FIVE GUYS ENTERPRISES, LLC
SETTLEMENT CLAIM FORM

You should fill out this Claim Form online or submit it by mail if you received a Notice of Security Incident from Five Guys Enterprises, LLC (“Five Guys”) on or around December 29, 2022.

You may receive a payment if you properly and timely complete this Claim Form, the settlement is approved, and you are found to be eligible for a payment.

Please refer to the Settlement Notice posted on the settlement website, www.fgdatasettlement.com, for more information. You can submit your claim for a settlement award in two ways:

1. Online at www.fgdatasettlement.com by following instructions on the “Submit a Claim” page; or

2. By mail to the Claims Administrator at this address: Five Guys Claims Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

Only one Settlement Claim may be submitted per Settlement Class Member. Your claim must be submitted online or postmarked by May 6, 2024, to be considered for payment.

1. CLASS MEMBER INFORMATION (REQUIRED)

Please provide the Notice ID and Confirmation Code that the Claims Administrator provided to you in the postcard or email notifying you of the settlement. If you do not have this information but believe you may be a class member, please contact the Claims Administrator at 1-833-657-4055.

Notice ID: _____________________ Confirmation Code: _____________________

Please provide us your information so we may contact you:

Name (First, MI, Last): ________________________________

Address: _________________________________________

City: ___________________________ State: _____________ Zip Code: _______

Phone: ___________________________ E-mail (if any): ________________

2. PAYMENT ELIGIBILITY INFORMATION (REQUIRED)

For more information about this section of the Claim Form and the types of awards available and the rules for receiving an award, please review the Notice and the Settlement Agreement (available at www.fgdatasettlement.com). Cash benefit payments are subject to a pro rata (proportional) adjustment depending upon the number of valid claims filed.
A. Settlement Class Members may receive an Alternative Cash Payment of $150.00 if they do not claim an Ordinary or Extraordinary Out-of-Pocket Losses Award or an Attested Time Award. If you are a Settlement Class Member and you are claiming this award, check this box:

❑ $150 Cash Payment (do not check this box if you checked any of the boxes below for reimbursement awards or attested time) (complete Sections 4 and 5)

B. California Settlement Class Members may also receive a $100.00 California Statutory Payment. If you are a California resident and are claiming this award, check this box:

❑ $100 California Statutory Payment (complete section 4 and 5)

C. Settlement Class Members who incurred Ordinary Out-of-Pocket Losses fairly traceable to the Security Incident may claim a Reimbursement Award and also an Attested Time Award (at $25 per hour for up to 4 hours of time spent remedying issues related to the Security Incident) for a total of up to $400.00. Which award(s) are you claiming (check all that apply)?

❑ Ordinary Out-of-Pocket Losses Reimbursement Award (complete Sections 3.A, 4 and 5)
❑ Attested Time Award (complete Sections 3.A, 4 and 5)

D. Additionally, Settlement Class Members who incurred Extraordinary Out-of-Pocket Losses fairly traceable to the Security Incident may claim a Reimbursement Award and also an Attested Time Award (at $25 per hour for up to an additional 3 hours of time spent remedying issues related to the Security Incident) for a total of up to $6,500.00. Which award(s) are you claiming (check all that apply)?

❑ Extraordinary Out-of-Pocket Losses Reimbursement Award (complete Sections 3.B, 4, and 5)
❑ Attested Time Award (complete Sections 3.B, 4 and 5)

E. Additionally, all Settlement Class Members are eligible to enroll in two (2) years of free Identity Theft Protection and Credit Monitoring Services, which include dark web scanning, identity theft insurance, real-time credit monitoring, and access to fraud resolution agents. If you wish to enroll in free Identity Theft Protection and Credit Monitoring Services, check this box:

❑ Two (2) Years of Free Identity Theft Protection and Credit Monitoring Services
3. ADDITIONAL INFORMATION REQUIRED ONLY FROM SETTLEMENT CLASS MEMBERS SEEKING REIMBURSEMENT FOR OUT-OF-POCKET LOSSES AND ATTESTED TIME.

Check the box for each category of out-of-pocket losses or lost time that you incurred as a result of the Security Incident. Please be sure to fill in the total amount you are claiming for each category and attach the required documentation as described in **bold type** (if you are asked to provide account statements as part of required proof for any part of your claim, you may redact unrelated transactions and all but the last four digits of any account number). Please round total amounts down or up to the nearest dollar.

**A. “Ordinary” Out-of-Pocket Losses and Attested Time**

If you incurred “Ordinary Out-of-Pocket Losses” that are fairly traceable to the Security Incident and/or spent time remedying issues related to the Security Incident, you may be entitled to compensation for these losses and this time. “Ordinary Out-of-Pocket Losses” are unreimbursed costs or expenditures incurred by a Settlement Class Member in responding to notice of the Security Incident that were incurred on or after September 17, 2022, as result of the Security Incident. Ordinary Out-of-Pocket Losses may include, without limitation the following: (1) costs incurred on or after September 17, 2022 associated with accessing or freezing/unfreezing credit reports with any credit reporting agency; (2) other miscellaneous expenses incurred related to any Ordinary Out-of-Pocket Loss such as notary, fax, postage, copying, mileage, and long-distance telephone charges; and (3) credit monitoring or other mitigative costs that were incurred on or after September 17, 2022. Check all boxes that apply:

- Costs incurred on or after September 17, 2022, associated with accessing or freezing/unfreezing credit reports with any credit reporting agency.

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[UPLOAD DOCUMENTS] Required: Attach a copy of receipts, bank statements, credit card statements, or other proof that you had to pay these fees (you may redact unrelated transactions and all but the last four digits of any account number).

- Other miscellaneous expenses incurred related to any Ordinary Out-of-Pocket Losses such as notary, fax, postage, copying, mileage, and long-distance telephone charges incurred on or after September 17, 2022.

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☐ Credit monitoring or other mitigative costs that were incurred on or after September 17, 2022.

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[UPLOAD DOCUMENTS] Required: Attach a copy of receipts, bank statements, credit card statements, or other proof that you had to pay these fees (you may redact unrelated transactions and all but the first four and last four digits of any account number).

☐ Other unreimbursed costs or expenditures incurred in responding to notice of the Security Incident that were incurred on or after September 17, 2022.

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[UPLOAD DOCUMENTS] Required: Attach a copy of receipts, bank statements, credit card statements, or other proof that you had to pay these fees (you may redact unrelated transactions and all but the last four digits of any account number).

☐ If you are claiming Ordinary Out-of-Pocket Losses and you spent between one (1) and four (4) hours of time remedying issues related to the Security Incident on or after September 17, 2022, you may claim reimbursement for Attested Time (round down to the nearest hour and check only one box).
Please provide a brief description of (1) the actions you took in response to the Security Incident; and (2) the time associated with each action:

__________________________________________________________________
__________________________________________________________________
__________________________________________________________________
__________________________________________________________________

Attestation (You must check the box below to obtain compensation for lost time):

☐ I attest under penalty of perjury that I spent the number of hours claimed above making reasonable efforts to deal with the Security Incident.

B. “Extraordinary” Out-of-Pocket Losses and Attested Time

If you incurred “Extraordinary Out-of-Pocket Losses” that are fairly traceable to the Security Incident and/or spent time remedying issues related to the Security Incident, you may be entitled to compensation for these losses and this time. “Extraordinary Out-of-Pocket Losses” are unreimbursed costs or expenditures incurred by a Settlement Class Member that are fairly traceable to the Security Incident and are losses that are not already covered by one or more of the normal reimbursement categories. Extraordinary Out-of-Pocket Losses may include, without limitation, the unreimbursed costs, expenses, losses or charges incurred as a result of identity theft or identity fraud, falsified tax returns, or other possible misuse of the Settlement Class Member’s personal information.

☐ Unreimbursed costs, expenses, losses or charges incurred as a result of identity theft or identity fraud, falsified tax returns, or other possible misuse of the Settlement Class member’s personal information.

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[UPLOAD DOCUMENTS] Required: A copy of a bank or credit card statement or other proof of claimed fees or charges (you may redact unrelated transactions and all but the first four and last four digits of any account number)
Other unreimbursed costs or expenditures incurred that are fairly traceable to the Security Incident and are losses that are not already covered by one or more of the normal reimbursement categories

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[UPLOAD DOCUMENTS] Required: Attach a copy of receipts, bank statements, credit card statements, or other proof that you had to pay these fees (you may redact unrelated transactions and all but the first four and last four digits of any account number).

Persons who incurred Extraordinary Losses May Claim Up to a Total of Seven (7) Total Hours of Lost Time. Up to Four (4) of those hours may be claimed under the Ordinary Out-of-Pocket Losses category, and an additional Three (3) hours may be claimed here.

If you are claiming Extraordinary Out-of-Pocket Losses and you spent between one (1) and three (3) hours of additional time remedying issues related to the Security Incident on or after September 17, 2022, you may claim reimbursement for Attested Time, in addition to any Attested Time you claimed in Section 3.A above (round down to the nearest hour and check only one box).

- 1 Hour
- 2 Hours
- 3 Hours

Please provide a brief description of (1) the actions you took in response to the Security Incident; and (2) the time associated with each action:

__________________________________________________________________
__________________________________________________________________
__________________________________________________________________
__________________________________________________________________

Attestation (You must check the box below to obtain compensation for lost time)

- I attest under penalty of perjury that I spent the number of hours claimed above making reasonable efforts to deal with the Data Security Incident.

4. PAYMENT METHOD

Please select the manner in which payment will be issued for your valid Claims.
5. **CERTIFICATION**

The information I have supplied in this Claim Form is true and correct to the best of my recollection and this form was executed on the date set forth below.

I understand that all information provided on this Claim Form is subject to verification and that I may be asked to provide supplemental information by the Claims Administrator before my claim will be considered complete and valid.

Print Name: 

Signature: 

Date: 

Once you’ve completed all applicable sections, please mail this Claim Form and all required supporting documentation to the address provided below, postmarked by **May 6, 2024**.

Five Guys Claims Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103