

Archibeque v. FPI Management, Inc., No. 34-2021-00300923-CU-MT-GDS
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

If FPI Management, Inc. or its authorized representative sent you notice of the Data Security Incident discovered on or about August 14, 2020, you may be eligible for benefits from a class action settlement.

Para una notificación en Español, visitar www.FPIDataIncident.com

A California court authorized this notice. This is not junk mail, an advertisement or a lawyer solicitation.

- A settlement has been proposed in a class action against FPI Management, Inc. (“FPI”) arising out of an August 2020 cyberattack during which unauthorized third parties gained access to certain files containing the personal information of current and former residents of properties that FPI managed (“Data Security Incident”). The computer files accessed in the Data Security Incident contained for some persons names, addresses, dates of birth, Social Security number, driver’s license numbers or other government identification card numbers, passport numbers, tax identification numbers, financial account information, online credentials, digital signatures, and/or payment card information as well as medical information.
- Plaintiff Richard Archibeque filed a class action on behalf of himself and those similarly situated and claims that FPI was responsible for the increased risk of identity theft stemming from the Data Security Incident and asserts claims for: (i) negligence; (ii) breach of written contract; (iii) breach of implied contract; (iv) invasion of privacy; (v) breach of confidence; (vi) violation of the California Unfair Competition Law; (vii) violation of California’s Consumer Privacy Act; and (viii) violation of the California Customer Records Act.
- If you received a notice from FPI concerning the 2020 Data Security Incident you are part of the Class and may be eligible for benefits.
- The settlement provides reimbursement of up to **\$100** for individuals who received notice of the Data Security Incident that was mailed to a California address; up to **\$400** for documented out-of-pocket expenses and fees incurred between August 14, 2020 and the Claims Deadline fairly traceable to the Data Security Incident; up to **\$4,250** for a Class Member who was a victim of actual documented identity theft, reimbursement for documented and unreimbursed extraordinary monetary losses that were incurred between August 14, 2020 and the Claims Deadline; compensation for up to three (3) hours at \$20 per hour for time spent dealing with the Data Security Incident; and two (2) years of credit monitoring and identity theft protection.
- Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully.

Questions? Call 1-833-360-6808 or visit www.FPIDataIncident.com

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM Deadline: November 6, 2025	This is the only way to receive a payment.
EXCLUDE YOURSELF FROM THE SETTLEMENT Deadline: October 7, 2025	Get no benefits. This is the only option that may allow you to sue FPI over the claims being resolved by this settlement.
OBJECT TO THE SETTLEMENT Deadline: October 7, 2025	Write the Court with reasons why you do not agree with the settlement.
GO TO THE FINAL APPROVAL HEARING	You may ask the Court for permission for you or your attorney to speak about your objection and the Final Approval Hearing.
DO NOTHING	You will not get any compensation from the settlement and you will give up certain legal rights.

- These rights and options – **and the deadlines to exercise them** – are explained in this notice. For complete details, view the Settlement Agreement at www.FPIDataIncident.com or call 1-833-360-6808.
- The Court in charge of this case still has to decide whether to grant final approval of the settlement. Payments will be made and settlement benefits distributed only after the Court grants final approval of the settlement and after any appeals are resolved in favor of the settlement.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATIONPage 4

1. Why was this Notice issued?
2. What is this lawsuit about?
3. What is a class action?
4. Why is there a settlement?

WHO IS IN THE SETTLEMENT?.....Page 4

5. How do I know if I am included in the settlement?
6. What if I am not sure whether I am included in the settlement?

THE SETTLEMENT BENEFITSPage 5

7. What does the settlement provide?
8. What payments are available?

HOW TO GET BENEFITS.....Page 6

9. How do I get benefits?
10. How will claims be decided?

REMAINING IN THE SETTLEMENTPage 6

11. Do I need to do anything to remain in the settlement?
12. What am I giving up as part of the settlement?

EXCLUDING YOURSELF FROM THE SETTLEMENT.....Page 6

13. If I exclude myself, can I get a payment from this settlement?
14. If I do not exclude myself, can I sue FPI for the same thing later?
15. How do I get out of the settlement?

THE LAWYERS REPRESENTING YOUPage 7

16. Do I have a lawyer in this case?
17. How will Settlement Class Counsel be paid?

OBJECTING TO THE SETTLEMENT.....Page 7

18. How do I tell the Court that I do not like the settlement?
19. What is the difference between objecting and asking to be excluded?

THE COURT'S FINAL APPROVAL HEARINGPage 8

20. When and where will the Court decide whether to approve the settlement?
21. Do I have to attend the Final Approval Hearing?
22. May I speak at the Final Approval Hearing?

IF YOU DO NOTHING.....Page 9

23. What happens if I do nothing?

GETTING MORE INFORMATIONPage 9

24. How do I get more information?

BASIC INFORMATION

1. Why was this Notice issued?

The Court authorized this notice because you have a right to know about the proposed settlement in this Class Action and about all of your options before the Court decides whether to give “Final Approval” to the settlement. This notice explains the legal rights and options that you may exercise before the Court decides whether to approve the settlement.

Judge Jill H. Talley of the Superior Court of Sacramento County, California is overseeing this case. The case is known as *Richard Archibeque v. FPI Management, Inc.*, No. 34-2021-00300923-CU-MT-GDS (the “Lawsuit”). The person who sued is called the Plaintiff. FPI is called the Defendant.

2. What is this lawsuit about?

Plaintiff claims FPI was responsible for the increased risk of identity theft stemming from the Data Security Incident and asserts claims including: (i) negligence; (ii) breach of written contract; (iii) breach of implied contract; (iv) invasion of privacy; (v) breach of confidence; (vi) violation of the California Unfair Competition Law; (vii) violation of California’s Consumer Privacy Act; and (viii) violation of the California Customer Records Act. The Lawsuit seeks, among other things, payment for persons who were injured by the Data Security Incident.

FPI has denied and continues to deny all of the claims made in the Lawsuit, as well as all charges of wrongdoing or liability against it.

3. What is a class action?

In a class action, one or more people called “Plaintiff(s)” or “Representative Plaintiff(s)” (in this case, Richard Archibeque) sue(s) on behalf of all people who have similar claims. Together, all these people are called a Class or Class members. One Court and one judge resolve the issues for all Class members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiff or FPI. Instead, the Plaintiff negotiated a settlement with FPI that allows both Plaintiff and FPI to void the risks and costs of lengthy and uncertain litigation and the uncertainty of trial and appeals. It also allows Settlement Class member to obtain benefits without further delay. The Representative Plaintiff and his attorneys believe the settlement best for all Settlement Class members. The settlement does not mean that FPI did anything wrong.

WHO IS IN THE SETTLEMENT?

5. How do I know if I am included in the Settlement?

You are part of this settlement as a Class member if you are an individual residing in the United States to whom FPI or its authorized representative sent notice concerning the 2021 Data Security Incident discovered on or about August 14, 2020.

Specifically excluded from the Settlement Class are: (i) FPI and FPI’s parents, subsidiaries, affiliates, officers, and directors, and any entity in which FPI has a controlling interest; (ii) all individuals who make a timely election to be excluded from this proceeding using the correct protocol for opting out; and (iii) all judges assigned to hear any aspect of this Litigation as well as their immediate family members.

6. What if I am not sure whether I am included in the settlement?

If you are not sure whether you are included in the settlement, or have any other questions related to the settlement, you may:

1. Call 1-833-360-6808
2. Email www.FPIDataIncident.com or
3. Write to:

Archibeque v. FPI Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

Please do not contact the Court with questions.

THE SETTLEMENT BENEFITS

7. What does the settlement provide?

There are three types of cash payments available: (1) **\$100** for individuals to whom FPI sent to a mailing address in California notice of the Data Security Incident; (2) ordinary expense reimbursements for documented expenses and compensation for lost time (up to a total of **\$400**); and (3) for Class Members who were the victim of documented actual identity theft, reimbursement for certain documented extraordinary expenses (up to a total of \$4,250). You may submit a claim for any of the above-listed remedies. To claim each type of remedy, you must provide information and documentation with the Claim Form.

In addition to the payments listed above, the settlement also provides all Settlement Class Members with access to identity protection and credit monitoring services for a period of two (2) years upon the filing of a timely and valid Claim Form.

FPI has also agreed that it has and will continue to undertake certain reasonable steps to enhance the security deployed to secure access to its data network. These steps are delineated in the Settlement Agreement available at www.FPIDataIncident.com.

8. What payments are available?

Individuals To Whom FPI or its authorized representative sent notice of the Data Security Incident discovered on or about August 14, 2020: All Class Members to whom Defendant sent to a mailing address in California notice of the Data Security Incident may claim a cash payment of \$100, in addition to other benefits provide herein.

Ordinary Expense and Time Reimbursements: Class Members are eligible to claim reimbursement of up to \$400 per person for their documented out-of-pocket expenses resulting from the Data Security Incident and compensation for time spent dealing with the Data Security Incident, including:

- Out of pocket expenses, including bank fees, long distance phone charges, cell phone charges (if charged by the minute), data charges (if charged based on data used), postage, or gasoline for local travel;
- Fees for credit reports, credit monitoring, or other identity theft insurance products purchased between August 14, 2020 and November 6, 2025; and
- Up to 3 hours of lost time, at \$20/hour for time spent dealing with the Data Security Incident.

Questions? Call 1-833-360-6808 or visit www.FPIDataIncident.com

Extraordinary Expense Reimbursements: Qualified Settlement Class members who suffered actual identity theft are eligible to claim reimbursement of up to \$4,250 per person for their documented and unreimbursed loss if the loss (1) is fairly traceable to the Data Security Incident; (2) occurred between August 14, 2020 and November 6, 2025; and (3) the loss is not already covered and the claimant made reasonable efforts to mitigate the loss.

HOW TO GET BENEFITS

9. How do I get benefits?

To receive a payment or identity protection and credit monitoring services from the settlement, you must complete a Claim Form. You may download a copy of the Claim Form at www.FPIDataIncident.com, or you may request one by mail by calling 1-833-360-6808. To complete the Claim Form, please read the instructions carefully, fill out the Claim Form, provide reasonable documentation (where applicable), and submit your Claim online or mail it postmarked no later than November 6, 2025, to:

Archibeque v. FPI Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

10. How will claims be decided?

The Claims Administrator will initially decide whether the information provided on a Claim Form is complete and valid. The Claims Administrator may request additional information from any claimant. If the claimant does not timely provide the required information, the Claim will be considered invalid and will not be paid. If the claim is rejected in whole or in part, for any other reason, then the Claims Administrator shall refer the claim to the Representative Plaintiff, FPI and their counsel for a determination.

REMAINING IN THE SETTLEMENT

11. Do I need to do anything to remain in the settlement?

You do not have to do anything to remain in the settlement, but if you want a payment, you must submit a Claim Form postmarked or submitted online by November 6, 2025.

12. What am I giving up as part of the settlement?

By not timely opting-out of the class, all of the Court's orders will apply to you, and you give FPI a "Release." A Release means you cannot sue or be part of any other lawsuit against FPI about the claims or issues in this lawsuit (relating to the Data Security Incident), and you will be bound by the settlement. The specific claims you are giving up against FPI and related persons or entities are called "Released Claims." The Released Claims are defined in the Settlement Agreement, which is available under the Important Documents page at www.FPIDataIncident.com. The Settlement Agreement describes the Released Claims with specific and accurate legal descriptions, so read it carefully.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this settlement, but you want to keep the right to sue FPI about issues in this case, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as "opting out" of – the Settlement Class.

Questions? Call 1-833-360-6808 or visit www.FPIDataIncident.com

13. If I exclude myself, can I get a payment from this settlement?

No. If you exclude yourself, you will not be entitled to any benefits of the settlement. You will also not be bound by any judgment in this case.

14. If I do not exclude myself, can I sue FPI for the same thing later?

No. Unless you exclude yourself, you give up any right to sue FPI for the Claims that this settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for a payment.

15. How do I get out of the settlement?

To exclude yourself from the settlement, send a letter that says you want to be excluded from the settlement in *Archibeque v. FPI Management, Inc.*, No. 34-2021-00300923-CU-MT-GDS (Sacramento County, California) (“Exclusion Request”). Include your name, address, and signature. You must mail your Exclusion Request postmarked by October 7, 2025 to:

Archibeque v. FPI Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes. The Court appointed M. Anderson Berry of Clayco C. Arnold, A Professional Corp. and John A. Yanchunis of Morgan & Morgan to represent you and other Settlement Class members. These lawyers are called Settlement Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

17. How will Settlement Class Counsel be paid?

If the settlement is approved and becomes final, Settlement Class Counsel will ask the Court to award combined attorneys’ fees and costs in the amount of \$297,000. Settlement Class Counsel will also request approval of a service award to the Representative Plaintiff in the amount of \$5,000. If approved, these amounts, as well as the costs of notice and settlement administration, will be paid separately by FPI and will not reduce the amount of total payments available to Settlement Class members.

OBJECTING TO THE SETTLEMENT

18. How do I tell the Court that I do not like the settlement?

If you are a Settlement Class member, you can object to the settlement if you do not like it or some part of it. You can give reasons why you think the Court should not approve the settlement. The Court will consider your views before making a decision. To object, you must file with the Court and mail or email copies to Class Counsel and FPI’s counsel a written notice stating that you object to the settlement. Your objection must include all of the following information: (i) your full name and address; (ii) the case name

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and docket number - *Archibeque v. FPI Management, Inc.*, No. 34-2021-00300923-CU-MT-GDS (Sacramento County, California); (iii) proof that you are a member of the Settlement Class (e.g., copy of your settlement notice, a copy of original notice of the Data Security Incident, or a statement explaining why you believe you are a Settlement Class member); (iv) a written statement of all grounds for the objection, accompanied by any legal support for the objection you believe applicable; (v) the identity of any and all counsel representing you in connection with the objection; (vi) a statement whether you and/or your counsel will appear at the Final Approval Hearing; and (vii) your signature or the signature of your duly authorized attorney or other duly authorized representative (if any) representing you in connection with the objection.

Your written notice of an objection, in the appropriate form, must be mailed, with a postmark date no later than October 7, 2025, to all of the following:

Class Counsel	Counsel for FPI
M. Anderson Berry Clayco C Arnold, A Professional Corp. 865 Howe Avenue Sacramento, CA 95825 John A. Yanchunis Morgan & Morgan 201 N. Franklin St., 6th Floor, Tampa, FL 33602	Jon P. Kardassakis Lewis Brisbois Bisgaard & Smith LLP 633 West 5th Street, Suite 4000 Los Angeles, CA 90071

The Court may elect to hear your oral objection, even if you do not follow the above procedure, at the Final Approval Hearing, however, the Parties reserve the right to challenge the objection of any Settlement Class Member who does not follow the above procedure.

19. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like the settlement and why you do not think the Court should approve it. You can object only if you do not exclude yourself from the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

20. When and where will the Court decide whether to approve the settlement?

The Court will hold a Final Approval Hearing on October 24, 2025, at 9:00 a.m. in department 23. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will take into consideration any properly filed written objections and may also listen to people who have asked to speak at the hearing (see Question 18). The Court will also decide whether to approve fees and costs to Settlement Class Counsel, and the service award to the Representative Plaintiff.

21. Do I have to attend the Final Approval Hearing?

No. Settlement Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your own expense, but you are not required to do so. If you send an

objection, you do not have to come to the Court to talk about it. As long as you filed your written objection on time with the Court and served it according to the instructions provided in Question 18, the Court will consider it.

22. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file and serve an objection according to the instructions in Question 18, including all the information required.

IF YOU DO NOTHING

23. What happens if I do nothing?

If you do nothing, you will get no monetary benefits from this settlement. Once the Court grants the settlement Final Approval and the judgment becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against FPI about the legal issues in this case, ever again.

You must exclude yourself from the settlement if you want to retain the right to sue FPI for the Claims resolved by this settlement.

GETTING MORE INFORMATION

24. How do I get more information?

This notice only provides a summary of the proposed settlement. You can find complete details about the settlement in the Settlement Agreement available at www.FPIDataIncident.com. You may also:

1. Write to:

Archibeque v. FPI Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

2. Visit the settlement website at www.FPIDataIncident.com

3. Call the toll-free number 1-833-360-6808

PLEASE DO NOT CALL THE COURT OR THE JUDGE WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.