

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Court of Common Pleas of Lehigh County Pennsylvania

Maciejczyk v. First Commonwealth Federal Credit Union

Case No. 2024-C-2592

A Court has authorized this Long Form Notice (“Notice”). This is not a solicitation from a lawyer.

If you are an individual residing in the United States whose private information was compromised in the Data Incident including all those who received notice of the incident, you are eligible to receive a Settlement Class Member benefit from a class action settlement

- A Court authorized this Notice, to those that are eligible to receive Settlement Class Member Benefits from a proposed class action Settlement. The Action is titled *Maciejczyk v. First Commonwealth Federal Credit Union*, Case No. 2024-C-2592 and is pending in the Court of Common Pleas of Lehigh County Pennsylvania. The people that filed the class action lawsuit are called Plaintiffs or Class Representatives and the company they sued is First Commonwealth Federal Credit Union (“FCFCU” or Defendant). FCFCU denies any wrongdoing whatsoever.

- **Who is a Settlement Class Member?**

All individuals residing in the United States whose Private Information was compromised in the Data Incident including all those who received notice of the incident.

Excluded from the Settlement Class are: (1) all persons who are directors, officers, and agents of Defendant, or their respective subsidiaries and affiliated companies; (2) governmental entities; (3) the Judge assigned to the Action, that Judge’s immediate family, and Court staff; and (4) any Settlement Class Member that timely and validly requests to opt-out from the Settlement.

- Settlement Class Members under the Settlement Agreement will be eligible to receive:

- ❖ **Cash Payment A – Documented Losses:** Settlement Class Members may submit a claim for a Cash Payment under this section for **up to \$5,000** per Settlement Class Member upon presentment of reasonable documented losses related to the Data Incident;

OR

- ❖ **Cash Payment B – Alternate Cash:** As an alternative to Cash Payment A above, a Settlement Class Member may elect to receive Cash Payment B, which is an alternative Cash Payment in the estimated amount of **\$100**.

Settlement Class Cash Payments will be subject to a *pro rata* (a) increase from the Net Settlement Fund if the amount of Valid Claims is insufficient to exhaust the entire Net Settlement Fund or (b) decrease from the Net Settlement Fund if the amount of Valid Claims exhausts the amount of the Net Settlement Fund. For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Net Settlement Fund first for payment of Credit Monitoring, then for Cash Payment A and then for Cash Payment B.

Questions? Go to www.FCFCUSettlement.com or call (833) 890-4928

Settlement Class Members may also select the following:

- ❖ **Credit Monitoring** – In addition to Cash Payment A or Cash Payment B, Settlement Class Members may also make a claim for Credit Monitoring that will include three (3) years of CyEx's Identity Defense Complete.
- To submit a claim or obtain more information visit www.FCFCUSettlement.com or call (833) 890-4928.

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 Settlement Class Member Benefit from the Settlement.	Submitted or postmarked on or before February 18, 2026 .
Exclude Yourself by Opting Out of the Class	Receive no benefit from the Settlement. This is the only option that allows you to keep your right to bring any other lawsuit against FCFCU relating to the Data Incident.	Mailed and postmarked on or before February 3, 2026 .
Object to the Settlement and/or Attend the Final Approval Hearing	You can write the Court about why you agree or disagree with the Settlement or the Application for Attorneys' Fees, Costs, and Service Award. The Court cannot order a different settlement. You can also ask to speak at the Final Approval Hearing on March 5, 2026 , about the fairness of the Settlement, with or without your own attorney.	Mailed and postmarked on or before February 3, 2026 .
Do Nothing	You will not receive any Settlement Class Member Benefit from this class action Settlement.	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. Settlement Class Member Benefits will be made available only if the Court approves the Settlement and after any possible appeals are resolved.

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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 Action that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

Judge Douglas G. Reichley of the Court of Common Pleas of Lehigh County Pennsylvania is overseeing this case captioned as *Maciejczyk v. First Commonwealth Federal Credit Union*, Case No. 2024-C-2592. The people who brought the lawsuit are called the Class Representatives. The company being sued, First Commonwealth Federal Credit Union, is called the FCFCU.

2. What is the Action about?

Defendant First Commonwealth Federal Credit Union, is a Pennsylvania credit union, incorporated in Pennsylvania. As part of its business, Defendant maintains the Private Information of employees and customers, including names, addresses, dates of birth, Social Security Numbers, financial information, driver's licenses, email addresses, phone numbers, relationship status, bank account numbers and/or payment card information, usernames and passwords, and other personal information.

The Action arises from a recent cyberattack resulting in suspected unauthorized access to sensitive information in the possession and custody and/or control of Defendant which impacted approximately 98,817 individuals (the "Data Incident").

FCFCU denies any wrongdoing whatsoever. No court or other judicial body has made any judgment or other determination that FCFCU has done anything wrong.

3. Why is this a class action?

In a class action, one or more people called "Class Representatives" or "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 FCFCU. 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 Class Representatives appointed to represent the Settlement Class, and the attorneys for the Settlement Class, Class Counsel, 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 you are an individual residing in the United States whose Private Information was compromised in the Data Incident including all those who received notice of the incident.

Excluded from the Settlement Class are: (1) all persons who are directors, officers, and agents of Defendant, or their respective subsidiaries and affiliated companies; (2) governmental entities; (3) the Judge assigned to the Action, that Judge's immediate family, and Court staff; and (4) any Settlement Class Member that timely and validly requests to opt-out from the Settlement.

Questions? Go to www.FCFCUSettlement.com or call (833) 890-4928

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) 890-4928** with questions. You may also write with questions to:

Maciejczyk v. First Commonwealth Federal Credit Union
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

The Settlement provides the following Settlement Class Member Benefits available to Settlement Class Members who submit Valid Claims: (a) Cash Payment A – Documented Losses, up to \$5,000 per Settlement Class Member, with supporting documentation; or (b) Cash Payment B – Alternate Cash – an estimated \$100 Cash Payment; and in addition to a Cash Payment (c) Credit Monitoring that will include three (3) years of CyEx’s Identity Defense Complete.

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

Settlement Class Members that submit a valid and timely Claim Form may select one or more of the following Settlement Class Member Benefits:

- a) ***Cash Payment A - Documented Losses:*** Settlement Class Members may submit a claim for up to a total of \$5,000 per Settlement Class Member, upon submission of a Valid Claim **and supporting documentation**;
 - 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 documenting losses. Settlement Class Members will be required to submit reasonable documentation supporting the losses, which means documentation contemporaneously generated or prepared by a third party or the Settlement Class Member supporting a claim for expenses paid. Non-exhaustive examples of reasonable documentation include telephone records, correspondence including emails, or receipts. Except as expressly provided herein, personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation but may be included to provide clarification, context, or support for other submitted reasonable documentation.
 - 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 Defendant 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 be as if he or she elected Cash Payment B.

OR

- b) **Cash Payment B – Alternate Cash:** As an alternative to Cash Payment A above, a Settlement Class Member may elect to receive Cash Payment B, which is an alternative cash payment in the estimated amount of \$100;

All Settlement Class Cash Payments will be subject to a *pro rata* (a) increase from the Net Settlement Fund if the amount of Valid Claims is insufficient to exhaust the entire Net Settlement Fund or (b) decrease from the Net Settlement Fund if the amount of Valid Claims exhausts the amount of the Net Settlement Fund. For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Net Settlement Fund first for payment of Credit Monitoring, then for Cash Payment A and then for Cash Payment B.

AND

In addition to electing a Cash Payment, Settlement Class Members may also elect:

- c) **Credit Monitoring:** Settlement Class Members may also make a claim for Credit Monitoring that will include three (3) years of CyEx's Identity Defense Complete with: (i) real time monitoring of the credit file with one credit bureau; (ii) dark web scanning with immediate notification of potential unauthorized use; (iii) security freezing assistance; (iv) victim assistance; (v) \$1,000,000 in identity theft insurance with no deductible; and (vi) access to fraud resolution agents to help investigate and resolve instances of identity theft.

HOW DO YOU SUBMIT A CLAIM?

9. How do I get a Settlement Class Member Benefit?

To receive a Settlement Class Member Benefit, you must complete and submit a Claim Form online at **www.FCFCUSettlement.com** or by mail to *Maciejczyk v. First Commonwealth Federal Credit Union*, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391. Read the Claim Form instructions carefully, fill out the Claim Form, provide the required documentation, and submit online by **February 18, 2026**, or by mail **postmarked by February 18, 2026**.

TO RECEIVE AN ELECTRONIC OR ACH PAYMENT FOR YOUR VALID CLAIM, YOU MUST FILE A CLAIM FORM ONLINE AT WWW.FCFCUSETTLEMENT.COM

10. When will I get my Settlement Class Member Benefit?

The Court will hold a Final Approval Hearing on **March 5, 2026**, at **9:00 a.m. ET** in Courtroom 5B of the Lehigh County Courthouse, located at 455 Hamilton St, Allentown, PA 18101, 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. It also takes time for all of the Claim Forms to be processed. Please be patient. Cash Payments will begin after the Settlement has obtained Court approval and the time for all appeals has expired.

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

FCFCU and its affiliates will receive a Release from all claims that could have been or that were brought against FCFCU relating to the Data Incident. 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 Defendant and Defendant's past, present, and future direct and indirect heirs, assigns, associates, corporations, investors, owners, parents, subsidiaries, affiliates, divisions, officers, directors, shareholders, members, agents, employees, attorneys, insurers, reinsurers, benefit plans, predecessors, successors, managers, administrators, executors, and trustees, and assigns of each of them as well as covered entities associated with the Data Incident. These Releases are described in Section XIII of the Settlement Agreement, which is available at **www.FCFCUSettlement.com**. If you have any questions, you can talk to the law firms listed in Question 17 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.

12. If I exclude myself, can I get a Settlement Class Member Benefit from this Settlement?

No. If you exclude yourself, you will not be entitled to receive any benefits from the Settlement.

13. If I do not exclude myself, can I sue the Released Parties for the same thing later?

No. Unless you exclude yourself, you give up any right to sue FCFCU and any other Released Parties for any claim that could have been or was brought relating to the Data Incident. You must exclude yourself from the Settlement to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case.

14. How do I exclude myself from the Settlement?

To exclude yourself, send a request to opt-out or written notice of intent to opt-out that says you want to be excluded from the Settlement. The request to opt-out must be personally signed by the Settlement Class Member and contain the requestor's name, address, telephone number, and email address (if any), and include a statement indicating a request to opt-out of the Settlement Class. Any individual in the Settlement Class who does not timely and validly request to opt-out shall be bound by the terms of the Settlement Agreement even if that Settlement Class Member does not submit a Claim Form. You must mail your request to opt-out to the Settlement Administrator **postmarked by February 3, 2026**, to:

Maciejczyk v. First Commonwealth Federal Credit Union
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

OBJECTING TO THE SETTLEMENT

15. 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, and/or Application for Attorneys' Fees, Costs, and Service Award or some part of it by objecting to the Settlement. Objections must be filed with the Court, and sent by U.S. Mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator at the addresses listed below, **postmarked by no later than February 3, 2026.**

Clerk of the Court	Class Counsel
Clerk of the Court Lehigh County Courthouse 455 West Hamilton Street Allentown, PA 18101-1614	Ken Grunfeld Kopelowitz Ostrow P.A. 65 Overhill Road Bala Cynwyd, PA 19004 grunfeld@kolawyers.com Raina Borelli Strauss Borrelli PLLC 980 N. Michigan Avenue, Suite 1610 Chicago, Illinois 60611 raina@straussborrelli.com
Defendant's Counsel	Settlement Administrator
Joseph McNelis Constangy, Brooks, Smith & Prophete, LLP 1650 Market Street, Suite 3600 Philadelphia, Pennsylvania 19103 jmcnelis@constangy.com	Maciejczyk v. First Commonwealth Federal Credit Union c/o Kroll Settlement Administration LLC P.O. Box 225391 New York, NY 10150-5391

For an objection to be considered by the Court, the objection must also set forth:

- i) the objector's full name, mailing address, telephone number, and email address (if any);
- ii) all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
- iii) the number of times the objector has objected to a class action settlement within the 5 years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
- iv) the identity of all counsel who represent the objector, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Award;
- v) the number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the 5 years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding 5 years;

Questions? Go to www.FCFCSettlement.com or call (833) 890-4928

- vi) the identity of all counsel (if any) representing the objector, and whether they will appear at the Final Approval Hearing;
- vii) a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- viii) a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- ix) the objector's signature (an attorney's signature is not sufficient).

Class Counsel and/or Defendant's Counsel may conduct limited discovery on any objector or objector's counsel.

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

Objecting is telling the Court that you do not like the Settlement or parts of it 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.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed Ken Grunfeld of Kopelowitz Ostrow P.A. and Raina Borelli of Strauss Borrelli PLLC, as 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.

18. How will the Class Counsel be paid?

Class Counsel shall apply to the Court for an award of attorneys' fees of up to one-third of the Settlement Fund (\$400,000), plus reimbursement of costs not to exceed \$20,000. Any such award would compensate 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.

In recognition of the time and effort the Class Representatives expended in pursuing this Action and in fulfilling their obligations and responsibilities as Class Representatives, and of the relief conferred on all Settlement Class Members by the Settlement, Class Counsel shall request a Service Award for the Class Representatives in an amount not to exceed \$2,000 each (\$18,000 total).

Any attorneys' fees, costs and Service Award payments must be approved by the Court. The Court may award less than the amounts requested.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at **9:00 a.m. ET on March 5, 2026**, in Courtroom 5B of the Lehigh County Courthouse, located at 455 Hamilton St, Allentown, PA 18101, 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 Application for Attorneys' Fees, Costs, and Service Award payments. 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 Class Counsel recommends checking the Settlement Website **www.FCFCUSettlement.com**, or calling **(833) 890-4928**.

20. Do I have to attend the hearing?

No. Class Counsel will present the Settlement Class 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 15, the Court will consider it.

21. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file an objection according to the instructions in Question 15, including all the information required. Your objection must be **mailed** to the Clerk of the Court, Class Counsel, Defendant's Counsel and the Settlement Administrator, at the mailing addresses listed above, **postmarked by no later than February 3, 2026**.

IF YOU DO NOTHING

22. What happens if I do nothing?

If you do nothing, you will not receive any Settlement Class Member Benefits from this Settlement. If the Settlement is granted Final Approval and becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against FCFCU or the other Released Parties based on any claim that could have been or that was brought relating to the Data Incident.

ADDITIONAL INFORMATION

23. 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.FCFCUSettlement.com**. You may also call the Settlement Administrator with questions or to receive a Claim Form at **(833) 890-4928**.

24. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below, calling toll-free **(833) 890-4928** or at the Contact page of the Settlement Website:

Maciejczyk v. First Commonwealth Federal Credit Union
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

PLEASE DO NOT CONTACT THE COURT, CLERK OF THE COURT OR CLASS COUNSEL FOR INFORMATION ABOUT THE CLASS ACTION SETTLEMENT