



Supreme Court of Albany County, New York

Levin, et al. v. Albany College of Pharmacy and Health Sciences
Index No. 906277-25

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

**IF YOU WERE SENT NOTICE THAT YOUR PRIVATE INFORMATION WAS
POTENTIALLY IMPACTED IN THE
AUGUST 2024 ALBANY COLLEGE OF PHARMACY AND HEALTH SCIENCES DATA
SECURITY INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT
YOUR RIGHTS, AND ENTITLE YOU TO SETTLEMENT BENEFITS .**

A court has authorized this Notice. This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A Settlement has been reached with Albany College of Pharmacy and Health Sciences (“ACPHS” or “Defendant”) in a proposed class action lawsuit. This involves an August 2024 cybersecurity incident in which a criminal third party gained unauthorized access to Defendant’s network (the “Data Security Incident”). The Private Information of certain individuals may have been impacted in the Data Security Incident. This information may have included: names, Social Security numbers, financial information, birth and marriage certificates, passport numbers, driver’s license numbers, health insurance information, medical information, and/or student information.
- The lawsuit is called *Levin, et al. v. Albany College of Pharmacy and Health Sciences*, Index No. 906277-25. It is pending in the Supreme Court of Albany County, New York (the “Action”).
- ACPHS denies all claims, allegations, liability or wrongdoing, and the Court has not made a determination that ACPHS did anything wrong.
- The parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the Action.
- You have been identified as a Class Member, and you may be entitled to Settlement Class Member Benefits.
- Your rights are affected whether you act or don’t act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive Settlement Class Member Benefits is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.AlbanyCollegeSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	November 16, 2026
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no Settlement Class Member Benefit. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant or any Released Party related to the Released Claims resolved by this Settlement. You can hire your own lawyer at your own expense.	October 16, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a Claim for Settlement Class Member Benefits.	October 16, 2026
DO NOTHING	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant or any Released Parties related to the Released Claims resolved by this Settlement.	No Deadline

- 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.

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Basic Information

1. Why was this Notice issued?

The Supreme Court of Albany County, New York, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all your options, before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is called *Levin, et al. v. Albany College of Pharmacy and Health Sciences*, Index No. 906277-25. It is pending in the Supreme Court of Albany County, New York. The people that filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the company they sued, Albany College of Pharmacy and Health Sciences, is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that between August 2024 and September 2024, ACHPS became aware of a cybersecurity incident involving a criminal third party gaininig unauthorized access to ACPHS's network. The Data Security Incident may have impacted Settlement Class Members’ Private Information. This information may have included: names, Social Security numbers, financial information, birth and marriage certificates, passport numbers, driver’s license numbers, health insurance information, medical information, and/or student information.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the “Plaintiffs” or “Class Representatives.” Together, the people included in the class action are called a “Class” or “Class Members.” One court resolves the lawsuit for all Class Members, except for those who opt out of the settlement. In this Settlement, the Class Representatives are Robert Levin, Ruben Abraham, Abigayle Gonzalez, and Jack Sullivan. Everyone included in this Action are the Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Class Members to receive benefits from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The court has defined the Class this way: “All persons residing in the United States whose Private Information was potentially impacted as a result of the Data Security Incident impacting ACPHS’s computer systems between August 31, 2024, and September 14, 2024.”

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (i) Defendant, its officers, directors, agents, affiliates, parents, subsidiaries, successors or assigns, or any entity in which Defendant has a controlling interest; (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 immediate 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 Data Security Incident or who pleads *nolo contendere* to any such charge.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@AlbanyCollegeSettlement.com
- Call toll free, 24/7: (833) 360-6834
- By mail:

ACPHS Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.AlbanyCollegeSettlement.com.

The Settlement Class Member Benefits

7. What does the Settlement provide?

All Settlement Class Members may submit a claim to receive **Credit Monitoring** and one or more of the **cash payment** options. The Settlement Class Member Benefits are explained in more detail below.

CREDIT MONITORING. All Class Members are eligible to enroll in two years of CyEx Financial Shield Total. This comprehensive service comes with \$1 million of financial fraud insurance, and includes monitoring for:

- fraud or identity theft
- unauthorized financial transactions
- personal information associated with high-risk transactions

If anything, suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

AND

Reimbursement for Documented Losses. If you incurred actual, documented out-of-pocket losses traceable to the Data Security Incident, you may submit a Claim not to exceed **\$5,000.00**. The losses must have occurred between August 31, 2024, and November 16, 2026.

This benefit covers out-of-pocket expenses like:

- losses because of identity theft or fraud
- fees for credit reports, credit monitoring, or freezing and unfreezing your credit
- cost to replace your IDs
- postage to contact banks by mail

You need to send documented proof, like bank statements or receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a Valid Claim. Your proof or notes should show that your expenses were because of the Data Security Incident.

You cannot claim a payment for expenses that have already been reimbursed by a third party.

Compensation for Lost Time. Class Members who spent time responding to the Data Security Incident may submit a Claim up to four hours, at \$20.00 per hour, for a maximum of **\$80.00**.

You must have spent the time on tasks related to the Data Security Incident. Some examples include things like:

- changing your passwords
- investigating suspicious activity in your accounts
- researching the Data Security Incident

You must attest that the time claimed was spent as a result of the Data Security Incident.

OR

Alternative Cash Payment. In lieu of submitting a Claim for Documented Losses or Lost Time, you may submit a Claim a one-time cash payment of **\$25.00**.

You do not have to provide any proof or explanation to claim this payment.

If you have questions about these Settlement Class Member Benefits, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@AlbanyCollegeSettlement.com
- Call toll free, 24/7: (833) 360-6834
- By mail:

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P.O. Box 25226
Santa Ana, CA 92799-9958

8. What claims am I releasing if I stay in the Class?

If you stay in the Settlement Class, you won't be able to be part of any other lawsuit against ACPHS or any of the Released Parties for any of the Released Claims this Settlement resolves. The "Releases" section of the Settlement Agreement (Section XI) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.AlbanyCollegeSettlement.com.

Submitting a Claim Form for Settlement Class Member Benefits

9. How do I submit a claim for a Settlement Class Member Benefit?

The fastest way to submit your Claim Form is online at www.AlbanyCollegeSettlement.com. If you prefer, you can download a printable Claim Form from the Settlement Website and mail it to the Settlement Administrator at:

ACPHS Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, (833) 360-6834, by email info@AlbanyCollegeSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement Claim deadlines?

If you are submitting a Claim Form online, you must do so by November 16, 2026. If you are submitting a Claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than November 15, 2026.

11. When will the Settlement Class Member Benefits be issued?

The Court will hold a Final Approval Hearing on December 10, 2026 (**see Question 18**). If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants Final Approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys Tyler J. Bean of Siri & Glimstad LLP; Brittany Resch of Strauss Borrelli PLLC; and Leigh S. Montgomery of EKSM, LLP, to represent you and other Class Members ("Class Counsel").

13. Should I get my own lawyer?

You will not be charged for Class Counsel's services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve \$300,000.00 as reasonable attorneys' fees and costs of litigation. If approved, this amount will be paid by ACPHS.

Class Counsel will also ask for Service Award payments of \$2,500.00 for each of the Class Representatives, not to exceed \$10,000.00. Any approved Service Awards will also be paid by ACPHS.

Excluding Yourself from the Settlement

15. How do I opt out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called a Request for Exclusion and is sometimes also called “opting out.” If you opt out, you will not receive Settlement Class Member Benefits. However, you will keep any rights you may have to sue ACPHS or any of the Released Parties related to the Released Claims resolved by this Settlement.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement Class Member Benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **October 16, 2026**.

To be valid, your Request for Exclusion must have the following information:

- (1) the name of the Action: *Levin, et al. v. Albany College of Pharmacy and Health Sciences*, Index No. 906277-25, pending in the Supreme Court of Albany County, New York;
- (2) your full name, mailing address, telephone number, and email address;
- (3) personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

ACPHS Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be submitted or postmarked by **October 16, 2026**.

You cannot opt out by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt-out has not been signed by each and every individual Settlement Class Member will not be allowed.

Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (**see Question 15**)

You must provide the following information for the Court to consider your objection:

- (1) the name of the Action: *Levin, et al. v. Albany College of Pharmacy and Health Sciences*, Index No. 906277-25, pending in the Supreme Court of Albany County, New York;
- (2) your full name, mailing address, telephone number, and email address;
- (3) a clear description of all the reasons you object; include any legal support, such as documents, you may have for your objection;
- (4) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, and contact information;
- (5) if you or your lawyer have objected in any other cases in the past five years, list the names, courts, the orders ruling on your objections, and civil action numbers for each of those cases;
- (6) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both;
- (7) whether or not you or your lawyer would like to speak at the Final Approval Hearing; and
- (8) your signature (if you have hired your own lawyer, their signature is not sufficient).

For your objection to be valid, it must meet each of these requirements.

Class Counsel and/or Defendant's Counsel may conduct limited discovery on any objector or objector's counsel.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **October 16, 2026**. You must also send a copy of the objection to the Settlement Administrator, Class Counsel, and counsel for Defendant.

Clerk of the Court	Settlement Administrator
Clerk of the Court 16 Eagle St. Albany, NY 12207	ACPHS Data Security Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958

Class Counsel	Counsel for Defendant
Tyler J. Bean SIRI & GLIMSTAD LLP 745 Fifth Ave., Ste. 500 New York, NY 10151 Brittany Resch STRAUSS BORRELLI PLLC 980 N. Michigan Ave., Ste. 1610 Chicago, IL 60611 Leigh S. Montgomery EKSM, LLP 4200 Montrose Blvd., Ste. 200 Houston, TX 77006	Casie D. Collignon BAKER & HOSTETLER LLP 1801 California St., Ste. 4400 Denver, CO 80202

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Final Approval Hearing

18. When is the Court's Final Approval Hearing?

The Court will hold a Final Approval Hearing on **December 10, 2026, at 10:00 a.m. Eastern Time**, in the Supreme Court of Albany County, New York, at 16 Eagle Street, Albany, NY 12207. The Final Approval Hearing may also be held remotely.

At the Final Approval Hearing, the Court will decide whether to approve the Settlement. The Court will also decide whether to approve Class Counsel's request for attorneys' fees and costs, and whether to award Service Awards to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (**See Question 16**).

The location, date, or time of this hearing may change without further notice. Please check www.AlbanyCollegeSettlement.com for updates.

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

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive a Settlement Class Member Benefit.

You will also give up the rights described in **Question 8**.

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.AlbanyCollegeSettlement.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@AlbanyCollegeSettlement.com
- Call toll free, 24/7: (833) 360-6834
- By mail:

ACPHS Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, 16 Eagle Street, Albany, NY 12207.

DO NOT CONTACT THE COURT, CLERK OF COURT, OR DEFENDANT'S COUNSEL REGARDING THIS SETTLEMENT