

# If your Personal Information was affected by the Data Incident involving Greylock McKinnon Associates, Inc. on or about May 30, 2023, you may be entitled to benefits from a settlement.

*A court has authorized this Notice. This is not a solicitation from a lawyer.*

- A settlement has been reached in a class action lawsuit against Greylock McKinnon Associates, Inc. (“Defendant”) arising out of a Data Incident Defendant discovered on or about May 30, 2023. The Personal Information of Settlement Class members may have been accessible in the Data Incident. Personal Information may have included names, Social Security numbers, Medicare Health Insurance Claim Numbers, medical information and/or health insurance information. The lawsuit alleged (1) negligence; (2) negligence per se; (3) breach of third-party beneficiary contract; (4) unjust enrichment; (5) invasion of privacy; and (6) violation of California’s Consumer Records Act, California’s Unfair Competition Law, California’s Consumer Privacy Act, New Jersey’s Consumer Security Breach Disclosure Act, and New Jersey’s Consumer Fraud Act.

You are a member of the **Injunctive Relief Settlement Class** if you are residing in the United States and your Personal Information was affected by the Data Incident. “Injunctive relief” is a legal remedy that requires a person or entity to stop or start doing something. Here, the Defendant has made and will maintain in place changes to its business practices by taking reasonable steps to further secure its computer systems and environments. This is the only remedy available to Injunctive Release Settlement Class members.

- You are a member of the **Damages Settlement Class** if you are residing in the United States and your Social Security number was affected by the Data Incident.
- Damages Settlement Class members may be able to receive the following Damages Settlement Class Member Benefits:

**Cash Payment A – Documented Losses:** You may submit a timely and valid Claim Form and provide supporting documentation showing that you spent money or incurred unreimbursed losses fairly traceable to the Data Incident for up to \$10,000 per person.

**Cash Payment B – Cash Payment:** In addition to Cash Payment A, you may also choose to receive a flat *pro rata* (a legal term meaning an equal share) cash payment.

**Credit Monitoring:** In addition to Cash Payments A & B, you may also elect to receive Credit Monitoring.

**This Notice may affect your rights. Please read it carefully.**

<b>Your Legal Rights and Options</b>		<b>Deadline</b>
<b>SUBMIT A CLAIM FORM</b>	If you are a member of the Damages Settlement Class, the only way to get Damages Settlement Class Member Benefits is to submit a timely and valid Claim Form.	Submit online or Postmark by: <b>June 9, 2025</b>
<b>EXCLUDE YOURSELF</b>	If you are a member of the Damages Settlement Class, you will get no Damages Settlement Class Member Benefits if you exclude yourself. You will keep your right to file your own lawsuit against the Released Parties about the legal claims in this lawsuit that are released by the Settlement. If you are a member of the Injunctive Relief Settlement Class <u>only</u> , you cannot exclude yourself from the Settlement.	Postmarked by: <b>June 9, 2025</b>
<b>OBJECT TO THE SETTLEMENT</b>	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	Postmarked by: <b>June 9, 2025</b>
<b>DO NOTHING</b>	Get no Damages Settlement Class Member Benefits. Give up your legal rights.	

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- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court must decide whether to approve the Settlement and the requested attorneys’ fees, costs, and Service Awards. No Settlement Benefits will be provided unless the Court approves the Settlement.

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A federal court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

The Honorable Denise J. Casper of the United States District Court for the District of Massachusetts is overseeing this class action. The lawsuit is known as *In Re: Greylock McKinnon Associates Data Security Litigation*, Case No. 1:24-CV-10797-DJC (“lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Greylock McKinnon Associates, Inc., is called the “Defendant.”

### 2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant, individually, and on behalf of Settlement Class Members whose Personal Information, which may have included names, Social Security numbers, Medicare Health Insurance Claim Numbers, medical information and/or health insurance information may have been accessible in the Data Incident.

Plaintiffs allege on or about May 30, 2023, as a result of the Data Incident, an unauthorized third party potentially gained access to Settlement Class Members’ Personal Information. Plaintiffs brought this lawsuit against Defendant.

Defendant denies the legal claims and denies any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by Defendant, or that any law has been violated. Instead, Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

### 3. Why is the lawsuit a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

The Class Representatives in this lawsuit are Plaintiffs Tim Isaac, Mary Isaac, Theresa McFadden, Valerie Gunther, LeLand Wooten Jr., Paulette Zalewski, Dale Robertson, Albert Waddington, Dina Crocetto-Waddington, John McLaughlin, Charles McCurdy, Lynn Kohler, Richard Lilly, and Michael Rosen.

### 4. Why is there a Settlement?

Plaintiffs and Defendant do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiffs or Defendant. Instead, Plaintiffs and Defendant have agreed to settle the lawsuit to avoid the risks, delay and expense of continuing the

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litigation. The Class Representatives and their lawyers believe the Settlement is best for all Settlement Class members because of the benefits available to Settlement Class members and the risks and uncertainty associated with continuing the lawsuit.

## WHO IS INCLUDED IN THE SETTLEMENT?

### 5. How do I know if I am part of the Settlement?

You are a Settlement Class member if you are a member of the Damages Settlement Class or the Injunctive Settlement Class.

The **Injunctive Relief Settlement Class** includes all individuals residing in the United States whose Personal Information was affected by the Data Incident.

The **Damages Settlement Class** includes all individuals residing in the United States whose Social Security number was affected by the Data Incident.

### 6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are (1) the judges presiding over this lawsuit, and members of their direct families; (2) the Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest, and its current or former officers and directors; and (3) Damages Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

### 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) or call the Settlement Administrator's toll-free number at 1-888-859-8494.

## THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

### 8. What does the Settlement provide?

If you are a Damages Settlement Class member and you submit a timely and valid Claim Form, you may be eligible for the following Settlement Benefits:

#### **Cash Payment A – Documented Losses.**

You may submit a timely and valid Claim Form and provide supporting documentation showing that you spent money or incurred unreimbursed losses fairly traceable to the Data Incident for up to \$10,000 per person.

Examples of documented losses include out of pocket expenses incurred as a result of the Data Incident, including (without limitation) bank fees, professional fees (such as fees for an attorney or accountant), credit repair services, costs for freezing or unfreezing credit, notary fees, photocopying costs, long distance phone charges (if charged separately), cell phone charges (only charged by the minute), data charges (only if charged based on the amount of data used), postage, mileage for local travel and fees for credit reports, credit monitoring (other than what was provided by Defendant or is available through this Settlement), or other identity theft insurance products (other than what was provided by Defendant).

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Examples of reasonable documentation include (but are not limited to): (i) credit card statements; (ii) bank statements; (iii) invoices; (iv) telephone records; and (v) receipts. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation. You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source.

If you do not submit reasonable documentation or if your Claim Form is rejected by the Settlement Administrator for any reason, and you do not resolve the rejected Claim Form, your Claim Form will be treated as if you elected Cash Payment B only.

**Cash Payment B – Cash Payment.** In addition to Cash Payment A, you may also elect to receive Cash Payment B, which is a flat cash payment.

The amount of the payment will be based upon the amount in the Net Settlement Fund, if any, after the payment of Valid Claims for Cash Payment A and for Credit Monitoring and the number of Valid Claims for Cash Payment B, as well as payments for Settlement Administration Costs, attorney’s fees and service awards.

If the amount of timely and valid claims for Cash Payment A and cost of Credit Monitoring exceeds the amount of the Net Settlement Fund, no payments will be made for Cash Payment B, although that is not anticipated to occur.

**Credit Monitoring:** In addition to Cash Payments A and B, you may also elect to receive credit monitoring services consisting of one year of one credit bureau.

## **9. What does the Settlement provide if I am only in the Injunctive Relief Settlement Class?**

If you are only in the Injunctive Relief Settlement Class (meaning your Personal Information was affected by the Data Incident, but not your Social Security number), your only remedies under the Settlement are the business practice changes made by the Defendant. Although the Defendant denies any wrongdoing or liability, Plaintiffs have received assurances that the Defendant has undertaken reasonable steps to further secure its computer systems and environments.

## **10. What am I giving up to receive Settlement Class Member Benefits or stay in the Settlement Class?**

If you are a member of the Damages Settlement Class, unless you exclude yourself (opt-out), you are choosing to remain in the Damages Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Defendant or any of the Released Parties relating to the Data Incident. The specific rights you are giving up are called “Released Claims” and are described under Question 11 below.

If you are a member of the Injunctive Relief Settlement Class, you cannot exclude yourself from the Injunctive Relief Settlement Class. You will receive the benefit of the injunctive relief (steps taken by Defendant to secure its computer systems and environments) and will give up, any and all claims for injunctive relief that result from, arise out of, are based upon, or relate to the Data Incident.

## **11. What are the Released Claims?**

The Released Claims for Damages Settlement Class Members include all claims that result from, arise out of, are based upon, or relate to (a) the Data Incident; (b) the lawsuit; or (c) any of the alleged violations of laws or regulations cited in the Complaint. The Released Claims for Injunctive Relief

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Settlement Class Members include, any and all claims for injunctive relief that result from, arise out of, are based upon, or relate to the Data Incident. Section XIII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com). For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Question 20 for free, or you can talk to your own lawyer at your own expense.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 12. How do I make a claim for Settlement Class Member Benefits?

If you are an Injunctive Relief Settlement Class member only, you cannot submit a Claim Form. If you are a Damages Settlement Class member, you must submit a timely and valid Claim Form if you want to receive any of the Damages Settlement Class Member Benefits described in Question 8. Your Claim Form must be submitted online at [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) by **June 9, 2025**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by June 9, 2025**. Claim Forms are also available on the Settlement Website at [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) or by calling 1-888-859-8494 or by writing to:

*Greylock McKinnon Data Breach Litigation*  
Settlement Administrator  
PO Box 2648  
Portland, OR 97208-2648

### 13. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by writing to:

*Greylock McKinnon Data Breach Litigation*  
Settlement Administrator  
PO Box 2648  
Portland, OR 97208-2648

### 14. When will I receive my Settlement Class Member Benefits?

If you are a Damages Settlement Class member and you file a timely and valid Claim Form, Damages Settlement Class Member Benefits will be provided by the Settlement Administrator after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) for updates.

## THE LAWYERS REPRESENTING YOU

### 15. Do I have a lawyer in this lawsuit?

Yes, the Court has appointed Raina Borrelli of Strauss Borrelli PLLC and Jeff Ostrow of Kopelowitz Ostrow P.A. as Class Counsel to represent you and the Settlement Class for the purposes of this

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Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this lawsuit.

## 16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award the attorneys' fees and costs of up to 33.33% of the \$600,000 Settlement Fund. Class Counsel will also ask the Court to approve Service Awards for the Class Representatives of up to \$2,500 each for their efforts in achieving the Settlement. If awarded by the Court, the attorneys' fees and costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Class Counsel's application for the attorneys' fees and costs and the Service Awards will be made available on the Settlement Website at [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) no later than **May 28, 2025**.

## OPTING OUT FROM THE SETTLEMENT

If you are a Damages Settlement Class member and want to keep any right you may have to sue or continue to sue the Defendant or any of the Released Parties on your own based about the legal claims in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the Settlement.

If you are a member of the Injunctive Relief Settlement Class, you cannot exclude yourself from the Injunctive Relief Settlement Class.

## 17. How do I opt-out of the Settlement?

If you are a Damages Settlement Class member and you want to exclude yourself from the Damages Settlement Class, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Damages Settlement Class, such as “I hereby request to be excluded from the Settlement Class in the *Greylock McKinnon Data Breach Litigation*.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **June 9, 2025**:

*Greylock McKinnon Data Breach Litigation*  
Settlement Administrator  
PO Box 2648  
Portland, OR 97208-2648

**You cannot opt-out (exclude yourself) by telephone or by email.**

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt-out hasn't been signed by each and every individual Settlement Class Member will not be allowed.

If you are a member of the Injunctive Relief Settlement Class only, you cannot exclude yourself from the Injunctive Relief Settlement Class.

**Questions? Go to [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) or call 1-888-859-8494**

## 18. If I opt-out can I still get anything from the Settlement?

If you are in the Damages Settlement Class and you opt-out, you will not be entitled to receive Damages Settlement Class Benefits, but you will receive the benefit of the injunctive relief requiring that Defendant maintain certain steps taken to secure its systems and environments. You will release any and all claims for injunctive relief that result from, arise out of, are based upon, or relate to the Data Incident. You can only get Damages Settlement Class Benefits, including money and/or credit monitoring, if you stay in the Settlement and submit a timely and valid Claim Form.

If you are a member of the Injunctive Relief Settlement Class only, you cannot exclude yourself from the Injunctive Relief Settlement Class.

## 19. If I do not opt-out, can I sue Defendant for the same thing later?

No. Unless you are in the Damages Settlement Class and you opt-out, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incident. You must opt-out of this lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

If you are a member of the Injunctive Relief Settlement Class only, you cannot exclude yourself from the Injunctive Relief Settlement Class. You will not give up any right you may have, if any, to sue for damages, but you will release , any and all claims for injunctive relief that result from, arise out of, are based upon, or relate to the Data Incident.

# OBJECTING TO THE SETTLEMENT

## 20. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class member, you can tell the Court you do not agree with all or any part of the Settlement.

To object, you must send timely written notice as provided below no later than **June 9, 2025**, by U.S. mail to the Clerk of the Court, Class Counsel, Defendant's Counsel and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **June 9, 2025**, stating you object to the Settlement in *In Re: Greylock McKinnon Associates Data Security Litigation*, Case No. 1:24-CV-10797-DJC.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

- 1) Your full name, address, telephone number, and email address (if any);
- 2) All grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
- 3) The number of times you have objected to a class action settlement within the five years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- 4) The identity of all lawyers representing you in connection with the objection (if any), including any former or current lawyers who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;

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- 5) The number of times in which your lawyer or your lawyer’s law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made such objection and a copy of any orders related to or ruling upon your lawyer’s or the lawyer’s law firm’s prior objections that were issued by the trial and appellate courts in each listed case in which your lawyer’s counsel and/or lawyer’s law firm have objected to a class action settlement within the preceding five years;
- 6) The identity of all counsel (if any) representing you as an objector who will appear at the Final Approval Hearing;
- 7) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- 8) A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- 9) Your signature as the objector (an attorney’s signature is not sufficient).

To be timely, written notice of an objection including all of the information above must be mailed to the Clerk of Court, Class Counsel, Defendant’s Counsel, and the Settlement Administrator **postmarked by June 9, 2025**, at the following addresses:

COURT	CLASS COUNSEL	DEFENDANT’S COUNSEL	SETTLEMENT ADMINISTRATOR
Clerk of Court John Joseph Moakley U.S. Courthouse 1 Courthouse Way Suite 2300 Boston, MA 02210	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd, Suite 500 Fort Lauderdale, FL 33301	Wystan M. Ackerman Linn F. Freedman Kevin P. Daly Robinson & Cole LLP One State Street Hartford, CT 06103	Greylock McKinnon Data Breach Litigation Settlement Administrator PO Box 2648 Portland, OR 97208-2648

If you fail to comply with the requirements for objecting as detailed above, you waive and forfeit any and all rights you may have to appear separately and/or to object to the Settlement and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuit.

### **21. What is the difference between objecting and asking to be excluded?**

Objecting is simply telling the Court you do not like something about the Settlement or the requested attorneys’ fees and costs. You can object only if you stay in the Settlement Class (meaning you do not opt-out of the Settlement if you are in the Damages Settlement Class). Opting out of the Settlement is telling the Court you do not want to be part of the Damages Settlement Class or the Settlement. If you opt-out, you cannot object to the Settlement.

## **THE FINAL APPROVAL HEARING**

The Court will hold a “Final Approval Hearing” to decide whether to approve the Settlement. You may attend and you may ask to speak if you file an objection by the deadline, but you do not have to.

### **22. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Final Approval Hearing on **July 9, 2025, at 2:00 p.m.** before the Honorable Denise J. Casper at the John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, MA 02210. At this hearing, the Court will consider whether the Settlement is fair, reasonable,

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and adequate and decide whether to approve the Settlement, Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards to the Class Representatives.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the hearing, the Court will also listen to you or your lawyer speak at the hearing, if you so request.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) to confirm the date and time of the Final Approval Hearing has not changed.

### **23. Do I have to attend the Final Approval Hearing?**

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file your written objection by the deadline, the Court will consider it.

### **24. May I speak at the Final Approval Hearing?**

Yes, as long as you do not exclude yourself (opt-out) and you file a timely written objection requesting to speak at the hearing, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 20 above—and specifically include a statement as to whether you and your counsel will appear at the Final Approval Hearing.

## **IF YOU DO NOTHING**

### **25. What happens if I do nothing at all?**

If you are a Damages Settlement Class member and you do nothing, you will not receive Damages Settlement Class Member Benefits, and you will give up rights explained in the "Opting Out from the Settlement" section of this Notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement relating to the Data Incident. If you are an Injunctive Relief Settlement Class member and do nothing, the Defendant's business practice changes (reasonable steps to further secure its systems and environments) will still apply to you and your claims for certain injunctive relief will be released as described under Question 19 above.

## **GETTING MORE INFORMATION**

### **26. How do I get more information?**

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at

**Questions? Go to [www.GMADataSecuritySettlement.com](http://www.GMADataSecuritySettlement.com) or call 1-888-859-8494**

www.GMADataSecuritySettlement.com. You may get additional information at  
www.GMADataSecuritySettlement.com, by calling toll-free 1-888-859-8494, or by writing to:

*Greylock McKinnon Data Breach Litigation*  
Settlement Administrator  
PO Box 2648  
Portland, OR 97208-2648

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S  
CLERK OFFICE REGARDING THIS NOTICE.**

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