

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the Eastern District of Virginia
Cooper v. Telmate, LLC, Case No. 1:24-cv-01622

If your Personal Information was impacted by the Telmate Security Incident in August 2020, you may be eligible for benefits from a class action settlement.

A Federal court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

*Para una notificación en español, llamar (833) 453-3721 o visitar nuestro sitio web
www.telmedatabreachsettlement.com/es*

- A Settlement has been reached with Telmate, LLC d/b/a Viapath Technologies (the “Defendant” or “Telmate”) in a class action lawsuit about a data breach in which unauthorized third-party actors accessed the Defendant’s computer network between August 11, 2020 and August 13, 2020 (the “Security Incident”), compromising the Personal Information of individuals who used Telmate’s services. The Plaintiff alleges the Defendant failed to implement adequate security measures to Protect Personal Information and failed to notify impacted individuals in a timely manner, among other claims. The Defendant denies all allegations and any wrongdoing.
- The Settlement Class consists of all individuals within the United States of America whose Personal Information was impacted during the Security Incident experienced by Defendant on approximately August 13, 2020.
- Under the proposed Settlement, the Defendant will pay \$4,225,000 into a Settlement Fund to resolve the Litigation. The Settlement Fund will provide cash payments to Settlement Class Members as well as the Costs of Settlement Administration, the Attorneys’ Fee Award and Court-approved Cost Reimbursement, and the Service Award. Settlement Class Members can file a claim for a Pro Rata Cash Payment, in addition to a reimbursement of Documented Out-of-Pocket Loss of up to \$5,000 per person.
- Your rights are affected whether you do or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
SUBMIT A CLAIM FORM	The only way to receive benefits from this Settlement is to submit a valid and timely Claim Form.	DECEMBER 21, 2026
OPT OUT OF/EXCLUDE YOURSELF FROM THE SETTLEMENT	If you opt out, you will not be bound by the terms of the Settlement and you keep the right to sue the Defendant about the claims resolved by this Settlement. You will not receive benefits from the Settlement.	DECEMBER 21, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it and tell the Court what you do not like about it. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you can still submit a Claim Form for benefits.	DECEMBER 21, 2026
DO NOTHING	If you do nothing, you will not get any benefits and you give up the right to sue the Defendant about the 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 must decide whether to approve the Settlement.

Questions? Call (833) 453-3721 or visit www.telmedatabreachsettlement.com.

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BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about the proposed Settlement of this class action and about all of your options before the Court decides whether to grant final approval of the Settlement. This Notice explains the Litigation, your legal rights, what benefits are available, and who can receive them.

The Litigation is called *Cooper v. Telmate, LLC*, Case No. 1:24-cv-01622, and is pending in the United States District Court for the Eastern District of Virginia. The person who filed this lawsuit is called the “Plaintiff” and the company she sued, Telmate, LLC d/b/a Viapath Technologies (“Telmate”), is called the “Defendant.”

2. What is this Litigation about?

Telmate provides communication services to incarcerated individuals and their families through platforms such as GettingOut, VisitNow, Command, Telmate Inmate Telephone, and Guardian. On approximately August 13, 2020, Telmate became aware that a malicious third-party accessed files on its computer network between August 11, 2020 and August 13, 2020 (the “Security Incident”), compromising the Personal Information of individuals who used Telmate’s services. Personal Information means any information connected to a Settlement Class Member that, when used alone or with other information, can be used to uncover that individual’s identity. It includes, but is not limited to, full names, dates of birth, phone numbers, email addresses, and usernames paired with passwords, home addresses, driver’s license numbers, passport numbers, Social Security numbers, payment card numbers, and financial account information. Upon becoming aware of the Security Incident in 2020, Telmate notified 44,360 individuals that their information had been compromised. After a Federal Trade Commission investigation in 2024, Telmate informed additional individuals that their information had been, in fact, compromised in the Security Incident.

The FTC’s enforcement action did not provide monetary compensation to affected individuals, and this Settlement provides monetary relief to affected individuals and does not conflict with, and is intended to complement, the injunctive relief obtained by the FTC. On September 13, 2024, Plaintiff Amber Cooper filed this lawsuit, asserting claims individually and on behalf of a putative nationwide class of people whom the Security Incident impacted. Telmate disputes the claims and allegations in the Litigation, any and all liability or wrongdoing of any kind to the Class Representative, the Settlement Class, and any other individuals or putative class members described in the pleadings, and further denies any violation of law whatsoever as described in the pleadings.

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 who sue are known as “Class Representatives” or Plaintiffs. Together, the people included in the class action are called a “Settlement Class” or “Settlement Class Members.” One court resolves the lawsuit for all Settlement Class Members, except for those who exclude themselves (sometimes called, “opting out”) from a settlement. In this Settlement, the Class Representative is Amber Cooper.

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiff or the Defendant. The Defendant denies all claims and contends that they have not violated any laws. The Plaintiff and the Defendant agreed to a Settlement to avoid the costs and risks of a trial, and through the Settlement, Settlement Class Members are eligible to claim benefits. The Plaintiff and her attorneys, who also represent Settlement Class Members as “Class Counsel,” believe the Settlement is in the best interests of all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

The Settlement Class consists of all individuals within the United States of America whose Personal Information was impacted during the Security Incident experienced by Defendant on approximately August 13, 2020. The Settlement Class consists of approximately 431,031 individuals.

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (1) the Judge presiding over the Action and members of her family; (2) Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which Defendant or its parents have a controlling interest, and their current or former officers and directors; (3) Persons who timely and validly request exclusion from the Settlement; and (4) the successors or assigns of any such excluded Persons.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Under the proposed Settlement, the Defendant will pay \$4,225,000 into a Settlement Fund to resolve the Litigation. The Settlement Fund will provide cash payments to Settlement Class Members as well as the Costs of Settlement Administration, the Attorneys' Fee Award and Court-approved Cost Reimbursement, and the Service Award.

Settlement Class Members may submit a claim to receive one or both of the following Settlement Payments:

- **Pro Rata Cash Payment:** A pro rata (proportional) cash payment. The amount will depend on the number of valid claims, the amount of approved Documented Out-of-Pocket Loss Claims, and the remaining balance of the Settlement Fund after Court-approved deductions. No documentation is required.
- **Reimbursement for Documented Out-of-Pocket Loss:** Compensation of up to \$5,000 per Settlement Class Member for unreimbursed out-of-pocket losses more likely than not attributable to the Security Incident. Supporting documentation is required.

8. Tell me more about the Settlement Payments.

All Settlement Class Members may submit a claim to receive one or both of the Settlement Payments below.

Pro Rata Cash Payment

You may submit a Claim Form to request a *pro rata* (proportional) cash payment. The amount of this Pro Rata Cash Payment will depend on the number of valid claims submitted, the amount of approved Documented Out-of-Pocket Loss Claims, and the remaining balance of the Settlement Fund after Court-approved deductions. After deducting the Costs of Settlement Administration, Fee Award and Cost Reimbursement, Service Award, and approved Out-of-Pocket Loss Claims, the remaining balance of the Settlement Fund will be divided equally among Settlement Class Members who submit a valid claim for a Pro Rata Cash Payment. No documentation is required to submit a claim for this Settlement Payment.

Reimbursement for Documented Out-of-Pocket Loss

In addition to a Pro Rata Cash Payment, you may also submit a claim for compensation of up to \$5,000 per Settlement Class Member for unreimbursed out-of-pocket losses more likely than not attributable to the Security Incident with supporting documentation. “**Out-of-Pocket Losses**” means documented out-of-pocket costs or expenditures that a Settlement Class Member actually and reasonably incurred that are fairly traceable to the Security Incident, and that have not already been reimbursed by a third party. You cannot be reimbursed for documented Out-Pocket-Loss if you have already been reimbursed for the same expenses from a third party.

To receive reimbursement for documented Out-of-Pocket Loss, you must submit a valid Claim Form selecting reimbursement or Documented Out-of-Pocket Loss by **December 21, 2026** including supporting documentation generated by a third party supporting your claim (i.e., telephone records, correspondence, and receipts). Personal certifications, declarations, or affidavits are not considered proper documentation, but may be included to provide clarification, context, or support for other submitted supporting documentation. If you do not submit supporting documentation with your Claim Form or the Settlement Administrator rejects your claim for documented Out-of-Pocket Loss and you fail to cure the claim after a reasonable period of time, it may be rejected.

You only need to submit one Claim Form selecting one or both Settlement Payments, as appropriate. The Settlement Administrator will receive your Claim Form and any supporting documentation. If your selection of which Settlement Payment(s) you are claiming is unclear and the Settlement Administrator cannot clarify that, your claim will be regarded as a claim for a Pro Rata Cash Payment. If the Settlement Administrator determines your claim is deficient or only partially valid and you fail to cure the claim, your claim may be paid to the extent the Settlement Administrator determines it is valid or the claim may be rejected.

9. What claims am I releasing if I stay in the Settlement?

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant about any of the legal claims this Settlement resolves. The Release section in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement can be found at www.telmedatabreachsettlement.com.

HOW TO GET SETTLEMENT BENEFITS – MAKING A CLAIM

10. How do I submit a Claim Form to get a Settlement Payment?

You must submit a Claim Form by **December 21, 2026** to receive one or both Settlement Payments. Claim Forms must be submitted, with any necessary supporting documentation, online at www.telmedatabreachsettlement.com, or by mail, postmarked by **December 21, 2026**, to the Settlement Administrator at:

Cooper v. Telmate LLC d/b/a Viapath Technologies
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

11. When will I get a Settlement Payment?

The short answer is – after the Settlement is “finally approved” and any challenges to that approval are finally resolved. The Court is scheduled to hold a Final Approval Hearing on **February 12, 2026**, to decide whether to approve the Settlement, Class Counsel’s request for attorneys’ fees and costs, and the Service Award for the Class Representative who brought this Litigation on behalf of the Settlement Class.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement Payments will be distributed as soon as possible, if and when the Court grants final approval of the Settlement and after any appeals are resolved.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

Yes, the Court appointed Kevin Laukaitis and Natalia Perez of Laukaitis Law LLC to represent you and other members of the Settlement Class as Class Counsel. You will not be charged directly for these lawyers; instead, they will receive compensation from the Settlement Fund.

13. Should I get my own lawyer?

It is not necessary for you to hire your own lawyer because Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will the lawyers be paid?

Class Counsel will ask the Court to approve attorneys' fees of up to one-third of the Settlement Fund (\$1,408,333.33), plus reimbursement of litigation costs of up to \$35,000, as well as a \$5,000 Service Award for the Class Representative. If approved, these amounts will be paid from the Settlement Fund before making payments to Settlement Class Members who submit Valid Claims.

EXCLUDING YOURSELF FROM THE SETTLEMENT

15. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right to separately sue the Defendant about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class.

To exclude yourself from the Settlement, you must submit a written request to be excluded to the Settlement Administrator that includes the following information:

- A statement indicating your intent to request exclusion, e.g., "I wish to opt out of the Settlement in *Cooper v. Telmate, LLC*, Case No. 1:24-cv-01622.";
- Your full name, address, telephone number, and email address (if any);
- Your signature.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, postmarked no later than **December 21, 2026**.

Cooper v. Telmate LLC d/b/a Viapath Technologies
c/o Kroll Settlement Administration LLC
ATTN: Opt Outs
P.O. Box 225391
New York, NY 10150-5391

Settlement Class Members may only opt out on behalf of themselves; mass or class opt outs will not be valid under the Settlement.

OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it, whether that be to the Settlement Payments, request for attorneys' fees and costs, Service Award, Release provided to the Defendant, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement.

To be considered by the Court, your objection must include:

- The case name and number, *Cooper v. Telmate, LLC*, Case No. 1:24-cv-01622;
- Your full name, address, telephone number, and email address (if any);
- Information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class to the extent reasonably available (e.g., copy of notice or copy of original notice of the Security Incident);
- A written statement of all grounds for the objection, accompanied by any legal support for the objection you believe applicable;
- The identity of all counsel representing you;
- The identity of all counsel representing you who will appear at the Final Approval Hearing;
- A list of all individuals who will be called to testify at the Final Approval Hearing in support of the objection;
- A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- Your signature and the signature of your duly authorized attorney or other duly authorized representative, along with documentation of their representation.

Objections must be filed with the Clerk of the Court no later than **December 21, 2026**.

United States District Court
Eastern District of Virginia, Alexandria Division
Albert V. Bryan United States Courthouse
401 Courthouse Square
Alexandria, Virginia 22314

17. What is the difference between objecting and opting out?

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 it. Excluding yourself from the Settlement means telling the Court you do not want to be part of the Settlement. If you exclude yourself or 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 is scheduled to hold a Final Approval Hearing on **February 12, 2026 at 10:00 a.m. ET**, at Albert V. Bryan United States Courthouse, 401 Courthouse Square, Alexandria, Virginia 22314 to decide whether to approve the Settlement, Class Counsel's request for attorneys' fees of up to \$1,408,333.33, reimbursement of litigation costs of up to \$35,000, and a \$5,000 Service Award for the Settlement Class Representative who brought this Litigation on behalf of the Settlement Class. The date and time of this hearing may change without further notice. Please check www.telmatetabreachsettlement.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 file an objection, you may come to the Final Approval Hearing to talk about it, but it is not required. If you file your written objection on time and in accordance with the requirements above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

Questions? Call (833) 453-3721 or visit www.telmatetabreachsettlement.com.

IF YOU DO NOTHING

20. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendant and the Released Parties, as defined in the Settlement Agreement, about the legal issues resolved by this Settlement. In addition, you will be bound by the Release in the Settlement and will not be eligible to receive a Settlement Payment.

GETTING MORE INFORMATION

21. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, www.telmatetabreachsettlement.com.

If you have additional questions or need to update your address, you may contact the Settlement Administrator by telephone at (833) 453-3721, or by mail at:

Cooper v. Telmate, LLC
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391