

## LEGAL NOTICE

### **If your personally identifying information was compromised as a result of the data security incident that American Bank Systems announced in 2020, you could get a payment from a class action settlement.**

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

***Your legal rights are affected whether you act or don't act. Read this notice carefully.***

A Settlement has been proposed to resolve litigation against Defendant American Bank Systems, Inc. ("ABS" or "Defendant") brought by a putative class of individuals whose personal identifiable information ("PII") was compromised as a result of a third-party criminal cyberattack on Defendant's systems, which was announced in 2020 (the "Data Security Incident"). If you qualify, you may send in a claim form to get benefits, or you can exclude yourself from the Settlement, or object to it. The United States District Court for the Western District of Oklahoma authorized this notice. Before any money is paid, the Court will have a hearing to decide whether to approve the Settlement.

#### **Who Is Included?**

You are a member of the Settlement Class and affected by the Settlement if:

- (1) You are an individual in the United States (including its Territories and the District of Columbia); **and**
- (2) Your PII was compromised in the Data Security Incident involving American Bank Systems which occurred between October and November 2020.

#### **What Is This Case About?**

The lawsuits—(i) *McPherson v. American Bank Systems, Inc.*, No. 5:20-cv-01307-G (W.D. Okla.); (ii) *Lyles v. American Bank Systems, Inc.*, No. 5:21-cv-00023-G (W.D. Okla.); and (iii) *Lautman v. American Bank Systems, Inc.*, No. 2:20-cv-01959-RJC (W.D. Pa.)—assert claims on behalf of a class of individuals related to the Data Security Incident and ABS's data security practices. These claims include alleged negligence, negligence per se, violations of Oklahoma unfair and deceptive trade practices statutes, unjust enrichment and seek injunctive and declaratory relief. ABS denies these allegations, any wrongdoing, and that it is liable in any amount to the affected individuals.

#### **What Does the Settlement Provide?**

Under the Settlement, ABS has agreed to pay \$1.7 million dollars into a Common Fund which will be used to pay all Plaintiff/Settlement Class member distributions, and any Court-approved reasonable Plaintiffs' attorneys' fees and expenses, Settlement Administrator's costs and expenses, and Plaintiffs' Service Awards up to \$1,500 to each Settlement Class Representative. In addition, ABS has agreed to adopt and/or maintain certain practices related to its data security.

Two types of claims may be made: "Documented Loss Claims" and "Inconvenience Claims." A Settlement Class Member may make one or both types of claims. For Documented Loss Claims, Settlement Class Members who submit a valid Claim for reimbursement of documented, unreimbursed, out-of-pocket

expenses as a result of identity theft or fraudulent activity experienced after October 1, 2020 may receive up to \$5,000 per Settlement Class Member. The amount received may be subject to pro rata reduction as discussed below. This type of Claim must be supported with documentation. For Inconvenience Claims, all Settlement Class Members who submit a valid Claim are eligible to receive a cash payment paid as equal shares of all funds remaining in the Settlement Fund after deduction of attorneys' fees/expenses, Service Awards, administration/notice costs, and payment of all valid Documented Loss Claims. Settlement Class Members making these claims are not required to provide any other documentation of their losses. More information about the types of Claims and the information required to file them is available at the Settlement Website.

#### **How Do You Ask for a Payment?**

A detailed notice and Claim Form package contains everything you need. Just visit the website below to get one. To qualify for a payment, you must send in a complete and valid Claim Form, which can be submitted electronically or by mail. Claim Forms must be submitted electronically, or if mailed, postmarked, by **September 6, 2022**.

#### **What Are Your Other Options?**

If you do not want to be legally bound by the Settlement, you must exclude yourself by **June 30, 2022** or you will not be able to sue, or continue to sue, ABS or any other Defendants' Released Persons (as defined in the Settlement Agreement) for any of the claims resolved by the Settlement. To exclude yourself, you must provide all required information. If you exclude yourself, you cannot get money from this Settlement. If you stay in the Settlement Class but wish to object, you must do so by **June 30, 2022**. Details for excluding yourself or objecting to the Settlement can be found in the Settlement Agreement available on the Settlement Website.

The Court will hold a hearing in this case on **July 29, 2022**, to consider whether to approve the Settlement. At the hearing, the Court will also consider a request by the lawyers representing all Settlement Class Members for attorneys' fees, costs, and expenses for investigating the facts, litigating the case, and negotiating the Settlement, as well as for Service Awards to the Settlement Class Representatives for their time participating in the case. You may ask to appear at the hearing, but you do not have to.

#### **Want More Information?**

For more information, please visit the website at [www.ABSdatasecurityincidentsettlement.com](http://www.ABSdatasecurityincidentsettlement.com).