

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

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

UNITED STATES DISTRICT COURT-MIDDLE DISTRICT OF NORTH CAROLINA

A Settlement Agreement has been reached in a class action lawsuit alleging that Palm Beach Tan, Inc. (“PBT”) and Archer Malmo, Inc. (“Archer,” and together with PBT, “Defendants”) unlawfully sent telemarketing text messages about PBT’s services and products to persons who requested that they stop messaging them. A \$2,500,000 settlement fund has been agreed upon, which, after deducting attorneys’ fees, costs, an incentive award to the Class Representative (Alex Hudson) and settlement administration costs, will be used to pay Class Members who submit Valid Claims. Each Settlement Class Member who submits a Valid Claim Form is entitled to up to \$1,500 per each Post-Stop Message as reflected in the text message data. Each Settlement Class Member will receive an equal amount per Post-Stop Message. Cash payment amounts will depend on the total number of Valid Claims filed by Settlement Class Members and the amount of money remaining in the fund after making the deductions listed above. Your legal rights are affected whether you act or don’t act, so read this notice carefully.

VISIT www.HudsonClass.com FOR MORE INFORMATION AND FOR UPDATES.

YOUR LEGAL RIGHTS AND OPTIONS	
Option 1: Submit a Claim Form Deadline: October 4, 2026	Complete and submit a Claim Form and receive a share of the Settlement Fund. By completing and submitting a Claim Form, you may recover a pro-rata share of the Settlement Fund. This is the only way to claim and receive money from the Fund.
Option 2: Ask to be Excluded Deadline: October 4, 2026	Get out of this lawsuit and get no benefits from it. You may ask to be excluded from the lawsuit. By excluding yourself, you remove yourself from the Settlement Class, receive no rights under the Settlement, and you keep the right to sue on your own.
Option 3: Object to the Settlement Deadline: October 4, 2026	Object to the terms of the Settlement Agreement. You may object to the terms of the Settlement Agreement and have your objections heard at the December 29, 2026 Final Approval Hearing.

1. What is this lawsuit about?

Plaintiff Alex Hudson (“Hudson” or “Plaintiff”) claims that Defendants violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”) by placing more than one telemarketing text message advertising PBT’s products and services to Hudson’s residential cellular telephone number after he messaged Defendants to stop. The TCPA carries statutory damages of \$500 to \$1,500 per each unlawful call or message.

PBT and Archer each deny any wrongdoing, deny that the text messages at issue constitute “telemarketing” or “telephone solicitations” under the TCPA and the relevant regulations, deny that a class could be certified, and deny that they violated the TCPA or any other law or otherwise have any liability to Plaintiff or any other person as alleged in the lawsuit.

The case is titled *Hudson v. Palm Beach Tan, Inc. & Archer Malmo, Inc.*, Case No: 1:23-cv-00486-WO-JEP, and it is pending in the United States District Court for the Middle District of North Carolina.

You can read Plaintiff’s Complaint, Defendants’ Answers to the Complaint, and other case documents at www.HudsonClass.com.

2. Why is this a class action?

In a class action, a Class Representative (in this case, Plaintiff Alex Hudson) sues on behalf of a group (or a “Class”) of people who have similar claims. Here, the Class Representative sues on behalf of people whom Defendants allegedly sent telemarketing text messages about PBT’s products and services after those persons asked Defendants to stop messaging them. In a Class Action, one court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

3. How do I know if I am a part of the Settlement Class?

The Court has conditionally approved the following definition of a Settlement Class: “all persons within the Class Period sent a Palm Beach Tan Text Message after that phone number sent an inbound text message Stop Request.” (A Palm Beach Tan Text Message is a text message alleged to have marketed or advertised goods or services provided by PBT in the Action.)

The Class Period covers the period from June 19, 2019, through July 5, 2026.

4. How do I recover?

Submit a Claim Form. This is the only way to get a payment. If you are a member of the Settlement Class and submit a Valid Claim Form, you are entitled to receive a share of the Settlement Fund.

The final cash payment will depend on a number of factors, including the total number of valid and timely claims filed by all Settlement Class Members as determined by the Settlement Administrator. Each claiming Settlement Class Member will be entitled to an equal share of the Settlement Fund, up to \$1,500, for each Post-Stop Message, after deductions from the fund for administrative costs, attorneys' fees and expenses, and any incentive award to the Plaintiff.

You can submit a Claim Form online at www.HudsonClass.com or, you can download a Claim Form and mail it to:

Hudson v. Palm Beach Tan, Inc. & Archer Malmo, Inc.
Settlement Administrator
P.O. Box 301172
Los Angeles, CA 90030-1172

All Claim Forms must be postmarked or filed online no later than **October 4, 2026**.

After all Valid Claim Forms are counted, and the Settlement is given final approval by the Court, the Settlement Administrator will provide each claiming Settlement Class Member with their share of the Settlement Fund after the deductions above. Any excess settlement funds or benefit checks not cashed by Settlement Class Members will be provided to a charitable organization.

5. What am I giving up to receive these benefits?

By staying in the Settlement Class, all of the Court's orders will apply to you; you give a "release" for any claims arising between June 19, 2019, and July 5, 2026, that arose from or in connection with PBT Messages to Settlement Class Members during the Class Period.

A release means you cannot sue or be part of any other lawsuit against PBT, Archer and/or the Released Parties (as defined in the Settlement Agreement) about the claims or issues in this lawsuit, and you will be bound by the Settlement Agreement.

6. How much will the Class Representative receive?

The Class Representative will receive his portion of the Settlement as a Settlement Class Member and an incentive award for having pursued this action. Any incentive payment is subject to Court approval. The Class Representative will request an Incentive Award of up to \$10,000.

7. Do I have a lawyer in this case?

To represent the Settlement Class, the Court has appointed attorneys with the law firm of Lemberg Law, LLC, 43 Danbury Road, Wilton, CT 06897 as "Class Counsel."

Class Counsel will request an award of attorneys' fees of up to 33% of the Settlement Fund and for reimbursement of their expenses. Any attorneys' fee and expense award is subject to Court approval. You may hire your own attorney, but only at your own expense.

8. I don't want to be part of this case. How do I ask to be excluded?

If you don't want a payment from this Settlement or to be bound by any of the Court's decisions, but you want to keep the right to individually sue the Defendants about the issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself, or "opting out" of the Class. To request to exclude yourself, you must send a letter by mail with: (a) the Requester's full name, address, and the name of the Action and telephone number; (b) the telephone number at which the Requester received a Post-Stop Message that is the subject of this Settlement Agreement; (c) the Requester's personal and original signature, or the original signature of a person previously authorized by law, such as a trustee, guardian, or person acting under a valid power of attorney, to act on behalf of the Requester; and (d) state unequivocally that the Requester desires to be excluded from the Settlement Class.

You must mail your exclusion request postmarked no later than **October 4, 2026**, to

Hudson v. Palm Beach Tan, Inc. & Archer Malmo, Inc.
Settlement Administrator
P.O. Box 301172
Los Angeles, CA 90030-1172

9. How do I object?

Any Settlement Class Member who has not requested to be excluded from the Settlement Class may object to the Settlement. In order to exercise this right, you must submit your objection to the Court by the Objection Deadline. Your objection must: (i) set forth the Settlement Class Member's full name, current address, and telephone number; (ii) identify the phone number of the Settlement Class Member at which the Class Member received a Post-Stop Message that is the subject of this Settlement Agreement; (iii) contain the Settlement Class Member's original signature or the signature of counsel for the Settlement Class Member; (iv) state that the Settlement Class Member objects to the Settlement, in whole or in part; (v) set forth the complete legal and factual bases for the Objection; (vi) provide copies of any documents that the Settlement Class Member wishes to submit in support of his/her position; and (vii) state whether the objecting Settlement Class Member intends on appearing at the Final Approval Hearing either *pro se* or through counsel and whether the objecting Settlement Class Member plans on offering testimony at the Final Approval Hearing. Any Settlement Class Member that fails to object in the manner set forth herein shall be foreclosed from making such objection or opposition, by appeal, collateral attack, or otherwise and shall be bound by all of the terms of this Settlement upon Final Approval and by all proceedings, orders and judgments, including but not limited to the Release in this Action.

Objections must be filed with the Clerk of the Court no later than **October 4, 2026**, and must be mailed to Class Counsel, PBT's counsel, and Archer's counsel no later than **October 4, 2026**.

The Court's address is: Clerk of the Court, U.S. District Court, 324 W. Market Street, Greensboro, NC 27401-2544.

Class Counsel's address is: Lemberg Law, 43 Danbury Road, Wilton, CT 06897.

PBT's counsel's address is: Lynn Pinker Hurst & Schwegmann, LLP, 2100 Ross Avenue, Suite 2700, Dallas, TX 75201.

Archer's counsel's address is: Baker & Hostetler LLP, 200 S. Civic Center Drive, Columbus, OH 43215.

The Final Approval Hearing

The Court will hold a Final Approval Hearing on December 29, 2026, in Courtroom One of the U.S. Courthouse, 324 W. Market Street, Greensboro, North Carolina 27401-2544. The purpose of the hearing will be for the Court to determine whether the proposed Settlement is fair, reasonable, and adequate and in the best interests of the Settlement Class and to rule on applications for compensation for Class Counsel and an incentive award for the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed Settlement.

YOU ARE **NOT** REQUIRED TO ATTEND THIS HEARING TO BENEFIT FROM THIS SETTLEMENT. The hearing may be postponed to a later date without notice.

FOR MORE INFORMATION

Additional information and documents, including case documents, are available at www.HudsonClass.com, or you can call **1-888-808-5494**.