

If you were notified of a Data Incident involving Planet Home Lending that occurred on or about November 15, 2023, you may be entitled to a cash payment from a class action settlement.

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

- A \$2,425,000 settlement has been reached in a class action lawsuit against Planet Home Lending, LLC (“Defendant”), arising out of a data incident that occurred on or about November 15, 2023, involving unauthorized access to or acquisition of Personal Information (“Data Incident”).
- You are part of the Settlement Class if you were sent notice by Defendant that your Personal Information may have been impacted in the Data Incident that occurred on or about November 15, 2023. Under the terms of the Settlement, Settlement Class Members who submit Valid Claims may be able to receive a Cash Payment, detailed below, subject to pro rata (a legal term meaning equal share) adjustments.
 - o **Cash Payment A**
 - **Compensation for Ordinary Losses:** With supporting documentation showing your incurred losses as a result of the Data Incident, you may be eligible for reimbursement up to \$1,500.
 - **Compensation for Lost Time:** You are also eligible to receive reimbursement for up to five hours of lost time spent dealing with the Data Incident, calculated at the rate of \$25 per hour.
 - **Compensation for Extraordinary Losses:** For certain documented extraordinary losses, you may be eligible for reimbursement up to \$10,000.

OR

- o **Cash Payment B:** Instead of selecting Cash Payment A, you may elect to receive a flat Cash Payment of \$100.
- Although Defendant denies any wrongdoing, Plaintiffs have received assurances that Defendant has implemented security measures.

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

YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
SUBMIT A CLAIM FORM	Submit a Valid Claim and receive a Cash Payment.	Submitted online or postmarked by September 25, 2024
OPT OUT	Get no Cash Payment. Keep your right to file your own lawsuit against Defendant about the legal claims in this case.	Postmarked by October 15, 2024
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.	Received by October 15, 2024
DO NOTHING	Get no Cash Payment. Be bound by the Settlement.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court must still decide whether to approve the Settlement. There will be no Cash Payments paid unless the Court approves the Settlement and it becomes final.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

BASIC INFORMATION

1. Why is this Notice being provided?

A federal court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and all of your rights and options before the Court decides 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 Kari A. Dooley of the United States District for the District of Connecticut is overseeing this class action. The case is known as *Mathis v. Planet Home Lending, LLC (In re: Planet Home Lending, LLC, Data Breach)*, Case No. 3:24-cv-127 (KAD) (D. Conn.). The persons who filed this lawsuit are called “Plaintiffs” and/or “Class Representatives,” and the company being sued, Planet Home Lending, LLC, is called “Defendant.”

2. What is this lawsuit about?

Plaintiffs filed this class action against Defendant for its alleged failure to properly secure and safeguard Plaintiffs’ and other similarly situated customers’ sensitive information, including full names, addresses, Social Security numbers, loan numbers, and financial account numbers (“Personal Information”). On or around November 15, 2023, a Data Incident occurred, which resulted in unauthorized access to or acquisition of the Personal Information.

This lawsuit was filed on behalf of all persons whose Personal Information was compromised as a result of Defendant’s alleged failure to (a) adequately protect the Personal Information of Plaintiffs and Settlement Class Members, (b) warn Plaintiffs and Settlement Class Members of Defendant’s inadequate information security practices, and (c) effectively secure hardware containing protected Personal Information using reasonable and effective security procedures free of vulnerabilities and incidents. Defendant’s alleged conduct amounts at least to negligence and violates federal and state statutes.

Plaintiffs brought this lawsuit against Defendant alleging claims for negligence, negligence per se, breach of implied contract, unjust enrichment, and declaratory judgment.

Defendant denies these allegations and denies any wrongdoing or liability. The Court has not decided who is right. Instead, Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of further litigation.

3. Why is the lawsuit a class action?

In a class action, one or more people (called plaintiffs or class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a “class” or “class members.” If the plaintiffs and defendant reach a settlement, the court resolves the issues for all class members via the settlement, except for those class members who timely opt out (exclude themselves) from the settlement.

The proposed Class Representatives in this lawsuit are Plaintiffs Brandon Mathis, Nashira Williams, Jamie Lee Mazzo, Jeffrey Benson, Frank Canepa, William Ekola, Joe Ward, Antonio Cole, and Ramsey Coulter.

4. Why is there a settlement?

Plaintiffs and Defendant do not agree about the legal claims made in the 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. The Class Representatives believe the Settlement is best for all individuals in the Settlement Class because of the benefits available to the Settlement Class 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 part of the Settlement Class if you were sent notice by the Defendant that your Personal Information may have been impacted in the Data Incident on or about November 15, 2023.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

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

Yes. Excluded from the Settlement Class are (a) all persons who are employees, directors, officers, and agents of Defendant; (b) governmental entities; and (c) the Judge assigned to the Action, that Judge's immediate family, and Court staff.

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 PHLDataBreachSettlement.com or call the Settlement Administrator's toll-free telephone number, 1-877-554-3624.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

If you are a Settlement Class Member and you timely submit a Valid Claim, you may be eligible for the following benefits, subject to a pro rata adjustment (a legal term meaning equal share).

Cash Payment

- **Cash Payment A**

- o **Compensation for ordinary losses:** All Settlement Class Members who submit a Valid Claim are eligible for up to a total of \$1,500 per person for unreimbursed ordinary losses that are fairly traceable to the Data Incident. You must submit documentation supporting your Claim for ordinary losses, which may include receipts or other documentation that show the costs incurred. Self-prepared documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement but can be considered to add clarity to or support other submitted 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 credit monitoring product offered as part of the notice letter previously provided by Defendant. Ordinary losses may include the following:
 - **Out-of-pocket expenses** incurred as a result of the Data Incident, including 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
 - **Fees for credit reports, credit monitoring, or other identity theft insurance products** purchased between November 15, 2023, the date of the Data Incident, and September 25, 2024, the deadline to file a Claim Form
- o **Compensation for lost time:** Settlement Class Members with time spent remedying issues related to the Data Incident may receive reimbursement of \$25 per hour for up to five hours (for a total of \$125) with an attestation (a legal term meaning signing a formal document) including a brief description of the action(s) taken in response to the Data Incident.
- o **Compensation for extraordinary losses:** Settlement Class Members may receive compensation for extraordinary losses, up to a total of \$10,000 per Settlement Class Member, if the extraordinary loss
 - is an actual, documented, and unreimbursed monetary loss due to fraud or identity theft;
 - is more likely than not caused by the Data Incident;
 - occurred after November 15, 2023, and before September 25, 2024;
 - is not one of the listed ordinary loss categories; and
 - the Settlement Class Member made reasonable efforts to avoid or seek reimbursement for the loss, including but not limited to exhaustion of all available credit monitoring insurance and identity theft insurance.

OR

- **Cash Payment B:** Instead of selecting Cash Payment A, a Settlement Class Member may elect to receive Cash Payment B, which is a one-time payment of \$100.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

Pro Rata Adjustment: Settlement Class Member Cash Payments will be subject to a pro rata (a legal term meaning equal share) increase from the Settlement Fund in the event the amount of Valid Claims is insufficient to exhaust the entire Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Settlement Fund, the amount of the Cash Payments may be reduced pro rata accordingly. Any pro rata increases or decreases to Cash Payments will be on an equal percentage basis.

Business Practice Changes: Although Defendant denies any wrongdoing, Plaintiffs have received assurances that Defendant has implemented security measures.

9. What am I giving up to receive a Cash Payment or stay in the Settlement Class?

Unless you opt out of the Settlement, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court 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 Released Parties, including Defendant, 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 Released Claims and the Releases in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at PHLDataBreachSettlement.com or in the public court records on file in this lawsuit. For questions regarding the Releases or Released Claims and what the language in the Settlement Agreement means, you can contact Class Counsel, listed in Question 15, for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

11. How do I make a Claim for Settlement benefits?

To receive a Cash Payment as described in Question 8, you must submit a Valid Claim, postmarked or submitted online by **September 25, 2024**. If you received notice by postcard, Claim Forms for Cash Payment “B” may be submitted by completing and returning the tear-off portion of the postcard to the Settlement Administrator. Alternatively, Claim Forms for either Cash Payment “A” or Cash Payment “B” may be submitted online at PHLDataBreachSettlement.com or printed from the Settlement Website and mailed to the Settlement Administrator at the address on the Claim Form. The quickest way to submit a Claim is online. Claim Forms are also available by calling 1-877-554-3624 or writing to the following address:

Planet Home Lending, LLC Data Breach Settlement Administrator
P.O. Box 2769
Portland, OR 97208-2769

Claim Forms must be submitted online or postmarked by September 25, 2024.

12. 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 calling 1-877-554-3624 or by writing to the following address:

Planet Home Lending, LLC Data Breach Settlement Administrator
P.O. Box 2769
Portland, OR 97208-2769

13. When will I receive my Settlement benefits?

If you submit a timely and Valid Claim, a Cash Payment will be made to you 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 PHLDataBreachSettlement.com for updates.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

14. How will I receive my payment?

If you submit a timely Valid Claim for a Cash Payment, and if your Claim and the Settlement are finally approved, Cash Payments will be made by electronic payment or by paper check. Settlement Class Members with Valid Claims will be sent an email to select from paper check or electronic payment. Please ensure you have provided a current and complete email address. If you do not provide a current and valid email address, if you do not open the email, or if your electronic payment does not go through due to incorrect or incomplete information, the Settlement Administrator will attempt to send you a check to the physical address submitted on your Claim Form.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

Yes. The Court has appointed Mason Barney of Siri & Glimstad LLP, Jeff Ostrow of Kopelowitz Ostrow P.A., Gary Mason of Mason LLP, Mariya Weekes of Milberg Coleman Bryson Phillips Grossman PLLC, Raina Borrelli of Turke & Strauss LLP, and Daniel Srourian of Srourian Law Firm, P.C., as Class Counsel. These lawyers will 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.

16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys' fees of up to 33.33% of the \$2,425,000 Settlement Fund plus reimbursement of reasonable costs. The Court may award less than the amounts requested. If awarded by the Court, the Settlement Administrator will pay attorneys' fees and costs out of the Settlement Fund.

Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards will be made available on the Settlement Website at PHLDataBreachSettlement.com before the deadline to object to or opt out of the Settlement.

OPTING OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Released Parties on your own based on the legal claims raised in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called opting out of the Settlement.

17. How do I opt out of the Settlement?

To opt out of the Settlement, you must timely mail written notice of your request to opt out. The written notice must

- (a) be signed by you as a Settlement Class Member;
- (b) include your name, address, telephone number, and email address (if any); and
- (c) include a statement indicating your request to be excluded from the Settlement Class in *Mathis v. Planet Home Lending, LLC (In re: Planet Home Lending, LLC, Data Breach)*, Case No. 3:24-cv-127 (KAD) (D. Conn.).

The opt-out request must be **mailed** to the Settlement Administrator at the following address, **postmarked by October 15, 2024**:

Planet Home Lending, LLC Data Breach Settlement Administrator
Exclusions
P.O. Box 2769
Portland, OR 97208-2769

You cannot opt out by telephone or email.

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

No. If you opt out, you will not be entitled to receive a Cash Payment, but you will not be bound by any judgment in this case. You can only get a Cash Payment if you stay in the Settlement and submit a Valid Claim.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

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

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

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 and/or Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards.

To object, you must file a timely, written objection stating that you object in *Mathis v. Planet Home Lending, LLC (In re: Planet Home Lending, LLC, Data Breach)*, Case No. 3:24-cv-127 (KAD) (D. Conn.). If your objection is submitted by mail, it must be **postmarked by October 15, 2024**, or if your objection is submitted by private courier, such as FedEx, it must have a shipping date on the label that is prior to **October 15, 2024**.

The objection must also include all the following information:

- (a) Your full name, mailing address, telephone number, and email address (if any)
- (b) A written statement of all grounds for the objection, accompanied by any legal support for the objection known to you or your lawyer
- (c) The number of times you have objected to a class action settlement within the five years preceding the date that you filed 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 trial and appellate courts in each listed case
- (d) The identity of all lawyers (if any) representing you, including any former or current lawyer(s) 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
- (e) The number of times in which your lawyer and/or your lawyer's law firm has objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which the lawyer or the law firm has made such objection, and a copy of any orders related to or ruling upon the 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 the objector's lawyer and/or lawyer's law firm have objected to a class action settlement within the preceding five years
- (f) The identity of all lawyers (if any) representing you and whether they will appear at the Final Approval Hearing
- (g) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any)
- (h) A statement as to whether you intend to personally appear and/or testify at the Final Approval Hearing
- (i) Your signature (a lawyer's signature is not sufficient)

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

To be timely, written notice of an objection in the appropriate form must be filed with the Court by **October 15, 2024**, with copies sent to the following addresses:

COURT	CLASS COUNSEL	DEFENDANT'S COUNSEL	SETTLEMENT ADMINISTRATOR
Clerk of Court Brien McMahon Federal Building United States Courthouse 915 Lafayette Boulevard Courtroom 2 Bridgeport, CT 06604	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd. 5 th Floor Fort Lauderdale, FL 33301	Aravind Swaminathan Orrick, Herrington & Sutcliffe LLP 401 Union St. Seattle, WA 98101	Planet Home Lending, LLC Data Breach Settlement Administrator Objections P.O. Box 2769 Portland, OR 97208-2769

Any Settlement Class Member who fails to comply with the requirements for objecting detailed above will waive and forfeit any and all rights they may have to appear separately and/or to object to the Settlement Agreement and will be bound by all terms of the Settlement Agreement and by all proceedings, orders, and judgments in the lawsuit.

21. What is the difference between objecting and opting out?

Objecting is simply telling the Court you do not like something about the Settlement or 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). Opting out of the Settlement is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you opt out, you cannot object to the Settlement.

THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **November 14, 2024, at 10:00 a.m.** before the Honorable Kari A. Dooley at the Brien McMahon Federal Building, United States Courthouse, 915 Lafayette Boulevard, Courtroom 2, Bridgeport, Connecticut 06604, or via Zoom or phone. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement and Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards.

If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

Note: The date and time of the Final Approval Hearing are subject to change. The Court may also decide to hold the hearing via Zoom or by phone. Any change will be posted at PHLDataBreachSettlement.com.

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 send an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file or mail your written objection on time, the Court will consider it.

24. May I speak at the Final Approval Hearing?

Yes, as long as you do not opt out, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. This is called making an appearance. You may also 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 Final Approval Hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 20, above, and specifically include a statement indicating whether you and your lawyer will appear at the Final Approval Hearing.

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.

IF YOU DO NOTHING

25. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive a Cash Payment, and you will give up rights explained in the “Opting Out of 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, including Defendant, about the legal issues in this lawsuit that are released by the Settlement relating to the Data Incident.

GETTING MORE INFORMATION

26. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at PHLDataBreachSettlement.com, by calling 1-877-554-3624, or by writing to the following address:

Planet Home Lending, LLC Data Breach Settlement Administrator
P.O. Box 2769
Portland, OR 97208-2769

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

Questions? Go to PHLDataBreachSettlement.com or call 1-877-554-3624.