

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Flores v. The Computer Merchant, Ltd.

Case No. 3:25-cv-00038

United States District Court for the Southern District of California

IF YOUR PRIVATE INFORMATION WAS POTENTIALLY COMPROMISED IN THE COMPUTER MERCHANT, LTD.'S JULY 2024 DATA INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.

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 The Computer Merchant, Ltd. (“TCM” or “Defendant”) in a class action lawsuit. This case is about the targeted cyberattack on TCM's computer network that occurred in July 2024 (the “Data Incident”), during which certain files containing private information were accessed. These files may have contained personal information related to Defendant’s job applicants, former employees, and current employees.
- The lawsuit is called *Flores v. Computer Merchant, Ltd.*, Case No. 3:25-cv-00038. It is pending in the United States District Court for the Southern District of California (the “Litigation”).
- TCM denies that it did anything wrong, and the Court has not decided who is right.
- The Parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs, risks, disruptions, and uncertainties of continued Litigation.
- TCM's records indicate that you are a Settlement Class Member, and entitled to benefits under the Settlement. You may have received a previous notice directly from TCM.
- Your rights will be 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	<p>The only way to receive benefits or payments from this Settlement (other than CyEx Financial Shield) is by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at www.ComputerMerchantClassSettlement.com. If you prefer, you may 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.</p>	June 24, 2026
OPT OUT OF THE SETTLEMENT	You may choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement. You may hire your own lawyer at your own expense.	June 9, 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 benefits.	June 29, 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 (other than CyEx Financial Shield) and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal 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.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	3
WHO IS IN THE SETTLEMENT	4
THE SETTLEMENT BENEFITS.....	4
SUBMITTING A CLAIM FORM FOR SETTLEMENT BENEFITS	6
THE LAWYERS REPRESENTING YOU	7
EXCLUDING YOURSELF FROM THE SETTLEMENT	7
COMMENTING ON OR OBJECTING TO THE SETTLEMENT.....	8
THE COURT’S FINAL APPROVAL HEARING	9
IF I DO NOTHING	9
GETTING MORE INFORMATION	10

Basic Information

1. Why was this Notice issued?

The United States District Court for the Southern District of California, authorized this Notice. You have the 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 *Flores v. The Computer Merchant, Ltd.*, Case No. 3:25-cv-00038. It is pending in the United States District Court for the Southern District of California. The people who filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the company they sued, The Computer Merchant, Ltd., is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that in a July 2024 targeted cyberattack on TCM's computer network, certain files that contained private information were purportedly accessed. These files may have contained personal information related to Defendant’s job applicants, former employees, and current employees.

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 those who opt out from the settlement. In this Settlement, the Class Representatives are Erika Flores and Sarah Garner.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Instead, 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 attorneys think the Settlement is best for all Settlement Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The Court has defined the Settlement Class this way: “All persons in the United States whose Private Information was potentially compromised as a result of the Data Incident and who were sent notice of the Data Incident.”

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) TCM's governing board members; (2) governmental entities; (3) the Judge in this case, and the Judge's family and staff; and (4) anyone who validly excludes themselves from the Settlement.

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

- Email: info@ComputerMerchantClassSettlement.com
- Call toll free, 24/7: (866) 602-5907
- By mail: TCM Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799
- You may also view the Settlement Agreement at www.ComputerMerchantClassSettlement.com.

The Settlement Benefits

7. What does the Settlement provide?

TCM will establish a Settlement Fund of \$610,000.00. The Settlement Fund will first be used to pay court-approved attorneys' fees and costs, Service Award payments to the Plaintiffs, and the costs of administering the Settlement. The net remaining money will be used to pay for the cash benefits described below.

All Settlement Class Members will receive one year of **CyEx Financial Shield**, a financial data monitoring service, and one or more **cash payments**. These benefits are explained in more detail below.

CyEx Financial Shield. All Settlement Class Members will receive an enrollment code for one year of CyEx Financial Shield Complete. This comprehensive service comes with \$1 million of financial fraud insurance, and includes monitoring for:

- financial fraud or identity theft
- unauthorized financial transactions
- high-risk financial transactions

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

CASH PAYMENT OPTIONS

Compensation for Extraordinary Losses (losses related to actual identity theft or fraud). If you lost money because of identity theft or fraud, you can get back up to **\$3,000.00**.

You will need to show:

- an actual, documented and unreimbursed monetary loss;
- the theft or fraud was more likely than not caused by the Data Incident;
- the losses are not already covered by **Out-of-Pocket Expenses** (see below); and
- you made reasonable efforts to prevent the loss or get your money back, such as by using insurance you already have.

The losses must have occurred between July 1, 2024, and June 24, 2026.

You need to send proof, like 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 Incident.

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

Out-of-Pocket Losses. If you incurred actual, documented out-of-pocket expenses due to the Data Incident, you can get back up to **\$500.00**. The losses must have occurred between July 1, 2024, and June 24, 2026.

This benefit covers out-of-pocket expenses like:

- fees for credit reports, credit monitoring, or freezing and unfreezing your credit;
- cost to replace your IDs; or
- postage to contact banks by mail.

You need to send proof, like 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 Incident.

You cannot claim a payment for expenses that have already been reimbursed by a third party. You cannot claim this reimbursement if you want to claim the **Alternative Cash Payment** (see below).

Alternative Cash Payment. *Instead of* reimbursement for Out-of-Pocket Losses, you may claim a one-time cash payment. This payment is expected to be **\$40.00**, but may be larger or smaller depending on the total claims filed. You do not have to provide any proof or explanation to claim this payment.

You cannot claim this payment if you want to claim reimbursement for **Out-of-Pocket Losses** (see above).

Compensation for Lost Time. Settlement Class Members who spent time responding to the Data Incident may claim up to five hours, at \$20.00 per hour, for a maximum of **\$100.00**.

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

You must briefly describe how you spent this time.

CCPA Cash Payment. Settlement Class Members who are residents of California are eligible to receive an additional one-time cash payment. The cash payment is estimated to be **\$75.00**, but may be larger or smaller depending on the total claims filed.

You must have been a resident of California for the relevant times related to this Settlement and 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@ComputerMerchantClassSettlement.com
- Call toll free, 24/7: (866) 602-5907
- By mail: TCM Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

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 TCM about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section XIII) describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement is available at www.ComputerMerchantClassSettlement.com.

Submitting a Claim Form for Settlement Benefits

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

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

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

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, (866) 602-5907, by email info@ComputerMerchantClassSettlement.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 June 24, 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 June 24, 2026.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **July 9, 2026, at 10:00 AM Pacific Time (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 Joshua Swigart of Swigart Law Group and Ben Travis of Ben Travis Law, APC, 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 25% as reasonable attorneys' fees plus the costs of litigation. These amounts will be paid from the Settlement Fund.

Class Counsel will also ask for Service Award payments of \$2,500.00 for each of the Class Representatives. Service Award payments will also be paid from the Settlement Fund.

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 benefits or payment. However, you will keep any rights you may have to sue TCM on your own about the legal issues in this case.

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 benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is June 9, 2026.

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

- (1) the name of the Litigation: *Flores v. The Computer Merchant, Ltd.*, Case No. 3:25-cv-00038, pending in the United States District Court for the Southern District of California;
- (2) your full name, mailing address, telephone number, and email address (if any);
- (3) personal signature; and
- (4) the words “Request for Exclusion,” “Request to Opt Out,” 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:

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

Your Request for Exclusion must be postmarked by June 9, 2026.

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, 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 or opted out from the Settlement (**see Question 15**)

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

- (1) the name of the Litigation: *Flores v. The Computer Merchant, Ltd.*, Case No. 3:25-cv-00038, pending in the United States District Court for the Southern District of California;
- (2) your full name, mailing address, telephone number, and email address (if any);
- (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 or your lawyer have objected in any other cases in the past five years, list the names, courts, and civil action numbers for each of those cases;
- (5) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, and contact information;
- (6) if you or your attorney have any agreement with a third party regarding your objection, please describe it;
- (7) whether or not you or your lawyer would like to speak at the Final Approval Hearing;
- (8) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both;
- (9) 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.

To be considered by the Court, you must send the objection to the Settlement Administrator at:

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

You may also submit your Objection on the Settlement Website.

Your Objection must be postmarked or submitted online by June 29, 2026.

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 or opt out 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 on **July 9, 2026, at 10:00 AM Pacific Time**, Courtroom 4A, of the Edward J. Schwartz United States Courthouse, 221 W. Broadway, San Diego, CA 92101. At the final approval hearing, the Court will decide whether to approve the Settlement. The Court will also decide how much Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

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

The date and time of this hearing may change without further notice. Please check www.ComputerMerchantClassSettlement.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 explain 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 benefit from this Settlement (other than CyEx Financial Shield).

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.ComputerMerchantClassSettlement.com.

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

- Email: info@ComputerMerchantClassSettlement.com
- Call toll free, 24/7: (866) 602-5907
- By mail: TCM Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, 221 W. Broadway, San Diego, CA 92101.

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