

*A Federal District Court authorized this Notice.*

**TO TINDER USERS IN CALIFORNIA WHO SUBSCRIBED TO TINDER PLUS OR TINDER GOLD BETWEEN MARCH 2, 2015 AND MARCH 1, 2019 AND WERE AT LEAST 29 YEARS OLD AT TIME OF PURCHASE:**

**YOU MAY BE A MEMBER OF A CLASS FOR PURPOSES OF A CLASS ACTION SETTLEMENT. THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.**

**HOW DO I KNOW IF I AM AFFECTED BY THE SETTLEMENT?**

For purposes of settlement only, the Court has certified a Class consisting of Tinder users in California who subscribed to Tinder Plus or Tinder Gold during the period between March 2, 2015 and March 1, 2019 (the “Class Period”), were at least 29 years old at the time of purchase, and were charged a higher rate than younger subscribers. If you are a member of the Class, you will be bound by the settlement and judgment in this case, unless you request to be excluded.

**WHAT IS THE LAWSUIT ABOUT?**

The plaintiff, Lisa Kim (“Kim”), filed a lawsuit in the U.S. District Court for the Central District of California against Tinder, Inc., Match Group, LLC, and Match Group, Inc. (collectively, “Defendants”).<sup>1</sup> The lawsuit is called *Kim v. Tinder, Inc., et al.*, Case No. 2:18-cv-03093-JFW-AS. Kim claims that Defendants violated the California Unruh Civil Rights Act, Cal. Civ. Code § 51 *et seq.*, and the California Unfair Competition Law, Cal. Bus. & Prof. Code § 17200 *et seq.*, by charging a higher price for subscriptions to Tinder Plus and Tinder Gold to persons who were 29 years of age or older. Kim filed the lawsuit on behalf of a class, seeking damages and restitution.

Defendants deny that there is any legal basis for Kim’s claims or that Kim or any members of the Class have suffered injury or are entitled to monetary or other relief. Defendants also deny that this case can be certified as a class action, except for purposes of settlement.

The Court has not determined whether Kim or Defendants are correct.

**DIDN’T I RECEIVE NOTICE IN 2019 THAT THIS CASE WAS BEING SETTLED?**

You may have received a similar notice in 2019 that this same case was being settled. That settlement did not end up being implemented because two Class Members objected to the settlement, and their objection was upheld by the Ninth Circuit Court of Appeals. Kim and Defendants have therefore entered into a new settlement to address the court’s concerns.

**WHY IS THIS CASE BEING SETTLED?**

This case was filed on April 20, 2018, and since then Kim and Defendants, through their counsel, have investigated each other’s claims and defenses. After attending a mediation before a former California Superior Court judge, the parties and their counsel determined that the settlement described below is preferable to incurring the risks and costs of further litigation. Kim and her counsel are satisfied that the terms and conditions of the proposed settlement are fair, reasonable, adequate, equitable, and in the best interest of the Class Members. On November 3, 2021, the Court preliminarily approved the settlement and authorized the parties to provide this Notice of the settlement to the Class.

**WHAT CAN I GET IN THE SETTLEMENT?**

Subject to final Court approval, every Class Member who does not ask to be excluded will automatically receive a one-time allotment of 70 Super Likes and one Boost at no cost, so long as the Member has a Tinder account at the time of the allotment. That allotment is worth \$118.30, with each Super Like valued at its selling price of \$1.59 and the Boost valued at its selling price of \$7.

<sup>1</sup> Pursuant to a merger in 2017, the assets and liabilities of Tinder, Inc. were acquired by Match Group, LLC.

In addition, every Class Member may elect to receive additional compensation in the amount of \$50, although the payment could end up being higher or lower than \$50 (but in no event less than \$30). As part of the settlement, Defendants will create a Settlement Fund in the amount of \$5.2 Million to cover the costs of settlement administration, an award, if any, of attorneys' fees and costs to Class Counsel, an award, if any, of compensation to Kim for serving as the Class Representative, and payment of claims submitted by Class Members to receive additional compensation. The amount each Class Member who submits a claim for additional compensation will receive will be affected by the amount available in the Settlement Fund after satisfying other purposes of the Settlement Fund, and by the number of Class Members who submit claims.

If you submitted a Claim Form in connection with the previous settlement, you do not need to submit a new Claim Form. Defendants will honor your previous Claim Form. The Claim Form for the previous settlement offered certain benefits as alternatives to a cash payment. Those other benefits are not part of this new settlement, so you will receive payment under the new settlement regardless of which benefit you previously selected in the Claim Form. If you previously submitted a Claim Form but also submit a new Claim Form, only one form will be honored.

### DO I HAVE A LAWYER IN THIS CASE?

The Court appointed the following law firms to represent you and other Class Members:

- The Law Offices of Todd Friedman, P.C., and Kristensen, LLP.

These lawyers are called Class Counsel. You will not be charged separately for these lawyers' services. If you want to be represented by your own lawyer, you may hire one at your own expense. Additionally, you may enter an appearance through your own attorney if you so desire, but you do not need to do so.

### DO I NEED TO MAKE A CLAIM?

You do not need to make a claim to receive the 70 Super Likes and one Boost. After the Effective Date of the settlement (which will occur at or after the time the Court finally approves the settlement), Tinder will automatically credit your account with an allotment of 70 Super Likes and one Boost. If you no longer have a Tinder account, you will need to create one, using the same email address that you used when creating your original Tinder account, before the Effective Date of the settlement.

You do need to make a claim to receive a monetary payment. To make a claim, you must complete a Claim Form, which is available at the settlement website [www.TinderSettlement.com](http://www.TinderSettlement.com). You must provide the Unique ID found at the beginning of this email in your claim. You can complete the form online, or you can print it, fill it out and mail it to the address shown on the form. Claim Forms are due by **February 9, 2022** or thirty days after entry of Final Approval of the Settlement, whichever is later. If you mail the Claim Form, the transmission must be postmarked by that date.

### WHAT DO KIM AND HER LAWYERS GET?

To date, Kim's counsel have not been compensated for any work or out-of-pocket expenses on this case. As part of the settlement, Kim's counsel may apply to the Court for an award of attorneys' fees, plus reasonable costs and expenses, to be paid by Defendants. In addition, Kim may apply to the Court for an award as an incentive for having taken the time, effort and risk in pursuing the lawsuit and for executing a broader release of claims than other Class Members. Defendants may oppose those applications.

Kim and her counsel will apply to the Court no later than **December 13, 2021** for an award of attorneys' fees, costs, and expenses and a plaintiff incentive award. The Court will determine the amount, if any, of fees, costs, expenses, and incentive to award.

### WHAT CLAIMS ARE RELEASED BY THE SETTLEMENT?

The settlement releases all claims by Class Members who do not exclude themselves from the settlement against Defendants and their affiliates that were or could have been asserted in the lawsuit regarding age-based pricing for Tinder Plus or Tinder Gold. This release includes claims that may not yet be known or suspected.

## HOW DO I EXCLUDE MYSELF FROM THE SETTLEMENT?

You can exclude yourself from the Class if you want to be able to sue Defendants separately for the claims released by the settlement. However, if you exclude yourself, you will not receive any benefits offered in the settlement or be permitted to object to the settlement.

To exclude yourself, mail a letter that includes (i) your name, (ii) your current address and telephone number, (iii) the email address or telephone number associated with the Tinder account through which you purchased Tinder Plus or Tinder Gold, (iv) a statement that you want to be excluded from the settlement in *Kim v. Tinder, Inc., et al.*, U.S.D.C., C.D. Cal., Case No. 2:18-cv-03093-JFW-AS, and (v) a statement, followed by your signature, that “I declare under penalty of perjury that I purchased a subscription to Tinder Plus or Tinder Gold during the Class Period, that I was least 29 years old and resided in California at the time of the purchase, and that I wish to exclude myself from the Class settlement.” The letter must be postmarked by **December 16, 2021** and mailed to counsel for Kim and Defendants at the following addresses:

- Counsel for Kim: Todd Friedman and Adrian Bacon, Law Offices of Todd M. Friedman P.C., 21031 Ventura Blvd #340, Woodland Hills, CA 91364.
- Counsel for Defendants: Robert Platt and Donald Brown, Manatt Phelps & Phillips, LLP, 2049 Century Park East, Suite 1700, Los Angeles, CA 90067.

If you wish to exclude yourself from the settlement, you must follow these steps even if you excluded yourself from the previous settlement in this case.

## HOW DO I OBJECT TO THE SETTLEMENT?

If you are a Class Member and believe the settlement is unfair or inadequate, you may object to the settlement by filing a written Objection with the court. The Objection must include (i) the case name and number, *Kim v. Tinder, Inc., et al.*, U.S.D.C., C.D. Cal., Case No. 2:18-cv-03093-JFW-AS, (ii) your name, (iii) your current address and telephone number, (iv) the email address or telephone number associated with the Tinder account through which you purchased Tinder Plus or Tinder Gold, (v) an explanation of why you object to the settlement, including any supporting documentation, (vi) a list, including case name and number, of all cases in which you previously submitted an objection to a class action settlement, either for yourself or on behalf of someone else, and (vii) a statement, followed by your signature, that “I declare under penalty of perjury that I purchased a subscription to Tinder Plus or Tinder Gold during the Class Period, that I was least 29 years old and resided in California at the time of the purchase, and that I wish to object to the settlement.”

In addition to an Objection, you may ask for permission to speak at the final approval hearing by filing with the Court a “Notice of Intent to Appear in *Kim v. Tinder, Inc. et al.*, Case No. 2:18-cv-03093-JFW-AS.” The Notice of Intent to Appear must include your name, address, telephone number, signature, and the reason for requesting an opportunity to appear.

The deadline for filing the Objection and, if applicable, the Notice of Intent to Appear is December 15, 2021. Furthermore, to be effective, the Objection and, if applicable, the Notice of Intent to Appear must also be mailed to counsel for Kim and Defendants—at the addresses noted above—postmarked no later than December 15, 2021.

If you wish to object to the settlement, you must follow these steps even if you objected to the previous settlement in this case.

## WHEN WILL THE COURT DECIDE IF THE SETTLEMENT IS APPROVED?

The Court will hold a final approval hearing on January 10, 2022 at 1:30 p.m. to consider whether to approve the settlement. The hearing will be held in Courtroom 7A of the United States District Court for the Central District of California, located at 350 West First Street, Los Angeles, CA 90012. The hearing is open to the public. However, only Class Members who have filed a Notice of Intent to Appear may address the Court.

## HOW DO I GET MORE INFORMATION?

Documents connected with this case will be posted on the settlement website, at [www.TinderSettlement.com](http://www.TinderSettlement.com). You can also obtain information by contacting Kim’s counsel at Law Offices of Todd M. Friedman P.C., 21031 Ventura Blvd #340, Woodland Hills, CA 91364 (216-220-6496).

Do not call or contact the Court concerning this notice, the settlement or the lawsuit.