

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LYNN SCOTT, LLC, et al., on behalf  
of themselves and all others similarly  
situated,

Plaintiffs,

v.

GRUBHUB INC.

Defendant.

Case No. 1:20-cv-06334

Judge LaShonda A. Hunt

Magistrate Judge Gabriel A. Fuentes

**DECLARATION OF JACK TATE FOR PLAINTIFF JACK TATE D/B/A THE TIN  
PIG, LLC IN SUPPORT OF PLAINTIFFS' MOTION FOR AWARD OF (1)  
ATTORNEYS' FEES, (2) REIMBURSEMENT OF EXPENSES, AND (3) CLASS  
REPRESENTATIVE SERVICE AWARDS**

I, Jack Tate, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness.

2. I own Jack Tate d/b/a The Tin Pig, LLC, an Oregon limited liability company with its principal office in Bend, Oregon. Since 2018, through Jack Tate d/b/a The Tin Pig, LLC, I have owned and operated The Tin Pig, a popular food cart serving Southern-style American food in Bend, Oregon.

3. Jack Tate d/b/a The Tin Pig, LLC is one of the named Plaintiffs in the above-captioned action. I submit this declaration in support of Plaintiffs' Motion for Award of (1) Attorneys' Fees, (2) Reimbursement of Expenses, and (3) Class Representative Service Awards.

4. On behalf of Jack Tate d/b/a The Tin Pig, LLC, I joined this litigation to bring an end to Grubhub's practice of adding restaurants to its platform without permission and to hold Grubhub accountable.

5. I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my counsel by telephone, email, and texts concerning complaints, discovery, and settlement.

6. I have actively participated in this case since November 2023. Since becoming involved in 2023, I have spent almost 70 hours of my time assisting with the prosecution of the case – time that I could have spent operating my restaurant. I believe that my contributions and those of the other proposed Class Representatives in this case have helped achieve a good result for the Class.

7. When I became involved in the case, I fully committed myself to protect not only my interests, but also the interests of absent class members throughout the litigation, including settlement. I believe I fulfilled my obligations.

8. I have been involved in the following activities:

9. **Provided information for preparation of the pleadings:** In November 2023, I contacted Tostrud Law Group, P.C. about Grubhub listing my restaurant, The Tin Pig, without my permission, and sought representation. I had several conversations with my counsel about my experiences with Grubhub and provided them with information to assist with the drafting and filing of the complaint entitled *Jack Tate d/b/a The Tin Pig, LLC v. Grubhub, Inc.*, No. 23-cv-15865 (N.D. Ill.) in this district on November 10, 2023.

10. In addition to reviewing and approving the filing of my November 10, 2023 complaint, I also reviewed and approved of the filing of the Consolidated Amended Complaint filed on September 24, 2024.

11. **Participated extensively in discovery:** I have engaged in extensive discovery in this action. On October 18, 2024, Defendant served their First Set of Interrogatories, Requests for Production, and Requests for Admission. I spent a considerable amount of time away from operating my restaurant to respond to Defendant's discovery requests. I worked with my counsel and provided information in response to Defendant's First Set of Interrogatories and First Set of Requests for Admission; and reviewed my responses for accuracy. For Defendant's First Set of Requests for Production, I searched my computer, phone, and email to locate electronically stored information relevant to the requests. I also searched for any hard copies of documents related to the requests. My responses to the First Set of Interrogatories, First Set of Requests for Admission, and Requests for Production were served on April 4, 2025. I also worked with my counsel to produce documents to Defendant on April 4, 2025.

12. In March 5, 2025, Defendant served Jack Tate d/b/a The Tin Pig, LLC and me with a deposition notice. I worked with my counsel on my availability, discussed arrangements, and discussed my expectations. After this planning, the deposition was postponed to a later date. In May 21, 2025, Defendant only served Jack Tate d/b/a The Tin Pig, LLC with a new deposition notice. I again worked with my counsel on my availability, discussed arrangements, and discussed my expectations and the types of topics I would be questioned about. Although Jack Tate d/b/a The Tin Pig, LLC and I were ultimately never deposed, I spent a considerable amount of time away from my business searching my records and gathering information in preparation for it.

13. **Participated in settlement communications:** I had discussions and meetings with my counsel to discuss settlement offers and demands, and the next steps leading up to the preliminary approval stage. I approved the proposed settlement that the parties reached in May 2025 with Grubhub because I believe it is fair, reasonable, and in the best interest of the Class. I continue to remain engaged in this case to ensure that my counsel has everything they need from me and to protect the interest of the Class.

14. **Faced risks by being a named plaintiff:** I faced considerable risk by being a named Plaintiff in this litigation. For example, I put my business at reputational and financial risk by attaching its name to this litigation and by taking time away from my responsibilities at my restaurant. Despite these risks, I chose to go forward because I was committed to the Class and cared about ending Grubhub's harmful practices.

15. I have evaluated the terms of the settlement. I have also discussed with my counsel the risks of continuing litigating the case. On behalf of the proposed class members, I have authorized my counsel to settle this matter on the terms set forth in the Class Action Settlement Agreement because I believe this settlement is fair, adequate and reasonable and is in the best interest of the Class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true to the best of my knowledge. Executed on 12 / 17 / 2025, at Bend, Oregon.

*Jack Tate*

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Jack Tate  
Owner of Jack Tate d/b/a The Tin Pig,  
LLC