

*Philadelphia Inquirer Data Security Litigation*  
(*In re Philadelphia Inquirer Data Security Litigation*, Case No. 24-2106-KSM (E.D. Pa.))

**Notice of Philadelphia Inquirer Data Security Class Action Settlement**

*This is not a solicitation from a lawyer. Please read this Notice carefully and completely.*

**THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.**

*Para una notificación en español, llamar 1-888-726-1663  
o visitar nuestro sitio web [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com).*

- A proposed Settlement arising out of a data breach has been reached with The Philadelphia Inquirer, LLC (“Philadelphia Inquirer”). On May 11, 2023, certain subscribers, employees, former employees, applicants, and employees’ family members on company benefit plans may have had their personal information exposed in a cyberattack (the “Data Incident”). Impacted Private Information may have included Social Security numbers, driver’s license numbers, financial account information, and medical information. If you were notified by the Philadelphia Inquirer that your Private Information may have been compromised because of the Data Incident, you are included in this Settlement as a member of the Settlement Class.
- Under the Settlement, the Philadelphia Inquirer has agreed to establish a \$525,000 Settlement Fund to pay for one year of credit monitoring and insurance services and \$1 million in identity theft insurance (“Credit Monitoring and Insurance Services” or “CMIS”). In addition to CMIS, the Settlement also permits Class Members to elect one of the following Settlement Payments, to be paid from the Settlement Fund: (1) cash payments of up to \$5,000 per Class Member for reimbursements of certain Documented Losses (“Documented Loss Payment”); or (2) *pro rata* cash payments from the Settlement Fund (“Cash Fund Payment”). The Settlement Fund will also be used to pay for the costs of the Settlement Administrative Expenses, Court-approved Service Awards for Class Representatives, and the Fee Award and Costs. In addition, the Philadelphia Inquirer has undertaken certain remedial measures and enhanced security measures.
- Your legal rights will be affected whether you act or do not act. You should read this entire Notice carefully.

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## YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

<p><b>FILE A CLAIM FORM</b></p> <p><b>DEADLINE:</b> <b>FEBRUARY 27, 2025</b></p>	<p><b>You must “opt in” by filing a Claim Form to receive any of the benefits provided by this Settlement</b>, including Credit Monitoring and Insurance Services, a Documented Loss Payment, or a Cash Fund Payment (collectively, the “Settlement Benefits”).</p> <p>Submitting a Claim Form is the only way that you can receive any of the Settlement Benefits (a claim for CMIS and a Cash Fund Payment may also be made by submitting to the Settlement Administrator, Verita Global, LLC, the tear-off “Claim Form for CMIS and Cash Fund Payments Only” you may have previously received by mail).</p> <p>If you submit a Claim Form, you will give up the right to sue the Philadelphia Inquirer and certain other Released Parties (as defined in the Settlement Agreement) in a separate lawsuit about the legal claims this Settlement resolves.</p>
<p><b>EXCLUDE YOURSELF FROM THIS SETTLEMENT</b></p> <p><b>DEADLINE:</b> <b>JANUARY 28, 2025</b></p>	<p>This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against the Philadelphia Inquirer or certain other Released Parties, for the claims this Settlement resolves.</p> <p>If you exclude yourself, you will give up the right to receive any Settlement Benefits from this Settlement.</p>
<p><b>OBJECT TO OR COMMENT ON THE SETTLEMENT</b></p> <p><b>DEADLINE:</b> <b>JANUARY 28, 2025</b></p>	<p>You may object to the Settlement by writing to the Court and informing it of why you do not think the Settlement should be approved. You will still be bound by the Settlement if it is approved, and you will not be allowed to exclude yourself from the Settlement.</p> <p>If you object, you may also file a Claim Form to receive Settlement Benefits, but you will give up the right to sue the Philadelphia Inquirer and other Released Parties in a separate lawsuit about the legal claims this Settlement resolves.</p>
<p><b>GO TO THE “FINAL APPROVAL” HEARING</b></p> <p><b>MARCH 18, 2025, AT 10:00 A.M. ET</b></p>	<p>You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.</p>
<p><b>DO NOTHING</b></p>	<p>If you do nothing, you will not receive any of the Settlement Benefits and you will give up your rights to sue the Philadelphia Inquirer and other Released Parties for the claims this Settlement resolves.</p>

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. No Settlement Benefits or Payments will be provided unless the Court approves the Settlement, and it becomes final.

### BASIC INFORMATION

#### 1. Why did I receive a Notice?

A court authorized this Notice because you have the right to know about the proposed 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 them, and how to get them.

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The case is known as *In re Philadelphia Inquirer Data Security Litigation*, Case No. 24-2106-KSM (the “Action”), in the United States District Court for the Eastern District of Pennsylvania. The people who filed this lawsuit are called the “Plaintiffs” and the company they sued, The Philadelphia Inquirer, LLC, is called the “Defendant.” The Plaintiffs and the Defendant agreed to this Settlement.

## **2. What is this lawsuit about?**

On or about May 11, 2023, certain subscribers, employees, former employees, applicants, and employees’ family members on company benefit plans may have had their personal information exposed in a cyberattack (the “Data Incident”). Impacted Private Information may have included Social Security numbers, driver’s license numbers, financial account information, and medical information. After conducting a thorough investigation, the Philadelphia Inquirer began notifying individuals of the Data Incident on or around April 29, 2024.

The Plaintiffs claim that the Philadelphia Inquirer failed to adequately protect their Private Information and that they were injured as a result. The Philadelphia Inquirer denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing or that the law has been violated. By entering into the Settlement, Defendant is not admitting that it did anything wrong.

## **3. Why is this a class action?**

In a class action, one or more people called the “Class Representatives” sue on behalf of all people who have similar claims. Together, all of these people are called a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those Class Members who exclude themselves from the Class.

The Class Representatives in this case are Ivery Sheree Mosley, Steven Hassell and Christopher Devine.

## **4. Why is there a Settlement?**

The Class Representatives and the Philadelphia Inquirer do not agree about the claims made in this Action. The Action has not gone to trial, and the Court has not decided in favor of the Class Representatives or the Philadelphia Inquirer. Instead, the Class Representatives and the Philadelphia Inquirer have agreed to settle the Action. The Class Representatives and the attorneys for the Class (“Class Counsel”) believe the Settlement is best for all Class Members because of the risks and uncertainty associated with continued litigation and the nature of the defenses raised by the Philadelphia Inquirer.

### **WHO IS INCLUDED IN THE SETTLEMENT**

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

The Court has decided that everyone who fits the following description is a Class Member:

The approximately 25,549 natural persons whose Private Information was potentially compromised in the Data Incident (the “Class” or “Settlement Class”). This includes all individuals who were sent Notice of the Data Incident. If you received Notice of this Settlement by mail, you are a Class Member, and your legal rights are affected by this Settlement.

If you did not receive Notice by mail, or if you have any questions as to whether you are a Class Member, you may contact the Settlement Administrator, Verita Global, LLC (“Verita”).

## **6. Are there exceptions to individuals who are included as Class Members in the Settlement?**

Yes, the Settlement does not include: (1) the Judges presiding over the Action and members of their families and immediate staff; (2) the Philadelphia Inquirer, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Philadelphia Inquirer or its parents, have a controlling interest, and its current or former officers and directors; (3) natural persons who properly execute and submit a Request for Exclusion prior to the expiration of the Opt-Out Period; and (4) the successors or assigns of any such excluded natural person.

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## 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 Class Member, you may go to the Settlement Website at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com), or call the Settlement Administrator's toll-free number at 1-888-726-1663.

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

## 8. What does the Settlement provide?

The Settlement will provide Class Members with the opportunity to select and make a claim as follows, which is discussed in further detail below:

(A) Cash payments of up to \$5,000 per Class Member for reimbursement of certain Documented Losses (“Documented Loss Payment”);

**OR**

(B) *Pro rata* Cash Fund Payments in amounts to be determined in accordance with the terms of Section 3.8 of the Settlement. The amounts of these payments are unknown at this time but will be calculated based upon how many Class Members submit valid and Approved Claims for Credit Monitoring and Insurance Services and Documented Loss Payments.

**Additionally, Class Members can also file a Claim Form to receive Credit Monitoring and Insurance Services (“CMIS”) in addition to their selection above.** The Philadelphia Inquirer has taken certain remedial measures and enhanced security measures as a result of the Data Incident and agrees to continue these enhanced security measures for a period of two years after the Effective Date under the Settlement Agreement.

Please review Number 9 carefully for additional information regarding the order in which Settlement Benefits are paid from the Settlement Fund. This additional information may impact your decision as to which of the Settlement Benefit options is the best option for you.

### A. Credit Monitoring and Insurance Services.

You may file a Claim Form to receive Credit Monitoring and Insurance Services. Credit Monitoring and Insurance Services provide a way to protect yourself from unauthorized use of your personal information. If you already have credit monitoring services, you may still sign up for this additional protection. The Credit Monitoring and Insurance Services provided by this Settlement are separate from, and in addition to, the credit monitoring and identity resolution services that may have been offered to you by the Philadelphia Inquirer in response to the Data Incident. You are eligible to make a claim for the Credit Monitoring and Insurance Services being offered through this Settlement even if you did not sign up for the previous services.

Credit Monitoring and Insurance Services include (i) up to \$1 million of identity theft insurance coverage; and (ii) three-bureau credit monitoring for one year.

To receive Credit Monitoring and Insurance Services, you must submit to the Settlement Administrator either a completed Claim Form *or* tear-off “Claim Form for CMIS and Cash Fund Payments Only,” which you may have received by mail, selecting to receive Credit Monitoring and Insurance Services. You do not need to provide additional documents for this claim—only the Unique Claim ID provided on your Notice and your email address. If you file a valid claim for Credit Monitoring and Insurance Services, you will receive an enrollment code—valid for 180 days after the Effective Date of the Settlement—that can be used to enroll in the service.

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## **IN ADDITION TO CREDIT MONITORING AND INSURANCE SERVICES, YOU MAY SELECT ONE OF THE FOLLOWING TWO BENEFITS**

### **B. Documented Loss Payment.**

In addition to Credit Monitoring and Insurance Services, and the alternative to a Cash Fund Payment, you may elect to submit a Claim Form for reimbursement of Documented Losses. If you spent money remedying or addressing identity theft and fraud that more likely than not resulted from the Data Incident, or you spent money to protect yourself from future harm because of the Data Incident, you may make a claim for a Documented Loss Payment for reimbursement of up to \$5,000 in Documented Losses.

Documented Losses consist of unreimbursed losses incurred on or after May 11, 2023, that were related to identity theft and fraud and are more likely than not a result of the Data Incident, as well as any expenses related to the Data Incident. For example, credit card or debit card cancellation or replacement fees, late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, credit-related costs associated with purchasing credit reports, credit monitoring or identity theft protection, costs to place a freeze or alert on credit reports, costs to replace a driver's license, state identification card, Social Security number, professional services, and out-of-pocket expenses for notary, fax, postage, delivery, copying, mileage, and long-distance telephone charges. Other losses or costs related to the Data Incident that are not insurance reimbursable may also be eligible for reimbursement. To protect the Settlement Fund and valid claims, all Claim Forms submitted that seek payment related to credit or debit card fraudulent transactions will be carefully scrutinized by the Settlement Administrator.

Claims for Documented Loss Payments must be supported by Reasonable Documentation. Reasonable Documentation means written documents supporting your claim, such as credit card statements, bank statements, invoices, telephone records, and receipts.

Individual payments for Documented Losses may be reduced or increased depending on the number of Class Members that participate in the Settlement.

To receive a Documented Loss Payment, you must submit a completed Claim Form electing to receive a Documented Loss Payment. If you file a Claim Form for a Documented Loss Payment and it is rejected by the Settlement Administrator and you do not correct it, your Claim Form will be considered as an alternative claim for a Cash Fund Payment.

### **C. Cash Fund Payment.**

In addition to Credit Monitoring and Insurance Services, and in the alternative to a Documented Loss Payment, you may elect to receive a Cash Fund Payment. The amount of the Cash Fund Payment will vary depending on the number of valid and Approved Claims that are submitted. To receive a Cash Fund Payment, you must submit to the Settlement Administrator a completed Claim Form or tear-off "Claim Form for CMIS and Cash Fund Payments Only," which you may have received by mail, electing to receive a Cash Fund Payment. You do not need to provide additional documents for this claim—only the Unique Claim ID provided on your Notice.

You are not required to provide Reasonable Documentation with your Claim Form to receive a Cash Fund Payment. Individual Cash Fund Payments may be reduced or increased *pro rata* (equal share) depending on the number of Class Members that participate in the Settlement and the amount of money that remains in the Cash Fund after payments of other Settlement Benefits and charges with priority for payment under the Settlement. *See* Number 9 below.

## **9. How will Settlement Benefits be paid?**

Before determining which Settlement Benefit option from the Settlement is best for you (selecting Credit Monitoring and Insurance Services, plus either Documented Loss Payment or a Cash Fund Payment), it is important for you to understand how Settlement Payments will be made. Plaintiffs' counsel will seek attorneys' fees up to a maximum of 1/3rd of the \$525,000 Settlement Fund (i.e., \$175,000), reasonable costs and expenses incurred by attorneys for the Class (referred to collectively as Fee Award and Costs), Administrative Expenses

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for costs of the settlement administration, and Service Awards of up to \$2,000 to each of the three Class Representatives will be deducted from the Settlement Fund before making payments to Class Members. The Court may award less than these amounts. The remainder of the Settlement Fund will be distributed in the following order:

1. Credit Monitoring and Insurance Services claims will be paid first.
2. If money remains in the Settlement Fund after paying for the Credit Monitoring and Insurance Services, Documented Loss Payment claims will be paid second. If your claim for a Documented Loss Payment is rejected by the Settlement Administrator and you do not cure it, your claim for a Documented Loss Payment will instead be considered a claim for a Cash Fund Payment.
3. Approved Cash Fund Payments. If money remains in the Settlement Fund after paying Credit Monitoring and Insurance Services claims and Documented Loss Payment claims, the amount of the Settlement Fund remaining will be used to create a “Post CMIS/DL Net Settlement Fund,” which will be used to pay all Cash Fund Payment claims. The value of the Cash Fund Payments is unknown at this time but will be calculated by subtracting from the Settlement Fund the amounts paid for valid claims for Credit Monitoring and Insurance Services and Documented Loss Payments, and after those expenses are deducted, the Post CMIS/DL Net Settlement Fund will be divided *pro rata* to individuals with Approved Claims for Cash Fund Payments.

#### **10. What is the total value of the Settlement?**

Not accounting for the cost of the enhanced security measures, the Settlement provides a \$525,000 Settlement Fund for the benefit of the Class. Any Court-approved Fee Award and Costs, Service Awards to the Class Representatives, Taxes due on any interest earned by the Settlement Fund, if necessary, and any Notice and Settlement Administrative Expenses will be paid out of the Settlement Fund, and the balance (“Net Settlement Fund”) will be used to pay for the above Settlement Benefits.

As part of the Settlement, the Philadelphia Inquirer has also adopted, continued, and/or implemented, or will adopt, continue, or implement, reasonable data and information security measures, at its expense, which are designed to strengthen the Philadelphia Inquirer’s data and information security. The Philadelphia Inquirer has agreed to continue these security enhancements for a period of at least two (2) years after the Effective Date.

#### **11. What am I giving up to get a Settlement Benefit or stay in the Class?**

Unless you exclude yourself, you are choosing to remain in the Class. If the Settlement is approved and becomes final, all of the Court’s orders 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 Philadelphia Inquirer and the other Released Parties about the legal issues in this Action, resolved by this Settlement, and released by the Class Action Settlement Agreement and Release. The specific rights you are giving up are called Released Claims (*see* next question).

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

In exchange for the Settlement, Class Members agree to release the Philadelphia Inquirer and its current and former affiliates, parents, subsidiaries, and successors, and any and all of their past, present, and future officers, directors, members, managing members, employees, equity holders, stockholders, partners, servants, agents, successors, attorneys, representatives, insurers, reinsurers, subrogees and assigns of any of the foregoing (“Released Parties”) from any claim, liability, right, demand, suit, obligation, damage, including consequential damage, loss or cost, punitive damage, attorneys’ fees, costs, and expenses, action or cause of action, of every kind or description—whether known or Unknown (as the term “Unknown Claims” is defined in the Settlement Agreement), suspected or unsuspected, asserted or unasserted, liquidated or unliquidated, legal, statutory, or equitable—that was or could have been asserted on behalf of the Settlement Class in the Action related to or arising from the compromise of any Class Member’s Private Information arising out of the Data Incident, regardless of whether the claims or causes of action are based on federal, state, or local law, statute, ordinance,

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regulation, contract, common law, or any other source, and regardless of whether they are foreseen or unforeseen, suspected or unsuspected, or fixed or contingent, arising out of, or related or connected in any way with the claims or causes of action of every kind and description that were brought, alleged, argued, raised or asserted in any pleading or court filing in the Action (“Released Claims”). Each of the Released Parties may be referred to individually as a “Released Party.” Released Claims do not include any claims against any entity other than Released Parties.

The Class Representatives and all Class Members, on behalf of themselves, their heirs, assigns, executors, administrators, predecessors, and successors, and any other person purporting to claim on their behalf, release and discharge all Released Claims, including Unknown Claims, against each of the Released Parties and agree to refrain from instituting, directing or maintaining any lawsuit, contested matter, adversary proceeding, or miscellaneous proceeding against each of the Released Parties that relates to the Data Incident or otherwise arises out of the same facts and circumstances set forth in the Consolidated Class Action Complaint in this Action. This Settlement releases claims against only the Released Parties. This Settlement does not release, and it is not the intention of the Parties to this Settlement to release, any claims against any unidentified third party.

More information is provided in the Class Action Settlement Agreement and Release, which is available at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com).

### **HOW TO GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM**

#### **13. How do I make a claim for Settlement Benefits?**

You must complete and submit a Claim Form by **February 27, 2025**. Claim Forms may be submitted online at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com) or printed from the website and mailed to the Settlement Administrator at the address on the form. Claim Forms are also available by calling 1-888-726-1663 or by writing to the Philadelphia Inquirer Settlement Administrator at [info@PhillyInquirerSettlement.com](mailto:info@PhillyInquirerSettlement.com). The quickest way to file a claim is online.

If you received a Notice by mail, use your Claim Number to file your Claim Form. If you lost or do not know your Claim Number, please email the Settlement Administrator at [info@PhillyInquirerSettlement.com](mailto:info@PhillyInquirerSettlement.com) to obtain it.

In addition to Credit Monitoring and Insurance Services, you may submit a claim for either a Cash Fund Payment **OR** a Documented Loss Payment by submitting a Claim Form on the Settlement Website, or by downloading, printing, and completing a Claim Form and mailing it to the Settlement Administrator. You may only select one type of cash Settlement Payment.

In the alternative to submitting a Claim Form, you may also elect to receive CMIS and a Cash Fund Payment by submitting to the Settlement Administrator the tear-off “Claim Form for CMIS and Cash Fund Payments Only” that was attached to the Summary Notice mailed to your home. However, Class Members who wish to elect Documented Loss Payments **must** complete the Claim Form electronically or print and mail a copy of the completed Claim Form along with supporting documentation.

#### **14. How do I make a claim for Credit Monitoring and Insurance Services?**

To file a claim for Credit Monitoring and Insurance Services, you must submit to the Settlement Administrator a valid Claim Form or tear-off “Claim Form for CMIS and Cash Fund Payments Only” electing to receive Credit Monitoring and Insurance Services. To submit a claim for Credit Monitoring and Insurance Services, you may either complete a Claim Form on the Settlement Website or print and mail a completed Claim Form to the Settlement Administrator, postmarked on or before **February 27, 2025**. To submit a “Claim Form for CMIS and Cash Fund Payments Only,” you can mail it to the Settlement Administrator, postmarked on or before **February 27, 2025**.

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Instructions for filling out a claim for Credit Monitoring and Insurance Services are included on the Claim Form. You may access the Claim Form at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com).

The deadline to file a claim for Credit Monitoring and Insurance Services is **February 27, 2025**. Claims must be filed or postmarked if mailed by this deadline.

**15. How do I make a claim for a Documented Loss Payment for reimbursement?**

To file a claim for a Documented Loss Payment of up to \$5,000 for reimbursement of Documented Losses, you must submit a valid Claim Form electing to receive a Documented Loss Payment. To submit a claim for a Documented Loss Payment, you may either complete a Claim Form on the Settlement Website or print and mail a completed Claim Form to the Settlement Administrator, postmarked on or before **February 27, 2025**.

The Claim Form requires that you sign the attestation regarding the information you provided and that you include Reasonable Documentation, such as credit card statements, bank statements, invoices, telephone records, and receipts.

If your claim for a Documented Loss Payment is rejected by the Settlement Administrator and you do not correct it, your claim for a Documented Loss Payment will instead be considered a claim for a Cash Fund Payment.

Instructions for filling out a claim for a Documented Loss Payment are included on the Claim Form. You may access the Claim Form at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com).

The deadline to file a claim for a Documented Loss Payment is **February 27, 2025**. Claims must be filed (or postmarked if mailed) by this deadline.

**16. How do I make a claim for a Cash Fund Payment?**

To file a claim for a Cash Fund Payment, you must submit to the Settlement Administrator a valid Claim Form or tear-off “Claim Form for CMIS and Cash Fund Payments Only,” electing to receive a Cash Fund Payment. To submit a claim for a Documented Loss Payment, you may either complete a Claim Form on the Settlement Website or print and mail a completed Claim Form to the Settlement Administrator, postmarked on or before **February 27, 2025**. To submit a “Claim Form for CMIS and Cash Fund Payments Only,” you can mail it to the Settlement Administrator, postmarked on or before **February 27, 2025**.

If you wish to receive your payment via digital payment method options instead of a check, simply provide your email address (optional). Anyone who submits a valid claim for Cash Fund Payment and does not elect to receive a digital payment will receive their payment via regular check sent through U.S. Mail.

Instructions for filling out a claim for a Cash Fund Payment are included on the Claim Form. You may access the Claim Form at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com).

The deadline to file a claim for a Cash Fund Payment is **February 27, 2025**. Claims must be filed or postmarked if mailed by this deadline.

**17. What happens if my contact information changes after I submit a claim?**

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 emailing the Settlement Administrator at [info@PhillyInquirerSettlement.com](mailto:info@PhillyInquirerSettlement.com) or by writing to the following address:

*Philadelphia Inquirer Data Security Litigation* Settlement Administrator  
P.O. Box 301132  
Los Angeles, CA 90030-1132

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**18. When and how will I receive the Settlement Benefits I claim from the Settlement?**

If you make a valid and Approved Claim for Credit Monitoring and Insurance Services, the Settlement Administrator will send you information on how to activate your credit monitoring after the Settlement becomes Final. If you received a Notice in the mail, keep it in a safe place as you will need the unique Claim Number provided on the postcard Notice to activate your Credit Monitoring and Insurance Services.

Payment for Approved Claims for a Cash Fund Payment or a Documented Loss Payment will be provided by the Settlement Administrator after the Settlement is approved and becomes Final. You may elect to receive payment for Approved Claims for a Cash Fund Payment or Documented Loss Payment via PayPal, Venmo, or digital payment instead of a check by submitting your email address with your Claim Form. Anyone who does not elect to receive payment via digital payment will receive their payment via regular check sent through U.S. Mail.

The approval process may take time. Please be patient and check [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com) for updates.

**19. What happens if money remains after all of the Settlement Claims are paid?**

None of the money in the \$525,000 Settlement Fund will ever be paid back to the Philadelphia Inquirer. Any money left in the Settlement Fund after 120 days after the distribution of payments to Class Members will be distributed *pro rata* (equal share) among all Class Members with approved claims for Cash Fund Payments, who cashed or deposited their initial check or received the Settlement proceeds through digital means, as long as the average payment amount is \$3.00 or more. If there is not enough money to provide qualifying Class Members with an additional \$3.00 payment, and if possible, the remaining Net Settlement Fund will be distributed to Pennsylvania Interest on Lawyers Trust Account Board (PA IOLTA).

**THE LAWYERS REPRESENTING YOU**

**20. Do I have a lawyer in this case?**

Yes, the Court has appointed Benjamin F. Johns of Shub & Johns LLC, Kenneth J. Grunfeld of Kopelowitz Ostrow Ferguson Weiselberg Gilbert, Terence R. Coates of Markovits, Stock & DeMarco, LLC, and Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman PLLC as Class Counsel to represent you and the Class for the purposes of this 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 Action.

**21. How will Class Counsel be paid?**

Class Counsel will file a motion asking the Court to award them attorneys' fees of up to a maximum of 1/3rd of the \$525,000 Settlement Fund (i.e., \$175,000), plus the reimbursement of their reasonable costs and expenses (referred to collectively as "Fee Award and Costs"). They will also ask the Court to approve up to \$2,000 Service Awards for each of the Class Representatives for participating in this Action and for their efforts in achieving the Settlement. If awarded, these amounts will be deducted from the Settlement Fund before making payments to Class Members. The Court may award less than these amounts.

Class Counsel's application for a Fee Award, Costs, and Service Awards will be made available on the Settlement Website at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com) before the deadline for you to comment or object to the Settlement. You can request a copy of the application by contacting the Settlement Administrator at 1-888-726-1663.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Class Member and want to keep any right you may have to sue or continue to sue the Philadelphia Inquirer and/or the other Released Parties on your own based on the claims raised in this Action 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.

### **22. How do I get out of the Settlement?**

To exclude yourself from the Settlement, you must complete and sign a Request for Exclusion or submit a Request for Exclusion online on the Settlement Website. The Request for Exclusion must be in writing and identify the case name *In re Philadelphia Inquirer Data Security Litigation*, Case No. 24-2106-KSM; state the name, address, and telephone number and unique identifier of the Class Member(s) seeking exclusion; and must also contain a statement to the effect that “I/We hereby request to be excluded from the proposed Settlement Class in *In re Philadelphia Inquirer Data Security Litigation*, Case No. 24-2106-KSM.” The Request for Exclusion must be postmarked or received by the Settlement Administrator at the address below no later than **January 28, 2025**:

*Philadelphia Inquirer Data Security Litigation* Settlement Administrator  
Attn: Exclusions  
P.O. Box 301132  
Los Angeles, CA 90030-1132

You cannot exclude yourself by telephone or by email.

### **23. If I exclude myself, can I still get Credit Monitoring and Insurance Services or other Settlement Payments as part of this class action Settlement?**

No. If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You can only get Settlement Benefits if you stay in the Settlement and submit a valid Claim Form.

### **24. If I do not exclude myself, can I sue the Philadelphia Inquirer for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue the Philadelphia Inquirer and the other Released Parties for the claims that this Settlement resolves. You must exclude yourself from this Action to start or continue with your own lawsuit or be part of any other lawsuit against the Philadelphia Inquirer or any of the other Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

## OBJECT TO OR COMMENT ON THE SETTLEMENT

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

You can ask the Court to deny approval of the Settlement by filing an objection. You cannot ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no Settlement Payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed Settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) state the Class Member’s full name, current mailing address, and telephone number; (b) include proof that the Class Member is a member of the Settlement Class (e.g., copy of the Settlement Notice, copy of the original notice of the Data Incident); (c) identify the specific factual and legal grounds for the objection; (d) identify all counsel representing the Class Member, if any; (e) include a list, including case name, court, and docket number, of all other cases in which the objector and/or the objector’s counsel has filed an objection to any proposed class action settlement in the past five (5) years; and (f) contain a statement regarding whether the Class Member (or counsel of his or her choosing) intends to appear at the Final Approval Hearing.

**This Settlement affects your legal rights even if you do nothing.**  
**Questions? Go to [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com) or call 1-888-726-1663.**

All objections must be submitted to the Settlement Administrator, Class Counsel identified below, and to the Court either by mailing them or by filing them in person at the Courthouse. All objections must be submitted to the Court either by mailing them to: Clerk, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106, filing in person with the Court, or filing them electronically through the Court's Electronic Claims Filing system. All objections must be filed or postmarked on or before **February 27, 2025**.

**26. What is the difference between objecting and requesting exclusion?**

Objecting is telling the Court you do not like something about the Settlement. You can object only if you stay in the Class (that is, if you do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Class or the Settlement. If you exclude yourself, you cannot object to the Settlement because it no longer affects you.

**THE FINAL APPROVAL HEARING**

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

The Court will hold a Final Approval Hearing on March 18, 2025, at 10:00 a.m. ET before the Honorable Karen S. Marston, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class. Class Members should monitor the Settlement Website or the Court's online docket site (see Number 31) to confirm whether the date for the Final Approval Hearing has changed. Please note that the hearing may be held via telephone or video conference. All details about the Final Approval Hearing will be posted on the Settlement Website.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement; Class Counsel's application for Fee Award and Costs; and the Service Awards to the Class Representatives. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

**28. Do I have to come to 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 send an objection, you do not have to come to Court to talk about it. As long as you mail your written objection on time, the Court will consider it.

**29. May I speak at the Final Approval Hearing?**

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (see Number 26). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify any witnesses you may call to testify or exhibits you intend to introduce into evidence at the Final Approval Hearing. If you plan to have your attorney speak for you at the Final Approval Hearing, your objection must also include your attorney's name, address, and telephone number.

## IF YOU DO NOTHING

### 30. What happens if I do nothing at all?

If you are a Class Member and you do nothing, you will not receive any Settlement Benefits. You will also give up certain rights, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Philadelphia Inquirer or any of the other Released Parties about the legal issues in this Action and released by the Settlement Agreement.

## GETTING MORE INFORMATION

### 31. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com), or by contacting Class Counsel (see below).

If you have questions about the proposed Settlement or anything in this Notice, you may contact Class Counsel at the following:

Gary Klinger  
**Milberg Coleman Bryson  
Phillips Grossman**  
227 W. Monroe Street, Suite 2100  
Chicago, IL 60606  
[gklinger@milberg.com](mailto:gklinger@milberg.com)

Benjamin F. Johns  
**Shub & Johns LLC**  
Four Tower Bridge  
200 Barr Harbor Drive, Suite 400  
Conshohocken, PA 19428  
[bjohns@shublawyers.com](mailto:bjohns@shublawyers.com)

Kenneth J. Grunfeld  
**Kopelowitz Ostrow Ferguson  
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65 Overhill Road  
Bala Cynwyd, PA 19004  
Phone: (954) 525-4100  
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Terence R. Coates  
**Markovits, Stock &  
De Marco, LLC**  
119 E. Court Street, Suite 530  
Cincinnati, OH 45202  
Phone: (513) 651-3700  
Fax: (513) 665-0219  
[tcoates@msdlegal.com](mailto:tcoates@msdlegal.com)

**PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE  
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**

**This Settlement affects your legal rights even if you do nothing.  
Questions? Go to [www.PhillyInquirerSettlement.com](http://www.PhillyInquirerSettlement.com) or call 1-888-726-1663.**