

Notice of Proposed Class Action Settlement Delphinus Data Incident

If you are an individual whose Private Information may have been compromised due to unauthorized access of the Defendant's systems in October 2023, a class action settlement may affect your rights.

*The United States District Court for the Eastern District of Pennsylvania has authorized this Notice.
This is not a solicitation from a lawyer.*

- A proposed settlement has been reached in a class action lawsuit titled, *Jason Wilsterman v. Delphinus Engineering, Inc.*, Case No. 24-cv-1810, filed on April 30, 2024, in the United States District Court for the Eastern District of Pennsylvania (the "Litigation"). The litigation is a result of alleged unauthorized access to the Defendant's computer systems in October 2023 (the "Data Incident") in which the private information of Settlement Class Members may have been compromised. The Defendant is Delphinus Engineering, Inc..
- If you received a Notice of Class Action Settlement, you have been identified by Delphinus as someone whose private information may have been impacted by the Data Incident, and you are a Settlement Class Member. You may opt-out or be excluded from the Settlement Class by following the instructions in this Notice.
- Under the settlement, Delphinus has agreed to pay \$350,000.00 into a Settlement Fund to pay for all costs of the settlement, including: (1) Notice and Administrative Expenses; (2) the Fee Award and Expenses, as approved and awarded by the Court; (3) documented Out-of-Pocket Losses; (4) Cash Fund Payments to Settlement Class Members; and (5) transfer the Remainder Funds to a charitable organization to the extent any funds exist following the administration of payments.
- Your legal rights will be affected whether you act or do not act. **You should read this entire Notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM FORM DEADLINE: MARCH 26, 2026	Submitting a Claim Form is the only way that you can receive Compensation for Out-of-Pocket Losses and/or a Cash Fund Payment. If you submit a Claim Form, you will give up the right to sue Delphinus and the other Released Parties (as defined in the Settlement Agreement) in a separate lawsuit about the Data Incident and the legal claims that this settlement resolves.
EXCLUDE YOURSELF FROM THE SETTLEMENT DEADLINE: FEBRUARY 24, 2026	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Delphinus or the other Released Parties, involving the Data Incident or claims this settlement resolves. If you exclude yourself, you will give up the right to receive any settlement benefits from this settlement.
OBJECT TO OR COMMENT ON THE SETTLEMENT DEADLINE: FEBRUARY 24, 2026	You may object to the settlement by writing to the Court and informing it why you do not think the settlement should be approved. If you object, you may also file a Claim Form to receive settlement benefits. If you exclude yourself from the settlement, you cannot object to the settlement.
GO TO THE FINAL APPROVAL HEARING MARCH 31, 2026	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.
DO NOTHING	If you do nothing, you will not receive any payment from the settlement and you will give up your right to sue Delphinus or the Released Parties about the Data Incident and the legal claims this settlement resolves.

- 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. No Settlement Benefits or payments will be provided unless the Court approves the Settlement, and it becomes final.

BASIC INFORMATION ABOUT THE SETTLEMENT

1. *Why was this notice issued?*

The Court authorized this Notice because you have the right to know about the proposed settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval of the settlement. This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to receive those benefits.

The case is known as *Jason Wilsterman v. Delphinus Engineering, Inc.*, Case No. 24-cv-1810, filed on April 30, 2024, in the United States District Court for the Eastern District of Pennsylvania (the “Litigation”). The individual who filed the Litigation, Jason Wilsterman, is called the “Plaintiff” or “Settlement Class Representative” and the company that was sued, Delphinus Engineering, Inc. is called the Defendant or “Delphinus.”

2. *What is this lawsuit about?*

In October 2023, a data security incident was perpetrated against Delphinus (the “Data Incident”). As a result of the Data Incident, the personally identifiable information (“PII”) of Settlement Class Members may have been compromised. PII includes Plaintiff’s and Settlement Class Members’ names, Social Security numbers, dates of birth, passport numbers, and other demographic information.

Delphinus sent notice to Plaintiff and the Settlement Class regarding the Data Incident on or about April 10, 2024. Shortly thereafter, on April 30, 2024, Plaintiff filed his class action complaint.

Delphinus denies all claims of wrongdoing or liability that Plaintiff, Settlement Class Members, or anyone else have asserted in this Litigation or may assert in the future.

3. *Why is this a class action?*

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

4. *Why is there a Settlement?*

The Plaintiff and Defendant (collectively, the “Parties”) disagree over the legal claims alleged in this Litigation. The Litigation has not gone to trial, and the Court has not decided in favor of the Plaintiff or Defendant. Instead, the Parties have agreed to settle the Litigation and agree that the Settlement offers significant benefits to all Settlement Class Members and is fair, reasonable, adequate, and in the best interest of the Plaintiff and all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

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

The Settlement Class includes: All individuals residing in the United States whose personal identifiable information (“PII”) was compromised in the Data Incident experienced by Delphinus in October 2023, including all those individuals who received notice of that Data Incident.

Excluded from the Settlement Class are: (1) the judges presiding over this Action, and members of their direct families; (2) Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest, and its current or former officers and directors; and (3) Settlement Class Members who submit

a valid Request for Exclusion prior to the Opt-Out Deadline.

6. *What if I am still not sure whether I am part of the settlement?*

If you did not receive Notice of the settlement, or if you have any questions as to whether you are a Settlement Class Member, you may contact the Settlement Administrator by mail or email:

Delphinus Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799
info@DelphinusDataSettlement.com

THE SETTLEMENT BENEFITS

7. *What does the settlement provide?*

The settlement creates a \$350,000.00 Settlement Fund that will be used to pay for the following: (1) Notice and Administrative Expenses; (2) Fee Award and Expenses, as approved and awarded by the Court; (3) documented Out-of-Pocket Losses; (4) Cash Fund Payments to Settlement Class Members; (5) Credit Monitoring for Settlement Class Members; and (6) transfer of Remainder Funds to a charitable organization to the extent any funds exist following the preceding administration of payments.

8. *Tell me about the Out-of-Pocket Losses.*

The Settlement Administrator, from the Settlement Fund, will provide compensation, up to a total of \$10,000.00 per person who is a member of the Settlement Class, upon submission of a claim and supporting documentation, for out-of-pocket monetary losses incurred as a result of the Data Incident, including, without limitation, unreimbursed losses relating to fraud or identity theft; professional fees including attorneys' fees, accountants' fees, and fees for credit repair services; costs associated with freezing or unfreezing credit with any credit reporting agency; credit monitoring costs that were incurred on or after the Data Incident through the date of claim submission; and miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

Settlement Class Members submitting claims for Out-of-Pocket Losses must submit documentation supporting their claims. This can include receipts or other documentation that document the costs incurred but does not include documentation that is "self-prepared" by the claimant. "Self-prepared" documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support to other submitted documentation.

9. *Tell me about the Cash Fund Payments.*

All Settlement Class Members are eligible to make a claim for a *pro rata* (equal share) payment from the Settlement Fund ("Cash Fund Payment"), regardless of whether they make a claim for Out-of-Pocket Losses. The amount of the Cash Fund Payment will be based upon the number of claims approved and the amount that remains in the Settlement Fund after certain expenses are paid. The Cash Fund Payment will evenly distribute the net amount of the \$350,000 Settlement Fund, after payment of all approved claims for Out-of-Pocket Losses, Credit Monitoring, Notice and Administration Expenses, and any Fee Award and Expenses, and Service Awards, to each Settlement Class Member who submits a claim.

10. *Tell me about Credit Monitoring.*

All Participating Settlement Class Members are eligible to enroll in three (3) years of Credit Monitoring Services, regardless of whether the Participating Settlement Class Member submits a claim for reimbursement of Out-of-Pocket Losses or a Cash Fund Payment. The Settlement Administrator shall send an activation code to each valid Credit Monitoring Services within fourteen (14) days after the Settlement becomes final that can be used to activate Credit Monitoring Services.

11. Did the Defendant make any Business Practices Changes?

Following the Data Incident, Delphinus implemented a number of business practice changes and security enhancements to avoid future incidents.

12. What rights and I giving up by remaining in the Settlement Class?

Unless you exclude yourself, you are choosing to remain in the Settlement Class. If the settlement is approved and becomes final, all the Court's orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against Delphinus or the Released Parties about the Data Incident or the legal issues resolved by this settlement, and released by the Settlement Agreement. The specific rights you are giving up are called Released Claims (*see* next question).

"Released Parties" include the Defendant and its past or present agents, subsidiaries, parents, and affiliates, and their respective employees, officers, directors, shareholders, partners, members, managers, owners, heirs, executors, predecessors, successors, assigns, insurers (including excess insurers and reinsurers), vendors, attorneys, and/or sureties

13. What are the Released Claims?

Released Claims include any claims, demands, rights, actions, or causes of action, liabilities, damages, losses, obligations, judgments, suits, penalties, remedies, matters, and issues of any kind or nature, whether known or unknown, that each Settlement Class member has, had, or may ever have, now or in the future, known or unknown, arising out of or in any way related to the Data Incident whether or not those claims, demands, rights, actions, or causes of action have been pleaded or otherwise asserted, including any and all damages, losses, or consequences thereof

More information about the Released Claims is provided in the Settlement Agreement available at: www.DelphinusDataSettlement.com.

HOW TO GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM

14. How do I make a claim for settlement benefits?

You must complete and submit a Claim Form by **March 26, 2026**. Claim Forms may be submitted online at www.DelphinusDataSettlement.com or downloaded from the Settlement Website and mailed to the Settlement Administrator at the address on the form. Claim Forms are also available by calling (833) 417-4997 or by writing to the Settlement Administrator via mail or email:

Delphinus Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799
info@DelphinusDataSettlement.com

15. What happens if my contact information changes after I submit a claim?

If your contact or payment information changes after you submit a Claim Form, it is your responsibility to provide your updated information to the Settlement Administrator. You may notify the Settlement Administrator of any changes in writing by mail or email:

Delphinus Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

16. When will the settlement benefits be issued?

The Settlement Administrator will issue payments for valid and timely Claim Forms after the settlement is approved and becomes Final. Payments will be issued via the payment method selected on the Claim Form. We do not know how long it may take the Court to approve the settlement as final, and whether any appeals will be filed. Please be patient and check www.DelphinusDataSettlement.com for updates.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes, the Court has appointed **Strauss Borrelli, PLLC** to represent the Settlement Class as Settlement Class Counsel. You may hire your own lawyer at your own cost and expense if you want someone other than Settlement Class Counsel to represent you in this Litigation.

18. How will Settlement Class Counsel be paid?

Settlement Class Counsel will file, and Defendant will not oppose, a Fee and Expense Application for an award of attorneys' fees, inclusive of reasonable litigation costs and expenses, to be paid from the Settlement Fund not to exceed thirty-three (30%) of the Settlement Fund for fees, or \$105,000.

Settlement Class Counsel will file a Fee and Expense Application that will include a request for a Service Award for the Settlement Class Representative not to exceed \$5,000.00 in recognition for his contributions to this Litigation.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue Delphinus and/or the other Released Parties on your own based on the Data Incident or the claims raised in this Litigation or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the settlement.

19. How do I get out of the settlement?

In order to validly be excluded from the settlement, Settlement Class Members must send a letter to the Settlement Administrator, so it is mailed with a postmark date no later than **February 24, 2026**.

Delphinus Data Incident Settlement
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info@DelphinusDataSettlement.com

The Request for Exclusion must include the name of the proceeding, the individual's full name, current address, personal signature, and the words “Request for Exclusion” or a comparable statement that the individual does not wish to participate in the settlement. Any Settlement Class Member who does not file a timely Request for Exclusion in accordance with these requirements will lose the opportunity to exclude himself or herself from the settlement and will be bound by the settlement.

20. If I exclude myself, can I still receive settlement benefits?

No. All persons who Opt-Out shall not receive any benefits or be bound by the terms of the Settlement Agreement. All persons falling within the definition of the Settlement Class who do not Opt-Out shall be bound by the terms of the settlement and any Court orders related to the settlement.

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

No. Unless you exclude yourself, you give up any right to sue Delphinus and the other Released Parties for the claims that this settlement resolves. You must exclude yourself from this Litigation to start or continue with your own lawsuit or be part of any other lawsuit against Delphinus or any of the other Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO OR COMMENT ON THE SETTLEMENT

22. How do I tell the Court that I do not like the settlement?

If you do not like the terms of the settlement, you can write to the Court in the form of an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the settlement.

(a) The written objection must be filed with/or mailed to the Court and the Settlement Administrator and must include: (1) the name of the Litigation; (2) the Settlement Class Member's full name, current mailing address, and telephone number; (3) a statement of the specific grounds for the objection, as well as any documents supporting the objection and a description of whether the objection applies only to the Settlement Class Member, a subset of the Settlement Class, or the entire Settlement Class; (4) the identity of any attorneys representing the objector (if any), as well as a description of the attorney's background and prior experience, the amount of anticipated fees and method of calculation, the attorney's hourly rate, and the number of hours spent working; (5) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (6) a description and/or copies of evidence that may be introduced at fairness hearing; (7) a list of proceedings in which the Settlement Class Member has submitted an objection during the past five years; and (8) the signature of the Settlement Class Member or the Settlement Class Member's attorney.

Any Settlement Class Member who does not file a timely and adequate objection in accordance with these requirements waives the right to object or to be heard at the Final Approval Hearing and shall be forever barred from making any objection to the settlement and shall be bound by the terms of the Agreement and by all proceedings, orders, and judgments in the Action.

To be considered timely, any valid objection in the appropriate form must be filed with the Clerk of the Court no later than **February 24, 2026** (the "Objection Date"). A copy of the objection must also be mailed to the Settlement Administrator, postmarked no later than **February 24, 2026**.

Court	Settlement Administrator
Clerk of Court James A. Byrne United States Courthouse 601 Market Street Philadelphia, Pennsylvania 19106	Delphinus Data Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799 info@DelphinusDataSettlement.com

23. What is the difference between objecting and requesting exclusion?

Objecting is telling the Court you do not like something about the settlement. You can object only if you stay in the Settlement Class (that is, do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of

the Settlement Class or the settlement. If you exclude yourself, you cannot object to the settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **March 31, 2026 at 1:30 p.m.** in United States District Court for the Eastern District of Pennsylvania at United States District Court for the Eastern District of Pennsylvania, James A. Byrne U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class, so please monitor the Settlement Website to confirm whether the date for the Final Approval Hearing has changed.

At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate, and will decide whether to approve the settlement, Settlement Class Counsel's Fee and Expense Application, and the Service Award to the Plaintiff. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

25. *Do I have to come to the Final Approval Hearing?*

No. Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as our written objection is complete and submitted on time, the Court will consider it.

26. *May I speak at the Final Approval Hearing?*

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (*see Question 21*). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify if you plan to have your attorney speak for you at the Final Approval Hearing. Your objection must also include your attorney's name, address, and phone number.

IF YOU DO NOTHING

27. *What happens if I do nothing at all?*

If you are a Settlement Class Member and you do nothing, you will not receive any settlement benefits. You will also give up certain rights, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Delphinus or any of the other Released Parties about the legal issues in this Litigation and released by the Settlement Agreement.

GETTING MORE INFORMATION

28. *How do I get more information?*

This Notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the Settlement Agreement available at www.DelphinusDataSettlement.com. If you have questions about the proposed settlement or anything in this Notice, you may contact the Settlement Administrator:

Delphinus Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799
info@DelphinusDataSettlement.com

Questions? Visit www.DelphinusDataSettlement.com or call toll-free (833) 417-4997

Toll-Free: (833) 417-4997

**PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE TO INQUIRE ABOUT
THIS SETTLEMENT OR THE CLAIM PROCESS.**