

STATE OF MINNESOTA
COUNTY OF ST. LOUIS

DISTRICT COURT
SIXTH JUDICIAL DISTRICT
Case Type: Civil/Class Action

In re Arrowhead Regional Computing
Consortium Data Breach Litigation

Court File No.: 69DU-CV-24-184
Judge Nicole L. Hopps

**ORDER GRANTING PLAINTIFFS’
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND
NOTICE PLAN**

This matter came before the Court on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement and Notice Plan (“Motion”). The Court has reviewed the Motion and the Class Action Settlement Agreement and Release (“Agreement”)¹ entered into by Plaintiffs and Defendant Arrowhead Regional Computing Consortium (“Defendant” or “ARCC”), and it finds that the Motion should be **GRANTED**.

1. The Court does hereby preliminarily and conditionally approve, for settlement purposes, the following Class:

All individuals in the United States who received notice of the Data Incident from Arrowhead.

¹ Unless otherwise stated, all capitalized terms used in this Order shall have the same meanings as set forth in the Settlement Agreement.

The Class specifically excludes: (a) Arrowhead and its respective officers and directors; (b) all members of the Settlement Class who timely and validly submit a Request for Exclusion in conformity with the Settlement Agreement; (c) all judges assigned to hear any aspect of this litigation, including their staff and immediate family members; and (d) Proposed Settlement Class Counsel. It also explicitly excludes any individual who submitted a request for exclusion within the opt-out deadline.

2. The Court finds that the proposed Settlement Class meets the prerequisites of Minn. R. Civ. P. 23.01 and 23.02. After considering the factors of Minn. R. Civ. P. 23.01 and 23.02, the Court finds:

- a. the Class is ascertainable and satisfies numerosity;
 - b. there are common questions of law and fact, including whether Defendant's Data Incident potentially compromised Plaintiffs' and Class Members' Private Information, satisfying commonality;
 - c. the proposed Class Representatives' claims are typical, in that they are members of the Class and allege that they received notice from Defendant that their Private Information was potentially compromised in Defendant's Data Incident, thereby alleging they have been damaged by the same conduct as other Class Members;
 - d. the proposed Class Representatives and Class Counsel will fully, fairly, and adequately protect the interests of the Class;
 - e. questions of law and fact common to members of the Class predominate over questions affecting only individual members for settlement purposes;
- and

f. a nationwide class for settlement purposes is superior to other available methods for the fair and efficient adjudication of this controversy.

3. The Court appoints Jeremie Benoit, Matthew Horsch, Klowie Fields and Ryan O’Connell (collectively, “Plaintiffs”) as the Class Representatives for the Settlement Class.

4. The Court finds that the proposed Class Counsel has the experience and qualifications necessary to represent the Settlement Class and appoints Nathan D. Prosser of Hellmuth & Johnson PLLC; Bryan L. Bleichner of Chestnut Cambronne PA; and William B. Federman of Federman & Sherwood as Class Counsel for the Settlement Class.

5. The Court appoints Verita Global LLC as Settlement Administrator for the Settlement Class and directs that it undertakes its obligations as set forth in the Settlement Agreement.

6. The Court does hereby preliminarily approve the Settlement, including the notices and releases contained therein as being fair, reasonable, and adequate as to the Class Members, subject to further consideration at the Fairness Hearing described below.

7. A Final Approval Hearing shall be held before the Court on October 1, 2026 at 1:30 p.m. to consider the entry of the Final Approval Order and Judgment approving the Settlement as well as to consider Plaintiffs’ Motion for Attorneys’ Fees and Expenses, and Service Awards. The hearing will be held through remote technology (Zoom). Contact information for the Zoom session is:

Judge Nicole L. Hopps

Website or App:	
www.zoomgov.com	
Meeting ID: 161-650-3706	

Meeting Passcode: __557802_____

The final approval hearing will be held for the following purposes:

- a. To determine whether the proposed Settlement on the terms and conditions provided for by the Agreement is fair, reasonable, and adequate to the Class and should be approved by the Court;
- b. To determine whether a Final Approval Order, as defined in the Agreement, should be entered;
- c. To determine whether the claims process under the Settlement is fair and reasonable, and it should be approved by the Court;
- d. To determine whether Plaintiffs' application for Attorneys' Fees and Expenses, and requested Service Awards for the Class Representatives, should be approved; and
- e. To rule upon such other matters as the Court may deem appropriate.

8. The Court approves, as to the form and content, the Short Form Settlement Notice, Long Form Notice, and Claim Form, in their substantial form as the exhibits represent attached to the Settlement Agreement and finds that the mailing, distribution, and publishing of the various notices in the form and manner set forth in the Settlement Agreement meets the requirements of Minn. R. Civ. P. 23 and due process, and is the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled to notice. If parties agree, non-substantive edits to the proposed form of notices and claim form may be made to conform to the parties' intended notice plan.

9. The Settlement notes that Defendant will directly provide payment of notice costs and administration costs, which will pay for Notice and Administrative Expenses. Defendant shall pay, or cause to be paid, all funds necessary to pay for the printing and mailing of Notice within thirty (30) days after entry of this Order. Defendant shall pay, or cause to be paid, the remaining

Costs of Settlement Administration to the Settlement Administrator within thirty (30) days after entry of the Effective Date.

10. The following Settlement benefits will be paid by Defendant, or cause to be paid to Class Members who submit valid and timely Claim Form:

- a. two (2) years of 3-bureau Credit Monitoring;
- b. a Cash Payment of up to \$80.00 per person for reimbursement of time spent addressing the Data Incident; and
- c. remedial data security procedures and business practice changes.

11. The Settlement Administrator shall process claims according to the Settlement Timeline that is attached to this Order.

12. The Claim Form submitted by each Class Member must be properly completed, signed, and submitted in a timely manner in accordance with the provisions of the Settlement Agreement.

13. As part of the Claim Form, each Class Member shall submit to the jurisdiction of the Court with respect to the claim submitted and shall (subject to effectuation of the Settlement) release all Released Claims as provided in the Agreement.

14. All Class Members shall be bound by all determinations and judgments in the class action concerning the Settlement, including, but not limited to, the releases provided for in the Agreement, whether favorable or unfavorable, except those who timely and validly requested exclusion from the Class and have not opted back in. The persons who timely and validly requested exclusion from the Class will be excluded from the Class and shall not have rights under the Agreement, shall not be entitled to submit any Claim Forms, and shall not be bound by the Agreement or the Final Approval Order as to the Defendant in the Class Action.

15. Pending final determination of whether the Agreement should be approved, Class Counsel, Plaintiffs, and Class Members are barred and enjoined from commencing or prosecuting any action asserting any Released Claims against Defendant.

16. Any Class Member may enter an appearance, individually or, at their own expense, through counsel of their choice, in which case counsel must file with the Clerk of Court and deliver to Class Counsel and counsel for Defendant a notice of such appearance no later than 60 days after the Notice Date. If they do not enter an appearance, they will be represented by Class Counsel.

17. All papers in support of the Settlement, and Class Counsel's Fee Application and request for expenses and Service Awards, shall be filed at least fourteen (14) days before the Objection and Opt-Out Date.

18. Any Class Member may appear and show cause, if that Class Member has any reason why the proposed Settlement should not be approved as fair, reasonable, and adequate, or why Class Counsel's application for an award of attorneys' fees and for reimbursement of expenses should not be granted; provided, however, that no person shall be heard or entitled to contest such matters unless that person has delivered by hand or sent by first class mail sufficient written objections and copies of all papers and briefs any such person wishes to submit in support of any such objection delivered or post-marked no later than sixty (60) days following the Notice Date to the following:

St. Louis County – Duluth Courthouse
100 N. Fifth Avenue W.
Duluth, MN 55802

19. Any written objection shall include: (i) the objector's full name and address; (ii) the case name and docket number, *In re Arrowhead Regional Computing Consortium Data Breach Litigation*, No. 69DU-CV-24-184; (iii) information identifying the objector as a Class Member,

including proof that the objector is a member of the Class (e.g., copy of the objector's settlement notice, copy of original notice of the Data Incident, or a statement explaining why the objector believes they are a 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 whether the objector and/or their counsel will appear at the Final Fairness Hearing; and (vii) the objector's signature.

20. Any person who does not make an objection in the manner provided in this Order shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness or adequacy of the proposed Settlement as set forth in the Agreement, unless otherwise ordered by the Court. Any papers in response to any such objections or in further support of the above-named motions shall be filed no later than seven (7) days before the Final Approval Hearing.

21. This Order, the Agreement, and the Settlement, and any of their terms, and all negotiations, discussions, and proceedings in connection with this Order, the Agreement, and the Settlement, shall not constitute evidence, or an admission by Defendant that any acts of wrongdoing have been committed and shall not be deemed to create any inference that there is any liability on the part of Defendant. This Order, the Agreement, and the Settlement, and any of their terms, and all negotiations, discussions and proceedings in connection with this Order, the Agreement, and the Settlement shall not be offered or received in evidence or used for any purpose in this or any other proceeding in any court, administrative agency, arbitration tribunal, or other forum of any kind of character in the United States or any other country except as necessary to enforce the terms of this Order or the Settlement.

22. The Court reserves the right to adjourn the date of the Final Approval Hearing without further notice to the Class Members and retains jurisdiction to consider all further applications or matters arising out of or connected with the proposed Settlement. The Court may approve the Settlement, with such modifications as may be agreed to by the Plaintiffs and Defendant, if appropriate, without further notice to the Class.

IT IS ORDERED:

Date: _____

 Hopps, Nicole
2026.06.10
15:23:38 -05'00'

Honorable Nicole L. Hopps
Sixth District Court Judge

SETTLEMENT TIMELINE

<u>Order Granting Preliminary Approval</u>	
Defendant provides list of Class Members to the Settlement Administrator	+7 days
Defendant makes initial payment to the Claims Administrator for Notice Purposes	+30 days
Settlement Website Active	+30 days
Notice Commencement Date	+30 days
Counsel's Motion for Attorneys' Fees, Reimbursement of Litigation Costs and Expenses, and Class Representative Service Awards	+76 days
Objection & Opt-Out Date	+90 days
Settlement Administrator Provide List of Objections/Opt-Outs to the Parties' counsel	+100 days
Claims Deadline	+120 days
<u>Final Approval Hearing</u>	+120 (at minimum) from Order Granting Preliminary Approval
Motion for Final Approval	-14 days