

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

In re: Fidelity Investments Data Breach Litigation

Case No. 1:24-CV-12601-LTS

United States District Court for the District of Massachusetts

IF YOU PREVIOUSLY RECEIVED NOTICE OF, OR HAD YOUR FINANCIAL ACCOUNT AND ROUTING NUMBER COMPROMISED IN, THE AUGUST 2024 FMR LLC D/B/A FIDELITY INVESTMENTS DATA SECURITY INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.

A court has authorized this notice. This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A Settlement has been reached with FMR LLC d/b/a Fidelity Investments and Fidelity Brokerage Services LLC d/b/a Fidelity Investments (collectively, “Fidelity” or “Defendants”) in a class action lawsuit. This case relates to an incident that occurred between August 17 and August 19, 2024 where a third party accessed and obtained certain information without authorization on Fidelity’s computer network (the “Data Security Incident”).
- The lawsuit is called *In re: Fidelity Investments Data Breach Litigation*, Case No. 1:24-CV-12601-LTS. It is pending in the United States District Court for the District of Massachusetts (the “Litigation”).
- Fidelity denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the Litigation.
- Fidelity's records indicate that you are a Settlement Class Member and entitled to benefits under the Settlement. You may have received a previous notice directly from Fidelity.
- Your rights are affected whether you act or don’t act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	<p>The only way to receive benefits or payments from this Settlement is by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at www.FidelityDataSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.</p>	July 27, 2026
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	June 26, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for Settlement benefits.	June 26, 2026
DO NOTHING	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement.	No Deadline

- 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.

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Basic Information

1. Why was this Notice issued?

The United States District Court for the District of Massachusetts has authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is called *In re: Fidelity Investments Data Breach Litigation*, Case No. 1:24-CV-12601-LTS. It is pending in the United States District Court for the District of Massachusetts. The people that filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the companies they sued, FMR LLC d/b/a Fidelity Investments and Fidelity Brokerage Services LLC d/b/a Fidelity Investments, are called the “Defendants.”

2. What is this lawsuit about?

This lawsuit alleges that, between August 17 and August 19, 2024, a third party accessed and obtained certain information without authorization on Fidelity’s computer network. Based on a subject forensic investigation, Fidelity determined that the unauthorized third party potentially accessed certain personal information. The personal information varied by individual and may have contained names, Social Security numbers, financial account information, and/or driver’s license information.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the “Plaintiffs” or “Class Representatives.” Together, the people included in the class action are called a “Class” or “Class Members.” One court resolves the lawsuit for all Class Members, except for those who opt out from the settlement. In this Settlement, the Class Representatives are Richard Mason, Alexander Elterman, Ratiek Lowery, Robert Wilbert, and John Nixon. Everyone included in this Action are the Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendants are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Class Members to receive benefits from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The Court has defined the Class this way: “All individuals within the United States of America to whom Fidelity provides notice of the Data Security Incident under relevant state law before the Notice Deadline associated with this Settlement, and all other individuals within the United States whose account number and routing number were exposed in the Data Security Incident (where joint accountholders had a single financial account number and routing number compromised, only one claim is permitted under the Settlement).”

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) the Judge in this case, and the Judge’s immediate family and Court staff; (2) Fidelity’s officers and directors; and (3) anyone who validly excludes themselves from the Settlement.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@FidelityDataSettlement.com
- Call toll free, 24/7: 1- (833) 386-6470
- By mail: Fidelity Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.FidelityDataSettlement.com.

The Settlement Benefits

7. What does the Settlement provide?

Fidelity will establish a Settlement Fund of \$2,500,000.00. The Settlement Fund will first be used to pay court-approved attorneys’ fees and costs, Service Award payments for the Plaintiffs, and the costs of administering the Settlement. The net remaining money will be used to pay for the benefits described below.

BENEFITS

Reimbursement of Documented Monetary Losses. If you incurred actual, documented out-of-pocket losses due to the Data Security Incident, you can get back up to **\$5,000.00**. The losses must have occurred between August 17, 2024, and **July 27, 2026**.

This benefit covers out-of-pocket expenses like:

- losses because of identity theft or fraud

- fees for credit reports, credit monitoring, or freezing and unfreezing your credit
- cost to replace your IDs
- postage to contact banks by mail
- cost of gasoline to travel to and from banks or other locations to rectify identify theft or fraud

You need to send proof, like bank statements or receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a valid claim. Your proof or notes should show that your expenses were because of the Data Security Incident.

You cannot claim a payment for expenses that have already been reimbursed by a third party.

Pro Rata Cash Payment. All Class Members may claim a *pro rata* cash payment. This payment is expected to be **\$100.00** but may be larger or smaller depending on the total claims filed. You do not have to provide any proof or explanation to claim this payment.

CCPA Payment (California residents only). Class Members who are California residents may claim a payment for the California Consumer Privacy Act (CCPA) claim brought against Fidelity. This payment is **\$50.00**. However, this amount may be larger or smaller depending on the total claims filed. You do not have to provide any proof or explanation to claim this payment.

Identity Theft Protection and Credit Monitoring. All Class Members are eligible to enroll in two years of CyEx Financial Shield Complete. This comprehensive service comes with \$1 million of financial fraud insurance, and includes monitoring for:

- fraud or identity theft
- dark web postings
- unauthorized financial transactions
- personal information associated with high-risk transactions

If anything suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@FidelityDataSettlement.com
- Call toll free, 24/7: 1- (833) 386-6470
- By mail: Fidelity Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

8. What claims am I releasing if I stay in the Class?

If you stay in the Settlement Class, you will not be able to be part of any other lawsuit against Fidelity about the issues that this Settlement covers. The “Releases” section of the Settlement Agreement (Section XII)

describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.FidelityDataSettlement.com.

Submitting a Claim Form for a Settlement Payment

9. How do I submit a claim for a Settlement benefit?

The fastest way to submit your Claim Form is online at www.FidelityDataSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Fidelity Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, **1- (833) 386-6470**, by email info@FidelityDataSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **July 27, 2026**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **July 27, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **July 9, 2026 @ 2:00pm** (see **Question 18**). If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants final approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys A. Brooke Murphy of Murphy Law Firm, and Lori G. Feldman of Hecht Partners LLP to represent you and other Class Members ("Class Counsel").

13. Should I get my own lawyer?

You will not be charged for Class Counsel's services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve up to one-third of the Settlement Fund as reasonable attorneys' fees, plus up to \$45,000.00 to reimburse costs of litigation. This amount will be paid from the Settlement Fund.

Class Counsel will also ask for Service Award payments of \$2,500.00 for each of the Class Representatives. Service Award payments will also be paid from the Settlement Fund.

Excluding Yourself from the Settlement

15. How do I opt out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called a Request for Exclusion and is sometimes also called “opting out.” If you opt out, you will not receive Settlement benefits or payment. However, you will keep any rights you may have to sue Fidelity on your own about the legal issues in this case.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **June 26, 2026**.

To be valid, your Request for Exclusion must have the following information:

- (1) the name of the Litigation: *In re: Fidelity Investments Data Breach Litigation*, Case No. 1:24-CV-12601-LTS, pending in the United States District Court for the District of Massachusetts;
- (2) your full name, mailing address, telephone number, and email address;
- (3) personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

Fidelity Data Security Incident Settlement
ATTN: Exclusion Request
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be postmarked by **June 26, 2026**.

Commenting on or Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (**see Question 15**)

You must provide the following information for the Court to consider your objection:

- (1) the name of the Litigation: *In re: Fidelity Investments Data Breach Litigation*, Case No. 1:24-CV-12601-LTS, pending in the United States District Court for the District of Massachusetts;
- (2) your full name, mailing address, telephone number, and email address;
- (3) whether the objection applies only to you, or to other Class Members, as well;
- (4) a clear description of all the reasons you object; include any legal support, such as documents, you may have for your objection;
- (5) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, and contact information;
- (6) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both; and
- (7) your signature (or, if you have hired your own lawyer, your lawyer's signature).

For your objection to be valid, it must meet each of these requirements.

To be considered, you must submit your complete objection to the Clerk of Court by **June 26, 2026**.

Clerk of the Court
Clerk of the Court United States District Court for the District of Massachusetts 1 Courthouse Way Boston, MA 02210

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Court's Final Approval Hearing

18. When is the Court's Final Approval Hearing?

The Court will hold a final approval on **July 9, 2026 at 2:00pm Eastern Time**, in Room 13 of the United States District Court for the District of Massachusetts, at **United States District Court for the District of Massachusetts, 1 Courthouse Way, Boston, MA 02210**.

At the final approval hearing, the Court will decide whether to approve the Settlement. The court will also decide how Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (**See Question 16**).

The date and time of this hearing may change without further notice. Please check www.FidelityDataSettlement.com for updates.

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

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive a benefit from this Settlement.

You will also give up the rights described in **Question 8**.

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.FidelityDataSettlement.com.

Nothing in the Settlement Agreement, including any non-disclosure provision, prohibits or restricts you from initiating communications directly with, or responding to any inquiry from, or providing testimony before, the SEC, FINRA, any other self-regulatory organization or any other state or federal regulatory authority, regarding this Settlement or its underlying facts or circumstances.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@FidelityDataSettlement.com
- Call toll free, 24/7: 1- (833) 386-6470
- By mail: Fidelity Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, **United States District Court for the District of Massachusetts, 1 Courthouse Way, Boston, MA 02210**.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT