District Court for Cass County, North Dakota

Spencer Andrews, et al. v. Brandt Equities, LP
Case No. 09-2026-CV-01466

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

IF YOU WERE SENT NOTICE THAT YOUR INFORMATION MAY HAVE BEEN INVOLVED IN A NOVEMBER 2025 DATA INCIDENT INVOLVING BRANDT EQUITIES, LP, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS AND ENTITLE YOU TO SETTLEMENT CLASS MEMBER 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 Brandt Equities, LP ("Brandt" or "Defendant") in a class action lawsuit. This case involves the November 2025 cybersecurity incident in which criminal third parties gained unauthorized access to Defendant's network ("Data Incident"). The Data Incident may have involved Settlement Class Members' Private Information. This information may have included names, addresses, driver's license numbers, and/or Social Security numbers.
- The lawsuit is called *Spencer Andrews, et al. v. Brandt Equities, LP*, Case No. 09-2026-CV-01466. It is pending in the District Court for Cass County, North Dakota (the "Action").
- Brandt denies that it did anything wrong, and denies all claims, allegations, and liability. The Court has not decided who is right.
- 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 Settlement Class Member and may be entitled to benefits under the Settlement. 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.BrandtEquitiesSettlement.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.	**December 17, 2026**
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no Settlement Class Member Benefits. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant or the Released Parties related to the Released Claims resolved by this Settlement. You can hire your own lawyer at your own expense.	**November 17, 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 and/or Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards. 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.	**November 17, 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 Settlement Class Member Benefits 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 the 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 District Court for Cass County, North Dakota, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all of 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 *Spencer Andrews, et al. v. Brandt Equities, LP*, Case No. 09-2026-CV-01466. It is pending in the District Court for Cass County, North Dakota. The people that filed this lawsuit are called the "Plaintiffs" (or "Class Representatives") and the company they sued, Brandt Equities, LP, is called the "Defendant."

2. What is this lawsuit about?

This lawsuit alleges that during November 2025, Defendant became aware of two cyberescurity incidents on or around November 8, 2025 and November 22, 2025, involving criminal third parties gaining unauthorized access to Defendant's network. The Data Incident may have involved Settlement Class Members' Private Information. This information may have included names, addresses, driver's license numbers, and/or Social Security numbers.

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 Settlement Class Members, except for those who opt out from the Settlement. In this Settlement, the Class Representatives are Spencer Andrews, Sheldon Schlecht, Patrick Tiede, Christopher Behrens, and Linda Wiese. Everyone included in this Action is a Class Member.

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 Settlement Class Members to receive benefits from the Settlement. The Plaintiffs and their attorney 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 living individuals residing in the United States who were sent notice by the Defendant that their Private Information may have been involved in the Data Incident."

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (a) all persons who are directors, officers, and agents of Defendant, and any entity in which Defendant has a controlling interest; (b) governmental entities; (c) the Judge assigned to the Action, that Judge's immediate family, and Court staff; (d) all Settlement Class Members who properly and timely opt-out of the Settlement; and (e) any 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 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@BrandtEquitiesSettlement.com
- Call toll free, 24/7: (888) 836-1705
- By mail: Brandt Data Incident Settlement
  c/o Settlement Administrator
  P.O. Box 25226
  Santa Ana, CA 92799-9958

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

The Settlement Benefits

7. What does the Settlement provide?

All Settlement Members may submit a claim to receive: 1) Credit Monitoring; and/or 2) Cash Payment for documented out-of-pocket losses and/or lost time.

Credit Monitoring. All Settlement Class Members are eligible to enroll in two years of CyEx Identity Defense Complete. This comprehensive service comes with $1 million in identity theft insurance, and includes:

- real time monitoring of your credit file
- dark web scanning
- comprehensive public records monitoring

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

Cash Payments

Cash Payment for Documented Losses. If you incurred actual, documented out-of-pocket losses fairly traceable to the Data Incident, you can get back up to **$3,500.00**. The losses must have occurred between November 8, 2025, and December 17, 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 must submit documentation to support your Claim, such as bank statements, receipts, potage, or copying expenses to show how much you spent or lost as a result of this Data Incident. 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.

You cannot claim a payment for an expense that has already been reimbursed by a third party.

Cash Payment for Lost Time. Settlement Class Members who spent time responding to the Data Incident may 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 Incident. Some examples include things like:

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

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

- Email: info@BrandtEquitiesSettlement.com
- Call toll free, 24/7: (888) 836-1705
- By mail: Brandt Data Incident Settlement
  c/o Settlement Administrator
  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 Class, you won't be able to be part of any other lawsuit against Defendant or the Released Parties for any of the Released Claims resolved by this Settlement. 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.BrandtEquitiesSettlement.com.

Submitting a Claim Form for a Settlement Payment

9. How do I submit a claim for a Settlement benefit?

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

Brandt Data 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, (888) 836-1705, by email info@BrandtEquitiesSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **December 17, 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 **December 17, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a Final Approval Hearing on **January 14, 2027**, (***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 Steven Sukert of Kopelowitz Ostrow P.A., John J. Nelson of Milberg PLLC, Todd M. Miller of Solberg Stewart Miller, Patrick A. Barthle, II of Morgan & Morgan, Jason M. Wucetich of Wucetich & Korovilas LLP, and Leanna A. Loginov of Shamis & Gentile, P.A., to represent you and other Settlement 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 $240,000.00 as reasonable attorney;s fees and reimbursement of litigation costs. If approved, these fees and costs will be paid by Defendant.

Class Counsel will also ask for Service Awards of $2,500.00 for each of the Class Representatives, not to exceed $12,500.00. Any approved Service Awards will also be paid by Defendant.

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 also called "opting out." If you opt out, you will not receive any Settlement Class Member Benefits. However, you will keep any rights you may have to sue Defendant or 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 **November 17, 2026.**

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

(1) the name and number of the Action: *Spencer Andrews, et al. v. Brandt Equities, LP*, Case No. 09-2026-CV-01466, pending in the District Court for Cass County, North Dakota;

(2) your full name, mailing address, telephone number, and email address (if any);

(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:

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

Your Request for Exclusion must be submitted, postmarked, or emailed by **November 17, 2026.**

You cannot opt out by telephone or by email.

Commenting on or 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 and/or Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards, 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 objector's full name, mailing address, telephone number, and email address (if any);
(2) the name and number of the Action: *Spencer Andrews, et al. v. Brandt Equities, LP*, Case No. 09-2026-CV-01466, pending in the District Court for Cass County, North Dakota;
(3) documentation sufficient to establish membership in the Settlement Class, such as a copy of the Email Notice or Postcard Notice the objector received;
(4) all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
(5) the number of times the objector has objected to a class action settlement within the 5 years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
(6) the identity of all counsel who represent the objector, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;

(7) the number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;
(8) whether the objector and/or objector's counsel will appear at the Final Approval Hearing;
(9) a list of all persons who will be called to testify, including objector, at the Final Approval Hearing in support of the objection (if any);
(10) a statement confirming whether the objector and/or objector's counsel utilized any form of artificial intelligence in preparing the objection; and
(11) the objector's signature (an attorney's signature is not sufficient).

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

Class Counsel or Defendant's Counsel may take limited discovery of the objector related to the objection, including the taking of the objector's deposition or requiring the objector to produce documents.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **November 17, 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 211 9th Street South Fargo, ND 58103	Brandt Data Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958

Class Counsel	Counsel for Defendants
Steven Sukert **KOPELOWITZ OSTROW P.A.** 1 West Las Olas Boulevard, Suite 500 Fort Lauderdale, FL 33301	Sean Solis **BAKER & HOSTETLER LLP** 1801 California Street, Suite 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 Court's Final Approval Hearing

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

The Court will hold a final approval hearing on **January 14, 2027 at 1:30 p.m. Central Time**, at the District Court for Cass County, North Dakota, via teleconference. Zoom Meeting ID: 891 5913 9548, Passcode: 569311. Telephonic on Zoom: 1 (666) 900-9128 using the same meeting ID and Passcode.

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 Application for Attorneys' Fees, Costs and Service Awards . 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 the Final Approval Hearing may change without further notice. Please check www.BrandtEquitiesSettlement.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 any benefits from this Settlement.

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.BrandtEquitiesSettlement.com.

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

- Email: info@BrandtEquitiesSettlement.com
- Call toll free, 24/7: (888) 836-1705
- By mail:

Brandt Data 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, 211 9th Street South, Fargo, ND 58103.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT