

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT
CASE TYPE: CIVIL

Case No.: 27-CV-23-14056

In re: Regents of the University of Minnesota
Data Litigation

If Your Personal Information was maintained by or accessible at the University of Minnesota in August 2021 or You Received Notice From the University of Minnesota That Your Personal Information Was Potentially Compromised

You Could Get Money From a Data Incident Litigation Settlement.

A Minnesota State Court has authorized this Notice. This is not a solicitation from a lawyer.

Please Read This Notice Carefully

- A settlement has been proposed in the consolidated class action lawsuit against Regents of the University of Minnesota (the “University”) relating to claims brought by Plaintiffs or Class Representatives and on behalf of themselves and the Settlement Class as a result of alleged unauthorized access to, or exfiltration of, Personal Information from the University of Minnesota’s Legacy Data Warehouse that occurred in or about August 2021 and that was the subject of the University of Minnesota’s Notice of Data Incident posted on the University’s websites in September 2023, or the “Data Incident.”
- The \$5 million Settlement Fund will provide payments to individuals whose Personal Information was maintained in or accessible via the University’s Legacy Data Warehouse as of August 10, 2021 and who submit valid claim form through the process set forth below.
- Your legal rights are affected whether you act or do not act.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
FILE A CLAIM	The only way to receive any of the Settlement benefits.
ASK TO BE EXCLUDED BY OPTING OUT	Get no benefits. This is the only option that may allow you to sue the University or other Released Parties over the claims being resolved by this Settlement.
OBJECT	Write to the Court about why you do not think the Settlement is fair, reasonable and adequate. You can also ask to speak to the Court at the hearing on January 28, 2026, at 9:00 a.m. CT about the fairness of the Settlement, with or without your own attorney.
IF YOU DO NOTHING	Get no benefits. Give up your rights to sue the University over the legal claims in this case.

- **These rights and options – and the deadlines to exercise them – are explained in this Notice.**

- The Court still has to decide whether to approve the Settlement. Payments will be made only after the Court grants final approval of the Settlement and any appeals are resolved. This could potentially take months or a year or more. Please be patient.

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This Notice is only a summary of the Settlement Agreement and of your rights. You are encouraged to review the complete Settlement Agreement carefully. It is available at

PLEASE DO NOT CONTACT THE COURT WITH QUESTIONS ABOUT THE SETTLEMENT

BASIC INFORMATION

1. Why is this Notice being provided?

A Court authorized this Notice because you have a right to know about a proposed settlement against the Regents of the University of Minnesota (the "University") and all of your options before the Court decides whether to give final approval to the Settlement. This notice explains the nature of the lawsuits, the general terms of the Settlement, and your legal rights and obligations.

In September 2023, various lawsuits were filed related to a Data Incident that sought certification of a class action on various claims and were brought on behalf of individuals whose Personal Information, as defined below, was maintained in or accessible via the University of Minnesota's Legacy Data Warehouse in August 2021.

The Court consolidated these actions before Honorable Judge Christian Sande in the Fourth Judicial District Court, State of Minnesota, who has since been overseeing this litigation. The litigation is known as *In re: Regents of the University of Minnesota Data Litigation*. The people who sued are called the "Plaintiffs." The University is the "Defendant." If the Court approves the Settlement, and after objections and appeals are resolved, a Settlement Administrator, approved by the Court, will make the payments that the Settlement allows, and the pending legal claims against the University will be released and dismissed.

2. What is this lawsuit about?

On July 21, 2023, the University of Minnesota learned that a person was claiming to have posted on the Internet in July 2023 limited Personal Information held in a University database. The University later confirmed that an unauthorized third party likely gained electronic access to files in a University database containing Personal Information and may have published limited Personal Information on the dark web. The Data Incident involved the unauthorized access to or exfiltration of Personal Information from the University of Minnesota's Legacy Data Warehouse that occurred in or about August 2021 and that was the subject of the University of Minnesota's Notice of Data Incident posted on the University's websites in September 2023 and otherwise noticed. The September 2023 notice stated that based on the University's investigation, the incident potentially affected individuals who submitted information to the University as a prospective student, attended the University as a student, worked at the University as an employee, or participated in University programs between 1989 and August 2021. Plaintiffs in the litigation alleged, among other things, that the University did not adequately protect the Personal Information of the Settlement Class Members.

For purposes of this Settlement, "Personal Information" means information collected by the University that identifies or can be used to identify an individual alone, or when combined with other information, including without limitation name, identification number, Social Security number, dates of birth, driver's license, physical or email address, telephone number, and passport, demographic, application, admission, academic, and employment information.

The University denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing.

3. Why is this a class action?

In a class action, one or more people called “class representatives” sue on behalf of themselves and other people with similar claims. All of these people together are the “class” or “class members.” One court resolves the issues for all class members, except for those who exclude themselves from the settlement class.

You can exclude yourselves from the Settlement through the process described in **Question 12**.

The Court must determine if it will allow the lawsuit to proceed as a class action. If it does, the Settlement will affect all Class Members. To find out if you are a member of the class in this Settlement, see **Question 5**.

4. Why is there a Settlement?

The Court has not decided in favor of Plaintiffs or the University. Instead, both sides agreed to a settlement. Settlements avoid the costs and uncertainty of a trial and related appeals, while providing benefits to members of the Settlement Class.

Settlement Class Representatives and the attorneys for the Settlement Class (“Settlement Class Counsel,” see **Question 15**) think the Settlement is best for all Settlement Class Members.

WHO IS PART OF THE SETTLEMENT

To determine if you will be affected by the Settlement, you first have to determine if you are a Class Member.

5. How do I know if I am part of the Settlement?

You are a member of the Settlement Class and affected by the Settlement if your Personal Information as defined above was maintained in or accessible via the University of Minnesota’s Legacy Data Warehouse as of August 10, 2021. This may include individuals who submitted information to the University as a prospective student, attended the University as a student, worked at the University as an employee, or participated in University programs between 1989 and August 10, 2021.

If you directly received a notice from the University about the Data Incident, you are a Settlement Class Member.

Excluded from the Settlement are:

- The Court and any judicial staff involved in the lawsuit or their immediate families;
- The Regents of the University of Minnesota and their counsel or legal representatives;
- Anyone who timely requests to be excluded from the Settlement (See **Question 12**);
- Anyone whose claims have already been adjudicated on the merits or otherwise released.

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

If you are not sure whether you are in the Settlement Class, or have any other questions about the Settlement, visit the Settlement website at **www.UofMDataSettlement.com** or call the toll-free number, **(833) 890-4933**.

You may also write with questions to the below address or send an e-mail to info@UofMDataSettlement.com.

University of Minnesota Data Incident Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

THE SETTLEMENT BENEFITS

If the Court approves the Settlement and it becomes final, the Settlement will provide the benefits described below to Class Members.

7. What are the benefits of the Settlement?

The University will pay \$5 million into a Settlement Fund to make payments to eligible Settlement Class Members and service payments to the Settlement Class Representatives (see **Question 16**), as well as attorneys' fees, costs, and expenses (see **Question 16**), and the costs of notifying the Class and administering the Settlement. In addition to the Settlement Class Cash Payments, the Settlement Funds will be used to pay for dark web monitoring for 24 months for Class Members who submit a valid claim and select dark web monitoring.

In addition, the University has agreed to make security enhancements to the Legacy Data Warehouse following the Data Incident and has budgeted and committed to additional data warehouse modernization efforts. The costs of any such security measures on the part of the University shall be fully borne by the University, and under no circumstances will such costs be deducted from the Settlement Fund.

More information is available in the Settlement Agreement which is available at www.UofMDataSettlement.com.

8. What can I get from the Settlement?

Class Members who submit a Valid Claim form will be entitled to a Cash Payment of \$30 unless the amount of Valid Claims exhausts the amount of the Net Settlement Fund. The amount of the Cash Payments may be reduced *pro rata* accordingly. Class Members who submit a Valid Claim and select dark web monitoring will also be eligible for twenty-four (24) months of dark web monitoring.

9. How do I get a payment?

To get a payment, you will need to submit a Claim Form **by December 24, 2025**. Claim forms may be submitted either on the Settlement Website at www.UofMDataSettlement.com or through U.S. Mail by sending them to the Settlement Administrator at the address below:

University of Minnesota Data Incident Settlement
c/o Kroll Settlement Administration LLC
PO Box 225391
New York, NY 10150-5391

10. When will I receive my payment?

If you submit a complete, accurate, valid, and timely Claim Form, the Settlement Administrator will send your payment to you either electronically or by U.S. Mail after the Settlement is finally approved and all appeals and other reviews have been exhausted.

11. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue the University or other Released Parties or be part of any other lawsuit against the University or other Released Parties about the issues this Settlement resolves. Unless you exclude yourself, all of the decisions by the Court will bind you. The specific claims you are giving up against the University are described in paragraph 50 and Section XIII of the Settlement Agreement. You will be “releasing” the University and all related people as described in paragraph 51 of the Settlement Agreement.

The Settlement Agreement is available at **www.UofMDataSettlement.com**. The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions, you can talk to the law firm listed in **Question 15** for free, or you can, of course, talk to your own lawyer if you have questions about what this means.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to participate in the Settlement and you want to keep the right to sue the University about the legal issues in this lawsuit, then you must take steps to remove yourself from the Settlement. You can do this by asking to be excluded from, or by “opting out” of, the Settlement Class.

12. How do I exclude myself from the Settlement?

To exclude yourself from the settlement, you must send a letter by U.S. Mail saying that you wish to do so. Your “Request for Exclusion” must include:

- The name of this proceeding (*In re: Regents of the University of Minnesota Data Litigation* or similar identifying words);
- Your name, address, telephone number, and email address (if any);
- A statement indicating a request to be excluded from the Settlement Class;
- Your signature.

You must mail your exclusion request, **postmarked no later than December 29, 2025**, to:

University of Minnesota Data Incident Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

You cannot exclude yourself by telephone or by email. You cannot exclude yourself by mailing a request to any other location on or after the deadline. Your Request for Exclusion must be signed by you, personally, and not your lawyer or anyone else acting on your behalf.

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

No. Unless you exclude yourself from the Settlement, you give up the right to sue the University or other Released Parties for all of the claims that are being settled and that will be released if the Court approves the Settlement. If

you want to maintain your own lawsuit relating to the claims in this lawsuit, then you must exclude yourself from the Settlement.

14. If I exclude myself, can I still get a payment?

No. You will not get a payment if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

The Court designated Daniel E. Gustafson, of Gustafson Gluek PLLC, as Lead Counsel in this Litigation. Class Counsel includes: Daniel E. Gustafson of Gustafson Gluek, PLLC; Kate Baxter-Kauf of Lockridge Grindal Nauen PLLP; Garrett Blanchfield of Reinhardt Wendorf & Blanchfield; Bryan Bleichner of Chestnut Cambronne PA; William Caldes of Spector Roseman & Kodroff, PC; E. Michelle Drake of Berger Montague; Brian Gudmundson of Zimmerman Reed LLP; and Anne Regan and Nathan Prosser of Hellmuth & Johnson.

You will not be charged for consulting with Mr. Gustafson or any Class Counsel about the Settlement. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

If you choose to participate in the Settlement and do not exclude yourself from the Settlement Class in the manner described in **Question 12**, you will remain in the Settlement Class as a Class Member.

As a member of the Settlement Class you will be represented by Class Counsel, but you will not be charged for their services. If you wish to remain a Class Member, but you do not wish to be represented by Class Counsel, you may hire your own attorney to represent you, or you may also appear on your own behalf.

If you do not exclude yourself from the Settlement, you will continue to be a Class Member, even if you are represented by your own attorney. You will be responsible for any fees and costs charged by your own attorney.

16. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees not to exceed 33 1/3% of the Settlement Fund, plus reimbursement of reasonable costs. The Court will decide the fees and costs to be paid, and they will be paid out of the Settlement Fund.

Class Counsel will also ask the Court for service payments of up to \$2,000 for each of the Class Representatives for helping the lawyers on behalf of the Settlement Class. Class Representatives and Class Counsel will make their requests to the Court for attorneys' fees and costs and service payments **on or before December 15, 2025**. This Settlement is not contingent on approval of the request for attorneys' fees and costs or Service Awards, and if the Court denies the request or grants amounts less than what was requested, the remaining provisions of the Settlement Agreement shall remain in force. These requests will be available on the Settlement Website or you can request a copy by contacting the Settlement Administrator.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you're a Settlement Class Member, you can object to the Settlement if you don't think it is fair, reasonable, or adequate. You can give reasons why you think the Court should not approve it. The Court will consider your views.

Your objection must be in writing stating that you object to the Settlement. Your objection must include:

- The name of the proceeding (*In re: Regents of the University of Minnesota Data Litigation* or similar identifying words);
- Your full name, mailing address, telephone number and email address (if any);
- All grounds for the objection, accompanied by any legal support for the objection known to you or your counsel (if any);
- The number of times you have objected to a class action settlement within the (5) five years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- The identity of all counsel (if any) who represent you, 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;
- The number of times in which your counsel and/or counsel's law firm have objected to a class action settlement within the (5) 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 your counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;
- The identity of all counsel (if any) representing you, and whether they will appear at the Final Approval Hearing;
- A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- Your signature (an attorney's signature is not sufficient).

The Objection must be filed electronically with the Court or mailed to the Clerk of Court and must be mailed to Class Counsel, Defense Counsel, and the Settlement Administrator, **postmarked no later than December 29, 2025.**

Court	Class Counsel	Defense Counsel	Settlement Administrator
300 South 6th St, Minneapolis, MN 55487	Daniel E. Gustafson GUSTAFSON GLUEK PLLC Canadian Pacific Plaza 120 South 6 th Street, Suite 2600 Minneapolis, MN 55402	Aravind Swaminathan Orrick, Herrington & Sutcliffe LLP 401 Union St., Ste. 3300 Seattle, WA 98101	University of Minnesota Data Incident Settlement c/o Kroll Settlement Administration LLC P.O. Box 225391 New York, NY 10150-5391

If you do not comply with these procedures and do not submit your objection by the deadline, you will lose any opportunity to have your objection considered by the Court or at the Final Approval Hearing or otherwise to contest any of the terms of the Settlement, including the application by Class Counsel for awards of attorneys' fees and expenses, to object to approval of the Settlement, or to appeal from any order

or judgment entered by the Court in connection with the Settlement. If you fail to object in accordance with these procedures and deadlines, you will be deemed to have waived any objection and you shall forever be foreclosed from raising any objections to the Settlement.

18. What is the difference between objecting and excluding myself?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object to the benefits provided by the Settlement or other terms of the Settlement only if you stay in the Settlement Class.

Excluding yourself is telling the Court that you don't want to be included in the Settlement. If you exclude yourself, you have no basis to object to the Settlement and related releases because the Settlement no longer affects you.

THE FINAL APPROVAL HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at **9:00 a.m. CT on January 28, 2026**, before the Honorable Judge Christian Sande, 300 South 6th St, Minneapolis, MN 55487. This hearing date and time may be moved. Please refer to the Settlement Website for notice of any changes.

At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who appear at the hearing (see **Question 20**). The Court may also decide how much Class Counsel will receive as attorneys' fees and costs and whether to award service payments to Settlement Class Representatives. After the Final Approval Hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to attend the hearing at your own expense. If you have timely filed a written objection, you do not have to come to the Final Approval Hearing to talk to the Court about it. As long as you electronically filed and mailed your written objection so that it is postmarked by the deadline, the Court will consider it. Your own lawyer may attend the Final Approval Hearing at your expense, but attendance by your counsel is not necessary.

21. If I do nothing?

If you are a Settlement Class Member and do nothing, you will not get any payments from this Settlement. And, unless you exclude yourself, you will not be able to start a lawsuit or be part of any other lawsuit against the University or other Released Parties about the claims in this case, ever again.

GETTING MORE INFORMATION

22. How do I get more information or I no longer live at my address?

This Notice is a summary of the Settlement. More details are in the Settlement Agreement.

You can get a copy of the Settlement Agreement, other related documents, update your address and more information at **www.UofMDataSettlement.com**, which also serves as your report pursuant to Minnesota Government Data Practices Act § 13.055. You may also request a copy of the Settlement Agreement from the Settlement Administrator by writing to the Settlement Administrator at *University of Minnesota Data Incident Settlement*, c/o Kroll Settlement Administration LLC, P.O. Box 225391 New York, NY 10150-5391.

If you wish to communicate directly with Class Counsel, you may contact him at the address in **Question 17** or by e-mail at info@UofMDataSettlement.com. You may also seek advice and guidance from your own attorney at your own expense.

The status of the Settlement, any appeals, any claims made, and the date of payments will be posted on the Settlement Website.

PLEASE DO NOT WRITE OR TELEPHONE THE COURT FOR INFORMATION ABOUT THE SETTLEMENT OR THIS LAWSUIT.