

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION**

H.K. and J.C., through their father and legal guardian CLINTON FARWELL, and M.W., through her mother and legal guardian ELIZABETH WHITEHEAD, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

GOOGLE, LLC,

Defendant.

Case No. 1:21-cv-01122-SLD-JEH

Chief Judge Sara L. Darrow
Magistrate Judge Jonathan E. Hawley

**STIPULATION TO REMAND ACTION
TO THE CIRCUIT COURT OF
MCDONOUGH COUNTY**

STIPULATION

Plaintiffs H.K. and J.C., through their father and legal guardian CLINTON FARWELL, and M.W., through her mother and legal guardian ELIZABETH WHITEHEAD, individually and on behalf of all others similarly situated, and Defendant Google LLC (“Google”) (collectively, the “Parties”) by and through their respective attorneys, hereby stipulate and agree to remand this action (“Action”) in its entirety to the Circuit Court of the Ninth Judicial Circuit, McDonough County, Illinois, where it was originally filed.

In support of the instant stipulation, the Parties state as follows:

WHEREAS, this Action, alleging Google violated two sections of the Illinois Biometric Information Privacy Act (“BIPA”)—740 ILCS 14/15(a) and 740 ILCS 14/15(b), was originally filed in the Circuit Court of the Ninth Judicial Circuit, McDonough County, Illinois, on November 19, 2020 (*H.K. et al. v. Google LLC*, No. CC 20LL00017).

WHEREAS, on April 20, 2021, Google removed this Action to the United States District Court for the Northern District of Illinois (ECF No. 1).

WHEREAS, on November 2, 2022, Plaintiffs filed a motion for partial remand requesting the Court remand the BIPA section 15(a) claims (ECF No. 32), which Google opposed on November 16, 2022.

WHEREAS, on August 21, 2023, this Court granted Plaintiffs' motion for partial remand, severed and remanded the BIPA section 15(a) claims back to the Circuit Court of the Ninth Judicial Circuit, McDonough County (ECF No. 45).

WHEREAS, through the assistance of private mediation with Judge Stuart E. Palmer (Ret.) at JAMS, the Parties have reached a settlement-in-principle that, if finally approved, will resolve all claims asserted in this Action.

WHEREAS, the Parties have reduced their settlement to a written settlement agreement and the agreement has been executed in full.

WHEREAS, The Parties' settlement contemplates effectuation of the settlement in the Circuit Court of McDonough County, Illinois, where the Action was originally commenced.

WHEREAS, the Parties have conferred and agreed that the Action should be remanded in its entirety to the Circuit Court of the Ninth Judicial Circuit, McDonough County, Illinois, for all further proceedings related to the settlement.

WHEREAS, the Parties have further agreed that the remand contemplated herein shall be without prejudice to Google's rights pursuant to 28 U.S.C. §§ 1441, 1446 and 1453.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. This Action shall be remanded in its entirety to the Circuit Court of the Ninth Judicial Circuit, McDonough County, Illinois;
2. Remand of this Action shall be without prejudice to Google's rights pursuant to 28 U.S.C. §§ 1441, 1446 and 1453;
3. The Clerk of the Court shall mark this Action as closed; and
4. Each party to bear their own fees and costs.

SO ORDERED.

DATED: _____, 2024

HON. SARA DARROW
Chief United States District Judge

STIPULATED AND AGREED TO:

PLAINTIFFS

H.K. and J.C., through their father and legal guardian CLINTON FARWELL, and M.W., through her mother and legal guardian ELIZABETH WHITEHEAD

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ATTESTATION OF FILER

I hereby attest that all signatories above have reviewed and concur with the filing of this document.

Dated: July 23, 2024

/s/ Nicola Menaldo
Nicola Menaldo