

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

McKenzie v. Walser Automotive Group LLC, et al.

Case No. 27-cv-24-9692, Fourth Judicial Circuit (County of Hennepin), State of Minnesota

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

If you are a person in the United States who received notice of the May 2024 Data Incident involving Walser Automotive Group, LLC and Walser Holding Company, Inc., a class action settlement may affect your rights.

A proposed settlement has been reached in a lawsuit entitled *McKenzie v. Walser Automotive Group, LLC, et al.*, Case No. 27-cv-24-9692, filed in the Fourth Judicial Circuit (County of Hennepin), State of Minnesota relating to the unauthorized third-party infiltration of Defendants Walser Automotive Group, LLC's and Walser Holding Company, Inc.'s (collectively "Defendants" or "Walser" computer network and access to Settlement Class member Private Information that occurred on or about May 15, 2024 ("Data Incident"). Defendants deny all claims alleged against them and deny all charges of wrongdoing or liability. The settlement is not an admission of wrongdoing or an indication that the Defendants violated any laws but rather a resolution of disputed claims.

If you received a Notice from the Defendants about the 2024 Data Incident, you are included in this Settlement as a "Settlement Class member."

Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully. For complete details, visit www.walserbreachsettlement.com or call toll-free 1-833-659-4100.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY: AUGUST 12, 2025	Submitting a valid Claim Form is the only way you can receive a Cash Payment from the Settlement.
EXCLUDE YOURSELF FROM THE SETTLEMENT BY: JULY 13, 2025	If you exclude (opt-out) yourself from the Settlement, you will not receive any benefits from the Settlement, but you also will not release your claims against the Defendants. This is the only option that allows you to be part of any other lawsuit against the Defendants for the legal claims resolved by this Settlement. If you exclude yourself from the Settlement, you may not object to the Settlement.
OBJECT TO THE SETTLEMENT BY: JULY 13, 2025	To object to the Settlement, you can write to the Court with reasons why you do not agree with the Settlement. You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing at your own expense.
DO NOTHING	If you do nothing, you will not receive any benefits from the Settlement. You will also give up certain legal rights.

Questions? Visit www.walserbreachsettlement.com or call toll-free 1-833-659-4100

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION.....	PAGE 2
WHO IS INCLUDED IN THE SETTLEMENT?.....	PAGE 3
THE SETTLEMENT CLASS MEMBER BENEFITS—WHAT YOU GET IF YOU QUALIFY.....	PAGE 3
HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM.....	PAGE 4
REMAINING IN THE SETTLEMENT.....	PAGE 4
OPTING-OUT OF THE SETTLEMENT.....	PAGE 5
THE LAWYERS REPRESENTING YOU.....	PAGE 5
OBJECTING TO THE SETTLEMENT	PAGE 6
IF YOU DO NOTHING.....	PAGE 7
GETTING MORE INFORMATION.....	PAGE 7

BASIC INFORMATION

1. Why is this Notice being provided?

The Court directed that this Notice be provided because you have a right to know about a proposed settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the Settlement Benefits to Settlement Class Members who submitted a valid and timely Claim Form. This Notice explains the lawsuit, the Settlement, your legal rights, what payments are available, who is eligible for them, and how to get them.

The Court overseeing this case is the Fourth Judicial Circuit (County of Hennepin), State of Minnesota. The case is known as *McKenzie v. Walser Automotive Group, LLC, et al.*, Case No. 27-cv-24-9692. Steven Shane McKenzie, the individual who brought this Action, is called the Plaintiff or Class Representative, and the entities sued, Walser Automotive Group, LLC and Walser Holding Company, Inc. (collectively “Walser”), are called the Defendants.

2. What is this lawsuit about?

The Plaintiff claims that Walser is liable for the Data Incident and has asserted numerous legal claims against the Defendants. The Defendants deny each and all the claims and contentions alleged against it in the Action. Defendants deny all charges of wrongdoing or liability as alleged, or which could be alleged, in the Action.

For more information and to review the complaint filed in this Action, visit www.walserbreachsettlement.com

3. What is a class action Settlement?

In a class action, one or more people called Plaintiff or Plaintiffs sue on behalf of people who have similar claims. Together, these people are called a Settlement Class or Settlement Class Members. One Court and one judge resolve the issues for all Class members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff or Defendants. Instead, a settlement with the Defendants was negotiated that allows the Plaintiff, the proposed Settlement Class, and Defendants to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. The Settlement provides benefits and allows Settlement Class Members to obtain Cash Payments for certain costs or losses without further delay. Plaintiff and Class Counsel think the Settlement is in the best interest of all Settlement Class members. This Settlement does not mean that Defendants did anything wrong.

WHO IS INCLUDED IN THE SETTLEMENT?

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

The Settlement Class includes all persons in the United States whose Private Information was compromised due to an unauthorized third party that infiltrated Defendants' computer network and gained access to Settlement Class Members' Private Information on or about May 15, 2024 ("Data Incident").

Settlement Class members were also sent Notice of this class action Settlement via email or mail. If you receive Notice of this Settlement, you are eligible to receive Settlement Class Member Benefits. If you are still not sure whether you are included, you can contact the Settlement Administrator by calling toll-free at 1-833-659-4100 or by visiting the Settlement Website at www.walserbreachsettlement.com.

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

Yes. The Settlement Class specifically excludes: (a) all persons who are governing board members of the Defendants; (b) governmental entities; (c) persons who properly execute and file a timely request for exclusion from the Class; (d) persons whose claims in this matter have been finally adjudicated on the merits or otherwise released; (e) Plaintiff's counsel and Defendants' counsel; (f) the legal representatives, successors, and assigns of any such excluded persons; and (g) the Court, the Court's immediate family, and Court staff.

THE SETTLEMENT CLASS MEMBER BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

Settlement Class Members who submit a valid and timely Claim Form are eligible to receive up to \$5,000 for documented losses related to the Data Incident and a flat Cash Payment of \$100. In addition, under the Settlement, the Defendants will make certain business practice changes to further secure their systems and environments.

8. What is the Cash Payment A - Documented Losses?

Settlement Class members may submit a Claim for a Cash Payment for up to \$5,000 per Settlement Class member upon presentment of documented losses related to the Data Incident. To receive a documented loss payment, a Settlement Class member must elect Cash Payment A on the Claim Form attesting under penalty of perjury to incurring documented losses. Settlement Class members will be required to submit reasonable documentation supporting the losses. Settlement Class members shall not be reimbursed for expenses if they have been reimbursed for the same expenses by another source, including compensation provided in connection with the credit monitoring and identity theft protection product offered as part of the notification letter provided by Defendants or otherwise. If a Settlement Class member does not submit reasonable documentation supporting a loss, or if their Claim is rejected by the Settlement Administrator

for any reason, and the Settlement Class member fails to cure his or her Claim, the Claim will be rejected and the Settlement Class member's Claim will not receive a documented loss Cash Payment.

9. What is the Cash Payment B – Flat Cash Payment?

In addition to Cash Payment A above, a Settlement Class member may claim Cash Payment B, which is a flat Cash Payment of \$100.00.

10. Have the Defendants implemented any additional security measures?

Yes, the Plaintiff has received assurances that Defendants have undertaken reasonable steps to further secure their systems and environments. Defendants have provided confidential information regarding the facts and circumstances of the Data Incident and Defendants' responses thereto, and the changes and improvements that have been made to protect Class members' Private Information.

HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

11. How do I get benefits from the Settlement?

In order to receive a Cash Payment A – Documented Losses and/or a Cash Payment B – Flat Cash Payment, you must complete and submit a Claim Form. Claim Forms are available at www.walserbreachsettlement.com, or you may request one by mail or by calling 1-833-659-4100. Read the instructions carefully, fill out the Claim Form, and submit it online, or mail it postmarked no later than **August 12, 2025** to: Walser Data Incident Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

12. How will Claims be decided?

The Settlement Administrator will decide whether the information provided on the Claim Form is complete and valid. The Settlement Administrator may require additional information from any Settlement Class member. If the Settlement Administrator requires additional information from you and you do not provide it in a timely manner, your claim may not be paid at the Settlement Administrator's discretion.

13. When will I get my payment?

The Court will hold a Final Approval Hearing at **9:00 a.m. on September 5, 2025**, to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals, and resolving them may take additional time. It also takes time for all the Claim Forms to be processed, depending on the number of Claims submitted and whether any appeals are filed. Please be patient. If you have further questions regarding payment timing, you may contact the Settlement Administrator by emailing info@walserbreachsettlement.com.

REMAINING IN THE SETTLEMENT

14. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement, but if you want receive a Cash Payment from the Settlement, you must submit a Claim Form online or postmarked by **August 12, 2025**.

If you do nothing, you will **not** receive Settlement Class Member Benefits and you will also give up certain legal rights.

15. What am I giving up as part of the Settlement?

If the Settlement becomes final, you will give up your right to sue Defendants for the claims being resolved by this Settlement. The specific claims you are giving up against Defendants and the claims you are releasing are described in the Settlement Agreement, available at www.walserbreachsettlement.com. The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions about what claims you are giving up and which parties you are releasing, you can talk to Class Counsel for free or you can, of course, talk to your own lawyer at your own expense.

OPTING-OUT OF THE SETTLEMENT

If you do not want any benefits from this Settlement, and you want to keep the right to sue Defendants about legal issues resolved by this Settlement, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting-out” of – the Settlement Class.

16. If I opt-out, can I still get Cash Payment from the Settlement?

No. If you opt-out of the Settlement, you will not be entitled to receive a Cash Payment from the Settlement, but you will not be bound by any judgment in this case.

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

No. Unless you opt-out of the Settlement, you give up any right to sue Defendants for the Claims that this Settlement resolves. You must opt-out of the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case.

18. How do I get out of the Settlement?

To opt-out of the Settlement, you must send a letter by mail stating that you want to be excluded from the Settlement in *McKenzie v. Walser Automotive Group, LLC, et al.*, Case No. 27-cv-24-9692. Your letter must also include your full name, current address, telephone number, email address, and signature. You must mail your opt-out request postmarked no later than **July 13, 2025** to:

Walser Data Incident Settlement
Attn: Exclusions
P.O. Box 58220
Philadelphia, PA 19102

Settlement Class members will only be able to submit an opt-out request on their own behalf; mass or class opt-outs are not permitted.

THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in this case?

Yes. The Court appointed the following attorneys as “Class Counsel” to represent the Settlement Class:

Class Counsel	
Jeff Ostrow KOPELOWITZ OSTROW P.A. 1 West Las Olas Blvd., Ste. 500 Fort Lauderdale, FL 33301	Christopher P. Renz CHESTNUT CAMBRONNE P.A. 100 Washington Ave. S., Ste. 1700 Minneapolis, MN 55401

You will not be charged for contacting Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

20. How will Class Counsel be paid?

Class Counsel shall apply to the Court for an award of attorneys' fees and costs of up to \$100,000. Class Counsel will also seek a Service Award in the amount of \$2,500 for the Class Representative. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can object to the Settlement if you do not like or agree with the Settlement or some part of it. You can give reasons to the Court why you think the Court should not approve the Settlement. The Court will consider your views before deciding.

Objections must include:

- the objector's full name, mailing address, telephone number, and email address (if any);
- all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
- the identity of all counsel who represent the objector, including the identity of all counsel (if any) representing the objector who will appear at the Final Approval Hearing;
- a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- the objector's signature (an attorney's signature is not sufficient).
- Class Counsel and/or Defendants' Counsel may conduct limited discovery of any objector or objector's counsel.

Objections must be mailed to the Clerk of the Court, Class Counsel, Defendants' Counsel, and the Settlement Administrator

Clerk of the Court	
Clerk of the Court Hennepin County Government Center 300 South Sixth Street Minneapolis, MN 55487	
Class Counsel	Class Counsel
Jeff Ostrow KOPELOWITZ OSTROW P.A. 1 West Las Olas Blvd., Ste. 500 Fort Lauderdale, FL 33301	Christopher P. Renz CHESTNUT CAMBRONNE P.A. 100 Washington Ave. S., Ste. 1700 Minneapolis, MN 55401
Defendants' Counsel	Settlement Administrator
Anne M. Lockner ROBINS KAPLAN LLP 800 LaSalle Ave., Ste. 2800 Minneapolis, MN 55402	Walser Data Incident Settlement Attn: Objections P.O. Box 58220 Philadelphia, PA 19102

For an objection to be considered by the Court, the objection must be submitted no later than July 13, 2025. If submitted by mail, an objection shall be deemed to have been submitted when posted if received with a postmark date indicated on the envelope if mailed first-class postage prepaid and addressed in accordance with the instructions. If submitted by private courier (e.g., Federal Express), an objection shall be deemed to have been submitted on the shipping date reflected on the shipping label.

22. What is the difference between objecting to and opting-out of the Settlement?

Objecting is telling the Court that you do not like something about the Settlement. Opting-out is telling the Court that you do not want to be part of the Class in this Settlement. If you opt-out of the Settlement, you have no basis to object or submit a Claim Form because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You cannot speak at the hearing if you exclude yourself from the Settlement.

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

The Court will hold a Final Approval Hearing at **9:00am**, on **September 5, 2025**, in a designated courtroom at the Hennepin County Government Center, 300 South Sixth Street, Minneapolis, Minnesota before the Honorable Karen Janisch. At the hearing, the Court will consider granting Final Approval of the Settlement and the Application for Attorneys' Fees, Costs and Service Award.

The Court will take into consideration any timely submitted written objections and may also listen to anyone who has requested to speak at the hearing (*see* Question 21).

24. 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 the Final Approval Hearing at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

25. May I speak at the Final Approval Hearing?

Yes, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must follow the instructions provided in Question 21 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

26. What happens if I do nothing?

If you do nothing, you will not receive a Cash Payment from the Settlement. If the Court approves the Settlement, and you do nothing, you will be bound by the Settlement Agreement. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants or Released Parties about the issues involved in this lawsuit, resolved by this Settlement, and released by the Settlement Agreement.

GETTING MORE INFORMATION

27. Are more details about the Settlement available?

Yes. This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is available at www.walserbreachsettlement.com, or by writing to Settlement Administrator:

Walser Data Incident Settlement
c/o Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
info@walserbreachsettlement.com

28. How do I get more information?

For more information, please visit www.walserbreachsettlement.com or call toll-free 1- (833) 659-4100. You can also contact the Settlement Administrator by mail or email.

Please do not call the Court or the Clerk of the Court for additional information.