

# **COURT-AUTHORIZED NOTICE OF CLASS ACTION SETTLEMENT**

*In re: Clark County Data Security Litigation*

**Case No. 25-2-02214-06**

*The Clark County Superior Court for the State of Washington authorized this Notice.*

*Para una notificación en español, visite nuestro sitio de web [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com).*

**If you are an individual residing in the United States and were notified that your information was potentially impacted by the Data Security Incident experienced by Clark County, Washington in October 2023, you may be eligible for benefits from a class action settlement.**

A proposed class action settlement (“Settlement”) has been reached with Clark County, Washington (“Clark County” or “Defendant”), arising out of a data security incident that occurred in or around October 2023 during which unauthorized third parties allegedly gained access to certain files containing the personal information of Clark County’s current and former residents (“Data Security Incident”).

Following the Data Security Incident, several individuals (together, “Plaintiffs”) filed a lawsuit against Clark County over the Data Security Incident. The Defendant denies all claims alleged against it and denies all charges of wrongdoing or liability. This Settlement is not an admission of wrongdoing or an indication that the Defendant has violated any laws, but rather the resolution of disputed claims.

If you are a Settlement Class Member, your legal rights are affected regardless of whether you do or do not act. Read this notice carefully. For complete details, visit [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com) or call toll-free **1-866-450-4275**.

## **YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT**

|   |   |
|---|---|
| <b>SUBMIT A CLAIM FORM<br/>BY: SEPTEMBER 24, 2026</b>               | Submitting a valid Claim Form is the only way you can receive a payment from this Settlement.   |
| <b>EXCLUDE YOURSELF FROM THE SETTLEMENT<br/>BY: AUGUST 25, 2026</b> | If you exclude yourself from this Settlement, you will not receive any payment from the Settlement, but you also will not release your claims against Defendant. This is the only option that allows you to be part of any other lawsuit against Defendant for the legal claims resolved by this Settlement. If you exclude yourself from the Settlement, you may not object to the Settlement. |
| <b>OBJECT TO THE SETTLEMENT<br/>BY: AUGUST 25, 2026</b>             | To object to the settlement, you can write to the Court with reasons why you do not agree with the Settlement. You may ask the Court for permission for you or your attorney to speak about your objection at the Final Fairness Hearing at your own expense.   |

**Questions? Visit [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com) or call toll-free 1-866-450-4275**

**DO NOTHING**

If you do nothing, you will not receive any benefits from the Settlement. You will also give up certain legal rights.

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**BASIC INFORMATION**

**1. Why is this Notice being provided?**

The Clark County Superior Court for the State of Washington directed that this Notice be provided because Settlement Class members have a right to know about a proposed Settlement that has been reached in this class action lawsuit and about their options before the Court decides whether to grant final approval of the Settlement.

If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Claims Administrator appointed by the Court will distribute the payments to Settlement Class Members who submitted a valid and timely Claim Form. This Notice explains the lawsuit, the Settlement, the legal rights and options of Settlement Class members, what payments are available, who is eligible for them, and how to get them.

The Settlement resolves the lawsuit entitled: *In re: Clark County Data Security Litigation*, Case No. 25-2-02214-06. The individuals who brought this Action are called the Plaintiffs and the entity they sued is called the Defendant. Here, the Plaintiffs are James Reese, Jessica Hardwick, Melissa Parker, and Tanya Severson.

**2. What is this lawsuit about?**

The Plaintiffs allege that Clark County is liable for the Data Security Incident and has asserted numerous legal claims against the Defendant. Clark County denies all the claims and contentions alleged against it and denies all charges of wrongdoing or liability as alleged, or which could be alleged, in the Action.

For more information and to review the complaint filed in this Action, visit [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com).

### 3. What is a class action Settlement?

In a class action, one or more people (here, the Plaintiffs) sue on behalf of people who have similar claims. Together, these people are called a Settlement Class or Settlement Class members. One Court and one judge resolve the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

### 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Clark County (collectively, the “Parties”). Instead, a settlement was negotiated that allows the Parties to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. The Settlement provides certain benefits and allows Settlement Class Members to obtain payment for certain costs or losses without further delay. The Plaintiffs and their attorneys think the Settlement is in the best interest of all Settlement Class members. This Settlement does not mean that Clark County did anything wrong.

## 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 Private Information was potentially or actually impacted by the Data Security Incident that occurred in October 2023, including all those who were sent notice of the Data Security Incident.

Settlement Class members were also sent notice of this class action Settlement via mail. If you received notice of this Settlement, you are eligible to submit a Claim Form for Settlement benefits. If you are still not sure whether you are included, you can contact the Claims Administrator by calling toll-free at **1-866-450-4275** or by visiting the Settlement website at **www.ClarkCountyDataSettlement**.

### 6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: (a) all individuals who are directors or officers of Defendant, (b) the Judge assigned to the Litigation, and (d) that Judge’s immediate family and Court staff.

## THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

### 7. What does the Settlement provide?

The Settlement provides for the creation of a Settlement Fund in the amount of \$800,000.00 to pay for Valid Claims for compensation for out-of-pocket losses, costs of Claims Administration, service awards to the Plaintiffs, and attorney’s fees and litigation expenses.

If there are funds available after the above payments are made from the Settlement Fund, the remaining funds will be distributed *pro rata* to all Settlement Class Members who submit a Valid Claim.

In the event that compensation for out-of-pocket losses, costs of Claims Administration, service awards to Plaintiffs, and attorney’s fees and litigation expenses exceed the \$800,000 Settlement Fund, all payments to Settlement Class Member will be reduced on a *pro rata* basis to stay within the \$800,000 Settlement amount.

Please visit [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com) for complete information about the Settlement Class benefits.

## 8. What is the Compensation for Out-of-Pocket Losses?

All Settlement Class members may submit a claim (*see* Question 11 below) for documented out-of-pocket losses including, for example, unreimbursed losses relating to fraud or identity theft, unreimbursed costs of credit monitoring incurred between the time of the Data Security Incident and the time the claim is submitted, and unreimbursed bank fees, postage, or gasoline for travel, up to \$5,000 per individual, all of which must be fairly traceable to the Data Security Incident and must not have been previously reimbursed by a third party.

Expenses must be attested to and supported by documentation substantiating the full extent of the amount claimed. Documentation supporting the claim can include receipts or other documentation not “self-prepared” by the claimant that document the costs incurred. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation. Settlement Class Members shall not be reimbursed for out-of-pocket losses if they have already been reimbursed for the same out-of-pocket losses by another source.

## 9. What is the *Pro Rata* Cash Payment?

Settlement Class Members may alternatively elect to receive a *pro rata* cash payment if there are funds remaining from the \$800,000 Settlement Fund after payment for compensation for out-of-pocket losses, costs of Claims Administration, service awards to Plaintiffs, and attorney’s fees and litigation expenses have been deducted from the Settlement Fund. If there are funds available for the *pro rata* payments, each Settlement Class Member who submits a Valid Claim will receive an equal share of the remaining funds.

## 10. Will the Defendant implement any additional security measures?

Yes. Defendant has and will continue to undertake certain reasonable steps to enhance the security deployed to secure access to its data network. Defendant has or will provide Class Counsel reasonable confidential confirmatory discovery upon request identifying the Settlement Class members and the enhancements, including value of the enhancements, made, or being made to protect Settlement Class members’ information stored on Defendant’s data network.

## HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

## 11. How do I get benefits from the Settlement?

In order to receive a payment, you must complete and submit a Claim Form online at [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com).

Claim Forms are available for download at [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com), or you may request one by mail by calling 1-866-450-4275. Read the instructions carefully, fill out the Claim Form, and submit it online, or mail it postmarked no later than **September 24, 2026** to: Clark County Data Security Litigation, Attn: Claim Forms, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Any Claim Forms that are received via mail without a postmark date shall be considered timely if they are received within 3 days of the **September 24, 2026** deadline.

## 12. How will claims be decided?

The Claims Administrator will decide whether the information provided on the Claim Form is complete and valid. The Claims Administrator may require additional information from any claimant. If the Claims Administrator requires additional information from you and you do not provide it in a timely manner, your claim may not be paid.

## 13. When will I get my payment?

The Court will hold a Final Fairness Hearing at 1:30 pm on September 30, 2026 to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals, and resolving them may take additional time. It also takes time for all the Claim Forms to be processed, depending on the number of claims submitted and whether any appeals are filed. Please be patient. If you have further questions regarding payment timing, you may contact the Claims Administrator by emailing [info@ClarkCountyDataSettlement.com](mailto:info@ClarkCountyDataSettlement.com).

### REMAINING IN THE SETTLEMENT

## 14. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement, but if you want to receive a payment, you must submit a Claim Form online or via mail no later than **September 24, 2026**.

If you do nothing, you will **not** receive a payment from this Settlement, and you will also give up certain legal rights.

## 15. What am I giving up as part of the Settlement?

If the Settlement becomes final, you will give up your right to sue Clark County for the claims being resolved by this Settlement (“Released Claims”). The Settlement Agreement, available at [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com), describes the Released Claims with specific descriptions, so read it carefully. If you have any questions about the claims you are releasing, you may contact Class Counsel (*see* Question 19 below).

### EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want any benefits from this Settlement, and you want to keep the right to sue Clark County about legal issues resolved by this Settlement, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement.

## 16. If I exclude myself, can I still get payment from the Settlement?

No. If you exclude yourself from the Settlement, you will not be entitled to receive a Settlement payment, but you will not be bound by any judgment in this case.

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

No. Unless you exclude yourself from (or “opt-out of”) the Settlement, you give up any right to sue Clark County for the claims that this Settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. You should contact your attorney immediately if you have a pending lawsuit against Clark County relating to the claims this Settlement resolves.

## 18. How do I get out of the Settlement?

Each Settlement Class member wishing to opt out of the Settlement Class must individually sign and submit a timely written request to the Claims Administrator. The written notice must clearly manifest the Class Member's intent to opt out of the Settlement Class. To be effective, written notice must be postmarked by **August 25, 2026**. Settlement Class members will only be able to submit an opt-out request on their own behalf; mass or class opt-outs will not be permitted.

The opt-out request must be personally signed and contain the Settlement Class member's name, address, telephone number, and email address (if any), and include a statement indicating a request to opt-out of the Settlement Class. Opt-out requests must be mailed so it is postmarked no later than **August 25, 2026** to the following address:

Clark County Data Security Litigation, Attn: Exclusions, P.O. Box 58220, Philadelphia, PA 19102

Any opt-out requests that are received via mail without a postmark date shall be considered timely if they are received within 3 days of the **August 25, 2026** deadline.

## THE LAWYERS REPRESENTING YOU

### 19. Do I have a lawyer in this case?

Yes. The Court appointed the M. Anderson Berry of Emery Reddy PC as "Class Counsel" to represent the Settlement Class. You will not be charged for the work performed by Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

M. Anderson Berry  
Emery Reddy PC  
600 Stewart St # 1100  
Seattle, WA 98101

### 20. How will Class Counsel be paid?

Class Counsel shall apply to the Court for an award of attorneys' fees of up to one-third (33.33%) of the Settlement Fund, plus reimbursement of reasonable litigation expenses incurred.

Separately, the Plaintiffs shall seek Service Award payments in an amount not to exceed \$5,000 for each of the five Plaintiffs for their role as Class Representatives.

The Court may award less than these amounts. Any amount awarded by the Court will be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement.

## OBJECTING TO THE SETTLEMENT

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

Each Settlement Class Member desiring to object to the Settlement Agreement shall submit a timely written notice of his or her objection by **August 25, 2026**.

To be timely, written notice of an objection must be mailed, such that it is either received by or contains a postmark date no later than **August 25, 2026**, to Class Counsel and Defendant's Counsel at the addresses below.

| Class Counsel   | Defendant's Counsel   |
|---|---|
| M. Anderson Berry<br>Emery Reddy PC<br>600 Stewart St # 1100<br>Seattle, WA 98101 | Amanda Harvey<br>Mullen Coughlin, LLC<br>1452 Hughes Rd. Suite 200<br>Grapevine, TX 76051 |

Any objection to the Settlement must include:

- (i) the objector's full name and address;
- (ii) the case name and docket number—*In re: Clark County, Data Security Litigation*, Lead Case No. 25-2-02214-06 (Washington State Superior Court for Clark County);
- (iii) information identifying the objector as a Settlement Class Member, including proof that the objector is a Settlement Class Member (e.g., copy of the objector's Settlement Notice, copy of original notice of the Data Security Incident, or a statement explaining why the objector believes he or she is a Settlement Class Member);
- (iv) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable;
- (v) the identity of any and all counsel representing the objector in connection with the objection;
- (vi) a statement identifying the number of class action settlements the objector has objected to or commented on in the last five years;
- (vii) for each attorney representing, advising, or assisting the objector, a statement identifying every objection the attorney has filed to any other class action settlements in the last five years;
- (viii) a statement whether the objector and/or his or her counsel will appear at the Final Fairness Hearing; and
- (ix) the objector's signature or the signature of the objector's duly authorized attorney or other duly authorized representative (if any) representing him or her in connection with the objection.

Any objections that are received via mail without a postmark date shall be considered timely if they are received within 3 days of the **August 25, 2026** deadline.

Although the Court's stated policy is to hear from any Settlement Class Member who attends the Final Fairness Hearing and asks to speak regarding his or her objection to the Settlement, the Parties reserve the right to challenge the objection of any Settlement Class Member who fails to comply with the above requirements as having waived and forfeited any and all rights he or she may have to appear separately and/or to object to the Settlement Agreement.

## 22. What is the difference between objecting to and excluding myself from the Settlement?

Objecting is telling the Court that you do not like something about the Settlement. Excluding yourself (or opting out) is telling the Court that you do not want to be part of this Settlement. If you exclude yourself from the Settlement, you have no basis to object or submit a claim because the Settlement no longer affects you.

## THE COURT'S FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You cannot speak at the hearing if you exclude yourself from the Settlement.

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

The Court will hold a Final Fairness Hearing at 1:30 pm, on September 30, 2026, in Courtroom Department 5 located at 1200 Franklin Street, Vancouver, WA 98660.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court may also consider Class Counsel's request for an award of attorneys' fees, litigation expenses, and service awards, to be paid from the Settlement Fund. If there are objections, the Court will consider them. In the Court's discretion, the Court may hear from any Settlement Class Member who stated their intent to appear at the hearing.

### **24. Do I have to come to the Final Fairness Hearing?**

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend the Final Fairness Hearing at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

### **25. May I speak at the Final Fairness Hearing?**

Yes, you may ask the Court for permission to speak at the Final Fairness Hearing. To do so, you must follow the instructions provided in Question 21 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

## IF YOU DO NOTHING

### **26. What happens if I do nothing?**

If you do nothing, you will not receive any payment from the Settlement. If the Court approves the Settlement, and you do nothing, you will be bound by the Settlement Agreement. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Clark County or Released Persons about the legal issues resolved by this Settlement and released by the Settlement Agreement.

## GETTING MORE INFORMATION

### **27. Are more details about the Settlement available?**

Yes. This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement available at [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com), or by writing to Claims Administrator:

Clark County Data Security Litigation, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103  
Email: [info@ClarkCountyDataSettlement.com](mailto:info@ClarkCountyDataSettlement.com)

### **28. How do I get more information?**

For more information, please visit [www.ClarkCountyDataSettlement.com](http://www.ClarkCountyDataSettlement.com) or call toll-free **1-866-450-4275**. You can also contact the Claims Administrator by mail or email.

*Please do not call the Court or the Clerk of the Court for additional information.*