

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

In re: Heritage South Credit Union Data Breach Litigation

Case No. 61-CV-2025-900175

Circuit Court for Talladega County, Alabama

IF HERITAGE SOUTH CREDIT UNION NOTIFIED YOU OF A DATA INCIDENT THAT OCCURRED IN FEBRUARY 2025, 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 proposed Settlement has been reached with Heritage South Credit Union (“HSCU” or “Defendant”) in a class action lawsuit. This case concerns the targeted cyberattack on HSCU's computer systems in February 2025 (the “Data Incident”). Certain files that contained private information were accessed. These files may have contained personal information such as names, addresses, Social Security numbers, or financial account numbers.
- The lawsuit is called *In re: Heritage South Credit Union Data Breach Litigation*, Case No. 61-CV-2025-900175. It is pending in the Circuit Court for Talladega County, Alabama (the “Litigation”).
- HSCU 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.
- HSCU's records indicate that you are a Class Member and may be entitled to benefits under the Settlement. You may have received previous notice directly from HSCU regarding the Data Incident.
- 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		
ACTION	EXPLANATION	DEADLINE
SUBMIT A CLAIM	The only way to receive benefits or payments from this Settlement is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.HSCUDataSettlement.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.	Submitted or postmarked by October 5, 2026, 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.	Submitted or postmarked by September 18, 2026
OBJECT	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.	September 18, 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 Defendant 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 Circuit Court for Talladega County, Alabama, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all 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: Heritage South Credit Union Data Breach Litigation*, Case No. 61-CV-2025-900175. It is pending in the Circuit Court for Talladega County, Alabama. The people who filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the company they sued, Heritage South Credit Union, is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that, during a Data Incident that occurred in February 2025 on HSCU's computer systems, certain files containing private information were accessed. These files may have contained personal information such as names, addresses, Social Security numbers, or financial account numbers.

Defendant denies the legal claims and denies any liability or wrongdoing. The Court has not made any determination of any wrongdoing by Defendant, or that any law has been violated. Instead, the Plaintiffs and Defendant have agreed to the Settlement to avoid the risk, cost, and time of continuing the lawsuit.

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 of the settlement. In this Settlement, the Class Representatives are Bonnie Harris and Amanda Pearson. Everyone included in this Action is a Class Member.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant is 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 believe the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

You are included in the Settlement if you are a living individual residing in the United States who was identified by Defendant and sent notice by Defendant that your private information may have been impacted in the Data Incident.

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) HSCU and its officers, directors, and related companies; (2) governmental entities; (3) the Judge in this case, and the Judge's family and staff; and (4) 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@HSCUDataSettlement.com
- Call toll free, 24/7: (833) 421-7251
- By mail: HSCU Data Incident Settlement
c/o Settlement Administrator
PO Box 25226
Santa Ana, CA 92799-9958

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

The Settlement Benefits

7. What does the Settlement provide?

HSCU has agreed to provide several benefits to Class Members. These benefits are explained below.

CREDIT MONITORING. All Class Members are eligible to enroll in one year of CyEx Financial Shield Total. This comprehensive service comes with \$1 million of financial fraud insurance and includes monitoring for:

- fraud or identity theft
- 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.

CASH PAYMENTS

Documented Losses. If you incurred actual, documented out-of-pocket losses due to the Data Incident, you can get back up to **\$2,000.00**. The losses must have occurred between February 12, 2025, and October 5, 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

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 Incident.

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

Lost Time. Class Members who spent time responding to the Data Incident may claim up to four hours, at \$20.00 per hour, for a maximum of **\$80.00**.

You must have spent the time on tasks related to the Data Incident. Some examples include things like:

- changing your passwords
- investigating suspicious activity in your accounts
- researching the Data Incident

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

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

If you stay in the class, you won't be able to be part of any other lawsuit against HSCU about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section XI) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.HSCUDataSettlement.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.HSCUDataSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

HSCU Data Incident Settlement
c/o Settlement Administrator
PO Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, at (833) 421-7251, by email info@HSCUDataSettlement.com, or by U.S. mail at the address above.

If you received a Postcard Notice in the mail, you can use that card to submit a claim for one year of Credit Monitoring and/or Lost Time. Tear off the Claim Form at the perforation and return by U.S. Mail no later than October 5, 2026.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **October 5, 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 **October 5, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **October 19, 2026 (see Question 18)**. If the Court approves the Settlement, there may be appeals. We do not know whether 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 Jonathan S. Mann of Pittman, Dutton, Hellums, Bradley & Mann, P.C., and Mariya Weekes of Milberg PLLC, 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 \$175,000.00 as reasonable attorneys' fees and reimbursement of litigation costs. HSCU will pay this amount.

Class Counsel will also ask for Service Award payments of \$2,000.00 for each of the Class Representatives. HSCU will also pay Service Award payments.

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 HSCU 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 **September 18, 2026**.

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

- (1) the name of the Litigation: *In re: Heritage South Credit Union Data Breach Litigation*, Case No. 61-CV-2025-900175, pending in the Circuit Court for Talladega County, Alabama;
- (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:

HSCU Data Incident Settlement
ATTN: Exclusion Request
PO Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be submitted, postmarked, or emailed by **September 18, 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 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: Heritage South Credit Union Data Breach Litigation*, Case No. 61-CV-2025-900175, pending in the Circuit Court for Talladega County, Alabama;
- (2) your full name, mailing address, telephone number, and email address;
- (3) a clear description of all the reasons you object; include any legal support, such as documents, you may have for your objection;
- (4) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, and contact information;
- (5) if you or your lawyer have objected in any other cases in the past five years, list the names, courts, the orders ruling on your objections, and civil action numbers for each of those cases;
- (6) if you have made any kind of agreement with another person, including your lawyer, related to making this objection, please provide details;
- (7) whether or not you or your lawyer would like to speak at the Final Approval Hearing;
- (8) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both; and
- (9) your signature (if you have hired your own lawyer, their signature is not sufficient).

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

To be considered by the Court, you must file your complete objection with the Clerk of Court by **September 18, 2026**. You must also send a copy of the objection to the Settlement Administrator, Class Counsel, and counsel for Defendants.

Clerk of the Court	Settlement Administrator
Clerk of the Court 148 East Street N. Talladega, AL 35160	HSCU Data Incident Settlement ATTN: Objections PO Box 25226 Santa Ana, CA 92799-9958
Class Counsel	Counsel for Defendants
Jonathan S. Mann PITTMAN, DUTTON, HELSUMS, BRADLEY & MANN, P.C. 2001 Park Place North, Suite 1100 Birmingham, AL 35203 Mariya Weekes MILBERG, PLLC 333 SE 2nd Avenue, Suite 2000 Miami, FL 33131	Starr Turner Drum Xeris Elizabeth Gregory POLSINELLI PC 2000 Southbridge Parkway, Suite 301 Birmingham, AL 35209

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 **October 19, 2026 at 10:30 a.m. Central Time**, in the Courtroom of the Honorable William E. Hollingsworth, IV, Circuit Court of Talladega County, Alabama, Twenty-Ninth Judicial Circuit, **148 East Street North, Talladega, Alabama 35160**.

At the final approval hearing, the Court will decide whether to approve the Settlement. The Court will also decide how much 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.HSCUDataSettlement.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 on the Settlement Website at www.HSCUDataSettlement.com.

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

- Email: info@HSCUDataSettlement.com
- Call toll free, 24/7: (833) 421-7251
- By mail: HSCU Data Incident Settlement
c/o Settlement Administrator
PO 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, 148 East Street N., Talladega, AL 35160.

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