

## LEGAL NOTICE

### **If you used a credit, debit, or other payment card at certain Checkers or Rally's restaurants between December 2015 and October 2019, you may be eligible to receive benefits from a class action settlement.**

A Settlement has been reached with Checkers Drive-In Restaurants, Inc. ("Checkers") in a class action lawsuit arising out of a data security incident reported by Checkers in May 2019 and November 2019, wherein certain of Checkers and Rally's independently owned and operated franchisee restaurants were the target of third-party criminal attacks involving malware variants that targeted customers' payment card information, from on or about December 17, 2015 to October 12, 2019 (the "Data Breach"). The Data Breach potentially resulted in unauthorized access to customer payment card data, such as name, address, card number, expiration date, security and service codes, and other payment card-related information ("Personal Information"). The Settlement includes all residents of the United States who made a credit or debit card purchase at any affected Checkers and Rally's restaurant during the period of the Data Breach. For a list of affected Checkers and Rally's restaurants and the exposure window of the Data Breach for each affected location, go to [www.CheckersDataBreachSettlement.com](http://www.CheckersDataBreachSettlement.com). The Settlement provides compensation to Class Members who submit valid claims for reimbursement of up to \$5,000 for certain documented out-of-pocket expenses and lost time that were incurred as a result of the Data Breach, or four (4) restaurant vouchers of \$5.00 each.

The United States District Court for the Middle District of Florida authorized this notice in the case, known as In re: Checkers Data Security Breach Litigation, Case No. 8:19-cv-01386-VMC-CPT (M.D. Fla.).

Go to [www.CheckersDataBreachSettlement.com](http://www.CheckersDataBreachSettlement.com) for detailed information about the Settlement, including a list of affected Checkers and Rally's restaurants and the exposure dates for each affected location.

#### **WHAT IS THIS ABOUT?**

The lawsuit claims that Checkers was responsible for the Data Breach. Checkers denies all of the claims and says it did not do anything wrong. The Court did not decide in favor of either side. Instead, both sides agreed to a settlement. This Settlement is not an admission of wrongdoing or an indication that any law was violated, and no Court has made such a determination.

#### **WHO IS INCLUDED?**

You are included in the Settlement if you reside in the United States and made a credit, debit or other payment card purchase at any affected Checkers or Rally's restaurant during the period of the Data Breach ("Settlement Class Members").

#### **WHAT DOES THE SETTLEMENT PROVIDE?**

The Settlement provides two types of relief to people who submit valid claims. You may submit a claim for either: (1) Reimbursement of up to \$5,000 for certain documented unreimbursed out-of-pocket expenses and lost time (up to 4 hours at \$20/hour) that resulted from the Data Breach; or,

(2) Compensation in the form of four (4) restaurant vouchers of \$5.00, valid for one (1) year and freely transferrable, for non-documented losses and time spent dealing with the repercussions of the Data Breach.

Checkers will also pay Court-awarded attorneys' fees, costs and expenses up to \$575,000 and service awards up to \$2500 each to the Representative Plaintiffs.

#### **HOW DO YOU GET A PAYMENT OR VOUCHERS?**

To get a payment or vouchers, you must submit a Claim Form by **October 28, 2020**. The Claim Form is available at [www.CheckersDataBreachSettlement.com](http://www.CheckersDataBreachSettlement.com) or by calling 1-833-384-0111.

#### **WHAT ARE YOUR OPTIONS?**

If you do not want to be legally bound by the Settlement, you must exclude yourself from it by **October 28, 2020**, or you will not be able to sue, or continue to sue, Checkers about the legal claims this Settlement resolves. If you exclude yourself, you cannot get payments or vouchers from the Settlement.

If you stay in the Settlement Class, you can tell the Court that you do not agree with the Settlement or some part of it by objecting to it by October 28, 2020.

The Long Notice available at [www.CheckersDataBreachSettlement.com](http://www.CheckersDataBreachSettlement.com) explains how to exclude yourself or object and describes the released claims in detail.

#### **WHO REPRESENTS YOU?**

The Court appointed Tina Wolfson and Bradley K. King of Ahdoot & Wolfson, PC, Jean Sutton Martin of Morgan & Morgan, and Abbas Kazerounian and Jason Ibey, Esq. of Kazerouni Law Group, APC as Class Counsel to represent the Settlement Class. Class Counsel will ask the Court for an award for attorneys' fees, costs, and expenses of \$575,000, and service awards up to \$2,500 each for the Representative Plaintiffs Brendan Cotter and Jack Dinh. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **WHEN WILL THE SETTLEMENT BE APPROVED?**

The Court will hold a hearing on December 8, 2020, at 10:00 a.m. to consider whether to approve the Settlement, and Class Counsel's request for attorneys' fees, costs and expenses, and service awards. You or your own lawyer may ask to appear and speak at the hearing at your own cost, but you do not have to.

#### **WANT MORE INFORMATION?**

Visit [www.CheckersDataBreachSettlement.com](http://www.CheckersDataBreachSettlement.com) or call 1-833-384-0111.