

If your Private Information was potentially compromised in the Data Incident involving DG3 North America, Inc. which occurred in or around March 2024, you may be entitled to Settlement Class Member Benefits from a Settlement.

A Court authorized this Notice. This is not a solicitation from a lawyer.

- A \$600,000 Settlement has been reached in a class action lawsuit against DG3 North America, Inc., John Hancock Investment Management, LLC, and UBS Financial Services, Inc. (together, “Defendants”) involving a Data Incident impacting Defendant DG3 North America, Inc. which was discovered in or around March 2024 (the “Data Incident”).
- The lawsuit is called *Daniel Cunningham et al. v. DG3 North America, Inc. et al.*, Case No. 2:24-cv-07385 (District of New Jersey). Plaintiffs allege that the Data Incident resulted in the unauthorized access to or acquisition of Settlement Class Members’ Private Information. Plaintiffs allege negligence, negligence per se, breach of implied contract, breach of third-party beneficiary contract, breach of fiduciary duty, breach of confidence, unjust enrichment, and violation of the Illinois Consumer Fraud Act by Defendants. Defendants deny all of the claims.
- The Settlement Class includes all persons residing in the United States whose Private Information was potentially compromised as a result of the Data Incident. You are also a “Group 1 Settlement Subclass member” if your Social Security number was included in the Private Information compromised in the Data Incident or a “Group 2 Settlement Subclass member” if your Social Security number was not included in the Private Information compromised in the Data Incident.
- If you are a member of the Settlement Class, the following Settlement Class Member Benefits are available:

Reimbursement for Documented Losses: You may submit a Claim, and provide reasonable documentation, for losses related to the Data Incident for up to \$2,500 per Settlement Class Member; **OR**

Alternative Cash Payment: In lieu of a Claim for reimbursement of Documented Losses, you may file a Claim for an Alternative Cash Payment, estimated at \$100 for Group 1 Settlement Subclass members and \$50 for Group 2 Settlement Subclass Members. Please note that your Alternative Cash Payment may be subject to a pro rata adjustment depending on the total value of claims that are submitted and approved; **AND**

Credit Monitoring: In addition to claiming reimbursement of Documented Losses or an Alternative Cash Payment, you may also claim three years of free Credit Monitoring.

Confirmatory Discovery: Defendant DG3 North America has also agreed to provide documents and information to Class Counsel showing that it has taken data security measures to remedy the issues that led to the Data Incident and implemented other business practices to help ensure information security.

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

YOUR LEGAL RIGHTS & OPTIONS		DEADLINE
Submit a Claim Form	The only way to get Settlement Class Member Benefits is to submit a timely and valid Claim Form.	Submitted or Postmarked by: SEPTEMBER 25, 2025
Exclude Yourself	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against the Released Parties about the Released Claims as part of the Settlement.	Postmarked by: SEPTEMBER 15, 2025
Object to the Settlement	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.	Filed by: SEPTEMBER 15, 2025
Do Nothing	Get no Settlement Class Member Benefits. Give up your legal rights.	

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

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857

BASIC INFORMATION

1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what Settlement Class Member Benefits are available, who is eligible for the Settlement Class Member Benefits, and how to get Settlement Class Member Benefits.

The Honorable William J. Martini of the United States District Court for the District of New Jersey is overseeing this class action. The lawsuit is known as *Daniel Cunningham et al. v. DG3 North America, Inc. et al.*, Case No. 2:24-cv-07385 (the “lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the companies sued, DG3 North America, Inc., John Hancock Investment Management, LLC, and UBS Financial Services, Inc., are called the “Defendants.”

2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendants on behalf of members of the Settlement Class regarding unauthorized access to the Private information of members of Settlement Class involved in the Data Incident.

Plaintiffs allege it was detected that a cybercriminal organization accessed Private Information belonging to DG3’s clients’ current and former customers between January 30, 2024, and March 19, 2024. Plaintiffs allege negligence, negligence *per se*, breach of implied contract, breach of third-party beneficiary contract, breach of fiduciary duty, breach of confidence, unjust enrichment, and violation of the Illinois Consumer Fraud Act by Defendants.

Defendants deny the legal claims and deny any wrongdoing or liability. The Court has not made any determination of any wrongdoing by Defendants or that any law has been violated. Instead, the Plaintiffs and Defendants have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

More information about the Complaint and lawsuit can be found on the Settlement Website.

3. Why is there a Settlement?

Plaintiffs and Defendants 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 the Plaintiffs or Defendants. Instead, the Plaintiffs and Defendants have agreed to settle the lawsuit. The Class Representatives, Defendants, and their lawyers believe the Settlement is best for Settlement Class Members because of the Settlement Class Member Benefits available and the risks and uncertainty associated with continuing the lawsuit. The Settlement is not an admission of wrongdoing by the Defendants.

4. Why is this 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.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am included in the Settlement?

You are a member of the Settlement Class if you are a person residing in the United States whose Private Information was potentially compromised as a result of the Data Incident.

You are a **Group 1 Settlement Class Member** if your Social Security number was included in the Private Information compromised in the Data Incident.

You are a **Group 2 Settlement Class Member** if your Social Security number was not included in the Private Information compromised in the Data Incident.

Settlement Class Members will have been mailed notice of their eligibility.

Questions? Go to [DG3DataSettlement.com](https://www.dg3data.com) or call 1-888-828-4857

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

Yes. Excluded from the Settlement Class are (a) The Judge(s) to whom the lawsuit is assigned and any member of the Judge's staffs or immediate family members; (b) counsel for the Parties, any member of their respective staffs who worked directly on the lawsuit, and any member of their immediate families; (c) any governmental entity; (d) any entity in which any of the Defendants have a controlling interest; and (e) any of Defendants' subsidiaries, parents, affiliates, and officers, directors, legal representatives, heirs, successors, or assigns.

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

Notices of eligibility have been mailed to Settlement Class Members. If you are still not sure whether you are a member of the Settlement Class, you may go to www.DG3DataSettlement.com or call toll-free 1-888-828-4857.

THE SETTLEMENT BENEFITS

8. What does this Settlement provide?

Under the proposed Settlement, Defendant DG3 North America, Inc. will pay (or cause to be paid) \$600,000 into a Settlement Fund. The Settlement Fund, plus interest accrued thereon, will pay notice and administration costs, Court-approved attorneys' fees and costs, Court-approved service awards for class representatives, and certain Settlement Fund taxes and tax expenses (the "Net Settlement Fund"). The Net Settlement Fund will be used to provide eligible Settlement Class Members with payments and benefits described below.¹

If you are a member of the Settlement Class and you submit a timely and valid Claim Form, you may be eligible to receive the following Settlement Class Member Benefits:

Reimbursement for Documented Losses

You may submit a Claim, and provide reasonable documentation, for losses related to the Data Incident for up to \$2,500 per Settlement Class Member.

Documented Losses are unreimbursed costs or expenditures including, without limitation, the following: (i) unreimbursed costs, expenses, losses or charges incurred a result of identity theft or identity fraud, falsified tax returns, or other possible misuse of class member's personal information; (ii) costs incurred on or after January 30, 2024, associated with purchasing or extending additional credit monitoring or identity theft protection services and/or accessing or freezing/unfreezing credit reports with any credit reporting agency; and (iii) other miscellaneous expenses incurred related to any Documented Losses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

Personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation but may be included to provide clarification, context, or support for other submitted reasonable documentation. You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source, including compensation provided in connection with the identity protection and credit monitoring services offered as part of the notification letter provided by Defendants or otherwise.

Alternative Cash Payment

In lieu of a Claim for reimbursement of Documented Losses, you may claim an Alternative Cash Payment. Claims for Alternative Cash Payments are capped at a maximum of \$100 per Claimant for Group 1 Settlement Subclass Members and \$50 per Claimant for Group 2 Settlement Subclass Members.

Credit Monitoring

In addition to claiming reimbursement of Documented Losses or an Alternative Cash Payment, you may also claim up to three years of free Credit Monitoring.

Confirmatory Discovery: Defendant DG3 North America, Inc. has also agreed to provide documents and information to Class Counsel showing that it has taken data security measures to remedy the issues that led to the Data Security Incident and has implemented other business practices to help ensure information security.

For complete details, please see the Settlement Agreement, whose terms control, available at DG3DataSettlement.com.

¹ If the benefits claimed by all Settlement Class Members meet or exceed the amount of the Net Settlement Fund, then the payments and/or benefits for your Claim may be reduced pro rata by the Settlement Administrator so that the aggregate cost of all payments and benefits does not exceed the amount of the Net Settlement Fund.

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857

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

Unless you exclude yourself (opt out), you are choosing to remain in the 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 Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

10. What are the Released Claims?

Section XIII of the Settlement Agreement describes the Releases, Released Claims, and Released Parties, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at DG3DataSettlement.com. For questions regarding the Releases, Released Claims, Released Parties, and what the language in the Settlement Agreement means, you can also contact Class Counsel (listed below) for free, or you can talk to your own lawyer at your own expense.

Kenneth Grunfeld
Kopelowitz Ostrow P.A.
 One West Las Olas Blvd., Ste. 500
 Fort Lauderdale, FL 33301
grunfeld@kolawyers.com

John Nelson
Milberg Coleman Bryson Phillips Grossman PLLC
 402 W. Broadway, Suite 1760
 San Diego, CA 92101
jnelson@milberg.com

HOW TO GET BENEFITS FROM THE SETTLEMENT

11. How do I submit a Claim Form?

You must submit a timely and valid Claim Form to receive any Settlement Class Member Benefits. Your Claim Form must be submitted online at DG3DataSettlement.com by **September 25, 2025**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by September 25, 2025**. Claim Forms are also available at DG3DataSettlement.com or by calling 1-888-828-4857 or by writing to the following address:

DG3 Data Breach Litigation
 Settlement Administrator
 P.O. Box 2668
 Portland, OR 97208-2668

12. 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 the following address:

DG3 Data Breach Litigation
 Settlement Administrator
 P.O. Box 2668
 Portland, OR 97208-2668

13. When will I receive my Settlement Class Member Benefits?

If you file a timely and valid Claim Form, the Settlement Class Member Benefits will be provided 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 DG3DataSettlement.com for updates.

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857

EXCLUDE YOURSELF OR OPT OUT OF THE SETTLEMENT

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

14. How do I opt out of the Settlement?

To exclude yourself from the Settlement, 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 handwritten signature; and
3. A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in the *DG3 Data Breach Litigation*.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked by September 15, 2025**:

DG3 Data Breach Litigation
Settlement Administrator
P.O. Box 2668
Portland, OR 97208-2668

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 has not been signed by each and every individual Settlement Class Member will not be allowed.

15. If I opt out can I still get anything from the Settlement?

No. If you opt out, you will not be able to receive Settlement Class Member Benefits, and you will not be bound by the Settlement or any judgments in this lawsuit. You can only get Settlement Class Member Benefits if you stay in the Settlement and submit a timely and valid Claim Form.

16. If I do not opt out, can I sue Defendants for the same thing later?

No. Unless you opt out, you give up any right to sue any of the Released Parties about the Released Claims in this lawsuit, and you will be bound by all the terms of the Settlement, all proceedings, orders, and judgments in the lawsuit. You must opt out of this lawsuit to start or continue your own lawsuit or be part of any other lawsuit against the Released Parties about the Released Claims in this lawsuit. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court I do not like the Settlement?

If you are a member of the Settlement Class, you can tell the Court you do not agree with all or any part of the Settlement and/or Application for Attorneys’ Fees, Costs, and Service Awards.

To object, you must file a written objection with the Court by **September 15, 2025**, stating that you object to the Settlement in *Daniel Cunningham et al. v. DG3 North America, Inc. et al.*, Case No.2: 24-cv-07385. You must send your objection by U.S. Mail or private courier (such as FedEx) to the Settlement Administrator and the Court, and it must be postmarked by **September 15, 2025**.

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857

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

1. The name of the proceedings.
2. Your full name, mailing address, telephone number, and email address (if any).
3. All grounds for the objection, accompanied by any legal support for the objection known to you or your counsel.
4. The identity of all counsel who represent you, including any former or current counsel 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.
5. A statement of whether you and/or your attorney(s) intend to appear at the Final Approval Hearing.
6. A statement concerning whether you intend to personally appear and/or testify 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. The number of times you, your counsel, and/or counsel's law firm has objected to a class action settlement within the five (5) years preceding the date of the objection, the caption of each case in which the objection was made, and a copy of any orders related to or ruling upon the prior objections that were issued by the trial and appellate courts in each listed case.
9. Your signature (an attorney's signature is not sufficient).

To object, your written objection must be filed with the Court by **September 15, 2025**, and sent by U.S. Mail or private courier (such as FedEx) to the Settlement Administrator and the Court **postmarked** by **September 15, 2025**, at the following addresses:

COURT	SETTLEMENT ADMINISTRATOR
U.S. District Court Clerk U.S. Courthouse 50 Walnut Street Newark, NJ 07101	<i>DG3 Data Breach Litigation</i> Settlement Administrator P.O. Box 2668 Portland, OR 97208-2668

18. What is the difference between objecting and excluding myself from the Settlement?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Opting out is telling the Court that you do not want to be part of the Settlement Class. If you opt out, you cannot object because you are no longer part of the Settlement.

THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in the lawsuit?

Yes. The Court has appointed Kenneth Grunfeld of Kopelowitz Ostrow P.A., and John Nelson of Milberg Coleman Bryson Phillips Grossman, PLLC as Class Counsel to represent you and the Settlement 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 lawsuit.

Kenneth Grunfeld
Kopelowitz Ostrow P.A.
One West Las Olas Blvd., Ste. 500
Fort Lauderdale, FL 33301
grunfeld@kolawyers.com

John Nelson
Milberg Coleman Bryson Phillips Grossman PLLC
402 W. Broadway, Suite 1760
San Diego, CA 92101
jnelson@milberg.com

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857

20. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys' fees of up to 1/3rd of the Settlement Fund (\$200,000), plus reimbursement of reasonable costs. Class Counsel will also ask the Court to approve Service Awards for the Class Representatives of up to \$2,500 each for their efforts. 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.

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.

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

The Court will hold a Final Approval Hearing on **October 14, 2025, at 10:00 a.m.** before the Honorable William J. Martini at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Room 4015, Newark, New Jersey 07101. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection indicating that you and/or your counsel intend to appear at the Final Approval Hearing and/or whether you intend to personally appear and/or testify at the Final Approval Hearing, the Court at its discretion may hear objections 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 DG3DataSettlement.com to confirm the date and time of the Final Approval Hearing have not changed.

22. 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.

23. May I speak at the Final Approval Hearing?

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection indicating that you and/or your counsel intend to appear at the Final Approval Hearing and/or whether you intend to personally appear and/or testify at the Final Approval Hearing, the Court at its discretion may hear objections at the hearing, if you so request.

GET MORE INFORMATION

24. How do I get more information about the Settlement?

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 DG3DataSettlement.com. You may get additional information at DG3DataSettlement.com or by calling toll-free 1-888-828-4857, or by writing to:

DG3 Data Breach Litigation
Settlement Administrator
P.O. Box 2668
Portland, OR 97208-2668

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

Questions? Go to DG3DataSettlement.com or call 1-888-828-4857