

CIRCUIT COURT OF LAKE COUNTY, ILLINOIS, NINETEENTH JUDICIAL CIRCUIT*Gutierrez et al. v. Formula One Digital Media Ltd., Case No. 2025LA00000329*

Our records indicate you subscribed to Formula 1 and may be entitled to a payment from a class action settlement.

***A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.
Para una notificación en Español, visitor Formula1USVPPASettlement.com.***

- This Notice is to inform you that a settlement has been reached in a class action lawsuit entitled *Gutierrez et al. v. Formula One Digital Media Ltd., Case No. 2025LA00000329*, pending in the Circuit Court of Lake County, Nineteenth Judicial Circuit (Illinois). The lawsuit alleges that Defendant, Formula One Digital Media Limited (“Defendant” or “Formula 1”), disclosed its subscribers’ personally identifiable information (“PII”) to a third party without consent—in violation of the Video Privacy Protection Act (the “VPPA”). The VPPA defines PII to include information which identifies a person as having requested or obtained specific video materials or services from a video tape service provider. Defendant maintains it obtained consent for the purported disclosure of any video watching information and denies it violated any law but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the case. No court or other entity has made any judgment or other determination of any wrongdoing or that any law has been violated.

You may be a Settlement Class Member entitled to payment from this Settlement if you are a person in the United States who had a Formula 1 account and accessed any Formula 1 Digital Properties (formula1.com, fltv.formula1.com, any subdomains, or any Formula 1 applications) in the United States and watched a prerecorded video between May 1, 2022, and June 24, 2025.

- If the Settlement is approved by the Court, each Settlement Class Member who submits an Approved Claim may receive a cash payment of up to \$17.00, subject to pro rata adjustment depending on the number of filed Approved Claims.
- Read this Notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY SEPTEMBER 22, 2025	This is the only way to receive payment.
EXCLUDE YOURSELF BY SEPTEMBER 22, 2025	You will receive no benefits, but you will retain any rights you currently have to sue the Defendant about the claims in this case.
OBJECT BY SEPTEMBER 22, 2025	Write to the Court explaining why you don’t like the Settlement.
GO TO THE FINAL APPROVAL HEARING ON OCTOBER 30, 2025	Ask to speak in Court about your opinion of the Settlement.
DO NOTHING	You won’t get a share of the Settlement benefits and will give up your rights to sue the Defendant about the claims in this case.

Your rights and options—**and the deadlines to exercise them**—are explained in this Notice.

QUESTIONS? CALL 1-888-854-7166 (TOLL-FREE), OR VISIT [FORMULA1USVPPASETTLEMENT.COM](http://Formula1USVPPASettlement.com).

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options, before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Charles W. Smith, of the Circuit Court for the Nineteenth Judicial District, Lake County, Illinois, is overseeing this case. The case is called *Gutierrez et al. v. Formula One Digital Media Ltd.*, Case No. 2025LA00000329. The people who have sued are called the Plaintiffs. The Defendant is Formula One Digital Media Limited.

2. What is a class action?

In a class action, one or more people called the class representatives (in this case, Sergio Gutierrez and Esteban Palma) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the Settlement Class.

3. What is this lawsuit about?

This lawsuit claims that Defendant violated the Video Privacy Protection Act, 18 U.S.C. § 2710, *et seq.* (“VPPA”) by disclosing its subscribers’ personally identifiable information (“PII”) without consent. The VPPA defines PII to include information which identifies a person as having requested or obtained specific video materials or services from a video tape service provider. The Defendant maintains it obtained consent for the purported disclosure of any video watching information and denies it violated any law. The Court has not determined who is right. Rather, the Parties agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or the Defendant should win this case. Instead, both sides agreed to a Settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation and related appeals, and Settlement Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

WHO’S INCLUDED IN THE SETTLEMENT?

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

The **Settlement Class** is defined as:

All persons who had any Formula 1 account and accessed any Formula 1 Digital Properties in the United States and watched a prerecorded video between May 1, 2022, and June 24, 2025.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: If the Settlement is approved by the Court, Defendant will make available up to \$5,500,000.00 as a Settlement Benefit Cap to pay all Approved Claims submitted by the Settlement Class, together with notice and administration expenses, attorneys’ fees and costs, and incentive awards to the Class Representatives (see Question 13). **Prospective Changes:** In addition to this monetary relief, Defendant will add the word “video” to its website consent management platform disclosure unless and until (1) the VPPA is amended, repealed, or otherwise invalidated by judicial decision as applied to the use of website/app tracking technology; or (2) Defendant obtains consent for the disclosure of the video content viewing information by other means; or (3) Defendant ceases using website technology that discloses video viewing information in a manner configured to disclose PII.

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7. How much will my payment be?

If you are member of the Settlement Class, you may submit a Claim Form to receive a cash payment of up to \$17.00. If the number of Approved Claims submitted exceeds the Settlement Benefit Cap of \$5,500,000.00, each Approved Claim will be reduced an equal amount.

8. When will I get my payment?

The hearing to consider the fairness of the settlement is scheduled for **October 30, 2025**. If the Court approves the Settlement, eligible Settlement Class Members whose claims were approved by the Settlement Administrator will receive their payment forty-five days after the Effective Date of the Settlement. The payment will be made in the form of a check, unless you elect to receive payment by PayPal or Venmo, and all checks will expire and become void 180 days after they are issued.

HOW TO GET BENEFITS

9. How do I get my payment?

If you are a Settlement Class Member and you want to get a payment, you **must** complete and submit a Claim Form by **September 22, 2025**. Claim Forms can be found and submitted on the Settlement Website, Formula1USVPPASettlement.com, or by printing and mailing a paper Claim Form, copies of which are available for download on the Settlement Website.

We encourage you to submit your claim online. Not only is it easier and more secure, but it is completely free and takes only minutes!

REMAINING IN THE SETTLEMENT

10. What am I giving up if I stay in the Class?

If the Settlement becomes final, you will give up your right to sue Defendant for the claims this Settlement resolves. The Settlement Agreement describes the specific claims you are giving up against the Defendant. You will be “releasing” the Defendant and certain of its affiliates described in Section 1.28 of the Settlement Agreement. Unless you exclude yourself (see Question 14), you are “releasing” the claims, regardless of whether you submit a claim or not. The Settlement Agreement is available through the “Documents” link on the Settlement Website, Formula1USVPPASettlement.com.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can talk to the lawyers listed in Question 12 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

11. What happens if I do nothing at all?

If you do nothing, you won’t get any benefits from this Settlement. Unless you exclude yourself, you won’t be able to start a lawsuit or be part of any other lawsuit against the Defendant for the claims being resolved by this Settlement.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

The Court has appointed Yitzchak Kopel of Bursor & Fisher, P.A. and Eugene Y. Turin and Jordan R. Frysinger of McGuire Law, P.C. to be the attorneys representing the Settlement Class. They are called “Class Counsel.” They believe, after conducting an extensive investigation, the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense. You may contact Class Counsel using the information listed below:

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Eugene Y. Turin
 MCGUIRE LAW, P.C.
 55 W. Wacker Dr., 9th Floor
 Chicago, IL 60601
 Tel: 312-893-7002
 eturin@mcgpc.com

13. How will the lawyers be paid?

Class Counsel's attorneys' fees, costs, and expenses will be paid in an amount determined and awarded by the Court. Class Counsel is entitled to seek no more than one-third of the \$5,500,000.00 Settlement Benefit Cap for their efforts in prosecuting this matter and achieving this Settlement, but the Court may award less than this amount.

As approved by the Court, the Class Representatives will be paid an incentive award to be paid out of the Settlement Benefit Cap for helping to bring and settle the case. The Class Representatives will seek no more than \$2,500.00 each as an incentive award, but the Court may award less than this amount.

Class Counsel will file with the Court and post on the Settlement Website its request for attorneys' fees as well as the Class Representative's requests for incentive awards by September 7, 2025.

EXCLUDING YOURSELF FROM THE SETTLEMENT

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must email or mail a letter (or request for exclusion) stating you want to be excluded from the Settlement for *Gutierrez et al. v. Formula One Digital Media Ltd.*, Case No. 2025LA00000329. Your letter or request for exclusion must also include your name, your address, your signature, the name and number of this case, and a statement that you wish to be excluded. You must email or mail your exclusion request no later than **September 22, 2025**, to the following:

Formula 1 VPPA Settlement Administrator
 P.O. Box 4830
 Portland, OR 97208-4830
 exclusions@Formula1USVPPASettlement.com

15. If I don't exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

16. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for benefits.

OBJECTING TO THE SETTLEMENT

17. How do I object to the Settlement?

If you're a Class Member, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. To object, you must file with the Court a letter or brief stating you object to the Settlement in *Gutierrez et al. v. Formula One Digital Media Ltd.*, Case No. 2025LA00000329; identify all your reasons for your objections (including citations and supporting evidence); and attach any materials you rely on for your objections. Your letter or brief must also include your name; an explanation of the basis upon which you claim to be a Settlement Class Member, including information sufficient to (i) identify your Formula 1 account and (ii) that you were a Formula 1 account holder during the Class Period; the name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection; and your signature. If you, or an attorney assisting you with your objection, have ever objected to any class action settlement

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where you or the objecting attorney has asked for or received payment in exchange for dismissal of the objection (or any related appeal) without modification to the settlement, you must include a statement in your objection identifying each such case by full case caption. You must also mail or deliver a copy of your letter or brief to Class Counsel and Defendant's Counsel listed below.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question 21), you must say so in your letter or brief. File the objection with the Court and mail a copy to the addresses listed below for Class Counsel and Defendant's Counsel, postmarked no later than **September 22, 2025**.

Court	Class Counsel	Defendant's Counsel
The Hon. Charles C. Smith Lake County Courthouse Courtroom C-205 18 North County Street, Waukegan, IL 60085	Eugene Y. Turin McGuire Law, P.C. 55 W. Wacker Drive, 9 th Floor Chicago, IL 60601	Kathy J. Huang Rachel E. K. Lowe Alston & Bird LLP 350 South Grand Avenue, 51 st Floor Los Angeles, CA 90071

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

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

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold the Final Approval Hearing at 9:00 a.m. on **October 30, 2025**, in Courtroom 205 at the Lake County Illinois Courthouse, 18 North County St., Waukegan, IL 60085 (and by Zoom video meeting, <https://19thcircuitcourt.state.il.us/2183/Daily-Remote-Court-Session-Schedule-C205>). The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Class Counsel's request for attorneys' fees and expenses; and to consider the request for incentive awards for the Class Representatives. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check Formula1USVPPASettlement.com or call 1-888-854-7166. If, however, you timely objected to the Settlement and advised the Court you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. If you filed and mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

21. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying it is your "Notice of Intent to Appear in *Gutierrez et al. v. Formula One Digital Media Ltd.*, Case No. 2025LA00000329." The letter must include your name, address, telephone number, and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and Notice of Intent to Appear must be filed with the Court, postmarked no later than **September 22, 2025**, and delivered to the addresses listed in Question 17.

GETTING MORE INFORMATION

22. Where do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at Formula1USVPPASettlement.com. You may also contact the Settlement Administrator at info@Formula1USVPPASettlement.com or write with questions to Formula 1 VPPA Settlement Administrator, P.O. Box 4830, Portland, OR 97208-4830. You can call the Settlement Administrator at 1-888-854-7166 or contact Class Counsel at the information provided above if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the Settlement Website. In addition to the documents available on the Settlement Website, all pleadings and documents filed in court may be reviewed or copied in the Office of the Clerk. Please do not call the Judge or the Clerk of the Court about this case. They will not be able to give you advice on your options.

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