

Notice of Proposed Class Action Settlement

This is not a solicitation from a lawyer. The Circuit Court of Anderson County, Tennessee authorized this Notice.

- A proposed Settlement has been reached with Ascendum Machinery, Inc. (“Ascendum” or “Defendant”) arising out of the data breach experienced by Ascendum on or around May 27, 2023, in which Personal Information may have been compromised (“Security Incident”). “Personal Information” means information that identifies an individual or in combination with other information can be used to identify, locate, or contact an individual, including but not limited to names and Social Security numbers.
- If you are an individual residing in the United States whose Personal Information was compromised in the Security Incident experienced by Ascendum, including all those individuals who received notice of the breach, you are included in this Settlement as a member of the Settlement Class.
- Under the Settlement, Ascendum has agreed to provide certain benefits to Settlement Class Members who submit valid and timely claims. In addition, Ascendum has agreed to enhance its information security, and has agreed to pay for the costs of Notice and Administrative Expenses; Service Award Payment for the Settlement Class Representative; and Attorneys’ Fees, Costs and Expenses.
- Your legal rights will be affected whether you act or do not act. You should read this entire Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
FILE A CLAIM FORM DEADLINE: JANUARY 15, 2026	Submitting a Claim Form is the only way that you can receive any of the Settlement Class Member Benefits provided by this Settlement. If you submit a Claim Form, you will give up the right to sue Ascendum and certain other Released Parties (as defined in the Settlement Agreement) in a separate lawsuit about the legal claims this Settlement resolves.
EXCLUDE YOURSELF FROM THIS SETTLEMENT DEADLINE: DECEMBER 16, 2025	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Ascendum or other Released Parties, for the claims this Settlement resolves. If you exclude yourself, you will give up the right to receive any Settlement Class Member Benefits from this Settlement.
OBJECT TO OR COMMENT ON THE SETTLEMENT DEADLINE: DECEMBER 16, 2025	You may object to the Settlement by writing to the Court and informing it why you do not think the Settlement should be approved. You will still be bound by the Settlement if it is approved. If you exclude yourself from the Settlement, you cannot object to it. If you object, you may also file a Claim Form to receive Settlement Class Member Benefits.
GO TO THE FINAL APPROVAL HEARING JANUARY 22, 2026	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.
DO NOTHING	If you do nothing, you will not receive any of the Settlement Class Member Benefits and you will give up your rights to sue Ascendum and other Released Parties for the claims this Settlement resolves.

- 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. No Settlement Class Member Benefits will be provided unless the Court approves the Settlement, and it becomes final.

Questions? Visit www.AscendumDataSettlement.com or call toll-free 1-866-547-4175.

BASIC INFORMATION

1. Why did I get this Notice?

The Court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to receive those benefits.

The case is known as *Capiau v. Ascendum Machinery, Inc.*, Case No. CSLA0043 (the “Action”), in the Circuit Court of Anderson County, Tennessee. The individual who filed this lawsuit are called the “Plaintiff” and the company they sued, Ascendum Machinery, Inc., is called the “Defendant” or “Ascendum.”

2. What is this lawsuit about?

On or around May 27, 2023, Ascendum experienced a data breach (the “Security Incident”). On January 18, 2024, Ascendum began notifying Plaintiff and the Settlement Class about the Security Incident. In the lawsuit, Plaintiff alleges that Personal Information was potentially comprised by the Security Incident. “Personal Information” means information that identifies an individual or in combination with other information can be used to identify, locate, or contact an individual, including but not limited to names and Social Security numbers.

3. Why is this a class action?

In a class action, one or more people called the “Plaintiffs”, or “Class Representatives” sue on behalf of all people who have similar claims. Together, all of these people are called a “class” or “class members.” One court resolves the issues for all class members, except for those class members who exclude themselves from the class.

The Plaintiff and Settlement Class Representative in this case is Brian Capiau.

4. Why is there a Settlement?

The Plaintiff and Defendant disagree over the legal claims made in this Action. The Action has not gone to trial, and the Court has not decided in favor of the Plaintiff or Defendant (collectively referred to as the “Parties”). Instead, the Parties have agreed to settle the Action and agree that the Settlement Agreement offers significant benefits to all Settlement Class Members, and that the Settlement is fair, reasonable, adequate, and in the best interest of the Plaintiff and all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am part of the Settlement?

The Settlement Class includes all individuals residing in the United States whose Personal Information was compromised in the Security Incident experienced by Ascendum, including all those individuals who received notice of the Security Incident.

6. Are there exceptions to individuals who are included in the Settlement Class?

Yes, excluded from the Settlement Class are (i) Defendant, its officers and directors; (ii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (iii) any judges assigned to this case and their staff and family; and (iv) any other person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Security Incident or who pleads nolo contendere to any such charge.

7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at www.AscendumDataSettlement.com or call toll-free 1-866-547-4175. You may also email the Settlement Administrator at info@AscendumDataSettlement.com.

THE SETTLEMENT CLASS MEMBER BENEFITS

8. What does the Settlement provide?

The Settlement will provide Settlement Class members with the opportunity to make a claim for Credit Monitoring, Extraordinary Losses, Ordinary Losses and/or Compensation for Lost Time. In lieu of these benefits, Settlement Class Members may make a claim for the Alternative Cash Payment of \$40.00.

- a. **Credit Monitoring Services.** Settlement Class Members shall be offered an opportunity to enroll in three years of three-bureau Credit Monitoring Services with at least \$1,000,000 in identity protection insurance.
- b. **Extraordinary Losses** of up to a total of \$3,000 per person with supporting documentation provided that (1) the loss is an actual, unreimbursed monetary loss arising from identity theft, fraud, or similar misuse, supported by documentation; (2) the loss from identity theft, fraud, or misuse was more likely than not caused by the Ascendum Machinery, Inc. data security incident; (3) the actual identity theft, misuse, or fraud loss is not already covered by the ordinary loss compensation; (4) the claimant made reasonable efforts to avoid the loss or seek reimbursement for the loss, including, but not limited to, exhaustion of all available credit monitoring insurance and identity theft insurance; and (5) the actual misuse or fraud loss occurred between March 23, 2023, and the close of the Claims Period.
- c. **Ordinary Losses** of up to \$750 per person with supporting documentation for each item of expenditure claimed.
- d. **Compensation for Lost Time** of up to four (4) hours at a rate of \$25.00 per hour (for a maximum total of \$100) for time actually spent by the claimant responding to issues raised by the Ascendum data security incident, provided that the claimant certifies under penalty of perjury that the lost time was spent in response to the Ascendum data security incident and provides a written description of the time spent. This does not require supporting documentation. This payment shall be included in the per person cap for compensation for Ordinary losses.
- e. **An Alternative Cash Payment** of \$40 (in the alternative to claims for ordinary losses, extraordinary losses, lost time, and credit monitoring).

Aggregate Cap. There is an aggregate cap of \$300,000 which applies to ordinary losses, extraordinary losses, lost time, and alternative cash payments only. Credit monitoring is not subject to this cap. Payments to Settlement Class Members who make valid claims shall be reduced on a *pro rata* basis according to the number of claims made if the total exceeds the \$300,000 aggregate cap.

9. Are there other Settlement Class Member Benefits?

Business Practice Commitments. Defendant will provide a confidential declaration to Settlement Class Counsel describing its information security enhancements since the Security Incident and estimating, to the extent reasonably calculable, the annual cost of those enhancements. The cost of such enhancements will be paid by Defendant separate and apart from all other settlement benefits.

10. What am I giving up in order to receive a Settlement Class Member Benefit or stay in the Settlement Class?

Unless you exclude yourself, you are choosing to remain in the Class. If the Settlement is approved and becomes final, all of the Court's orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Defendant and the other Released Parties about the legal issues in this Action, resolved by this Settlement, and released by the Settlement Agreement and Releases. The specific rights you are giving up are called Released Claims (*see* next question).

11. What are the Released Claims?

Released Claims includes any and all claims, liabilities, rights, demands, suits, actions, causes of action, obligations, damages, penalties, costs, attorneys' fees, losses, and remedies of every kind or description—whether known or unknown (including Unknown Claims), existing or potential, suspected or unsuspected, asserted or unasserted, liquidated or unliquidated, legal, statutory, or equitable—that relate to or arise from the Security Incident, the operative facts alleged in the Action, including the complaint and any amendment thereto, Defendant's information security policies and practices, or Defendant's maintenance or storage of Personal Information, regardless of whether such claims arise under federal, state and/or local law, statute, ordinance, regulation, common law, or other source of law.

More information is provided in the Settlement Agreement, which is available at www.AscendumDataSettlement.com.

HOW TO GET SETTLEMENT CLASS MEMBER BENEFITS—SUBMITTING A CLAIM FORM

12. How do I make a claim for Settlement Class Member Benefits?

Visit www.AscendumDataSettlement.com to submit your claim online or to download a full Claim Form to complete and return it by mail. Claim Forms must be submitted online by **January 15, 2026**. Claim Forms submitted by mail must be postmarked no later than **January 15, 2026**. Settlement Class members can also complete and submit the Claim Form that was included with the notice that was mailed to them.

Settlement Class members can also request a Claim Form by calling toll-free 1-866-547-4175 or by writing to the Settlement Administrator.

Mail: Ascendum Machinery Settlement Administrator, Attn: Claim Request, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

Email: info@AscendumDataSettlement.com

13. Where do I send my completed Claim Form?

Completed Claim Forms, along with supporting documentation may be mailed to the Settlement Administrator at: Ascendum Machinery Settlement Administrator, Attn: Claim Form Submissions, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Remember, Claim Forms submitted by mail must be postmarked no later than **January 15, 2026**.

14. What happens if my contact information changes after I submit a claim?

If you need to update your contact information after you submit a Claim Form, you may notify the Settlement Administrator of any changes by writing to the Settlement Administrator via mail or email. Please include your Notice ID number with any written requests to assist the Settlement Administrator in identifying you.

15. When and how will I receive the Settlement Class Member Benefits?

If you submit a Valid Claim for Credit Monitoring Services, the Settlement Administrator will send you an email with instructions on how to activate those services after the Settlement becomes Final.

Settlement Class Payments will be issued by the Settlement Administrator after the Settlement is approved and becomes Final. Payments will be issued via the payment selection made on the Claim Form. It is your responsibility to inform the Settlement Administrator of any updates to your payment information after the submission of your Claim Form.

The Settlement approval process may take time and there may be appeals that must be resolved before any Settlement Class Member Benefits can be issued. Please be patient and check www.AscendumDataSettlement.com for updates.

Questions? Visit www.AscendumDataSettlement.com or call toll-free 1-866-547-4175.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes, the Court has appointed Cassandra P. Miller and Raina C. Borrelli of Strauss Borrelli PLLC as Settlement Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Settlement Class Counsel to represent you in this Action.

17. How will Settlement Class Counsel be paid?

Settlement Class Counsel will file a motion for an award of attorneys' fees and litigation costs and expenses, as well as Service Awards, to be paid by Defendant. Defendant agrees not to oppose Settlement Class Counsel's request for an award of attorneys' fees, costs and expenses not to exceed Two Hundred Thousand Dollars (\$200,000). If Settlement Class Counsel seeks more than \$200,000 in attorneys' fees, costs and expenses, Defendant reserves all rights to object and oppose such requests. Defendant shall pay the Court-approved attorneys' fees and expenses to an account established by Settlement Class Counsel.

Settlement Class Counsel will file a motion seeking a service award payment for the Settlement Class Representative in recognition for his contributions to this Action. Defendant agrees not to oppose Settlement Class Counsel's request for a service award not to exceed Five Thousand Dollars and Zero Cents (\$5,000). To the extent more than \$5,000 in service awards is sought for the Settlement Class Representative, Defendant reserves all rights to object to and oppose such a request. The Court may award less than these amounts.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class member and want to keep any right you may have to sue or continue to sue the Defendant and/or the other Released Parties on your own based on the claims raised in this Action or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the Settlement. Any Settlement Class Member who does not file a timely Request for Exclusion in accordance with the instructions below will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement.

18. How do I get out of the Settlement?

The Request for Exclusion must include the name of the proceeding, the individual's full name, current address, personal signature, and the words “Request for Exclusion” or a comparable statement that the individual does not wish to participate in the Settlement.

No person shall purport to exercise any exclusion rights of any other person, or purport (a) to opt-out Settlement Class Members as a group, in the aggregate, or as a class; or (b) to opt-out more than one Settlement Class Member on a single Request for Exclusion, or as an agent or representative. Any such purported Request(s) for Exclusion shall be void, and the Settlement Class Member(s) who is or are the subject of such purported Request(s) for Exclusion shall be treated as a Participating Settlement Class Member and be bound by this Settlement Agreement, including the Release contained herein, and judgment entered thereon, unless he or she submits a valid and timely Request for Exclusion.

The Request for Exclusion must be postmarked or received by the Settlement Administrator at the address below no later than **December 16, 2025**:

Ascendum Machinery Settlement Administrator
Attn: Exclusion Requests
P.O. Box 58220
Philadelphia, PA 19102

You cannot exclude yourself by telephone or by email.

19. If I exclude myself, can I still receive Settlement Class Member Benefits?

No. If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You are only eligible to receive Settlement Class Member Benefits if you stay in the Settlement and submit a valid Claim Form.

20. If I do not exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant and the other Released Parties for the claims that this Settlement resolves. You must exclude yourself from this Action to start or continue with your own lawsuit or be part of any other lawsuit against the Defendant or any of the other Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO OR COMMENT ON THE SETTLEMENT

21. How do I tell the Court that I do not like the Settlement?

You can ask the Court to deny approval of the Settlement by filing an objection. You cannot ask the Court to order a different Settlement; the Court can only approve or reject the Settlement.

The written objection must include (i) the name of the proceedings; (ii) the Settlement Class Member's full name and current mailing address; (iii) a statement that states with specificity the grounds for the objection, as well as any documents supporting the objection; (iv) the identity of any attorneys representing the objector; (v) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vi) a list of all other lawsuits (if any) in which you and/or your attorney has submitted an objection to a class action settlement within the last three (3) years; and, (vii) the signature of the Settlement Class Member or the Settlement Class Member's attorney.

Any Settlement Class Member who does not file a timely and adequate objection in accordance with these instructions waives the right to object or to be heard at the Final Approval Hearing and shall be forever barred from making any objection to the Settlement and shall be bound by the terms of the Agreement and by all proceedings, orders, and judgments in the Action.

For an objection to be considered, it must be filed with the Court no later than **December 16, 2025**. Copies of the objection must be sent to the Settlement Administrator by mail with a postmark date no later than **December 16, 2025**.

Court	Settlement Administrator
Anderson County Circuit Court Clerk 100 N. Main Street, Room 301 Clinton, TN 37716	Ascendum Machinery Settlement Administrator Attn: Objections P.O. Box 58220 Philadelphia, PA 19102

22. What is the difference between objecting and requesting exclusion?

Objecting is telling the Court you do not like something about the Settlement. You can object only if you stay in the Settlement Class (that is, do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Class or the Settlement. If you exclude yourself, you cannot object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

23. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **January 22, 2026, at 9:00 am ET**, located at **100 N. Main St, Clinton, TN 37716**.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class, so please check www.AscendumDataSettlement.com for updates.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement, Settlement Class Counsel's application for Attorneys' Fees, Costs and Expenses, and a Service Award for the Class Representative. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

Questions? Visit www.AscendumDataSettlement.com or call toll-free 1-866-547-4175.

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

No. Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you submit a timely and complete objection, the Court will consider it, and you do not have to come to Court to talk about it.

25. May I speak at the Final Approval Hearing?

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (*see* Question 21). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify any witnesses you may call to testify or exhibits you intend to introduce into evidence at the Final Approval Hearing. If you plan to have your attorney speak for you at the Final Approval Hearing, your objection must also include your attorney's name, address, and phone number.

IF YOU DO NOTHING

26. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement Class Member Benefits. You will also give up certain rights, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or any of the other Released Parties about the legal issues in this Action and released by the Settlement Agreement.

GETTING MORE INFORMATION

27. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.AscendumDataSettlement.com . You may also contact the Settlement Administrator by mail or email:

Mail: Ascendum Machinery Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

Email: info@AscendumDataSettlement.com

**PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**