

2022LA000308

EXHIBIT B

to

Motion and Memorandum In Support
of Final Approval of Class Action
Settlement Agreement

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

Case No.: 2022LA000308

ALEXANDER CLARKE, MILTON
CITCHENS, ANDREW GARCIA, EBONY
JONES, KYLE SWERDLOW, MARLA
WALKER, and RYAN WEBB, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

LEMONADE, INC., LEMONADE
INSURANCE COMPANY, LEMONADE
INSURANCE AGENCY, LLC,
LEMONDADE, LTD., AND LEMONADE
LIFE INSURANCE AGENCY, LLC

Defendants.

**DECLARATION OF SCOTT DICARLO REGARDING
IMPLEMENTATION OF NOTICE AND CLAIMS ADMINISTRATION**

I, SCOTT DICARLO, hereby declare and state as follows

1. I am a Project Manager employed by Epiq Class Action & Claims Solutions, Inc. (“Epiq”). I have 8 years of experience handling all aspects of settlement administrations. The statements of fact in this declaration are based on my personal knowledge and information provided to me by my colleagues in the ordinary course of business, and if called on to do so, I could and would testify competently thereto.

2. Epiq was appointed by the Parties to be the Settlement Administrator pursuant to the Court’s Preliminary Approval Order (the “Order”) dated May 25, 2022, and in accordance with the Settlement Agreement dated May 17, 2022 (the “Agreement”).¹ I submit this Declaration in order to advise the Parties and the Court regarding the implementation of the Court-approved

¹ All capitalized terms not otherwise defined in this document shall have the same meanings ascribed to them in the Agreement.

notice program, and to report on Epiq's handling to date of the Settlement administration, in accordance with the Order and the Agreement.

3. Epiq was established in 1968 as a client services and data processing company. Epiq has administered bankruptcies since 1985 and settlements since 1993. Epiq has routinely developed and executed notice programs and administrations in a wide variety of mass action contexts including settlements of consumer, antitrust, products liability, and labor and employment class actions, settlements of mass tort litigation, Securities and Exchange Commission enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation. Epiq has administered more than 4,500 settlements, including some of the largest and most complex cases ever settled. Epiq's class action case administration services include administering notice requirements, designing direct-mail notices, implementing notice fulfillment services, coordinating with the United States Postal Service ("USPS"), developing and maintaining notice websites and dedicated telephone numbers with recorded information and/or live operators, processing exclusion requests, objections, claim forms and correspondence, maintaining class member databases, adjudicating claims, managing settlement funds, and calculating claim payments and distributions. As an experienced neutral third-party administrator working with settling parties, courts, and mass action participants, Epiq has handled hundreds of millions of notices, disseminated hundreds of millions of emails, handled millions of phone calls, processed tens of millions of claims, and distributed hundreds of billions in payments.

OVERVIEW OF ADMINISTRATION

4. Pursuant to the Agreement and Order Epiq was appointed to provide, and did provide, the following administrative services for the benefit of Settlement Class Members, as they are defined in the Agreement:

- As appropriate, email a Notice to Class Members;
- As appropriate, mail a Postcard Notice, Long Form Notice, or Claim Form to Settlement Class Members;
- Establish and maintain an official Settlement Website containing information about the Settlement;
- Establish and maintain an official toll-free number that Settlement Class Members may contact for additional information about the Settlement;
- Review and process Requests for Exclusion sent to or received by Epiq;
- Review and track objections sent to or received by Epiq;
- Receive, process, track, and report on Claim Forms sent to or received by Epiq;
- As appropriate, mail deficiency letters, and track responses thereto;

DATA TRANSFER

5. On June 9, 2022, Counsel for Defendant provided Epiq with one electronic file containing potential Settlement Class Member records. The file contained 110,507 records containing names, addresses, and other relevant custom data for potential Settlement Class Members (“Class Data”).

6. Epiq loaded the information provided by Defendant into a database created for the purpose of administration of the proposed Settlement. Epiq assigned unique identifiers to all the

records it received in order to maintain the ability to track them throughout the Settlement administration process. Epiq combined the data and removed exact duplicate records, which resulted in 110,505 of Settlement Class Member records the “Class List”.

DISSEMINATION OF INDIVIDUAL CLASS NOTICE

7. Pursuant to Section 4.1 of the Agreement, Epiq was to cause the Court-approved Notice specific to Settlement Class Member subclass to be formatted for electronic distribution by email to Settlement Class Members for whom an email address was included in the Class Data. Attached hereto as Exhibit A is a template of the Court-approved Notice that Epiq electronically disseminated to Settlement Class Member for whom an email address was provided in the Class Data (“Email Notice”). The Notice contained substantial, albeit easy to read, information that made potential Settlement Class Members aware of their rights under the Settlement and provided instructions on how to obtain more information by visiting the Settlement website or calling the toll-free number.

8. The Email Notice, which was formatted for distribution using imbedded html text, provided Settlement Class Members with a link to the Settlement website. The Email Notice was formatted with easy-to-read text without graphics, tables, images and other elements that would increase the likelihood that the message could be blocked by Internet Service Providers and/or SPAM filters. Epiq also followed standard email protocols, including utilizing “unsubscribe” links and Epiq’s contact information in the Email Notice.

9. Epiq sent the Email Notice to the 110,489 potentially valid email addresses on June 22, 2022. Each Email Notice was transmitted with a unique message identifier. If the receiving e-mail server could not deliver the message, a “bounce code” was returned along with the unique message identifier.

10. For all Settlement Class Members with potentially valid email addresses in the Class Data, Epiq closely monitored all deliverability attempts of the Email Notice throughout the Email Notice campaign. A total of 106,129 Email Notices were delivered. Of the 4,360 Email Notices that could not be delivered, 2,422 of them were undeliverable because the email address no longer existed, the email account was closed, or the email address had a bad domain name or address error (collectively, "Hard Bouncebacks"). After three attempts, the remaining 1,938 Email Notices could not be delivered due to an inactive or disabled account, the recipient's mailbox was full, technical auto-replies, or the recipient server was busy or unable to deliver (collectively, "Soft Bouncebacks"). Ultimately, Epiq was able to deliver direct Email Notice to 96.05% of the email addresses provided in the Class Data.

11. Pursuant to Section 4.1 of the Agreement, Epiq sent the Postcard Notice specific to Settlement Class Member subclass attached hereto as Exhibit B via U.S. First Class Mail to each of the Settlement Class Members who did not receive an email and had a valid physical mailing address on file. To date, Epiq has mailed 4,938 Postcard Notices. Prior to mailing the Postcard Notice to the Settlement Class Members, all mailing addresses were checked against the National Change of Address ("NCOA") database maintained by the United States Postal Service ("USPS").² In addition, the addresses were processed via the Coding Accuracy Support System ("CASS") to ensure the quality of the zip code, and verified through Delivery Point Validation ("DPV") to verify the accuracy of the addresses. To the extent that any Settlement Class Member had filed a USPS change of address request, and the address was certified and verified, the current address listed in the NCOA database was used in connection with the Postcard Notice mailing. This address

² The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person's name and last known address.

updating process is standard for the industry and for the majority of promotional mailings that occur today. A total of **15,873** records sent through the USPS NCOA, CASS, and DPV process were updated with new addresses.

12. Pursuant to Section 4 of the Agreement, Epiq was responsible for sending the Postcard Notice, Long Form Notice, or Claim Form to all potential Settlement Class Members via U.S. First Class Mail. Attached hereto as Exhibit C is the Class Notice and Claim Form that Epiq disseminated by mail (“Notice Packet”) to potential Settlement Class Members who requested it via telephone or written correspondence. As of August 11, 2022, Epiq has caused 40 Notice Packets to be mailed.

13. Prior to commencing any mailings for this matter, Epiq established a dedicated post office box to mail notice from and to allow Settlement Class Members to contact the Settlement Administrator or submit documents by mail. Epiq has and will continue to maintain the P.O. Box throughout the administration process.

14. The return address on the Postcard Notices is the post office box maintained by Epiq. As of August 11, 2022, 79 Postcard Notices have been returned by the USPS with forwarding information and promptly re-mailed to the forwarding address.

15. As of August 11, 2022, a total of 2,160 Postcard Notices have been returned to Epiq without forwarding address information. As a result of skip trace searches performed by Epiq using a third-party lookup service, a total of 575 addresses were updated re-mailed to the updated addresses.

16. As of August 11, 2022, Epiq has mailed or emailed Notice to 110,492 Settlement Class Members, with Notice to 1,585 unique Settlement Class Members currently known to be undeliverable, which is a 98.57% deliverable rate to 99.99% of the Class.

SETTLEMENT WEBSITE

17. Pursuant to 4.1 of the Agreement, on or before June 8, 2022, Epiq launched a website, www.LemonadeBIPASettlement.com, that potential Settlement Class Members could visit to obtain additional information about the proposed Settlement, as well as important documents, including the Long Form Notice, Claim Form, Settlement Agreement, Preliminary Approval Order, and any other relevant information that the parties agree to provide or that the Court may require (“Website”). The Website contains a summary of options available to Settlement Class Members, deadlines to act, and provides answers to frequently asked questions. Settlement Class Members are also able to file a Claim via the website, or download a paper Claim Form, which they could then file by mail. References to the Website were prominently displayed in Email Notice, Postcard Notice, Long Form Notice, and Claim Form.

18. As of August 11, 2022, the Website has been visited by 41,726 unique visitors and 173,575 website pages have been viewed. Epiq has maintained and will continue to maintain and update the Website throughout the administration of the proposed Settlement.

TOLL-FREE INFORMATION LINE

19. Epiq established and is maintaining a toll-free interactive Voice Response Unit (“VRU”), 1-866-977-1153, to provide information and accommodate inquiries from Settlement Class Members. Callers hear an introductory message and then are provided with scripted information about the Settlement in the form of recorded answers to frequently asked questions. Callers also have the options of requesting a Notice Package by mail. The toll-free number was included in the notices sent to Settlement Class Members and the automated telephone system is available 24 hours per day, 7 days per week.

20. As of August 11, 2022, the toll-free number has received 1,188 calls representing 3,444 total minutes, Epiq has and will continue to maintain and update the VRU throughout the Settlement administration process.

REQUESTS FOR EXCLUSION

21. Pursuant to the Order, Settlement Class Members who wished to be excluded from the Settlement were required to mail or submit, as appropriate a Requests for Exclusion to Epiq postmarked on or before August 8, 2022. As of August 11, 2022, Epiq has received 5 timely and potentially valid requests and 0 late postmarked or received requests. A report listing the 5 timely and/or late requests received to date is attached hereto as Exhibit D.

OBJECTIONS RECIEVED

22. Pursuant to the Order, Settlement Class Members who wished to object to the Settlement were required to submit written objections to the Clerk of the Court, Counsel for the Defendant, Class Counsel, and Epiq, such that they were postmarked on or before the objection deadline of August 8, 2022. As of August 11, 2022, Epiq is aware of or has received 0 written objections to the Settlement.

CLAIMS RECEIVED

23. Settlement Class Members who wished to be eligible to receive a distribution from the Net Settlement Fund were required to submit a completed Claim Form to the Settlement Administrator online and/or via U.S. Mail, so that it was submitted and/or postmarked no later than August 22, 2022. As of August 11, 2022, Epiq has received 16,867 Claim Forms for 16,543 unique Class Members.³

³ As Epiq is still receiving, reviewing, and processing timely and late claims, the claims information provided herein is subject to further analysis for eligibility and quality control, and is, therefore, preliminary at this time.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct and that this declaration was executed on August 11, 2022, in Maple Valley, Washington.



Scott DiCarlo
Project Manager
Epiq Class Action & Claims Solutions, Inc. (“Epiq”)

Exhibit A

From: [Lemonade Settlement Administrator](#)
To: [Mayotte, Alexis](#)
Subject: Legal Notice of Class Action Settlement
Date: Wednesday, June 22, 2022 12:48:47 PM

CAUTION: This email originated from outside of Epiq. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report phishing by using the "Phish Alert Report" button above.

Unique ID: C4663CE734

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT
Clarke, et al., v. Lemonade, Inc., et al., Civil Action No. 2022LA000308
**(CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT DUPAGE COUNTY,
ILLINOIS)**

This notice is to inform you of the settlement of a class action lawsuit with Lemonade, Inc., Lemonade Insurance Company, Lemonade Insurance Agency, LLC, Lemonade, Ltd., and Lemonade Life Insurance Agency, LLC (collectively, "Lemonade"), the Defendants in this case. Plaintiffs Alexander Clarke, Milton Citchens, Andrew Garcia, Ebony Jones, Kyle Swerdlow, Marla Walker, and Ryann Webb allege that Lemonade collected, captured, received, or otherwise obtained and/or stored the biometric identifiers and biometric information (collectively, "biometric information") of thousands of Illinois insureds in violation of the Illinois Biometric Information Privacy Act ("BIPA"), 740 ILCS 14/1, *et seq.* Lemonade denies these allegations and denies that it has violated the law.

Am I a Class Member? Our records indicate you may be an Illinois Settlement Sub-Class Member. Illinois Settlement Sub-Class Members are policyholders located in Illinois who, between June 25, 2019, and May 27, 2021, provided first notice of loss through a video claim submission to Lemonade from which Lemonade could have collected, captured, received, or otherwise obtained and/or stored data or information that could be construed as biometric identifiers or biometric information.

What Can I Get? If approved by the Court, a Settlement Fund of \$4,000,000.00 will be established to pay all Settlement Class Members, of which \$3,000,000 will be allocated to members of the Illinois Settlement Sub-Class and \$1,000,000 will be allocated to members of a Nationwide Settlement Class, together with notice and administration expenses, approved attorneys' fees and costs, and incentive awards. If you are entitled to relief, you will automatically receive a designated pro rata share of the Net Settlement Fund, which will be the remainder of the Settlement Fund after the deduction of attorneys' fees, expenses, incentive awards, notice and settlement administration costs, and any other costs agreed to by the Parties and approved by the Court. Your pro rata share will be determined by whether you are an Illinois Settlement Sub-Class Member or a Nationwide Settlement Class Member. In addition, on or about May 27, 2021, Lemonade stopped collecting biometric identifiers or biometric information. Within seven days after the entry of the Final Approval Order, Lemonade will also delete all previously collected biometric information and/or biometric identifiers from all Settlement Class Members. If, in the future, Lemonade starts collecting biometric identifiers or biometric information, it will comply with BIPA and all other applicable laws.

How Do I Get a Payment? If you are a Settlement Class Member, you must submit a timely and properly completed Claim Form no later than **August 22, 2022**, to receive a pro rata

payment.

Claim Forms can be found and submitted online, or you may have received a Claim Form in the mail as a postcard attached to a summary of this notice. To submit a Claim Form online or to request a paper copy, go to LemonadeBIPASettlement.com or call, toll-free, **1-866-977-1153**.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the Settlement Administrator no later than **August 8, 2022**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendants over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or to object to the proposed Settlement. Your written objection must be filed no later than **August 8, 2022**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at LemonadeBIPASettlement.com. If you do nothing and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged collection and storage of biometric information in this case against the Defendants will be released.

Who Represents Me? The Court has appointed Milberg Coleman Bryson Phillips Grossman, PLLC, Scott+Scott Attorneys at Law LLP, Freed Kanner London & Millen LLC, Lynch Carpenter LLP, and Bursor & Fisher, P.A. to represent the Settlement Class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at 9:00 a.m. on **August 25, 2022**, at the Eighteenth Judicial Circuit Court for the County of DuPage, Courtroom 2010, 505 N. County Farm Road, Wheaton, IL 60187. At that hearing, the Court will hear any objections concerning the fairness of the Settlement, determine the fairness of the Settlement, decide whether to approve Class Counsel's request for attorneys' fees and costs, and decide whether to award the Class Representatives \$2,500 each from the Settlement Fund for their services in helping to bring and settle this case. Lemonade has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than 33 1/3% of the Settlement Fund plus the value of the injunctive relief, but the Court may award less than this amount.

How Do I Get More Information? For more information, including a more detailed Notice, a copy of the Settlement Agreement, and other documents, go to LemonadeBIPASettlement.com, contact the Settlement Administrator at **1-866-977-1153** or Lemonade Settlement Administrator, P.O. Box 5376, Portland, OR 97228-5376, or call Class Counsel at 1-646-837-7150.

Legal Notice of Class Action Settlement

Lemonade Settlement Administrator <donotreply@lemonadebipasettlement.com>

Wed 6/22/2022 3:21 PM

To: Cordial, Christopher <Christopher.Cordial@epiqglobal.com>

CAUTION: This email originated from outside of Epiq. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report phishing by using the "Phish Alert Report" button above.

Unique ID: 6D33EAED44

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Am I a Class Member? Our records indicate you may be a Nationwide Settlement Class Member. Nationwide Settlement Class Members are Lemonade policyholders in the United States who, between June 25, 2019, and May 27, 2021, provided first notice of loss through a video claim submission to Lemonade from which Lemonade could have collected, captured, received, or otherwise obtained and/or stored data or information that could be construed as biometric identifiers or biometric information.

What Can I Get? If approved by the Court, a Settlement Fund of \$4,000,000.00 will be established to pay all Settlement Class Members, of which \$1,000,000.00 will be allocated to members of a Nationwide Settlement Class, and \$3,000,000.00 will be allocated to members of the Illinois Settlement Sub-Class, together with notice and administration expenses, approved attorneys' fees and costs, and incentive awards. If you are entitled to relief, you will automatically receive a designated *pro rata* share of the Net Settlement Fund, which will be the remainder of the Settlement Fund after the deduction of attorneys' fees, expenses, incentive awards, notice and settlement administration costs, and any other costs agreed to by the Parties and approved by the Court. Your *pro rata* share will be determined by whether you are an Illinois Settlement Sub-Class Member or a Nationwide Settlement Class Member. In addition, on or about May 27, 2021 Lemonade stopped collecting biometric identifiers or biometric information. Within seven days after the entry of the Final Approval Order, Lemonade will also delete all previously collected biometric information and/or biometric identifiers from all Settlement Class Members. If, in the future, Lemonade starts collecting biometric identifiers or biometric information, it will comply with all applicable laws.

How Do I Get a Payment? If you are a Settlement Class Member, you must submit a timely and properly completed Claim Form no later than **August 22, 2022**, to receive a *pro rata* payment. Claim

Forms can be found and submitted online or you may have received a Claim Form in the mail as a postcard attached to a summary of this notice. To submit a Claim Form online or to request a paper copy, go to LemonadeBIPASettlement.com or call toll free, **1-866-977-1153**.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the Settlement Administrator no later than **August 8, 2022**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendants over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or to object to the proposed settlement. Your written objection must be filed no later than **August 8, 2022**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at LemonadeBIPASettlement.com. If you do nothing and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged collection and storage of biometric information in this case against the Defendants will be released.

Who Represents Me? The Court has appointed Milberg Coleman Bryson Phillips Grossman, PLLC, Scott+Scott Attorneys at Law LLP, Freed Kanner London & Millen LLC, Lynch Carpenter LLP, and Bursor & Fisher, P.A. to represent the Settlement Class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at **9:00 a.m. on August 25, 2022**, at the Eighteenth Judicial Circuit Court for the County of DuPage, Illinois, 505 N. County Farm Road, Room 2010, Wheaton, IL 60187. At that hearing, the Court will: hear any objections concerning the fairness of the Settlement; determine the fairness of the Settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representatives \$2,500.00 each from the Settlement Fund for their services in helping to bring and settle this case. Lemonade has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than 33 1/3% of the Settlement Fund plus the value of the injunctive relief, but the Court may award less than this amount.

How Do I Get More Information? For more information, including a more detailed Notice, a copy of the Settlement Agreement and other documents, go to LemonadeBIPASettlement.com, contact the Settlement Administrator at 1-866-977-1153 or Lemonade Settlement Administrator, P.O. Box 5376 Portland, OR 97228-5376, or call Class Counsel at 1-646-837-7150.

To unsubscribe from this list, please click on the following link: [Unsubscribe](#)

Exhibit B

Lemonade Settlement
Settlement Administrator
P.O. Box 5376
Portland, OR 97228-5376

**COURT AUTHORIZED NOTICE OF CLASS
ACTION AND
PROPOSED SETTLEMENT**

OUR RECORDS INDICATE YOU HAVE
SUBMITTED AN INSURANCE CLAIM TO
LEMONADE AND MAY BE ENTITLED TO A
PAYMENT FROM A
CLASS ACTION SETTLEMENT.

A settlement has been reached in a class action lawsuit claiming that Lemonade, Inc., Lemonade Insurance Company, Lemonade Insurance Agency, LLC, Lemonade, Ltd., and Lemonade Life Insurance Agency, LLC (“Lemonade”), collected, captured, received, or otherwise obtained and/or stored the biometric identifiers and biometric information (collectively, “biometric information”) of thousands of Illinois insureds in violation of the Illinois Biometric Information Privacy Act (“BIPA”), 740 ILCS 14/1, et seq. Lemonade denies the allegations.

**BARCODE NO
PRINT ZONE**

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
Portland, OR
PERMIT NO. 2882

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Barcode No-Print Zone

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How Do I Get a Payment? If you are a Settlement Class Member, you must submit a timely and properly completed Claim Form no later than **August 22, 2022** to receive a pro rata payment. Claim Forms can be found and submitted online or you may have received a Claim Form in the mail as a postcard attached to a summary of this notice. To submit a Claim Form online or to request a paper copy, go to www.LemonadeBIPASettlement.com or call toll free, 1-866-977-1153.

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LEMONADE SETTLEMENT ADMINISTRATOR
PO BOX 5376
PORTLAND OR 97228-5376



Lemonade Settlement
Settlement Administrator
P.O. Box 5376
Portland, OR 97228-5376

**BARCODE NO
PRINT ZONE**

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
Portland, OR
PERMIT NO. 2882

COURT AUTHORIZED NOTICE OF
CLASS ACTION AND PROPOSED SETTLEMENT

**OUR RECORDS INDICATE YOU HAVE
SUBMITTED AN INSURANCE CLAIM TO
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A settlement has been reached in a class action lawsuit claiming that Lemonade, Inc., Lemonade Insurance Company, Lemonade Insurance Agency, LLC, Lemonade, Ltd., and Lemonade Life Insurance Agency, LLC (“Lemonade”), collected, captured, received, or otherwise obtained and/or stored the biometric identifiers and biometric information (collectively, “Biometric Information”) of thousands of insureds in the United States in violation of various state consumer protection statutes, including, but not limited to, New York’s Uniform Deceptive Trade Practices Act Section 349 and California’s Unfair Competition Law, Bus. & Prof. Code § 17200, and other common-law claims, including claims for unjust enrichment. Lemonade denies the allegations.

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Barcode No-Print Zone

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How Do I Get a Payment? If you are a Settlement Class Member, you must submit a timely and properly completed Claim Form no later than **August 22, 2022**, to receive a pro rata payment. Claim Forms can be found and submitted online or you may have received a Claim Form in the mail as a postcard attached to a summary of this notice. To submit a Claim Form online or to request a paper copy, go to LemonadeBIPASettlement.com or call, toll-free, 1-866-977-1153.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the Settlement Administrator no later than **August 8, 2022**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendants over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or to object to the proposed Settlement. Your written objection must be filed no later than **August 8, 2022**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at LemonadeBIPASettlement.com. If you do nothing and the

Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged collection and storage of biometric information in this case against the Defendants will be released.

Who Represents Me? The Court has appointed Milberg Coleman Bryson Phillips Grossman, PLLC, Scott+Scott Attorneys at Law LLP, Freed Kanner London & Millen LLC, Lynch Carpenter LLP, and Bursor & Fisher, P.A. to represent the class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at **9:00 a.m. on August 25, 2022**, at the Eighteenth Judicial Circuit Court for the County of DuPage, Illinois, 505 N. County Farm Road, Wheaton, IL 60187. At that hearing, the Court will hear any objections concerning the fairness of the Settlement; determine the fairness of the Settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representatives \$2,500 each from the Settlement Fund for their services in helping to bring and settle this case. Lemonade has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than 33 1/3% of the Settlement Fund, plus the value of the injunctive relief, but the Court may award less than this amount.

How Do I Get More Information? For more information, including a more detailed Notice, a copy of the Settlement Agreement and other documents, go to LemonadeBIPASettlement.com, contact the Settlement Administrator at 1-866-977-1153 or Lemonade Settlement Administrator, P.O. Box 5376, Portland, OR 97228-5376, or call Class Counsel at 1-646-837-7150.

LEMONADE SETTLEMENT CLAIM FORM

0000PLACEHOLDER0000

THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR POSTMARKED BY AUGUST 22, 2022, AND MUST BE FULLY COMPLETED, BE SIGNED, AND MEET ALL CONDITIONS OF THE SETTLEMENT AGREEMENT.

First Name:

MI:

Last Name:

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Primary Address:

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City:

State:

ZIP Code:

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Email Address (optional):

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Class Member Verification:

By submitting this claim form and checking the boxes below, I declare that I believe I am a member of the Settlement Class, that I have not filed for an Opt-Out or to be excluded from this Settlement and that the following statements are true: I submitted an insurance claim to Lemonade between June 25, 2019, and May 27, 2021, and provided first notice of loss through a video claim submission to Lemonade from which Lemonade could have collected, captured, received, or otherwise obtained and/or stored data or information that could be construed as biometric identifiers or biometric information in (select one):

the State of Illinois; or

other State (if not Illinois).

Signature:

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Date:

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MM

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DD

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YY



PLACE
STAMP
HERE

LEMONADE SETTLEMENT ADMINISTRATOR
PO BOX 5376
PORTLAND OR 97228-5376



Exhibit C

CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT DUPAGE COUNTY, ILLINOIS
Clarke, et al., v. Lemonade, Inc., et al., Civil Action No. 2022LA000308

IF YOU ARE UNITED STATES RESIDENT WHO, BETWEEN JUNE 25, 2019, AND MAY 27, 2021, PROVIDED FIRST NOTICE OF LOSS THROUGH A VIDEO CLAIM SUBMISSION TO LEMONADE FROM WHICH LEMONADE COULD HAVE COLLECTED, CAPTURED, RECEIVED, OR OTHERWISE OBTAINED AND/OR STORED DATA OR INFORMATION THAT COULD BE CONSTRUED AS BIOMETRIC IDENTIFIERS OR BIOMETRIC INFORMATION, YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.

A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

A settlement has been reached in a class action lawsuit against Lemonade, Inc., Lemonade Insurance Company, Lemonade Insurance Agency, LLC, Lemonade, Ltd., and Lemonade Life Insurance Agency, LLC (collectively, “Lemonade”). In the class action lawsuit, plaintiffs allege that Lemonade unlawfully collected, captured, received, or otherwise obtained and/or stored the Biometric Identifiers and/or Biometric Information of United States insureds through its insurance software. Lemonade denies the allegations.

- You are included if you are a Lemonade policyholder in the United States who, between June 25, 2019, and May 27, 2021, provided first notice of loss through a video claim submission to Lemonade from which Lemonade could have collected, captured, received, or otherwise obtained and/or stored data or information that could be construed as biometric identifiers or biometric information.
- Those included in the Settlement will be eligible to automatically receive a *pro rata* payment from the Net Settlement Fund.
- Read this Notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY AUGUST 22, 2022.	This is the only way to receive a payment.
EXCLUDE YOURSELF FROM THE CLASS BY AUGUST 8, 2022.	You will receive no benefits, but you will retain any rights you currently have to sue Lemonade about the claims in this case. Excluding yourself is the only option that allows you to ever bring or maintain your own lawsuit against Lemonade regarding the allegations in this case ever again.
OBJECT BY AUGUST 8, 2022.	Write to the Court explaining why you don’t like the Settlement and think it shouldn’t be approved. Filing an objection does not exclude you from the Settlement.

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

The Court in charge of this action has preliminarily approved the Settlement as fair, reasonable, and adequate, and must decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

BASIC INFORMATION

1. Why was this Notice issued?

A court authorized this 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.

The case is pending in the Circuit Court of Eighteenth Judicial Circuit, DuPage County, Illinois. The case is called *Clarke et al. v. Lemonade, Inc., et al., Civil Action No. 2022LA000308*. The persons who sued are called the Plaintiffs. The Defendants are Lemonade, Inc., Lemonade Insurance Company, Lemonade Insurance Agency, LLC, Lemonade, Ltd., and Lemonade Life Insurance Agency, LLC.

QUESTIONS? CALL 1-866-977-1153 TOLL-FREE OR VISIT LEMONADEBIPASETTLEMENT.COM.

2. What is a class action?

In a class action, one or more people called “class representatives” (in this case, Alexander Clarke, Milton Citchens, Andrew Garcia, Ebony Jones, Kyle Swerdlow, Marla Walker, and Ryann Webb) sue on behalf of a group, or a “class,” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the class.

3. What is this lawsuit about?

This lawsuit claims that Lemonade violated Illinois, New York, California, and other state laws and common law by unlawfully collecting, capturing, receiving, or otherwise obtaining and/or storing its insureds’ Biometric Identifiers and/or Biometric Information through its insurance software. Lemonade denies the claims in the lawsuit, contends that it did not do anything wrong, and denies that class certification is warranted or appropriate. The Court did not resolve the claims and defenses raised in this action, nor has the Court determined that Lemonade did anything wrong or that this matter should be certified as a class action except if the Settlement is fully approved by the Court. Rather, the Parties have, without admitting liability, agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

4. Why is there a settlement?

The Court has not decided whether the Plaintiffs or Lemonade should win this case. Instead, both sides agreed to a settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation, and Class Members will get compensation sooner rather than after the completion of a trial, if at all.

The issuance of this Notice is not an expression of the Court’s opinion on the merit or the lack of merit of Plaintiffs’ claims or the defenses in the lawsuit. Both parties recognize that to resolve the issues raised in the lawsuit would be time-consuming, uncertain, and expensive.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits the following description is a member of the **Illinois Settlement Sub-Class**:

All Defendants’ policyholders in the State of Illinois who, between June 25, 2019, and May 27, 2021, provided first notice of loss through a video claim submission from which Defendants or Released Parties could have collected, captured, received, or otherwise obtained or disclosed data or information that could be construed as biometric identifiers of any kind and/or biometric information of any kind.

The Court decided that everyone who fits the following description is a member of the **Nationwide Settlement Class**:

All Defendants’ policyholders in the United States who, between June 25, 2019, and May 27, 2021, provided first notice of loss through a video claim submission from which Defendants or Released Parties could have collected, captured, received, or otherwise obtained or disclosed data or information that could be construed as biometric identifiers of any kind and/or biometric information of any kind.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: A Settlement Fund has been created totaling \$4,000,000.00, of which \$3,000,000.00 will be allocated to members of the Illinois Settlement Sub-Class and \$1,000,000.00 will be allocated to members of the Nationwide Settlement Class. Settlement Class Member payments as well as the cost to administer the Settlement, the cost to inform people about the Settlement, attorneys’ fees, and an award to the Class Representatives will come out of this fund (see Question 12).

**QUESTIONS? CALL 1-866-977-1153 TOLL-FREE OR
VISIT LEMONADEBIPASETTLEMENT.COM.**

Prospective Relief: On or about May 27, 2021, Lemonade stopped collecting biometric identifiers or biometric information. Within seven days after the entry of the Final Approval Order, Lemonade will also delete all previously collected biometric information and/or biometric identifiers from all Settlement Class Members. If, in the future, Lemonade starts collecting biometric identifiers or biometric information, it will comply with BIPA and all other applicable laws.

A detailed description of the settlement benefits can be found in the Settlement Agreement available at LemonadeBIPASettlement.com.

7. How can I get a payment from the Settlement?

If you are a Settlement Class Member, you must submit a timely and properly completed Claim Form no later than **August 22, 2022**, to receive a pro rata payment. Claim Forms can be found and submitted online or you may have received a Claim Form in the mail as a postcard. A Claim Form is attached to this Notice for your convenience. To submit a Claim Form online or to request a paper copy, go to LemonadeBIPASettlement.com or call toll-free **1-866-977-1153**.

8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **August 25, 2021**. If the Court approves the Settlement, eligible Class Members whose claims were approved by the Settlement Administrator will receive their payment shortly after the Settlement has been finally approved and/or after any appeals process is complete. Please be patient; this process could take a while. Class Members will receive their payments via check or direct deposit, at your election, provided however that the default payment method will be check. All checks will expire and become void 180 days after they are issued.

REMAINING IN THE SETTLEMENT

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

If the Settlement becomes final, you will give up your right to sue Lemonade and other Released Parties for the claims being resolved by this Settlement. The specific claims you are giving up against Lemonade are described in the Settlement Agreement. You will be “releasing” Lemonade and certain of its affiliates, employees, and representatives as described in Section 3.2 of the Settlement Agreement. Unless you exclude yourself (*see* Question 13), you are “releasing” the claims, regardless of whether you submit a claim or not. The Settlement Agreement is available through the “Court Documents” link on the website, LemonadeBIPASettlement.com.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions, you can talk to the lawyers listed in Question 11 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

10. What happens if I do nothing at all?

If you do nothing, you will not be entitled to receive a payment. You will give up rights to sue Defendants about the legal claims in this case.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in the case?

The Court has appointed Milberg Coleman Bryson Phillips Grossman, PLLC, Scott+Scott Attorneys at Law LLP, Freed Kanner London & Millen LLC, Lynch Carpenter LLP, and Bursor & Fisher, P.A. to be the attorneys representing the Settlement Class. They are called “Class Counsel.” They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

**QUESTIONS? CALL 1-866-977-1153 TOLL-FREE OR
VISIT LEMONADEBIPASETTLEMENT.COM.**

12. How will the lawyers be paid?

Any Class Counsel attorneys' fees and costs awarded by the Court will be paid out of the Settlement Fund in an amount to be determined by the Court. The fee petition will seek no more than 33 1/3% of the Settlement Fund, plus the value of the injunctive relief; the Court may award less than this amount. Under the Settlement Agreement, any amount awarded to Class Counsel will be paid out of the Settlement Fund.

Subject to approval by the Court, the Class Representatives may be paid up to \$2,500.00 each from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

13. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must mail or otherwise deliver a written request for exclusion stating that you want to be excluded from the *Clarke et al. v. Lemonade, Inc., et al.*, Civil Action No.2022LA000308 settlement. Your letter or request for exclusion must also include your name, your address, your signature, the name and number of this case, and a statement that you wish to be excluded. You must mail or deliver your exclusion request no later than **August 8, 2022**, to the following address:

Lemonade Settlement
P.O. Box 5376
Portland, OR 97228-5376

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

No. Unless you exclude yourself, you give up any right to sue Lemonade for the claims being resolved by this Settlement.

15. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you will not receive a pro rata payment from the Net Settlement Fund.

OBJECTING TO THE SETTLEMENT

16. How do I object to the Settlement?

If you are a Class Member and do not exclude yourself from the Settlement Class, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Clarke et al. v. Lemonade, Inc., et al.*, Civil Action No. 2022LA000308, identify all your reasons for your objections (including citations and supporting evidence), and attach any materials you rely on for your objections. Your letter or brief must also include your name, your address, the basis upon which you claim to be a Class Member, the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection, and your signature. If you, or an attorney assisting you with your objection, have ever objected to any class action settlement where you or the objecting attorney has asked for or received payment in exchange for dismissal of the objection (or any related appeal) without modification to the settlement, you must include a statement in your objection identifying each such case by full case caption. You must also mail or deliver a copy of your letter or brief to Class Counsel and Defendants' Counsel listed below.

Class Counsel will file with the Court and post on the website its request for attorneys' fees by July 25, 2022.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in the answer to Question 20), you must say so in your letter or brief and file the objection with the Court and mail a copy to Class Counsel and Defendants' Counsel postmarked no later than **August 8, 2022**.

**QUESTIONS? CALL 1-866-977-1153 TOLL-FREE OR
VISIT LEMONADEBIPASETTLEMENT.COM.**

Court	Class Counsel	Defendants' Counsel
Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois 505 N. County Farm Rd. Wheaton, IL 60187	Gary M. Klinger Milberg Coleman Bryson Phillips Grossman, PLLC 227 W. Monroe Street Suite 2100 Chicago, IL 60606	Joel Griswold Baker & Hostetler LLP 200 South Orange Avenue Suite 2300 Orlando, FL 32801

17. What's the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Excluding yourself from the Class is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

18. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at **9:00 a.m. on August 25, 2022**, Courtroom 2016, at the Eighteenth Judicial Circuit Court for the County of DuPage, 505 N. County Farm Road, Wheaton, IL 60187. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Class; to consider the Class Counsel's request for attorneys' fees and expenses; and to consider the request for an incentive award to the Class Representatives. At that hearing, the Court will be available to hear any timely filed objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check LemonadeBIPASettlement.com or call 1-866-977-1153. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

19. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

20. May I speak at the hearing?

Yes. So long as you timely filed an objection to the Settlement, you may ask the Court for permission to speak at the Fairness Hearing, but do not have to. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your "Notice of Intent to Appear in *Clarke et al. v. Lemonade, Inc., et al.*, Civil Action No. 2022LA000308." It must include your name, address, telephone number, and signature, as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court and postmarked no later than **August 8, 2022**, and be sent to the addresses listed in Question 16.

GETTING MORE INFORMATION

21. When and where will the Court decide whether to approve the Settlement?

This Notice summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at LemonadeBIPASettlement.com. You may also write with questions to Lemonade Settlement, P.O. Box 5376, Portland, OR 97228-5376. You can call the Settlement Administrator at 1-866-977-1153 or Class Counsel at 1-646-837-7150 if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the case website. **Please do not telephone the Court to inquire about the Settlement or the claims process.**

QUESTIONS? CALL 1-866-977-1153 TOLL-FREE OR VISIT LEMONADEBIPASETTLEMENT.COM.



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CLARKE, ET AL. v. LEMONADE, INC., ET AL. SETTLEMENT CLAIM FORM

THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR POSTMARKED BY AUGUST 22, 2022, AND MUST BE FULLY COMPLETED, BE SIGNED, AND MEET ALL CONDITIONS OF THE SETTLEMENT AGREEMENT.

Instructions: Fill out each section of this form and sign where indicated.

First Name	MI	Last Name
<input type="text"/>	<input type="text"/>	<input type="text"/>

Current Mailing Address:

City	State	ZIP Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Address Where You Lived When You Submitted Your Insurance Claim (if different)

Mailing Address:

City	State	ZIP Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Email Address (optional):

Contact Phone #: (You may be contacted if further information is required.)

 - -

Class Member Verification: By submitting this Claim Form and checking the boxes below, I declare that I believe I am a member of the Settlement Class and that the following statements are true (each box must be checked to receive a payment):

I submitted an insurance claim to Lemonade between June 25, 2019, and May 27, 2021, and provided first notice of loss through a video claim submission to Lemonade from which Lemonade could have collected, captured, received, or otherwise obtained and/or stored data or information that could be construed as biometric identifiers or biometric information:

- the State of Illinois; or
- other State (if not Illinois).

I have not filed for an Opt-Out or exclusion from this Settlement. I have not submitted any other Claim for the same account nor authorized any other person or entity to do so, and I know of no other person or entity having done so on my behalf. If I maintained account(s) jointly with any other person or entity, only one Claim has or will be submitted per account. Under penalty of perjury, all information provided in this Claim Form is true and correct to the best of my knowledge and belief.

Signature:

Date: - -
MM DD YY

Print Name:

Before you complete and submit this Claim Form by mail or online, you should read and be familiar with the information contained in the Notice and available at LemonadeBIPASettlement.com. The Settlement Administrator will review your Claim Form; you may be required to submit additional documentation to validate your claim. If accepted, you will be provided an electronic payment or check for a pro rata share of the Net Settlement Fund. This process takes time. Please be patient.

Questions? Visit LemonadeBIPASettlement.com or call 1-866-977-1153.

Exhibit D

Clarke v. Lemonade Requests for Exclusion	
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1	AKSHAY AGRAWAL
2	CARLOS CASTRO PENA
3	VICTORIA SIDJABAT
4	JOHN BARLOW
5	JOSE GUTIERREZ