

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT
United States District Court for the District of Nevada

In re: Eureka Casino Breach Litigation,
2:23-cv-00276-CDS-NJK

This is not a solicitation from a lawyer, junk mail, or an advertisement. A Court authorized this Long Notice (“Notice”).

If Rancho Mesquite Casino, Inc. dba Eureka Casino Hotel (“Eureka”) Notified You That Your Personal Information Was Impacted in a Data Security Incident Eureka Experienced Between November 9, 2022 and November 13, 2022, You May be Eligible for Benefits from a Class Action Settlement.

- A proposed settlement has been reached in a class action lawsuit known as *In re: Eureka Casino Breach Litigation*, Case No. 2:23-cv-00276-CDS-NJK, filed in the United States District Court for the District of Nevada.
- This Litigation alleges that between November 9-13, 2022, Rancho Mesquite Casino, Inc. which does business under the name Eureka Casino Hotel, (“Eureka”) experienced a security incident (“Data Security Incident”) and that, as a result, certain personally identifiable information, including full names, Social Security numbers, financial account numbers, passport numbers, and driver’s license or state-issued identification numbers (“Private Information”) was copied from Eureka’s computer network. Eureka disagrees with Plaintiffs’ claims and denies any wrongdoing.
- All Settlement Class Members who submit a Valid Claim can receive the following benefits from the settlement:
 - ❖ **Out-of-Pocket Expense Reimbursement:** All Settlement Class Members who have suffered a proven monetary loss and who submit a Valid Claim for this benefit using the Claim Form are eligible for reimbursement up to a total of \$5,000.00 incurred as a result of the Data Security Incident, subject to a potential *pro rata* decrease depending on how many Settlement Class Members make Valid Claims for out-of-pocket expense reimbursement and the amount of those claims;
 - ❖ **California Statutory Cash Payment:** All Settlement Class Members who are residents of California or who resided in California at any point between November 9, 2022 and the claim filing deadline will be entitled to an additional cash payment in the amount of \$100, which may be adjusted on a *pro rata* basis should the total amount of claims exceed the Settlement Fund.
 - ❖ **Pro Rata Cash Payment:** Any Settlement Remainder will be distributed as a residual *pro rata* cash payment to Settlement Class Members who submit a Valid Claim for this benefit using the Claim Form.
- You are a Settlement Class Member if you are a United States Resident whose Private Information was compromised in the Data Security Incident.

Questions? Go to **www.ECHDataSettlement.com** or call **1-888-688-4260**.

Your legal rights are affected regardless of whether you do or do not act.
Read this Notice carefully.

YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT	
Submit a Claim May 11, 2026	The only way to get a reimbursement and/or compensation. Claim Forms must be submitted online by May 11, 2026 or, if mailed, postmarked no later than May 11, 2026.
Do Nothing	If you do nothing, you remain in the settlement. You give up your rights to sue, and you will not get any money.
Exclude Yourself April 9, 2026	Get out of the settlement. Get no money. Keep your rights. This is the only option that allows you to keep your right to sue about the claims in this lawsuit. You will not get any money from the settlement. Your request to exclude yourself must be postmarked no later than April 9, 2026.
File an Objection April 9, 2026	Stay in the Settlement but tell the Court why you think the Settlement should not be approved. Objections must be postmarked no later than April 9, 2026.
Go to the Hearing June 10, 2026 at 10:00 a.m. PT	You can ask to speak in Court about the fairness of the settlement, at your own expense. <i>See Question 18 for more details.</i> The Final Fairness Hearing is scheduled for June 10, 2026 at 10:00 a.m. PT.

Questions? Go to **www.ECHDataSettlement.com** or call **1-888-688-4260**.

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Questions? Go to **www.ECHDataSettlement.com** or call **1-888-688-4260**.

BASIC INFORMATION

1. How do I know if I am affected by the Litigation and settlement?

You are a Settlement Class Member if you are an individual residing in the United States whose Private Information was compromised in the Data Security Incident, including all those who were sent Notice of the Data Security Incident.

The Settlement Class specifically excludes: all persons who are directors or officers of Defendant, the Judge assigned to the Action, and that Judge's immediate family and Court staff, any Person who is found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding, or abetting the Data Security Incident or who pleads *nolo contendere* to any such charge.

This Notice explains the nature of the lawsuit and claims being settled, your legal rights, and the benefits to the Settlement Class.

2. What is this Litigation about?

This case is known as *In re: Eureka Casino Breach Litigation*, 2:23-cv-00276-CDS-NJK, filed in the United States District Court for the District of Nevada. The individuals who sued are called the "Plaintiffs" and the company they sued, Rancho Mesquite Casino, Inc., d/b/a Eureka Casino Hotel, is known as the "Defendant" in this case. Eureka will be called "Defendant" in this Notice. Plaintiffs filed a lawsuit against Defendant, individually, and on behalf of anyone whose Private Information was compromised as a result of the Data Security Incident.

This Litigation alleges that between November 9-13, 2022, Eureka experienced a security incident ("Data Security Incident") and that, as a result, certain personally identifiable information, including full names, Social Security numbers, financial account numbers, passport numbers, and driver's license or state-issued identification numbers ("Private Information") was copied from Eureka's computer network. Eureka disagrees with Plaintiffs' claims and denies any wrongdoing.

3. Why is there a settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Representative Plaintiffs, Defendant, and their attorneys believe the proposed settlement is fair, reasonable, and adequate and, thus, best for the Settlement Class Members. The Court did not decide in favor of the Plaintiffs or Defendant. Full details about the proposed settlement are found in the Settlement Agreement available at www.ECHDataSettlement.com.

4. Why is this a class action?

In a class action, one or more people called "Representative Plaintiff(s)" sue on behalf of all people who have similar claims. All these people together are the "Settlement Class" or "Settlement Class Members."

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

You are included in the settlement if your Private Information was compromised in the Data Security Incident Eureka experienced between November 9, 2022 and November 13, 2022. If you are not sure whether

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you are included as a Settlement Class Member, or have any other questions about the settlement, visit www.ECHDataSettlement.com, call toll-free 1-888-688-4260, or write to Eureka Data Security Incident Litigation Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?

The proposed settlement will provide the following benefits to Settlement Class Members:

Documented Out-of-Pocket Expense Reimbursement: All members of the Settlement Class who have suffered a proven monetary loss and who submit a Valid Claim using the Claim Form are eligible for reimbursement up to \$5,000.00 if:

- (1) the loss is an actual, documented, and unreimbursed monetary loss;
- (2) the loss was more likely than not caused by the Data Security Incident;
- (3) the loss occurred between November 9, 2022, and the Claims Deadline; and
- (4) the Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion of all available credit monitoring insurance and identity theft insurance.

To receive reimbursement for any of the above-referenced out-of-pocket expenses, Settlement Class Members must submit a timely and Valid Claim, including necessary supporting documentation, to the Settlement Administrator. Failure to provide supporting documentation of the out-of-pocket expenses referenced above, as requested on the Claim Form, shall result in the denial of a claim. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to support a Claim for an out-of-pocket loss, but can be considered to add clarity or support to other submitted documentation. Valid Claims for out-of-pocket expense reimbursement are subject to a potential *pro rata* decrease depending on how many Settlement Class Members make Valid Claims for out-of-pocket expense reimbursement and the amounts of those claims.

California Statutory Cash Payment: All Settlement Class Members who are residents of California (and/or who resided in California at any point between November 9, 2022 and the claim filing deadline) will be entitled to an additional cash payment in the amount of \$100, which may be adjusted on a *pro rata* basis should the total amount of claims exceed the Settlement Fund. To qualify for the California Statutory Cash Payment, Class Members will have to provide proof of California residency. A sworn attestation shall satisfy the proof requirement for California residency.

Pro Rata Cash Payment: The remainder amount of the Settlement Fund allocated for Settlement Class Member benefits (i.e. the funds that remain after paying (1) all Valid Claims for out-of-pocket expense reimbursement; (2) all Valid Claims for California Statutory Cash Payments; (3) all Costs of Claims Administration; (4) any incentive payments approved by the Court to the Representative Plaintiffs; and (5) attorneys’ fees and costs as approved by the Court) will be distributed to Settlement Class Members on a *pro rata* basis.

7. How to submit a claim?

Questions? Go to www.ECHDataSettlement.com or call 1-888-688-4260.

All claims will be reviewed by the Settlement Administrator. You must file a Claim Form to get any reimbursement or other cash payment from the proposed settlement. You may submit your Claim Form online at www.ECHDataSettlement.com or by mail to Eureka Data Security Incident Litigation Settlement Administrator, Attn: Claim Forms, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Read the Claim Form instructions carefully, fill out the Claim Form, **provide the required documentation, and submit online by May 11, 2026 or by mail postmarked by May 11, 2026.**

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

If you stay in the Settlement Class, you will be eligible to receive benefits, but you (and your heirs, executors, administrators, representatives, agents, partners, successors, attorneys, and assigns) will not be able to sue Eureka and its Related Entities or Released Persons. Related Entities means Eureka's respective past or present parents, subsidiaries, divisions, and related or affiliated entities, and each of their respective predecessors and successors. Released Persons means Eureka and its Related Entities and each of its and their respective directors, officers, employees, principals, agents, attorneys, insurers, and reinsurers, and includes, without limitation, Rancho Mesquite Casino, Inc. dba Eureka Casino Hotel, and any Person related to any such entity who is, was, or could have been named as a defendant in any of the actions in the Litigation, other than any Person who is found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding, or abetting the Data Security Incident or who pleads *nolo contendere* to any such charge. The Settlement Agreement, which includes all provisions about Released Claims, releases, and Released Persons, is available at www.ECHDataSettlement.com.

The only way to keep the right to sue is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, if the Settlement is approved, and you give up the right to sue for the claims in this case.

9. Will the Representative Plaintiff receive compensation?

Yes. The Representative Plaintiffs will seek a service award of up to \$2,500.00 per person, to compensate them for their services and efforts in bringing the lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Representative Plaintiffs.

EXCLUDE YOURSELF

10. How do I exclude myself from the settlement?

If you do not want to be included in the settlement, you must send a timely written request for exclusion. Your request for exclusion must be individually signed by you. Your request must clearly manifest your intent to be excluded from the settlement.

Your written request for exclusion must be postmarked no later than **April 9, 2026** to:

Eureka Data Security Incident Litigation
Settlement Administrator
Attn: Exclusions
P.O. Box 58220
Philadelphia, PA 19102

Questions? Go to www.ECHDataSettlement.com or call **1-888-688-4260**.

Instructions on how to submit a request for exclusion are available at www.ECHDataSettlement.com or from the Settlement Administrator by calling 1-888-688-4260.

If you exclude yourself, you will not be able to receive any settlement benefits from the settlement, and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit and you will keep your right to sue the Defendant on your own for the claims that this settlement resolves.

11. If I do not exclude myself, can I sue later?

No. If you do not exclude yourself from the settlement, and the settlement is approved by the Court, you forever give up the right to sue the Released Persons (listed in Question 8) for the claims this settlement resolves.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

Yes. The Court has appointed M. Anderson Berry of Emery Reddy, PC and Gary M. Klinger of Milberg, PLLC (collectively called “Proposed Settlement Class Counsel”) to represent the interests of all Settlement Class Members in this case. 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.

13. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of attorneys’ fees up to one-third (approximately 33.3%) of the \$1,000,000.00 Settlement Fund, or \$333,333.34, as well as up to \$35,000.00 in unreimbursed costs and litigation expenses. A copy of the Proposed Settlement Class Counsel’s application for attorneys’ fees, costs, and expenses will be filed with the Court no later than May 27, 2026 and posted on the Settlement Website, www.ECHDataSettlement.com, before the Final Fairness Hearing. The Court will make the final decisions as to the amounts to be paid to Proposed Settlement Class Counsel and may award less than the amount requested by Proposed Settlement Class Counsel.

OBJECTING TO THE SETTLEMENT

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

If you want to tell the Court that you do not agree with the proposed settlement or some part of it, you can submit an objection telling it why you do not think the settlement should be approved. All written objections and supporting papers must be submitted **ONLY TO THE COURT, postmarked by no later than April 9, 2026** and include the following:

- a. the objector’s full name and address;
- b. clearly identify the case name and number (*In re: Eureka Casino Breach Litigation*, Case No. 2:23-cv-00276-CDS-NJK);
- c. information identifying the objector as a Settlement Class Member, including proof that the objector is a Settlement Class Member (e.g., copy of the objector’s settlement notice, copy of original notice of the Data Security Incident, or a statement explaining why the objector believes he or she is a Settlement Class Member);

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- d. a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable;
- e. the identity of any and all counsel representing the objector in connection with the objection
- f. a statement whether the objector and/or his or her counsel will appear at the Final Fairness Hearing; and
- g. the objector's signature.

Each objection must be submitted to the Court either by filing them electronically or in person at any location of the United States District Court for the District of Nevada or by mailing them to the address below, and be filed or postmarked on or before the deadline established by the Court.

Clerk of the Court
United States District Court District of Nevada Lloyd D. George Federal Courthouse 333 Las Vegas Boulevard South Las Vegas, NV 89101

All objections will be scanned into the electronic case docket, and the parties will receive electronic notices of all filings. If you do not submit your objection with all requirements, or if your objection is not filed or postmarked by April 9, 2026, you will be considered to have waived all objections and will not be entitled to speak at the Final Fairness Hearing.

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

Objecting is simply telling the Court that you don't like something about the settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you don't want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE FINAL FAIRNESS HEARING

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

The Court will hold the Final Fairness Hearing on June 10, 2026 at 10:00 a.m. PT in Courtroom 6B of the Lloyd D. George Federal Courthouse, 333 Las Vegas Boulevard South, Las Vegas, NV 89101. The date may change without further notice to the Settlement Class, so please check the website at www.ECHDataSettlement.com, the Court's PACER site at <https://ecf.nvd.uscourts.gov/>, or by visiting the office of the Clerk of the Court for the United States District Court for the District of Nevada, 333 Las Vegas Boulevard South, Las Vegas, NV 89101, between 9:00 a.m. and 4:00 p.m. PT, Monday through Friday, excluding Court holidays, to confirm that the date has not been changed.

At the hearing, the Court will consider whether the proposed settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be approved. If there are valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider the award of Attorneys' Fees, Costs, and Expenses to Class Counsel and the request for a service award to the Representative Plaintiffs.

Questions? Go to **www.ECHDataSettlement.com** or call **1-888-688-4260**.

17. Do I have to come to the hearing?

No. You are not required to come to the Final Fairness Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an objection, you do not have to come to the hearing to talk about it. If your objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Final Fairness Hearing, but that is not necessary.

18. May I speak at the hearing?

Yes. You can speak at the Final Fairness Hearing, but you must ask the Court for permission. To request permission to speak, you must file an objection according to the instructions in Question 14, including all the information required. You cannot speak at the hearing if you exclude yourself from the settlement.

DO NOTHING

19. What happens if I do nothing?

If you do nothing, you will not receive any money from the Settlement. You will also give up your right to sue for the claims in this case and will release the claims against Defendant as described in Question 8.

GET MORE INFORMATION

20. How do I get more information about the Settlement?

This Notice is only a summary of the proposed settlement. If you want additional information about this lawsuit, including a copy of the Settlement Agreement, the Complaint, the Court's Preliminary Approval Order, Proposed Settlement Class Counsel's application for attorneys' fees and expenses, and more, please visit www.ECHDataSettlement.com or call 1-888-688-4260. You may also contact the Settlement Administrator at Eureka Data Security Incident Litigation Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, or Class Counsel at anderson@emeryreddy.com or 1-916-823-6955.

21. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so by visiting the Contact Us section of www.ECHDataSettlement.com or at the address below:

Eureka Data Security Incident Litigation
Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103

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

Questions? Go to www.ECHDataSettlement.com or call 1-888-688-4260.