. How do I get more information?

You can visit www.HowellSettlement.com or contact the lawyers representing the Settlement Class, identified in Paragraph 13 above. **Please do not contact the Court for information.**