

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**IF YOU PAID FOR A SUBSCRIPTION TO iCloud AT ANY POINT BETWEEN SEPTEMBER 16, 2015 AND JANUARY 31, 2016, AND HAD A U.S. MAILING ADDRESS ASSOCIATED WITH YOUR iCloud ACCOUNT AT THAT POINT, YOU SHOULD READ THIS NOTICE AS IT MAY IMPACT YOUR LEGAL RIGHTS.**

*A court authorized this notice. This is not a solicitation.*

- A Settlement has been reached with Apple Inc. (“Apple” or “Defendant”) in a class action lawsuit alleging that Apple breached its contract with users by storing iCloud data on third-party servers. Apple denies that there was a breach of any contract and denies all allegations of wrongdoing.
- You may be included in this Settlement as a “Class Member” and entitled to receive a payment called the “Class Payment” if you paid for a subscription to iCloud at any point between September 16, 2015, and January 31, 2016, and you had a U.S. mailing address associated with your iCloud account at that point. The criteria to be a Class Member are defined more fully in the answers to Questions 5 and 6 below. Together, all Class Members are collectively known as the “Class.”
- Your rights are affected whether you act or don’t act. Read this notice carefully.
- These rights and options — **and the deadlines to exercise them** — are explained in this Notice.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
<b>STAY IN THE CLASS</b>	<p>The Parties to the Lawsuit have settled for \$14.8 million. If you received an email notification from the independent Settlement Administrator about the Lawsuit, that means that you may be a Class Member. If you are a Class Member, you have the option of electing to receive a Class Payment by ACH transfer or by check. If you do not elect to receive a Class Payment by ACH transfer or check by providing the necessary information by May 23, 2022, the following will apply:</p> <ul style="list-style-type: none"><li>• If, at the time the Class Payment is distributed, you are a subscriber to any kind of monthly paid iCloud plan, and you have a U.S. mailing address associated with your plan, you will automatically receive the Class Payment to the Apple account that pays for your current monthly iCloud subscription.</li><li>• If, at the time the Class Payment is distributed, you are no longer a subscriber to any kind of monthly paid iCloud plan, or you do not have a U.S. mailing address associated with your plan, you will receive the Class Payment by check at the mailing address associated with your account.</li></ul> <p>If you decide to stay in the Class, you will give up the right to sue Apple in a separate lawsuit related to the subject matter of the claims in the Lawsuit. The Released Claims are described in more detail in Section 8 of the Settlement Agreement available at <a href="http://www.StorageClassActionSettlement.com">www.StorageClassActionSettlement.com</a>. No further action is required from you if you decide to stay in the Class and receive a Class Payment.</p>

**QUESTIONS? CALL 1-888-481-5282 OR VISIT  
WWW.STORAGECLASSACTIONSETTLEMENT.COM**

<p><b>ASK TO BE EXCLUDED (OPT OUT)</b></p> <p><b>DEADLINE: MAY 23, 2022</b></p>	<p>If you decide to opt out of this Settlement, you will keep the right to sue Apple at your expense in a separate lawsuit related to the subject matter of the claims this Settlement resolves, but you give up the right to get a Class Payment from this Settlement.</p> <p>This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Apple related to the subject matter of the claims in this Lawsuit. If you opt out of this Settlement and the Settlement is approved, you will no longer be represented by Class Counsel.</p>
<p><b>OBJECT TO THE SETTLEMENT</b></p> <p><b>DEADLINE: MAY 23, 2022</b></p>	<p>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.</p> <p>You may object to the Settlement, and if the Settlement is approved by the Court, you may still be able to receive a Class Payment.</p>
<p><b>GO TO A HEARING ON:</b></p> <p><b>AUGUST 4, 2022 AT 9:30 A.M.</b></p>	<p>You may object to the Settlement and ask the Court for permission to speak at the Final Approval Hearing where the Parties will request that the Final Approval Order be entered approving the Settlement.</p> <p>You may object to the Settlement and speak at the Final Approval Hearing, and if the Settlement is approved by the Court, you may still be able to receive a Class Payment.</p>

- These rights and options – **and the deadlines to exercise them** – are explained in this Notice.
- The Court overseeing this case still has to decide whether to approve the Settlement.
- This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, you may (1) see the Settlement Agreement available at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com); (2) contact Class Counsel representing the Class Members (contact info listed under Question 16 below); (3) access the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>; or (4) visit the office of the Clerk of Court for the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS NOTICE, THIS SETTLEMENT, OR THE CLAIMS PROCESS.**

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## BASIC INFORMATION

### 1. Why was this Notice issued?

A federal Court authorized this Notice because you have a right to know about the proposed Settlement of the Lawsuit and all of your options before the Court decides whether to approve the proposed Settlement. This Notice explains the Lawsuit, the Settlement, your legal rights, what benefits are available, and who can get them.

Magistrate Judge Laurel Beeler of the United States District Court for the Northern District of California is currently overseeing this case and will decide whether to approve the Settlement. The case is entitled *Williams v. Apple Inc.*, No. 19-cv-04700-LB (N.D. Cal.). The person who sued is called the Plaintiff. The company he is suing is Apple Inc., which is called the Defendant.

### 2. What is a class action?

In a class action, one or more people called “Class Representatives” (in this case, James Stewart, the Plaintiff) sue on behalf of people who have similar claims. All these people are a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who opt out of the Class.

### 3. What is the Lawsuit about?

Plaintiff brought a claim for breach of contract regarding the iCloud Service that Apple provides to its users. Plaintiff contends that Apple breached its contract — the iCloud Terms and Conditions — with these users by storing iCloud user data using third-party servers.

Apple maintains that it did nothing wrong and denies that it breached the iCloud Terms and Conditions with any user. Apple asserts numerous defenses to the claims in this case. The proposed Settlement to resolve this Lawsuit is not an admission of guilt or any wrongdoing of any kind by Apple, and it is not an admission by Apple of the truth of any of the allegations in the Lawsuit.

### 4. Why is there a Settlement?

The Court has not decided in favor of the Class or Defendant. Instead, the Class Representative and Defendant agreed to a Settlement. This way, they avoid the cost, burden, and uncertainty of a trial and the users allegedly affected can get benefits. The Class Representative and his attorneys think the proposed Settlement is best for all Class Members.

## WHO IS INCLUDED IN THE SETTLEMENT

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

The Court has decided that everyone who fits the following description is a Class Member, and is thus included in the Settlement:

All persons in the United States who paid for a subscription to iCloud at any time during the period September 16, 2015 to January 31, 2016. Excluded from this Class definition are all employees, officers, or agents of Defendant Apple Inc. Also excluded from this Class definition are all judicial officers assigned to this case as well as their staff and immediate families.

## 6. I'm still not sure if I am included in the Class.

If you are still not sure whether you are included in the Class, you can visit the website [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com), call toll-free 1-888-481-5282, or write to the *Williams v. Apple* Class Action Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, for more information.

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

## 7. What does the Settlement provide?

The Parties to the Lawsuit have agreed to a \$14.8 million Settlement. After deducting any Court-approved Attorneys' Fees and Costs, Service Award, and Administrative and Notice Costs, Apple will provide to the Settlement Administrator information for all Class Members and the Settlement Administrator will determine the Class Payment that will be made available to Class Members in accordance with the description provided in the response to Question 8 below.

## 8. How much will my Class Payment be?

Class Members shall receive a pro rata distribution of the Settlement based on the overall payments made by each Class Member for his or her iCloud subscription during the Class Period. Such pro rata distribution shall not exceed the total amount a Class Member paid for his or her iCloud subscription during the Class Period.

### HOW TO GET A CLASS PAYMENT

## 9. How do I get a Class Payment?

If you received a notice by email indicating that Apple has determined that you may be a Class Member and do not opt out of the Class, you have the option of electing to receive a Class Payment by ACH transfer or by check. If you decide to receive the Class Payment by ACH transfer or check, you must provide the necessary information by May 23, 2022, to let the Settlement Administrator know whether you elect to receive the payment by check or ACH transfer and the corresponding mailing address or banking information for the payment's distribution. The Settlement Administrator shall then issue a check that you can cash or will initiate an ACH transfer.

If you received a notice by email indicating that Apple has determined that you may be a Class Member and you do not elect to receive the Class Payment by ACH transfer or check by providing the necessary information by May 23, 2022, and do not opt out of the Class, the following will apply:

- If, at the time the Class Payment is distributed, you are a subscriber to any kind of monthly paid iCloud plan, and you have a U.S. mailing address associated with your plan, you will automatically be sent a Class Payment to the Apple account that pays for your current monthly iCloud subscription.
- If, at the time the Class Payment is distributed, you are no longer a subscriber to any kind of monthly paid iCloud plan, or you do not have a U.S. mailing address associated with your plan, you will automatically be sent a Class Payment check at the mailing address associated with your account.

If you did not receive a notice by email but believe that you are a Class Member, please follow the instructions in Question 6 above.

**QUESTIONS? CALL 1-888-481-5282 OR VISIT [WWW.STORAGECLASSACTIONSETTLEMENT.COM](http://WWW.STORAGECLASSACTIONSETTLEMENT.COM)**

## 10. When would I get my Class Payment?

The Court will hold a hearing on August 4, 2022, at 9:30 a.m., to decide whether to grant final approval of the Settlement. If the Court approves the Settlement, there may be objections. It is always uncertain whether objections will be filed and, if so, how long it will take to resolve them. Class Payments will be distributed to Class Members as soon as possible, if and when the Court grants final approval of the Settlement and any objections are overruled with finality. The Court may also elect to move the Final Approval Hearing to a different date or time in its sole discretion, without providing further notice to the Class. The date and time of the Final Approval Hearing can be confirmed at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com).

## 11. What rights am I giving up to get a Class Payment and stay in the Class?

Unless you opt out, you will 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 won't be able to sue, continue to sue, or be part of any other lawsuit against Apple that is related to the subject matter of the claims in this Lawsuit. The rights you are giving up are called Released Claims, which are explained in Question 12.

## 12. What are the Released Claims?

Generally, if and when the Settlement Agreement becomes final, Class Members who do not opt out will permanently release Apple Inc., including its past or present parents, subsidiaries, divisions, affiliates, stockholders, officers, directors, insurers, employees, agents, attorneys, and any of their legal representatives (and the predecessors, heirs, executors, administrators, successors, purchasers, and assigns of each of the foregoing), from claims that are related to the subject matter of the claims in this Lawsuit. The Released Claims are described in more detail in Section 8 of the Settlement Agreement, available at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com).

### OPTING OUT OF THE SETTLEMENT

If you want to keep the right to sue or continue to sue Apple at your expense for any claim related to the subject matter of this Lawsuit, and you do not want to receive a Class Payment from this Settlement, you must take steps to get out of the Settlement. This is called opting out of, or excluding yourself from, the Settlement.

## 13. How do I request to opt out of the Settlement?

To opt out, you must send a letter with the following information:

- Your name, address, telephone number, and email address;
- A statement that you wish to opt out of the Class in *Williams v. Apple Inc.*, No. 19-cv-04700-LB; and
- Your signature.

You must mail your opt-out request to:

Williams v. Apple Inc.  
c/o Settlement Administrator  
1650 Arch Street, Suite 2210  
Philadelphia, PA 19103

Your opt-out request must be postmarked no later than **May 23, 2022**.

**QUESTIONS? CALL 1-888-481-5282 OR VISIT [WWW.STORAGECLASSACTIONSETTLEMENT.COM](http://WWW.STORAGECLASSACTIONSETTLEMENT.COM)**

**14. If I opt out, can I still get a Class Payment from this Settlement?**

No. If you opt out, you are telling the Court that you don't want to be part of the Class in this Settlement. You can only get a Class Payment if you remain in the Class. See Question 9.

**15. If I do not opt out, can I sue Apple for the same claims later?**

No. Unless you opt out, you are giving up the right to sue Apple regarding any claims that are related to the subject matter of the claims in this Lawsuit. You must opt out of this Lawsuit to have the ability to start or continue with your own lawsuit or be part of any other lawsuit against Apple.

**THE LAWYERS REPRESENTING THE CLASS**

**16. Do I have a lawyer in this case?**

Yes. The Court appointed the following attorneys to represent you as "Class Counsel":

Roy A. Katriel, of The Katriel Law Firm, P.C. 2262 Carmel Valley Road, Suite 200-D Del Mar, CA 92014	Azra Mehdi, of The Mehdi Firm, P.C. 201 Mission Street, Suite 1200 San Francisco, CA 94105
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You do not have to pay Class Counsel out of your own pocket. If you want to be represented by your own lawyer and have that lawyer appear in Court for you in this case, you may hire one at your own expense.

**17. How will the lawyers be paid?**

Class Counsel may ask the Court for an award of Attorneys' Fees and Costs, as well as a Service Award to the Class Representative. Class Counsel will move for both the Service Award, not exceeding \$5,000, and for Attorneys' Fees and Costs, and the Court will determine the amounts to be awarded. All of these amounts, as well as the Administrative and Notice Costs, will be paid from the \$14.8 million that the Parties settled for before making Class Payments to Class Members. Apple reserves the right to object to any motion, including for Attorneys' Fees and Costs or a Service Award, filed by Class Counsel.

A copy of Class Counsel's motion for Attorneys' Fees and Costs and for the Class Representative's Service Award will be available at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com) by April 21, 2022.

**18. May I get my own lawyer?**

If you are in the Class, you are not required to hire your own lawyer because Class Counsel is working on your behalf. However, if you want your own lawyer, you may hire one at your own expense. If you opt out of the Settlement, you will no longer be represented by Class Counsel once the Settlement is approved.

**OBJECTING TO THE SETTLEMENT**

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

If you are a Class Member, you can tell the Court if there is something about the Settlement that you do not like by submitting an objection. You can't ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no Class Payments will be sent out and the Lawsuit will continue. If that is what you want to happen, you must object.

**QUESTIONS? CALL 1-888-481-5282 OR VISIT [WWW.STORAGECLASSACTIONSETTLEMENT.COM](http://WWW.STORAGECLASSACTIONSETTLEMENT.COM)**

Any objection to the proposed Settlement must be in writing. If you submit a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number (*Williams v. Apple Inc.*, No. 19-cv-04700-LB); (b) include your full name, address, telephone number, and email address of your attorney (if you are represented by counsel); (c) state the grounds for the objection; (d) be submitted to the Court either by mailing them to the Clerk of Court for the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California; and (e) be filed or postmarked on or before **May 23, 2022**.

#### 20. What is the difference between objecting and opting out?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class (and do not opt out). Opting out is telling the Court that you don't want to be part of the Class. If you opt out, you cannot object because the Settlement no longer affects you.

#### THE COURT'S FINAL APPROVAL 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 don't have to.

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

The Court will hold a Final Approval Hearing on August 4, 2022, at 9:30 a.m., at the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, Courtroom B, 15<sup>th</sup> Floor, San Francisco, CA 94102. At this hearing, the Court will decide whether to approve the Settlement, Class Counsel's request for Attorneys' Fees and Costs, and the Service Award to the Class Representative. If there are objections, the Court will consider them. The Court may elect to move the Final Approval Hearing to a different date or time in its sole discretion, without providing further notice to the Class. The date and time of the Final Approval Hearing can be confirmed at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com).

#### 22. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to come to the Final Approval Hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but that is not necessary.

#### 23. May I speak at the Final Approval Hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing.

**IF YOU DO  
NOTHING**

**24. What happens if I do nothing at all?**

If you are a Class Member and you do nothing, one of two scenarios will apply depending on whether you have a monthly iCloud subscription at the time the Class Payment is distributed:

- If, at the time the Class Payment is distributed, you are a subscriber to any kind of monthly paid iCloud plan, and you have a U.S. mailing address associated with your plan, Apple will automatically distribute the Class Payment to the Apple account that pays for your current monthly iCloud subscription; or
- If, at the time the Class Payment is distributed, you are no longer a subscriber to any kind of monthly paid iCloud plan, or you do not have a U.S. mailing address associated with your plan, you will automatically be sent a check at the mailing address associated with your account.

You will give up the rights explained in Question 12, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Apple related to the Lawsuit or for claims that in any way are related to the subject matter of the claims in this Lawsuit.

**GETTING MORE  
INFORMATION**

**25. Are more details available?**

Visit the website at [www.StorageClassActionSettlement.com](http://www.StorageClassActionSettlement.com), where you will find the Settlement Agreement and other related documents. You may also call toll-free at 1-888-481-5282 or write to Williams v. Apple Inc., c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Inquiries should NOT be directed to the Court.