

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

**If Recology or its authorized representative sent you notice of the data breach incident discovered on or about November 2, 2023, you may be eligible for benefits from a class action settlement.**

*www.RecologyDataSettlement.com*

***A California court authorized this notice. This is not an advertisement or a lawyer solicitation.***

- A settlement has been proposed in a class action case against Recology Inc. (“Recology”) arising out of a data breach incident that occurred on or around November 2, 2023, during which unauthorized third parties may have gained access to certain files containing the personal information of certain individuals with a current or former connection to Recology or its affiliated companies (the “Incident”). The files accessed in the Incident may have contained, for some, a person’s name, date of birth, Social Security number, driver’s license number, and/or other personal information.
- Plaintiff Pilar Castillo filed a class action individually and on behalf of all others similarly situated assert various claims against Recology stemming from the Incident. Recology and the plaintiff have reached agreement on a settlement of these claims on behalf of all class members, subject to final approval by a court.
- If you received a notice from Recology concerning the Incident, you are part of the Class and may be eligible for benefits. The settlement provides (1) up to **\$2,000** in documented losses or (2) an Alternative Cash Payment the amount of which will be determined by the Settlement Administrator based upon the number of valid claims received.
- Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b> <b>Deadline: October 1, 2025</b>	This is the only way to receive a payment.
<b>EXCLUDE YOURSELF FROM THE SETTLEMENT</b> <b>Deadline: September 16, 2025</b>	Get no benefits. This is the only option that may allow you to sue Recology over the claims being resolved by this settlement.
<b>OBJECT TO THE SETTLEMENT</b> <b>Deadline: September 16, 2025</b>	Write the Court with reasons why you do not agree with the settlement.
<b>GO TO THE FINAL APPROVAL HEARING</b>	You may ask the Court for permission for you or your attorney to speak about your objection and the Final Approval Hearing.
<b>DO NOTHING</b>	You will not get any compensation from the settlement and you will give up certain legal rights.

**Questions? Call 1-833-360-6876 or visit [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com)**

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court in charge of this case still has to decide whether to grant final approval of the settlement. Payments will be made and settlement benefits distributed only after the Court grants final approval of the settlement and after any appeals are resolved in favor of the settlement.

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## **BASIC INFORMATION**

### **1. Why was this Notice issued?**

The Court authorized this notice because you have a right to know about the proposed settlement in this Class Action and about all of your options before the Court decides whether to give “Final Approval” to the settlement. This notice explains the legal rights and options that you may exercise before the Court decides whether to approve the settlement.

Judge Anne-Christine Massullo of the Superior Court of California, County of San Francisco, is overseeing this case. The case is known as *Pilar Castillo v. Recology, Inc.*, Case No. GC-24- 617356 (the “Lawsuit”). The person who filed the lawsuit is called the Plaintiff. Recology is called the Defendant.

### **2. What is this lawsuit about?**

Plaintiff claims Recology was responsible for the increased risk of identity theft stemming from the Incident and asserts claims including: (i) negligence, (ii) breach of implied contract, (iii) breach of implied covenant of good faith and fair dealing and (iv) violation of the California Unfair Competition Law. The Lawsuit seeks, among other things, payment for persons who were injured by the Incident.

Recology has denied and continues to deny all of the claims made in the Lawsuit, as well as all charges of wrongdoing or liability against it.

### **3. What is a class action?**

In a class action, a person called the “Plaintiff” or “Representative Plaintiff” (in this case, Pilar Castillo) sues on behalf of all people who have similar claims. One Court and one judge resolves the issues in the case.

### **4. Why is there a Settlement?**

The Court did not decide in favor of Plaintiff or Recology. Instead, the parties negotiated a settlement that

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allows both Plaintiff and Recology to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of trial and appeals. The settlement allows people in the class to participate in a settlement (“Settlement Class members”) to obtain benefits without further delay. The Representative Plaintiff and their attorneys believe the settlement is best for all Settlement Class members. The Settlement does not mean that Recology did anything wrong.

## **WHO IS IN THE SETTLEMENT?**

### **5. How do I know if I am included in the Settlement?**

You are part of this settlement if you are an individual to whom Recology or its authorized representative provided notice, either by mailed notice or other means, concerning the Incident discovered on or about November 2, 2023.

Excluded from the Settlement Class are Recology’s officers, directors, and employees (excepting those officers, directors, and employees whose PHI or PII was affected by the Incident); any entity in which Recology has a controlling interest; and the affiliates, legal representatives, attorneys, successors, heirs, and assigns of Recology. Excluded also from the Settlement Class are members of the judiciary to whom this case is assigned, their families and members of their staff. Also excluded from the Settlement Class are non-natural persons.

### **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, or have any other questions related to the settlement, you may:

1. Call: **1-833-360-6876**
2. Email: **info@RecologyDataSettlement.com**; or
3. Write to:  
**Recology Data Settlement**  
**c/o Simpluris, Inc.**  
**P.O. Box 25226**  
**Santa Ana, CA 92799**

Please do not contact the Court with questions.

## **THE SETTLEMENT BENEFITS**

### **7. What does the settlement provide?**

Under the terms of settlement, there are two kinds of compensation available: (1) up to **\$2,000** in documented losses related to the Incident or (2) a flat Alternative Cash Payment, the amount of which will be determined by the Settlement Administrator on a *pro rata* basis based on the number of Settlement Class Members who timely submit valid Claim Forms. You may submit a claim for any one the above-listed remedies. To claim each type of remedy, you must provide information and documentation with the Claim Form, as described on the Claim Form.

Recology has also agreed that it has and will continue to undertake certain reasonable steps to enhance the security deployed to secure access to its data network.

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## 8. What compensation is available?

Documented Reimbursements: With proper documentation, Settlement Class members are eligible to claim up to \$2,000, in reimbursement for the following: Out of pocket expenses, for example, postage, copying, scanning, faxing, mileage and other travel-related charges, parking, notary charges, research charges, cell phone charges (only if charged by the minute), long distance phone charges, data charges (only if charged based on the amount of data used), text message charges (only if charged by the message), bank fees, accountant fees, credit monitoring fees, and attorneys' fees, all of which must have been incurred by you, must have resulted solely from the Incident, and must not have been previously reimbursed by a third party.

Alternative Cash Payment: In the alternative, Settlement Class members are eligible to claim a flat cash payment the amount of which will be determined by the Settlement Administrator based on various factors. The Alternative Cash Payment will be determined after the payments for Documented Reimbursements are made and other deductions from the Net Settlement Fund are made (attorney's fees, service award, and settlement administration costs), and will be subject to *pro rata* adjustment depending on the number of timely and valid claims submitted. For example, if 20% of all Class Members submit a claim for this benefit, the amount of the Alternative Cash Payment could be in the range of \$50-\$60 per claim, but may be higher or lower depending on the number of valid claims submitted and other factors.

## HOW TO GET BENEFITS

### 9. How do I get benefits?

To receive a payment from the Settlement, you must complete a Claim Form. You may download a copy of the Claim Form at [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com), or you may request one by mail by calling **1-833-360-6876**. To complete the Claim Form, please read the instructions carefully, fill out the Claim Form, provide reasonable documentation (where applicable), and submit your Claim online or mail it postmarked no later than **October 1, 2025** to:

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

### 10. How will claims be decided?

The Claims Administrator will initially decide whether the information provided on a Claim Form is complete and valid. The Claims Administrator may request additional information from any claimant. If the claimant does not timely provide the required information, the Claim will be considered invalid and will not be paid. If the claim is rejected in whole or in part, for any other reason, then the Claims Administrator shall refer the claim to the Representative Plaintiff, Recology and their counsel for a determination.

## REMAINING IN THE SETTLEMENT

### 11. 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 a payment, you must submit a Claim Form postmarked or submitted online by **October 1, 2025**.

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## **12. What am I giving up as part of the settlement?**

By not timely opting out of the class, all of the Court's orders will apply to you, and you give Recology a "Release." A Release means you cannot sue or be part of any other lawsuit against Recology about the claims or issues in this lawsuit (relating to the Incident), and you will be bound by the settlement. The specific claims you are giving up against Recology and related persons or entities are called "Released Claims." The Released Claims are defined in the Settlement Agreement, which is available under the Important Documents page at [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com). The Settlement Agreement describes the Released Claims with specific and accurate legal descriptions, so read it carefully.

## **EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not want a payment from this settlement, but you want to keep the right to sue Recology about issues in this case, 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.

### **13. If I exclude myself, can I get a payment from this settlement?**

No. If you exclude yourself, you will not be entitled to any benefits of the settlement. You will also not be bound by any judgment in this case.

### **14. If I do not exclude myself, can I sue Recology for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue Recology 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 a payment.

### **15. How do I get out of the settlement?**

To exclude yourself from the settlement, send a letter that says you want to be excluded from the settlement in *Castillo v. Recology Inc.*, Case No. CGC-24-617356 (San Francisco County, California) ("Exclusion Request"). Include your name, address, and signature. Your Exclusion Request must be postmarked by **September 16, 2025** and mailed to:

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

## **THE LAWYERS REPRESENTING YOU**

### **16. Do I have a lawyer in this case?**

Yes. The Court appointed Scott Edward Cole of Cole & Van Note to represent you and other Settlement Class members. These lawyers are called 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.

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## **17. How will Settlement Class Counsel be paid?**

If the settlement is approved and becomes final, Settlement Class Counsel will ask the Court to award attorneys' fees and litigation costs. Settlement Class Counsel will also request approval of a service award to the Representative Plaintiff. If approved, these amounts, as well as the costs of notice and settlement administration, will be deducted from the total settlement proceeds awarded under the Settlement Agreement and paid by Recology. The remainder will be available for Settling Class Members.

## **OBJECTING TO THE SETTLEMENT**

### **18. 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 it or some part of it. You can give reasons why you think the Court should not approve the settlement. The Court will consider your views before making a decision. To object, you must file with the Court and mail copies to Class Counsel and Recology's counsel a written notice stating that you object to the settlement. Your objection must include all of the following information: (i) your full name and address; (ii) the case name and docket number - *Castillo v. Recology, Inc.*, Case No. CGC-24- 617356 (San Francisco County, California) (iii) proof that you are a member of the Settlement Class (e.g., copy of your settlement notice, a copy of your original notice of the Incident, or a statement explaining why you believe you are a Settlement Class member); (iv) a written statement of all grounds for the objection, accompanied by any legal support for the objection you believe applicable; (v) the identity of any and all counsel representing you in connection with the objection; (vi) a statement whether you and/or your counsel will appear at the Final Approval Hearing; and (vii) your signature or the signature of your duly authorized attorney or other duly authorized representative (if any) representing you in connection with the objection.

Your written notice of an objection, in the appropriate form, must be mailed, with a postmark date no later than September 16, 2025, to all of the following:

<b>Class Counsel</b>	<b>Counsel for Recology</b>
Scott Edward Cole COLE & VAN NOTE 555 12th Street, Suite 2100 Oakland, California 94607 sec@colevannote.com	Mark A. Olthoff POLSINELLI PC 900 W. 48 <sup>th</sup> Place, Suite 900 Kansas City, MO 64112 molthoff@posinelli.com

The Court may elect to hear your oral objection, even if you do not follow the above procedure, at the Final Approval Hearing, however, the Parties reserve the right to challenge the objection of any Settlement Class Member who does not follow the above procedure.

### **19. 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 the Court should approve it. You can object only if you do not exclude yourself from the Settlement Class. Excluding yourself is telling the Court that you do not 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

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

The Court will hold a Final Approval Hearing on **October 16, 2025 at 9:00am PST** at the Superior Court of the State of California, in and for the County of San Francisco in Department 302. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will take into consideration any properly filed written objections and may also listen to people who have asked to speak at the hearing (see Question 18). The Court will also decide whether to approve fees and costs to Settlement Class Counsel, and the service award to the Representative Plaintiff.

### 21. Do I have to attend the Final Approval Hearing?

No. Settlement Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your own expense, but you are not required to do so. If you send an objection, you do not have to come to the Court to talk about it. As long as you filed your written objection on time with the Court and served it according to the instructions provided in Question 18, the Court will consider it.

### 22. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file and serve an objection according to the instructions in Question 18, including all the information required.

## IF YOU DO NOTHING

### 23. What happens if I do nothing?

If you do nothing, you will get no monetary benefits from this settlement. Once the Court grants the settlement 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 Recology about the legal issues in this case, ever again.

You must exclude yourself from the settlement if you want to retain the right to sue Recology for the Claims resolved by this settlement.

## GETTING MORE INFORMATION

### 24. How do I get more information?

This notice only provides a summary of the proposed settlement. You can find complete details about the settlement in the Settlement Agreement available at [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com). You may also:

1. Write to:

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

2. Visit the settlement website at [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com)

**Questions? Call 1-833-360-6876 or visit [www.RecologyDataSettlement.com](http://www.RecologyDataSettlement.com)**



**3. Call the toll-free number 1-833-360-6876**

**PLEASE DO NOT CALL THE COURT OR THE JUDGE WITH QUESTIONS ABOUT THE  
SETTLEMENT OR CLAIMS PROCESS.**