

## NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

### **If Nth Degree Notified You of a Data Security Incident or your Private Information was Accessed or Acquired as a Result of the Data Security Incident, You May Be Eligible for Benefits From a Proposed Class Action Settlement.**

*This is not a solicitation from a lawyer, junk mail, or an advertisement.*

*A court authorized this Notice.*

**Your legal rights may be affected – please read this Notice carefully.**

This Notice summarizes the proposed Settlement reached in a lawsuit entitled *Harley Blandford and Julie Hardin v. Nth Degree, Inc.*, Case No. 2EV012970, filed on December 19, 2025, in the State Court of Fulton County, State of Georgia (the “Lawsuit”). The Notice explains the nature of the Lawsuit, the claims being settled, your legal rights, and the benefits to Settlement Class Members. For the precise Settlement terms and conditions, please see the Settlement Agreement available online at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com) or call the Settlement Administrator’s office at 1-800-393-1353. Please do not contact the Court with questions about this Settlement or the claims process.

- The Lawsuit alleges that Private Information stored in Nth Degree Inc.’s (“Defendant,” “Nth Degree”) computer systems was impacted by a “Data Security Incident” in December of 2024.
- If you received a Postcard Notice by mail, you have been identified as a Settlement Class Member, i.e., someone who resides in the United States whose Private Information was accessed or acquired during the Data Security Incident or an individual to whom Nth Degree sent notice regarding potentially compromised Private Information in the Data Security Incident.
- The legal rights and options of Settlement Class Members in this proposed Settlement are:

#### **YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT**

<b>File a Claim by July 30, 2026</b>	File a claim to receive Settlement Benefits. Claim Forms must be submitted online or postmarked by mail by July 30, 2026.
<b>Do Nothing</b>	Take no action and remain in the Settlement. You will give up your rights to sue Defendant and be bound by the Settlement, but you will not qualify for benefits.
<b>Request Exclusion by June 30, 2026</b>	Request exclusion and “opt out” of the Settlement. You will retain your right to sue about the claims resolved by this Settlement, and you will not be bound by the Settlement terms, but you cannot file a claim, and you will not be eligible for benefits. Opt-Out Requests must be postmarked for mail by June 30, 2026.
<b>File an Objection by June 30, 2026</b>	Tell the Court why you do not think the Settlement should be approved. You must remain a Settlement Class Member and can still file a claim for benefits. Objections must be filed with the Court by June 30, 2026.

**File a Notice of Appearance by June 30, 2026**

If you file an objection, you may request permission to address the Court about it at the Final Approval Hearing. Your Notice of Appearance must be filed with the Court by June 30, 2026.

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## BASIC INFORMATION

### 1. How do I know if I am included?

You are a Settlement Class Member if you reside in the United States and your Private Information was accessed and/or acquired as a result of the cyberattack incident suffered by Nth Degree on or between December 12, 2024 and December 20, 2024 (“Data Security Incident”), including all people who were sent notice of the Data Security Incident.

The Settlement Class specifically excludes: (1) the Judge presiding over the Lawsuit, any members of the Judge’s respective staffs, and immediate members of the Judge’s families; (2) officers, directors, members and shareholders of Nth Degree; (3) persons who timely and validly request exclusion from and/or opt out of the Settlement Class and the successors and assigns of any such excluded persons; and (4) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity or occurrence of the Data Security Incident or who pleads *nolo contendere* to any such charge.

Approximately 38,953 Settlement Class Members have been identified.

### 2. What is this Settlement about?

The case is known as *Harley Blandford and Julie Hardin v. Nth Degree, Inc.*, Case No. 2EV012970, and was filed on December 19, 2025, in the State Court of Fulton County, State of Georgia. The individuals who sued (in this case Harley Blandford and Julie Hardin) are known as the “Plaintiffs” or “Class Representatives” and the company they sued, in this case Nth Degree, is known as the “Defendant.”

Plaintiffs filed a lawsuit against Defendant, individually, and on behalf of anyone whose Personally Identifiable Information including but limited to name, address, date of birth, Social Security number, state identification number / driver’s license number, bank account information and health information (“Private Information”) was potentially impacted in the Data Security Incident.

Plaintiffs generally allege that Nth Degree failed to sufficiently protect their Private Information. Defendant denies all the allegations and any wrongdoing or liability.

### 3. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Plaintiffs, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, favorable for everybody involved. The Court did not decide in favor of the Plaintiffs or Defendant. Full details about the proposed Settlement can be found in the Settlement Agreement available at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com).

### 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 claims. All of these people together are the “Settlement Class” or “Settlement Class Members.” Resolving this matter as a class action allows Settlement Class Members to

receive benefits, provide efficiency to the Court, and saves both Parties the burden of continued litigation and expense.

## THE SETTLEMENT BENEFITS

### 5. What does this Settlement provide?

The proposed Settlement will provide the following benefits to Settlement Class Members who file valid claims, provided the Court grants final approval of the Settlement:

Settlement Class Members who submit valid and timely Claim Forms can choose one of two monetary relief options as described below and/or Credit Monitoring Services.

- 1. Documented Losses:** Settlement Class Members may file a claim for compensation for unreimbursed documented losses up to \$3,500.00. Losses may include out-of-pocket expenses incurred as a result of the Data Security Incident, including (a) bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage, or gasoline for local travel; (b) fees for credit reports, credit monitoring, or other identity theft insurance product purchased between December 12, 2024 and July 30, 2026; and (c) up to four (4) hours of lost time spent dealing with the Data Security Incident, compensated at a rate of twenty dollars per hour (\$20.00/hour), if at least one (1) full hour was spent dealing with the Data Security Incident, provided that the claimant certifies that the lost time was spent in response to the Data Security Incident, and provides a description of the time spent as set out in the Claim Form. Supporting documentation is required to substantiate claims for Documented Losses.

-OR-

- 2. Alternative Cash Payment:** In lieu of the Documented Losses described above, Settlement Class Members may elect to receive an Alternative Cash Payment of fifty dollars (\$50.00). Settlement Class Members who resided in California at the time of the Data Security Incident may also elect to receive a **California Subclass Statutory Payment** in the amount of one hundred dollars (\$100.00). The “California Subclass” includes all individuals residing in California whose Private Information was accessed and/or acquired as a result of the Data Security Incident, including all people who were sent notice of the Data Security Incident.
- 3. Credit Monitoring Services:** All Settlement Class Members may claim three years of credit monitoring services including single-bureau credit monitoring with dark web monitoring, up to \$1,000,000.00 reimbursement insurance, and fully managed identity recovery assistance.

### 6. How do I file a claim?

You can complete and file an electronic Claim Form on the Settlement Website at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com). Alternatively, you may download and print the Claim Form document available on the Settlement Website at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com) or call the Settlement Administrator toll-free at 1-800-393-1353 to have a Claim Form sent to you. Claim Forms must be submitted or postmarked no later than July 30, 2026.

All claims will be reviewed by the Settlement Administrator for completeness and accuracy.

### **7. What am I giving up as part of the Settlement?**

By remaining a member of the Settlement Class, you will be eligible to file a claim to be eligible for benefits, but you will not be able to sue Defendant or the Related Entities for any of the Released Claims addressed by the proposed Settlement. Submitting a valid and timely exclusion request is the only way to keep your right to sue Defendant.

Details about the Related Entities and Released Claims can be found in the Settlement Agreement, available at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com).

### **8. Will the Settlement Class Representatives receive compensation?**

Yes. The Settlement Class Representatives will receive compensation in the form of “Service Award” payments of up to \$2,500.00, each, in recognition of their roles in the litigation. The lawyers representing the Settlement Class (“Class Counsel”) will apply to the Court for the Settlement Class Representatives’ Service Awards and the Court will make the final decision as to the amount, if any, to be paid to the Settlement Class Representative.

## **EXCLUDE YOURSELF**

### **9. How do I request exclusion from the Settlement?**

If you do not want to be included in the Settlement or bound by the Settlement Agreement, you can submit a timely written exclusion or “opt-out” request.

To be valid, an Opt-Out Request must: (a) contain your full name, current address, telephone number; (b) include your personal and original signature, (or the original signature of a person previously authorized by law, such as a trustee, guardian, or person acting under a power of attorney to act on behalf of the Settlement Class Member with respect to a claim or right, such as those in the Lawsuit); (c) clearly manifest the Settlement Class Member’s intent to be excluded from the Settlement Class, to be excluded from the Settlement, not to participate in the Settlement, and/or to waive all rights to the benefits of the Settlement; and (d) be postmarked no later than **June 30, 2026** and mailed to the Settlement Administrator at:

Nth Degree Settlement  
c/o Atticus Administration  
PO Box 64053  
Saint Paul, MN 55164

If you exclude yourself, you will not be able to receive any of the benefits offered by this Settlement and you cannot object to the Settlement. You will not be legally bound by anything that happens in the Lawsuit, and you will keep your right to sue Defendant on your own for the claims that this Settlement resolves.

#### **10. If I do not exclude myself, can I sue later?**

No. If you do not request exclusion by **June 30, 2026**, and the Settlement is approved by the Court, you forever give up the right to sue Defendant and the Related Entities for the claims this Settlement resolves.

### **THE LAWYERS REPRESENTING YOU**

#### **11. Do I have a lawyer in the case?**

Yes. The Court appointed Casondra Turner of Milberg, PLLC and Tyler Bean of Siri & Glimstad LLP, to represent the interests of all Settlement Class Members in this case. Collectively, they are known as Settlement Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **12. How will the lawyers be paid?**

Settlement Class Counsel will apply to the Court for an award of combined attorneys' fees and costs in an amount not to exceed \$260,000.00. A copy of Settlement Class Counsel's motion for attorney's fees and costs, and Service Awards for each Plaintiff in an amount not to exceed \$2,500.00 each, will be posted on the Settlement Website at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com) before the Final Approval Hearing. The Court will make the final decisions as to the amounts to be paid to Settlement Class Counsel, and may award less than the amount requested by Settlement Class Counsel.

### **OBJECTING TO THE SETTLEMENT**

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

If you want to tell the Court that you do not agree with the proposed Settlement or some part of it, you must submit a timely and valid written notice of your objection by **June 30, 2026**.

To be valid, your written objection must: (a) state your full name, current address, telephone number, and email address (if any); (b) contain your original signature; (c) set forth information identifying you as a Settlement Class Member, including proof that the objector is a Settlement Class Member (*e.g.*, copy of the Notice or copy of original notice of the Data Security Incident); (d) set forth a statement of all grounds for the objection, including any legal support for the objection that the objector believes applicable; (e) identify all counsel representing you; (f) state whether the you and/or your counsel will appear at the Final Approval Hearing, and; (g) contain the signature of your duly authorized attorney or other duly authorized representative (if any), along with documentation setting forth such representation.

To be timely, your written objection must be filed with the Clerk of the Court and mailed or hand delivered to Settlement Class Counsel and Nth Degree's Counsel at the addresses set forth below no later than June 30, 2026.

<b>CLERK OF COURT</b>	<b>CLASS COUNSEL</b>	<b>DEFENSE COUNSEL</b>
<b>FULTON COUNTY STATE COURT</b> 185 Central Ave SW Atlanta, GA 30303	Casondra Turner <b>MILBERG PLLC</b> 260 Peachtree Street NW Suite 2200 Atlanta, Georgia 30303  Tyler J. Bean, Esq. <b>SIRI &amp; GLIMSTAD LLP</b> 745 Fifth Avenue, Suite 500 New York, New York 10151	Christopher G. Dean <b>MCDONALD HOPKINS LLC</b> 600 Superior Ave. E. Suite 2100 Cleveland, Ohio 44114

If your objection does not comply with all the above requirements or it is not received by June 30, 2026, the objection will be waived, and you will not be entitled to speak at the Final Approval Hearing.

You are not required to attend the Final Approval Hearing if you file an objection, but if you do intend to appear, with or without counsel, you must also file a notice of appearance with the Court and mail or hand deliver to Settlement Class Counsel and Nth Degree’s Counsel on or before June 30, 2026.

The notice of appearance filed with the Court must identify the attorney(s) representing you who will appear at the Final Approval Hearing and include each such attorney’s name, address, phone number, email address, state bar(s) to which counsel is admitted, as well as associated state bar numbers, and a list identifying all objections such counsel has filed to class action settlements in the past three (3) years, the results of each objection, any court opinions ruling on the objections, and any sanctions issued by a court in connection with objections filed by such attorney. If you intend to request permission to call any witnesses, you must also provide a list of the witnesses with a brief summary of their expected testimony by July 20, 2026.

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

Objecting is simply telling the Court that you don’t like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you don’t want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

**THE FINAL APPROVAL HEARING**

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

The Court will hold a Final Approval Hearing on August 19, 2026, at 09:00 A.M. (ET), in Courtroom 2F of the State Court of Fulton County, State of Georgia, located at 185 Central Ave SW, Atlanta, GA 30303. The hearing may be held remotely, or moved to a different date, time, or location without additional notice. Please check the Settlement Website at [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com) for updated information.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be finally

approved. If there are valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider the award of attorneys' fees and costs to Settlement Class Counsel and the request for Service Awards to the Class Representatives.

#### **16. Do I have to come to the hearing?**

No. You are not required to come to the Final Approval Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an objection, you do not have to come to the hearing to talk about it. If your objection was submitted properly and on time, the Court will consider it. If a proper notice of appearance is filed, you may also pay your own lawyer to attend the Final Approval Hearing, but that is not necessary.

#### **17. May I speak at the hearing?**

Yes. You can speak at the Final Approval Hearing, but you must ask the Court for permission. You cannot speak at the hearing if you exclude yourself from the Settlement.

### **DO NOTHING**

#### **18. What happens if I do nothing?**

If you do nothing, you will be bound by the Settlement if the Court approves it, but you will not receive any of the benefits provided by the Settlement. You will not be able to start or proceed with a lawsuit or be part of any other lawsuit against Defendant and the Related Entities about the settled claims in this case at any time.

### **GET MORE INFORMATION**

#### **19. How do I get more information about the Settlement?**

This Notice is only a summary of the proposed Settlement. For additional information, including a copy of the Settlement Agreement, the Court's Preliminary Approval Order, and more please visit [www.NthDegreeSettlement.com](http://www.NthDegreeSettlement.com). You may also contact the Settlement Administrator at 1-800-393-1353 or Nth Degree Settlement, c/o Atticus Administration, PO Box 64053, Saint Paul, MN 55164.

**PLEASE DO NOT CONTACT THE COURT WITH SETTLEMENT QUESTIONS.**