

From: noreply@VolusionPrivacyClassAction.com
To: [CLASS MEMBER Email]
Subject: Legal Notice of Volusion Privacy Settlement

A Texas Federal Court authorized this Notice. This is not a solicitation.

If you were sent a notice by Volusion, LLC dated on or about April 21, 2020, regarding a Data Security Incident, you may be eligible for benefits from a class action settlement.

Para una notificación en español, visite www.VolusionPrivacyClassAction.com.

Dear [CLASS MEMBER]:

You are receiving this notice to inform you of your rights and options in a proposed settlement in a class action lawsuit called *Julio Lopez and Michael Oros, on behalf of themselves and all others similarly situated v. Volusion, LLC*, W.D. Tex. (the "Settlement").

What is this about? The lawsuit relates to an incident that took place on or about October 8, 2019, when Volusion learned that personal information of some customers of Volusion's merchant clients may have been improperly exposed as a result of malware placed on Volusion's e-commerce platform (the "Data Security Incident"). Volusion denies all allegations of wrongdoing or liability made in the lawsuit. Both sides have agreed to the Settlement to avoid the cost of further litigation.

Why am I being contacted? Records from Volusion indicate that your information may have been affected by the Data Security Incident and your rights may be affected by the proposed Settlement.

What does the Settlement provide? The proposed Settlement provides for funds up to \$4.3 million less additional defense expenses. The Settlement Fund will be used to pay for the following: (1) all notice and administration expenses; (2) any award of attorneys' fees and expenses not to exceed \$450,000, as approved by the Court; (3) any Service Awards to the Class Representatives, not to exceed \$2,500; and (4) Settlement Benefits for approved Claims for out-of-pocket losses and approved Claims for lost time. Settlement Benefits are described more fully in the Settlement Agreement available at www.VolusionPrivacyClassAction.com.

What can I get? If the Court approves the Settlement, Class Members who have submitted approved Claims are eligible to receive the following:

Compensation for Out-of-Pocket Losses: Compensation for out-of-pocket losses, up to a total of \$1,500.00 per person for certain out-of-pocket expenses incurred because of the Data Security Incident. You must provide documentation of all out-of-pocket losses claimed.

Payment for Time Spent: You may be compensated for your time spent responding to the Data Security Incident of up to three (3) hours of lost time at \$20.00/hour. Payment for time spent will be included within, and not in addition to, out-of-pocket losses claimed up to the maximum \$1,500.00 per person.

How do I file a claim? To receive Settlement Benefits you must file a Claim. Your Claimant ID is <XXXXX>. To file a Claim online, go to www.VolusionPrivacyClassAction.com or download a Claim Form. You can also write: **Volusion Privacy Settlement, c/o Kroll Settlement Administration, PO Box 5324, New York, NY 10150-5324**, or email: info@VolusionPrivacyClassAction.com. All Claim Forms must be submitted online or postmarked by **September 6, 2022**.

What are my other options?

Do Nothing: If you do nothing, you will not get any Settlement Benefits and you will give up your right to sue or continue to sue Volusion, LLC for the claims in this case.

Exclude Yourself: If you exclude yourself or remove yourself from the Class, you will not receive any Settlement Benefits. You will keep your right to sue or continue to sue Volusion, LLC for the claims in this case. Exclusion requests must be postmarked by **September 6, 2022**.

Object. If you do not exclude yourself from the Settlement you may object to it or tell the Court what you don't like about the Settlement. Objections must be filed with the Clerk of Court and a copy mailed to the Settlement Administrator by **September 6, 2022**. For more details about your rights and options and how to exclude yourself or object, go to www.VolusionPrivacyClassAction.com.

What happens next? The Court will hold a Final Approval Hearing on October 6, 2022 at 9:30 a.m., at the US District Court for the Western District of Texas, 501 West Fifth Street, Austin, Texas 78701, to consider whether to approve the Settlement, Class Counsel's attorneys' fees and expenses, and Class Representatives' Service Awards. Class Counsel's fee motion will be posted to the website below once filed. The Court has appointed Edwards Law Group, Pearson, Simon & Warshaw, LLP, Kopelowitz Ostrow Ferguson Weiselberg and Gilbert, and Tycko & Zavareei LLP as Class Counsel. Class Counsel will answer any questions that the Court may have. You or your attorney may ask to speak at the hearing at your own cost, but you don't have to. A Notice of Intention to Appear at the Final Approval Hearing must be filed by **September 6, 2022**.

How do I get more information? To view the full notice and important documents such as the Settlement Agreement, go to www.VolusionPrivacyClassAction.com or contact the Settlement Administrator by writing to **Volusion Privacy Settlement, c/o Kroll Settlement Administration, PO Box 5324, New York, NY 10150-5324**, or emailing info@VolusionPrivacyClassAction.com, or calling 1-833-620-3589.

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE

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