

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Juan Barron, individually and on behalf of all others similarly
situated v. Paycor, Inc.

Barron v. Paycor · No. 3:20-cv-264-DWD · Decided March 18, 2026

SUMMARY

The United States District Court for the Southern District of Illinois ruled on Plaintiff Juan Barron's motion for approval of a class notice and notice plan in a class action against Paycor, Inc. alleging violations of the Illinois Biometric Information Privacy Act. The court approved notice by first-class mail, email when available, and a case-specific website, and allowed specified revisions to the proposed notice. The motion was granted in part and denied in part.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	David W. Dugan
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	March 18, 2026
DOCKET	3:20-cv-264-DWD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for court approval of a class notice and notice plan under Federal Rule of Civil Procedure 23(c)(2)(B) in a pending putative class action alleging violations of the Illinois Biometric Information Privacy Act. The district court approved the notice plan in part, required specified revisions to the notice, and denied the motion only to the extent it rejected or modified certain proposed notice language.
STANDARD OF REVIEW	The court applied its broad, nearly complete discretion to determine the form and content of notice to class members and evaluated whether the proposed notice satisfied the practicability, clarity, and due-process requirements of Federal Rule of Civil Procedure 23(c)(2)(B).
PRECEDENTIAL VALUE	nonprecedential

TOPICS

class actions

civil procedure

consumer protection

remedies

PRACTICE AREAS

class actions

civil procedure

consumer protection

remedies

QUESTIONS PRESENTED

1. Whether the proposed methods of class notice—first-class mail, email where available, and publication on a case-specific website—satisfied Federal Rule of Civil Procedure 23(c)(2)(B).
2. Whether the proposed class notice was sufficiently clear, accurate, and appropriate regarding the nature of the BIPA claims, Paycor's defenses, the effect of remaining in the class, attorney fees and costs, and methods of obtaining additional information.
3. Whether the court should require Paycor to produce a class list containing the requested identifying and contact information.

HOLDINGS

1. Notice by first-class U.S. mail, email when available, and publication on a case-specific website, using Paycor's class lists and address-update procedures, complied with the manner-of-notice requirements of Rule 23(c)(2)(B).
2. The proposed notice complied with Rule 23(c)(2)(B) and was appropriate, subject to the court's specified revisions concerning the notice's introductory language, description of the lawsuit and class, effect of the litigation, status of the claims, counsel, and methods for obtaining information.
3. The requested class-list relief was granted in full only in the event Paycor's existing class list did not contain the full names, most recent mailing addresses, and available email addresses of all potential class members; otherwise, further production was unnecessary because Paycor had already tendered class lists.

KEY QUOTATIONS

“The Court has nearly complete discretion to determine the form and content of notice to class members.”

“Here, notice via First-Class U.S. mail, email if possible, and publication on a case-specific website, while utilizing Defendant’s class lists, clearly comports with the manner-of-notice requirements in Rule 23(c)(2)(B).”

FACTUAL BACKGROUND

Paycor used its Perform Time biometric timekeeping system for workers in Illinois, and the certified class concerned individuals whose fingerprints or other biometric data may have been collected or otherwise obtained through that system. Plaintiff proposed direct notice by first-class mail and email, publication on a case-specific website, and administration by Simpluris Inc., including address updating and re-mailing procedures. Paycor challenged portions of the proposed notice concerning the claims, defenses, procedural posture, fees, damages, and communications with counsel or the notice administrator.

PROCEDURAL HISTORY

The court had previously certified and later altered and amended the class to include Illinois workers whose fingerprints or other biometric data were collected, captured, received, obtained, or disclosed through Paycor's Perform Time system during the statutory period. Plaintiff sought an order requiring production of a class list and approval of a proposed notice plan. The court concluded that class-list production appeared to have been completed or otherwise addressed, approved notice by first-class mail, email where available, and a case-specific website, and directed specified revisions to the notice.

DISPOSITION

other

CASES CITED

- Kolinek v. Walgreen Co., 311 F.R.D. 483, 499 (N.D. Ill. 2015)
- Yates v. Checkers Drive-In Rests., Inc., No. 17-cv-9219, 2020 WL 6447196, at *3 (N.D. Ill. Nov. 3, 2020)
- Schulte v. Fifth Third Bank, 805 F. Supp. 2d 560, 595 (N.D. Ill. 2011)
- Mangone v. First USA Bank, 206 F.R.D. 222, 231-232 (S.D. Ill. 2001)
- Kaufman v. Am. Express Travel Related Servs., Inc., 283 F.R.D. 404, 406 (N.D. Ill. 2012)
- Reynolds v. Nat'l Football League, 584 F.2d 280, 285 (8th Cir. 1978)
- Handschu v. Special Servs. Div., 787 F.2d 828, 833 (2d Cir. 1986)
- T.K. Through Leshore v. Bytedance Tech. Co., Ltd., No. 19-cv-7915, 2022 WL 888943, at *8-9 (N.D. Ill. Mar. 25, 2022)
- Al Haj v. Pfizer Inc., 338 F. Supp. 3d 815, 820 (N.D. Ill. 2018)
- Phillips Petrol. Co. v. Shutts, 472 U.S. 797, 809-810 (1985)
- E.E.O.C. v. Mitsubishi Motor Mfg. of Am., Inc., 102 F.3d 869 (7th Cir. 1996)