

To:
From:
Subject: Octapharma Plasma Data Incident Settlement

ClaimID:
PIN:

If Octapharma Plasma sent you a notice that your personal information may have been impacted in a cybersecurity incident, you are eligible for benefits from a class action settlement.

File your claim online at [www.\[website\].com](http://www.[website].com).

A settlement has been reached in a class action lawsuit against Octapharma Plasma, Inc. (“Defendant”), relating to the cybersecurity incident on or about April 17, 2024 which resulted in the unauthorized access to or acquisition of people’s personal information (the “Data Incident”).

Who’s Included? Defendant’s records indicate that you are included in the settlement as a Settlement Class Member. The Settlement Class consists of all living individuals residing in the United States who were sent a notice by Defendant that their personal information may have been impacted in the Data Incident.

What Does The Settlement Provide? The Defendant will create a \$2,550,000 fund to make payments to Settlement Class Members who submit a valid claim form. Settlement Class Members may file a claim to receive (1) up to \$5,000 for documented losses related to the Data Incident, or (2) a flat cash payment (estimated at \$100), and (3) three years for credit monitoring services, and (4) a flat cash payment of \$50 if you were residing in California as of April 17, 2024. Flat cash payments may increase or decrease depending on the total number of valid claims received.

How Can I File A Claim? Complete and submit a claim online at [www.\[website\].com](http://www.[website].com) or print a claim form from the website and return the completed form by mail. The deadline to file a claim is **Month Day Year**.

What Are My Other Options? If you do nothing, you will remain in the Settlement Class, you will not be eligible for benefits, you will be bound by the decisions of the Court, and you will give up your rights to sue the Defendant for the claims resolved by the Settlement. If you do not want to be legally bound by the Settlement or receive any of the settlement benefits, you must exclude yourself by **Month, date, year**. If you do not exclude yourself, you may object and notify the Court that you or your lawyer intend to appear at the Court’s Final Approval Hearing. Objections are due **Month, date, year**.

When will the court decide whether to approve the settlement? The Court will hold a Final Approval Hearing on **Month, date, year**, to determine whether to approve the Settlement, Class Counsel’s request for attorneys’ fees (up to 33.33% of the fund) and reimbursement of reasonable costs, and service awards of up to \$2,500 for each Class Representative. If approved, these amounts will be deducted from the fund before making payments to Settlement Class Members who submit a valid claim form.

Want more information? Visit [www.\[website\].com](http://www.[website].com) or call **1-xxx-xxx-xxxx**.

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U.S.
Postage
Required

Woodall v. Octapharma Plasma, Inc.
Settlement Administrator
P.O. Box xxxxx
City, ST xxxxx-xxxx

OPA

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

If Octapharma Plasma sent you a notice that your personal information may have been impacted in a cybersecurity incident, you are eligible for benefits from a class action settlement.

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

- A settlement has been reached in a class action lawsuit against Octapharma Plasma, Inc. (“Octapharma”), relating to the cybersecurity incident on or about April 17, 2024 which resulted in the unauthorized access to or acquisition of people’s personal information (the “Data Incident”).
- You are included in the settlement as a “Settlement Class Member” if you are a U.S. resident who was sent a notice by Octapharma informing you that your personal information may have been impacted in the Data Incident.
- Your legal rights are affected whether you act or don’t act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	If you do nothing, you will not receive any of the settlement benefits. You will also give up your rights to be part of any other lawsuit against Octapharma for the legal claims made in this case and released by the Settlement Agreement.
EXCLUDE YOURSELF FROM THE SETTLEMENT	Do not get any settlement benefits. This is the only option that allows you to be part of any other lawsuit against Octapharma for the legal claims made in this case and released by the Settlement Agreement.
OBJECT TO THE SETTLEMENT	Write to the Court with reasons why you do not agree with the settlement.
GO TO THE FINAL APPROVAL HEARING	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing.

- 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 approve the settlement. If the Court denies final approval, the settlement will be void and the litigation will continue against the Defendant.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	PAGE 3
1. Why is this Notice being provided?	
2. What is this lawsuit about?	
3. What is a class action?	
4. Why is there a settlement?	
WHO IS INCLUDED IN THE SETTLEMENT?	PAGE 3
5. How do I know if I am part of the settlement?	
6. Are there exceptions to being included in the settlement?	
7. I am still not sure if I am included.	
THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY.	PAGE 4
8. What does the settlement provide?	
9. What can I get from the settlement?	
HOW TO GET SETTLEMENT BENEFITS.	PAGE 4
10. How do I get settlement benefits?	
11. When will I get my payment and/or credit monitoring?	
12. What am I giving up to get settlement benefits or stay in the settlement?	
13. What are the Released Claims?	
EXCLUDING YOURSELF FROM THE SETTLEMENT.	PAGE 5
14. How do I get out of the settlement?	
15. If I exclude myself, can I still get benefits from the settlement?	
16. If I do not exclude myself, can I sue the Defendant for the same thing later?	
THE LAWYERS REPRESENTING YOU	PAGE 5
17. Do I have a lawyer in this case?	
18. How will Class Counsel be paid?	
OBJECTING TO THE SETTLEMENT.	PAGE 5
19. How do I tell the Court that I do not like the settlement?	
20. What is the difference between objecting to and excluding myself from the settlement?	
THE COURT’S FINAL APPROVAL HEARING	PAGE 7
21. When and where will the Court decide whether to approve the settlement?	
22. Do I have to come to the Final Approval Hearing?	
23. May I speak at the Final Approval Hearing?	
IF YOU DO NOTHING	PAGE 7
24. What happens if I do nothing?	
GETTING MORE INFORMATION.	PAGE 7
25. How do I get more information?	

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 a class action lawsuit and about all of your options before the Court decides whether to grant final approval to the settlement. This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

Judge Max O. Cogburn, Jr. of the United States District Court for the Western District of North Carolina is overseeing this class action. The case is known as *Woodall v. Octapharma Plasma, Inc.*, Case No. 3:24-cv-00424, and is referred to as the “Action.” The people who filed the lawsuit are called Plaintiffs and the company they sued, Octapharma Plasma, Inc., is called Defendant.

2. What is this lawsuit about?

On April 17, 2024, Octapharma Plasma, Inc. detected suspicious activity on its information technology systems. An investigation revealed that an unauthorized third party had gained access to certain personal information, including but not limited to names, dates of birth, Social Security numbers, health information, and donor eligibility information.

The lawsuit claims that Octapharma did not implement sufficient cybersecurity measures to adequately protect this personal information. More specifically, the lawsuit makes claims against Octapharma for negligence, breach of fiduciary duty, breach of implied contract, unjust enrichment, invasion of privacy, and violations of various state consumer protection and privacy statutes. Octapharma denies these claims and any wrongdoing.

3. What is a class action?

In a class action, one or more people called “Class Representatives” (in this Action, Kevin David Allport, Judy Kay Bishop, Karoline McKay, Labri Melzer, Timothy Taylor, Jacob Borrero, and Randell Sharp) sue on behalf of people who have similar claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those who exclude themselves from the class.

4. Why is there a settlement?

The Court did not decide in favor of the Plaintiffs or the Defendant. Instead, the Plaintiffs negotiated a settlement with the Defendant that allows them to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial. The Class Representatives and their attorneys think the settlement is best for all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

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

The settlement includes all living individuals residing in the United States who were sent a notice by Defendant that their personal information may have been impacted in the Data Incident.

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

Yes, the settlement does not include employees, directors, officers, and agents of Defendant; and the Judge assigned to the Action, that Judge’s immediate family, and Court staff.

7. I am still not sure if I am included.

If you are still not sure whether you are included, call 1- - - or visit [www.\[website\].com](http://www.[website].com) for more information.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the settlement provide?

The Defendant has agreed to pay a total of \$2,550,000 to settle the Action. After deducting Court-approved attorneys' fees and costs, service awards, and the costs of administering the settlement, the balance will be used to make payments to Settlement Class Members who submit valid claim forms.

9. What can I get from the settlement?

If you are a Settlement Class Member, you may file a claim to receive (1) up to \$5,000 for documented losses related to the Data Incident, or (2) a flat cash payment (estimated at \$100), and (3) three years for credit monitoring services, and (4) a flat cash payment of \$50 if you were residing in California as of April 17, 2024. Flat cash payments may increase or decrease depending on the total number of valid claims received and the total amount of those claims.

HOW TO GET SETTLEMENT BENEFITS

10. How do I get settlement benefits?

You must file a Claim Form by **Month __, 2025**. Claim Forms may be submitted online at [www.\[website\].com](http://www.[website].com) or printed from the website and mailed to the address on the form.

11. When will I get my payment and/or credit monitoring?

The Court will hold a Final Approval Hearing at __ : 0 .m. on Month __, 2025, to decide whether to approve the settlement. If the Court approves the settlement, there may be appeals. It is always uncertain whether any appeals can be resolved favorably, and resolving them can take time, perhaps more than a year. Settlement benefits will be distributed after the settlement is approved and becomes final.

12. What am I giving up to get settlement benefits or stay in the settlement?

Unless you exclude yourself from the settlement, you will give up your right to sue, continue to sue, or be part of any other lawsuit against Defendant and certain Released Parties for any claim related to the Action or released by the Settlement Agreement. You will be legally bound by all of the Court's orders, as well as the "Released Claims," below.

Released Parties means Defendant, its parent Octapharma AG, and each entity which is controlled by, controlling or under common control with Defendant and its past, present, and future direct and indirect heirs, assigns, associates, corporations, investors, owners, parents, subsidiaries, affiliates, divisions, officers, directors, shareholders, members, agents, servants, employees, partners, attorneys, insurers, reinsurers, benefit plans, predecessors, successors, managers, administrators, executors, and trustees.

13. What are the Released Claims?

"Released Claims" include means any and all actual, potential, filed or unfiled, known or Unknown, fixed or contingent, claimed or unclaimed, suspected or unsuspected claims, demands, liabilities, rights, causes of action, damages, consequential damages, punitive, exemplary or multiplied damages, expenses, costs, indemnities, attorneys' fees and/or obligations, whether in law or in equity, accrued or unaccrued, direct, individual or representative, of every nature and description whatsoever, based on any federal, state, local, statutory or common law or any other law, against the Released Parties, or any of them, arising out of or relating to actual or alleged

facts, transactions, events, matters, occurrences, acts, disclosures, statements, representations, omissions or failures to act relating to the claims or allegations made in the Complaint or otherwise related to the Data Incident. More information about the Released Claims can be found in the Settlement Agreement and Release, available at [www.\[website\].com](http://www.[website].com).

EXCLUDING YOURSELF FROM THE SETTLEMENT

14. How do I get out of the settlement?

To exclude yourself from the settlement, you must send a letter to the Settlement Administrator containing:

- 1) your full name, mailing address, telephone number, and email address (if any);
- 2) a clear statement indicating your request to be excluded from the settlement, such as “I request to be excluded from the class action settlement in *Woodall v. Octapharma Plasma, Inc.*, Case No. 3:24-cv-00424”; and
- 3) your signature.

You must mail postmarked no later than **Month __, 2025**, to:

Woodall v. Octapharma Plasma, Inc. Settlement Administrator
P.O. Box _____
City, ST _____ - _____

15. If I exclude myself, can I still get benefits from the settlement?

No. If you exclude yourself from the settlement, you will not receive any benefits because you will no longer be eligible for them.

16. If I do not exclude myself, can I sue the Defendant for the same thing later?

No. If you stay in the settlement (*i.e.*, do nothing or do not exclude yourself from the settlement), you give up any right to separately sue the Defendant or Released Parties for the claims released by the Settlement Agreement and Release.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed Jean S. Martin of Morgan and Morgan Complex Litigation Group and Daniel Srourian of Srourian Law Firm, P.C. to represent you and other Settlement Class Members. These lawyers are called 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.

18. How will Class Counsel be paid?

If the settlement is approved and become final, Class Counsel will ask the Court to award attorneys’ fees of up to 33.33% of the \$2,550,000 settlement amount and reimbursement of reasonable costs, as well as a \$2,500 service award for each of the Class Representatives. If approved, these amounts will be deducted from the settlement amount before making payments to Settlement Class Members who submit valid Claim Forms.

OBJECTING TO THE SETTLEMENT

19. 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 a portion of it. You can give reasons why you think the Court should not approve the settlement. The Court will consider your views

QUESTIONS? CALL 1- _____ - _____ TOLL-FREE OR VISIT [WWW.\[WEBSITE\].COM](http://WWW.[WEBSITE].COM)

before making a decision. To object, you must file a written objection with the Court, and mail copies to Class Counsel, Defense Counsel, and the Settlement Administrator. Your objection must be filed and postmarked by **Month __, 2025**.

Your objection must include:

- 1) the case name and number (*Woodall v. Octapharma Plasma, Inc.*, Case No. 3:24-cv-00424);
- 2) your full name, mailing address, telephone number, and email address (if any);
- 3) the reasons why you object to the settlement, including any documents supporting your objection;
- 4) the number of times you have objected to a class action settlement within the 5 years preceding the date of this objection, including:
 - a. the caption of each case that you have made an objection, and
 - b. a copy of any orders related to or ruling upon those objections as issued by the trial and appellate courts in each case
- 5) the name, address, and telephone number of your attorney (if any) representing you in your objection, including any former or current counsel who may be entitled to compensation for any reason related to your objection;
- 6) the number of times your attorney or their law firm have objected to a class action settlement within the 5 years preceding the date of this objection, including:
 - a. the caption of each case that your attorney or their law firm have made an objection, and
 - b. a copy of any orders related to or ruling upon those objections as issued by the trial and appellate courts in each case
- 7) a statement indicating whether you or your attorney intend to appear at the Final Approval Hearing;
- 8) if you have retained an attorney and your attorney will appear at the Final Approval Hearing,
 - a. the name, address, telephone number, and email address of your attorney, and
 - b. a list of all persons who will be called to testify in support of your objection
- 9) your signature (your attorney's signature is not sufficient).

Your objection must be filed with the Court and copies must be mailed to Class Counsel, Defense Counsel and the Settlement Administrator using the addresses below.

Court	Class Counsel	Defense Counsel	Settlement Administrator
Clerk of the Court 1800 Charles R. Jonas Federal Bldg. 401 West Trade Street Charlotte, NC 28202	Jean S. Martin Morgan and Morgan Complex Litigation Group 201 N. Franklin St., 7 th Floor Tampa, FL 33602 —and— Danie Srourian Srourian Law P.C. 468 N. Camden Dr., Ste. 200 Beverly Hills, CA 90210	Lance Y. Murashige Hogan Lovells US LLP 555 13th St. NW Washington, D.C. 20004 —and— Darnesha Carter Foli Hogan Lovells US LLP 600 Brickell Avenue Suite 2700 Miami, FL 33131	<i>Woodall v. Octapharma Plasma, Inc.</i> Settlement Administrator P.O. Box ____ City, ST ____ - ____

20. What is the difference between objecting to and excluding myself from the settlement?

Objecting is telling the Court that you do not like something about the settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this settlement. If you exclude yourself from the settlement, you have no basis to object because the settlement no longer applies to you.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at __:0__m. on Month __, 2025, at the United States District Court for the Western District of North Carolina 1800 Charles R. Jonas Federal Building, 401 West Trade Street, Charlotte, North Carolina 28202. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will take into consideration any properly-filed objections and may also listen to people who have asked to speak at the hearing (*see* Question 22). The Court will also decide whether to approve payments of attorneys' fees, costs, and service awards.

22. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to come 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.

23. 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 19 above. You cannot speak at the hearing if you exclude yourself from the settlement.

IF YOU DO NOTHING

24. What happens if I do nothing?

If you do nothing, you will not receive any benefits from this settlement and you will be bound by the terms of the Settlement Agreement and Release if it is approved and becomes final. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or the Released Parties about the issues resolved by this settlement and released by the Settlement Agreement.

GETTING MORE INFORMATION

25. How do I get more information?

More details are in the Settlement Agreement and Release, which is available at [www.\[website\].com](http://www.[website].com). You may also call 1-____-____-____, or write to the *Woodall v. Octapharma Plasma, Inc.*, Settlement Administrator, P.O. Box _____, City, ST _____-_____.

***Please do not call the Court or the Clerk of the Court for additional information.
They cannot answer any questions regarding the settlement or the Action.***