

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT
Circuit Court of Cook County, Illinois, Chancery Division

In re Saint Xavier University Data Breach Litigation, Case No. 2024CH09951

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

**If Your Information Was Potentially Accessed in or You Previously Received a Notice Stating
You Were Impacted by the Saint Xavier University Data Incident, You Are Eligible to
Receive Payments from a Class Action Settlement**

- If you are receiving this notice, you are eligible to receive a payment from a proposed \$1,750,000.00 class action settlement (the “Settlement Fund”). To be eligible to make a Settlement Claim, your information must have been potentially impacted in the Data Incident perpetrated on Saint Xavier University (“SXU”), between June 29, 2023 and July 18, 2023.
- The Litigation alleges that between June 29, 2023 and July 18, 2023, cybercriminals breached SXU’s computer and information systems and potentially accessed personally identifying information, financial account information, medical information and health insurance information (collectively, “Personal Information”) belonging to SXU’s current and former students, prospective students, current and former employees, and dependents, spouses, or beneficiaries of current and former employees and students (the “Data Incident”). Defendant denies any wrongdoing and denies that it has any liability but has agreed to settle the Litigation on a class-wide basis.
- Eligible claimants under the Settlement Agreement will be eligible to receive:
 - ❖ **Reimbursement for Documented Out-of-Pocket Losses up to \$5,000.00 incurred as a result of the Data Incident;**
 - OR**
 - ❖ **A Cash Payment, in lieu of claiming the reimbursement for Documented Out-of-Pocket Losses;**
 - AND**
 - ❖ **In addition to making a claim for a Cash Payment or Documented Out-of-Pocket Losses, Settlement Class Members may also make a claim for Credit Monitoring and Insurance Services. Each Settlement Class Member who submits a valid and timely Claim Form may elect to receive two (2) years of Credit Monitoring and Insurance Services (“CMIS”) regardless of whether they also make a Settlement Claim for a Settlement Payment above.**
- To submit a Settlement Claim visit **www.SXUSettlement.com** or call **(833) 360-6827** to request a Claim Form which must be submitted online or postmarked no later than **October 6, 2025**.
- For more information, visit **www.SXUSettlement.com** or call **(833) 360-6827**.
- **Please read this notice carefully. Your legal rights will be affected, and you have a choice to make at this time.**

	Summary of Legal Rights	Deadline(s)
Submit a Claim Form	The only way to receive a payment from the Settlement.	Submitted online or postmarked on or before October 6, 2025 .
Exclude Yourself by Opting Out of the Class	Receive no payment. This is the only option that allows you to keep your right to bring any other lawsuit against the Released Persons for the same claims.	Mailed and postmarked on or before September 5, 2025
Object to the Settlement and/or Attend the Final Fairness Hearing	You can write the Court about why you agree or disagree with the Settlement. The Court cannot order a different Settlement, it can only accept or reject the Settlement in the Settlement Agreement. You can also ask to speak to the Court at the Final Fairness Hearing on September 16, 2025 @ 9:30 a.m. CT via Zoom about the fairness of the settlement, with or without your own attorney.	Mailed and postmarked on or before September 5, 2025
Do Nothing	Receive no payment from the Settlement. Give up any right to bring any other lawsuit against the Released Persons for the same claims.	N/A

- Your rights and options as a Settlement Class Member—and the deadlines to exercise your rights—are explained in this notice.
- The Court still will have to decide whether to approve the Settlement. Payments to Settlement Class Members will be made only if the Court approves the settlement and after any possible appeals are resolved.

What This Notice Contains

Basic Information.....	3
Who is in the Settlement.....	3
The Settlement Benefits—What You Get if You Qualify.....	4
How Do You Submit a Settlement Claim.....	5
Excluding Yourself from the Settlement.....	6
Objecting to the Settlement	6
The Lawyers Representing You	7
The Court’s Final Fairness Hearing	8
If You Do Nothing	8
Getting More Information	9

BASIC INFORMATION

1. Why is there a notice?

The Court authorized this notice because you have a right to know about the Settlement, and all of your options, before the Court decides whether to give “final approval” to the Settlement. This notice explains the nature of the Litigation that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

Judge Joel Chupack of the Circuit Court of Cook County, Illinois – Chancery Division is overseeing this case captioned as *In re Saint Xavier University Data Breach Litigation*, Case No.: 2024CH09951. The people who brought the Litigation are called the Class Representatives. The company being sued, Saint Xavier University (“SXU”), is called the Defendant.

2. What is the Litigation about?

The Litigation alleges that between June 29, 2023 and July 18, 2023, cybercriminals breached SXU’s computer and information systems and potentially accessed Personal Information belonging to SXU’s current and former students, prospective students, current and former employees, and dependents, spouses, or beneficiaries of current and former employees and students (the “Data Incident”). Specifically, Plaintiffs allege that the following categories of information may have been compromised in the Data Incident: names, Social Security numbers, driver’s license or state identification card numbers, passport information, financial account information, medical information, biometric information, health insurance information, student identification numbers, dates of birth, payment card information, and account access information.

Defendant denies these claims and says it did nothing wrong. No court or other judicial entity has made any judgment or other determination that Defendant has done anything wrong.

3. Why is this a class action?

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

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendant. Instead, both sides agreed to the Settlement. The Settlement avoids the cost and risk of a trial and related appeals, while providing benefits to Settlement Class Members. The “Representative Plaintiffs” appointed to represent the Settlement Class, and the attorneys for the Settlement Class (“Settlement Class Counsel,” see Question 18) think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

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

You are affected by the Settlement and potentially a Settlement Class Member if your Personal Information was potentially accessed in the Data Incident, including if SXU mailed you a notice letter regarding the Data Incident.

Only Settlement Class Members are eligible to receive benefits under the Settlement. Specifically excluded from the Settlement Class are: (i) SXU and its respective officers and directors; (ii) all members of the Settlement Class who timely and validly request exclusion from the Settlement Class; (iii) the Judge assigned to evaluate the fairness of this Settlement, including the Judge's court staff and immediate family; and (iv) any other Person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding, or abetting the Data Incident or who pleads *nolo contendere* to any such charge.

6. What if I am not sure whether I am included in the settlement?

If you are not sure whether you are included in the settlement, you may call **(833) 360-6827** with questions. You may also write with questions to:

**SXU Data Incident Settlement
c/o Simpluris Inc.
P.O. Box 25226
Santa Ana, CA 92799**

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

The Settlement provides that Defendant will fund a Settlement Fund of \$1,750,000.00, which will be used to pay Costs of Settlement Administration, Attorneys' Fees and Costs, and Service Awards to Representative Plaintiffs, along with: (a) Cash Payments, (b) Reimbursements for Documented Out-of-Pocket Losses; and (c) Credit Monitoring and Insurance Services for Valid Claims.

If there are any monies remaining in the Net Settlement Fund after the distribution of Settlement Payments to participating Settlement Class Members, a "Subsequent Settlement Payment" may be evenly made to all Participating Settlement Class Members who submitted Valid Claims and cashed or deposited their initial Settlement Payment, provided the average Subsequent Settlement Payment is equal to or greater than \$3.00.

Also, as part of the Settlement, Defendant either has undertaken or will undertake certain reasonable steps to adequately secure its systems and environments.

8. What payments are available for reimbursement under the settlement?

Settlement Class Members who submit a Valid Claim are eligible to receive:

- a) Cash Payment:* In the alternative to reimbursement for Documented Out-of-Pocket Losses, Settlement Class Members who submit a timely Valid Claim may elect a Cash Payment. The amount of the Cash Payment depends on the total of Post Loss Payment Net Settlement Funds remaining after payment of all other claim types. Settlement Class Counsel estimate the Cash Payment will be approximately \$75.00, but this amount may increase or decrease based on the amount of Valid Claims.
- b) Reimbursement for Documented Out-of-Pocket Losses:* Settlement Class Members may submit a Settlement Claim for a payment of up to \$5,000.00 for reimbursement of Documented Out-of-Pocket Losses incurred as a result of the Data Incident. To receive Reimbursement for Documented Out-of-Pocket Losses, a Settlement Class Member must

choose to do so on their Claim Form and submit to the Settlement Administrator the following: (1) the Settlement Class Member's name and current address, (2) a brief description of the claimed out-of-pocket expenses, and (3) documentation supporting their claimed losses. Documentation supporting the losses claimed can include receipts or other documentation supporting 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. Documented Out-of-Pocket Losses may include, but are not limited to, unreimbursed costs, expenses or charges incurred addressing or remedying identity theft, fraud or misuse of Personal Information and/or other issues reasonably traceable to the Data Incident.

- c) ***Credit Monitoring and Insurance Services:*** In addition to a Cash Payment or Reimbursement for Documented Out-of-Pocket Losses, each Settlement Class Member who submits a Valid Claim may elect to receive two (2) years of complimentary Credit Monitoring and Insurance Services ("CMIS") regardless of whether they also make a Settlement Claim for the Settlement Benefits above. The CMIS will include the following services: (i) up to \$1 million dollars of identity theft insurance coverage; (ii) three bureau credit monitoring providing notice of changes to the Settlement Class Members' credit profile; (iii) alerts for activity including new inquiries, new accounts created, change of address requests, changes to public records, postings of potentially negative information, and other leading indicators of identity theft; (iv) customer care and dedicated fraud resolution agent; (v) comprehensive educational resources; and (vi) extended fraud resolution.

HOW DO YOU SUBMIT A SETTLEMENT CLAIM?

9. How do I get a benefit?

To receive a Settlement Benefit, you must complete and submit a Settlement Claim online at **www.SXUSettlement.com**, or by mail to ***SXU Data Incident Settlement, c/o Simpluris, Inc., P.O. Box 25226, Santa Ana, CA 92799***. Read the Claim Form instructions carefully, fill out the Claim Form, provide the required documentation, and submit online by **October 6, 2025** or by mail postmarked by **October 6, 2025**.

10. How will claims be decided?

The Settlement Administrator will decide whether and to what extent any claim made on each Claim Form is valid. The Settlement Administrator may require additional information from you. If you do not provide the additional information in a timely manner, the claim will be considered invalid and will not be paid.

11. When will I get my payment?

The Court will hold a hearing on **September 16, 2025 @ 9:30 a.m. CT via Zoom** to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals from that decision and resolving them can take time, perhaps more than a year. It also takes time for all of the Claim Forms to be processed. Please be patient.

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

The Released Persons get a release from all claims covered by this Settlement. Thus, if the Settlement becomes Final and you do not exclude yourself from the Settlement, you will be a Settlement Class

Member and you will give up your right to sue SXU and its Related Entities, including each of their past or present parents, subsidiaries, divisions, and related or affiliated entities, and each of their respective predecessors, successors, directors, officers, employees, principals, agents, attorneys, insurers, and reinsurers from all known and unknown claims, demands, damages, causes of action or suits seeking damages, or other legal or equitable relief arising out of or in any way related to the claims asserted or which could have been asserted in this lawsuit relating to the Data Incident. This release is described in the Settlement Agreement, which is available at **www.SXUSettlement.com**. If you have any questions, you can talk to the law firms listed in Question 18 for free or you can talk to your own lawyer.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of the settlement, then you must take steps to exclude yourself from the Settlement Class. This is sometimes referred to as “opting out” of the Settlement Class.

13. If I exclude myself, can I get a payment from this Settlement?

No. If you exclude yourself, you will not be entitled to receive any Settlement Benefits and you will not be bound by any Judgment.

14. If I do not exclude myself, can I sue released persons for the same thing later?

No. Unless you exclude yourself, you give up any right to sue any Released Person for the claims that this settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for any benefit under the settlement.

15. How do I exclude myself from the settlement?

To exclude yourself, send a letter that says you want to be excluded from the settlement in *In re Saint Xavier University Data Breach Litigation*, Case No. 2024CH09951. The letter or Request for Exclusion must clearly manifest a Settlement Class Member’s intent to opt-out of the Settlement Class and include the Settlement Class Member’s signature. You must mail your Request for Exclusion request postmarked by the Opt-Out Date, **September 5, 2025**, to:

**SXU Data Incident Settlement
c/o Simpluris Inc.
P.O. Box 25226
Santa Ana, CA 92799**

OBJECTING TO THE SETTLEMENT

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

You can tell the Court that you do not agree with the Settlement or some part of it by objecting to the Settlement. To object, you must mail your objection to the Settlement Administrator as well as to Proposed Settlement Class Counsel, Carl V. Malmstrom, Wolf Haldenstein Adler Freeman & Herz LLC, and SXU’s Counsel, Casie D. Collignon, Baker Hostetler LLP, at the mailing addresses listed below, postmarked by **no later** than the Objection Date, **September 5, 2025**, to:

Settlement Administrator	Settlement Class Counsel	Counsel for SXU
SXU Data Incident Settlement c/o Simpluris Inc. PO Box 25226 Santa Ana, CA 92799	Carl V. Malmstrom Wolf Haldenstein Adler Freeman & Herz LLC 111 W. Jackson Blvd., Suite 1700 Chicago, IL 60604	Casie D. Collignon Baker Hostetler LLP 1801 California Street, Suite 4400 Denver, CO 80202

Your objection must be written and must include all of the following: (i) your full name and address; (ii) the case name and docket number— *In re Saint Xavier University Data Breach Litigation*, Case No. 2024CH09951 (Cook Cnty. Cir. Ct.); (iii) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable; (iv) the identity of any and all counsel representing the objector in connection with the objection; (v) a statement whether the objector and/or his or her counsel will appear at the Final Fairness Hearing; and (vi) the objector’s signature or the signature of the objector’s duly authorized attorney or other duly authorized representative (if any) representing him or her in connection with the objection; (vii) proof that the Settlement Class Member is a member of the Settlement Class (e.g., copy of settlement notice, copy of original notice of the Data Incident); (viii) provide copies of any documents that the Settlement Class member wishes to submit in support of his/her position; (ix) contain 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 three (3) years.

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

Objecting is telling the Court that you do not like the Settlement and why you do not think it should be approved. You can object only if you are a Settlement Class Member. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class and do not want to receive any payment from the Settlement. If you exclude yourself, you have no basis to object because you are no longer a Settlement Class Member, and the case no longer affects you. If you submit both a valid objection and a valid Request for Exclusion, you will be deemed to have only submitted the request to be excluded.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in this case?

Yes. The Court appointed Ben Barnow of Barnow and Associates, P.C., Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC, Carl V. Malmstrom of Wolf Haldenstein Adler Freeman & Herz LLC, and Nickolas J. Hagman of Cafferty Clobes Meriwether & Sprengel LLP as Settlement Class Counsel to represent the Settlement Class in settlement negotiations. If you want to be represented by your own lawyer, you may hire one at your own expense.

19. How will the lawyers be paid?

Settlement Class Counsel will ask the Court for attorneys’ fees of up to 1/3 of the Settlement Fund or \$583,333.33, plus reasonable costs and expenses. Defendant has agreed to pay any Fee Award and Costs up to those amounts, to the extent approved by the Court. This payment for Fee Award and Costs will be made out of the Settlement Fund. Any such award would compensate Settlement Class Counsel for investigating the facts, litigating the case, and negotiating the settlement and will be the only payment to them for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent basis.

Settlement Class Counsel will also ask the Court for a Service Award up to \$1,500.00 for each Representative Plaintiff.

Any Fee Award and Costs for Settlement Class Counsel, and for Service Awards to the Representative Plaintiffs must be approved by the Court. The Court may award less than the amounts requested. Settlement Class Counsel's papers in support of final approval of the Settlement will be filed no later than **September 2, 2025** and their motion for the Fee Award and Costs will be filed no later than **August 22, 2025** and will be posted on the Settlement Website.

THE COURT'S FINAL FAIRNESS HEARING

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

The Court will hold a Final Fairness Hearing at **September 16, 2025 @ 9:30 a.m. CT via Zoom** as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely and valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the request for a Fee Award and Costs, as well as the request for Service Awards for the Representative Plaintiffs. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The hearing may be moved to a different date or time without additional notice, so Settlement Class Counsel recommends checking the Settlement Website **www.SXUSettlement.com**, or calling **(833) 360-6827**.

21. Do I have to attend the Final Fairness Hearing?

No. Settlement Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your expense, but you are not required to do so. If you send an objection, you do not have to visit the Court to talk about it. As long as you filed your written objection on time with the Court and mailed it according to the instructions provided in Question 16, the Court will consider it.

22. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Fairness Hearing. To do so, you must file an objection according to the instructions in Question 16, including all the information required. Your objection and notice of intent to appear must be **mailed** to the Settlement Administrator, Settlement Class Counsel and SXU's Counsel, postmarked no later than **September 5, 2025**.

IF YOU DO NOTHING

23. What happens if I do nothing?

If you do nothing, you will not get any money from this Settlement. If the Settlement is granted final approval and the Judgment becomes Final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant or the other Released Persons based on any of the Released Claims.

GETTING MORE INFORMATION

24. How do I get more information?

This notice summarizes the Settlement. More details are in the Settlement Agreement itself. A copy of the Settlement Agreement is available at **www.SXUSettlement.com**. You may also call or email the Settlement Administrator with questions or to receive a Claim Form at **(833) 360-6827**.