

*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 ARE 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 purchased a subscription 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 § 1694 *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.

### **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 March 1, 2019, 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 50 Super Likes at no cost, so long as the Member has a Tinder account at the time of the allotment. That allotment is worth \$50.00, with each Super Like valued at its selling price of \$1.00. In addition, every Class Member may elect one of the following forms of additional compensation: (a) \$25.00; (b) an allotment of 25 additional Super Likes at no cost (worth \$25.00 based on the individual selling price for Super Likes), so long as the Member has a Tinder account at the time of the allotment; or (c) a free one-month subscription to Tinder Plus or Tinder Gold, so long as the Member is not already a subscriber when the subscription would be activated. (Whether Members who choose the free subscription option receive Tinder Plus or Tinder Gold will depend on which service the Member had previously purchased; Members who purchased both services will receive a subscription to Tinder Gold.)

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

## 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 Weisberg, 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 50 Super Likes. 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 50 Super Likes. 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 one of the three additional benefits described above. 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 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 **July 17, 2019**, 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 up to \$1,200,000.00 in attorneys' fees, plus reasonable costs and expenses, to be paid by Defendants. In addition, Kim may apply to the Court for an award of up to \$5,000.00 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.

Kim and her counsel will apply to the Court no later than April 22, 2019 for an award of attorneys' fees, costs, and expenses and a plaintiff incentive award. The Court will determine the amount of fees, costs, expenses, and incentive to award, up to the limits set forth above.

## 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 **May 6, 2019** 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., 21550 Oxnard Street, Suite 780, Woodland Hills, CA 91367.
- Counsel for Defendants: Robert Platt and Donald Brown, Manatt Phelps & Phillips, LLP, 11355 W. Olympic Blvd., Los Angeles, CA 90064.

## 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 **May 6, 2019**. 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 **May 6, 2019**.

## When Will The Court Decide If The Settlement Is Approved?

The Court will hold a final approval hearing on **June 17, 2019 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, [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., 21550 Oxnard Street, Suite 780, Woodland Hills, CA 91367 (216-220-6496).

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