

## **If your Private Information was impacted in the Data Incident involving Motility Software Solutions, Inc., that occurred in August 2025, you may be entitled to Settlement Class Member Benefits from a Settlement.**

*A Court authorized this Notice. This is not a solicitation from a lawyer.*

- A \$4,949,500 settlement has been reached in a class action lawsuit against Motility Software Solutions, Inc., (“Defendant”) regarding a cybersecurity incident (“Data Incident”) that occurred in August 2025, involving Defendant and resulting in the potential unauthorized access to or acquisition of Settlement Class Members’ Private Information. Private Information means information collected and/or maintained by Defendant, including, but is not limited to some combination of names, postal addresses, email addresses, telephone numbers, dates of birth, Social Security numbers, and driver’s license numbers.
- The Settlement Class includes: all individuals residing in the United States who were impacted in the Data Incident.
- If you are a member of the Settlement Class, you may be eligible for the following settlement class member benefits:

**Cash Payment A – Documented Losses:** You may submit a Claim Form and provide reasonable documentation for losses related to fraud and/or identity theft as a result of the Data Incident for up to \$5,000 per Settlement Class Member;

**OR**

**Cash Payment B – Alternate Cash:** Instead of Cash Payment A, without providing documentation, you may submit a Claim Form to receive a *pro rata* (a legal term meaning equal share) cash payment in the estimated amount of \$75;

**AND**

**Credit Monitoring:** In addition to Cash Payment A or Cash Payment B, you may also submit a Claim Form to receive two years of free credit monitoring services.

Your cash payment may be subject to a *pro rata* (a legal term meaning equal share) adjustment depending upon the total value of the Valid Claims submitted.

**This Notice may affect your rights. Please read it carefully.**

<b>Your Legal Rights &amp; Options</b>		<b>Deadline</b>
<b>Submit a Claim Form</b>	The only way to get a cash payment is to submit a timely and valid Claim Form.	Submitted or Postmarked by: <b>August 7, 2026</b>
<b>Opt-Out of the Settlement</b>	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against the Released Parties about the Released Claims that are released by the Settlement in this lawsuit.	Postmarked by: <b>August 7, 2026</b>
<b>Object to the Settlement</b>	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	Filed by: <b>August 7, 2026</b>
<b>Do Nothing</b>	Get no cash payment. Receive no Credit Monitoring in connection with the Settlement. Give up your legal rights.	

- The Court must decide whether to approve the Settlement, Application for Attorneys’ Fees, Costs, and Service Awards. No settlement class member benefits will be provided unless the Court approves the Settlement.

**Questions? Go to [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or call 1-877-313-8704**

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what settlement class member benefits are available, and who is eligible to get them.

The Honorable Walter H. Rice, of the United States District Court of the Southern District of Ohio is overseeing this class action. The lawsuit is known as *In re Motility Data Breach Litigation*, Case No. 3:25-cv-00330 (S.D. Ohio) (“lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Motility Software Solutions, Inc., is called the “Defendant.”

### 2. What is this lawsuit about?

The Plaintiffs filed this lawsuit against the Defendant on behalf of themselves and all others similarly situated regarding a Data Incident that occurred in August 2025, in which may have resulted in the unauthorized access to or acquisition of Settlement Class members’ Private Information. The Private Information involved includes some combination of names, postal addresses, email addresses, telephone numbers, dates of birth, Social Security numbers, and driver’s license numbers.

Defendant denies the legal claims and denies any wrongdoing or liability. The Court has not made any determination of any wrongdoing by Defendant, or that any law has been violated. Instead, the Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

### 3. Why is there a Settlement?

The Plaintiffs and Defendant do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of the Plaintiffs or Defendant. Instead, the Plaintiffs and Defendant have agreed to settle the lawsuit. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for the Settlement Class because of the settlement class member benefits available and the risks and uncertainty associated with continuing the lawsuit.

### 4. Why is this lawsuit a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

## WHO IS INCLUDED IN THE SETTLEMENT?

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

You are included in the Settlement Class if your Private Information was impacted in the Data Incident.

## 6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: (a) all officers and directors of Defendant; (b) governmental entities; (c) the Judge assigned to the lawsuit, that Judge's immediate family, and Court staff; (d) any Settlement Class Member who timely and properly opts-out of the Settlement.

## 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class member, you may go to [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or call toll-free 1-877-313-8704.

# THE SETTLEMENT BENEFITS

## 8. What does this Settlement provide?

If you are a Settlement Class Member, you may be eligible for the following settlement class member benefits:

### **Cash Payment A – Documented Losses**

You may submit a Claim Form and provide reasonable documentation for losses related to fraud and/or identity theft as a result of the Data Incident for up to \$5,000 per Settlement Class Member.

Examples of reasonable documentation include (but are not limited to): telephone records, correspondence including emails, or receipts. Personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation but may be included to provide clarification, context, or support for other submitted reasonable documentation. You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source, including compensation provided in connection with the credit monitoring and identity theft protection product offered as part of the notification letter provided by the Defendant or otherwise.

If you do not submit reasonable documentation supporting a loss, or if your Claim Form is invalid as determined by the Settlement Administrator, and you do not cure your Claim Form, your Claim Form will be processed as if you elected Cash Payment B – Alternate Cash.

### **Cash Payment B – Alternate Cash**

Instead of Cash Payment A, without providing documentation, you may submit a Claim Form to receive a *pro rata* (a legal term meaning equal share) cash payment in the estimated amount of \$75.

### **Credit Monitoring**

In addition to Cash Payment A – Documented Losses or Cash Payment B – Alternate Cash, you may also submit a Claim Form to receive two years of free Credit Monitoring services.

Your cash payment may be subject to a *pro rata* (a legal term meaning equal share) increase if the amount of Valid Claims does not use the entire Net Settlement Fund. Alternatively, if the amount of Valid Claims exceeds the amount of the Net Settlement Fund, your cash payment may be subject to a *pro rata* reduction.

For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Net Settlement Fund first for payment of Credit Monitoring and then for Cash Payment A – Documented Losses and then to those electing Cash Payment B. Any *pro rata* increases or decreases to cash payments will be on an equal percentage basis.

**Questions? Go to [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or call 1-877-313-8704**

## 9. What am I giving up to receive settlement class member benefits or stay in the Settlement Class?

Unless you exclude yourself (opt-out), you will remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties about the Released Claims in this lawsuit. The specific rights you are giving up are called “Released Claims.”

## 10. What are the Released Claims?

Section XIII of the Settlement Agreement describes the Releases, Released Claims, and Released Parties, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com). For questions regarding the Releases, Released Claims, or Released Parties and what the language in the Settlement Agreement means, you can also contact Class Counsel listed below for free, or you can talk to your own lawyer at your own expense.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 11. How do I submit a Claim Form?

You must submit a timely and valid Claim Form to receive a cash payment as described above. Your Claim Form must be submitted online at [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) by **August 7, 2026**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked** by **August 7, 2026**. Claim Forms are also available at [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or by calling 1-877-313-8704 or by writing to:

*Motility Data Incident*  
Settlement Administrator  
PO Box 4000  
Portland, OR 97208-4000

### 12. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by writing to:

*Motility Data Incident*  
Settlement Administrator  
PO Box 4000  
Portland, OR 97208-4000

### 13. When will I receive my Settlement Class Member Benefits?

The Settlement Class Member Benefits will be provided after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) for updates.

**Questions? Go to [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or call 1-877-313-8704**

## EXCLUDE YOURSELF OR OPT-OUT OF THE SETTLEMENT

If you are a member of the Settlement Class and want to keep any right you may have to sue or continue to sue the Released Parties on your own about the legal claims in this lawsuit or the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting-out” of—the Settlement.

### 14. How do I opt-out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in the *In Re: Motility Data Breach Litigation*.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked by August 7, 2026**:

*Motility Data Incident*  
Settlement Administrator  
PO Box 4000  
Portland, OR 97208-4000

**You cannot opt-out (exclude yourself) by telephone or by email.**

Please note per the United States Postal Service, mail may *not* be postmarked the day it is deposited in a mailbox or at a local post office. Postmarks occur when mail reaches a processing facility. To meet a postmark deadline, **mail at least a week prior to a postmark deadline**, get a manual postmark in-person at any post office, or send via Certified Mail.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class members or multiple Settlement Class members where the opt-out has not been signed by each and every individual Settlement Class member will not be allowed.

### 15. If I opt-out can I still get anything from the Settlement?

No. If you opt-out, you will not be able to receive Settlement Class Member Benefits, and you will not be bound by the Settlement or any judgments in this lawsuit. You can only get settlement class member benefits if you stay in the Settlement.

### 16. If I do not opt-out, can I sue the Defendant for the same thing later?

No. Unless you opt-out, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves and Releases, and you will be bound by all the terms of the Settlement, proceedings, orders, and judgments in the lawsuit. You must opt-out of this lawsuit to start or continue your own lawsuit or be part of any other lawsuit against the Released Parties about the Released Claims in this Settlement. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately.

## OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards.

To object, you must file your timely written objection with the Court as provided below by **August 7, 2026**, and send by U.S. mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **August 7, 2026**, stating you object to the Settlement in *In Re: Motility Data Breach Litigation*, Case No. 3:25-cv-00330.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

- 1) Your full name, mailing address, telephone number, and email address (if any);
- 2) All grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
- 3) The number of times you have objected to a class action settlement within the five (5) 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;
- 4) The identity of all lawyers representing you in connection with the objection (if any), including any former or current lawyers 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;
- 5) The number of times your lawyer or your lawyer's law firm have objected to a class action settlement within the five (5) years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made such objection and a copy of any orders related to or ruling upon your lawyer's or the lawyer's law firm's prior objections that were issued by the trial and appellate courts in each listed case;
- 6) A list of all persons who will be called to testify at the Final Approval Hearing in support of your objection (if any);
- 7) A statement confirming whether you or your lawyer intend to personally appear and/or testify at the Final Approval Hearing; and
- 8) Your signature as the objector (a lawyer's signature is not sufficient).

Class Counsel and/or Defendant's Counsel may conduct limited discovery on any objector or objector's lawyer. Any objector or objector's lawyer must strictly and fully comply with the requirements listed above or the Court will not consider the objection.

To object, you must file your timely written objection with the Court by **August 7, 2026**, and send it by U.S. mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **August 7, 2026**, at the following addresses:

COURT	CLASS COUNSEL	
Clerk USDC S.D. Ohio Walter H. Rice Federal Building and U.S. Courthouse 200 W. Second St. Room 712 Dayton, OH 45402	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd. Suite 500 Fort Lauderdale, FL 33301  Raina Borrelli Strauss Borrelli PLLC 980 North Michigan Ave. Suite 1610 Chicago, IL 60611	Gary M. Klinger Milberg PLLC 227 West Monroe St. Suite 2100 Chicago, IL 60606  Terence R. Coates Markovits, Stock & DeMarco, LLC 119 East Court St. Suite 530 Cincinnati, OH 45202
SETTLEMENT ADMINISTRATOR	DEFENDANT'S COUNSEL	
Motility Data Incident Settlement Administrator PO Box 4000 Portland, OR 97208-4000	David P. Saunders McDermott Will & Schulte LLP 444 West Lake St. Suite 4000 Chicago, IL 60606	

Please note per the United States Postal Service, mail may *not* be postmarked the day it is deposited in a mailbox or at a local post office. Postmarks occur when mail reaches a processing facility. To meet a postmark deadline, **mail at least a week prior to a postmark deadline**, get a manual postmark in-person at any post office, or send via Certified Mail.

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

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Opting-out is telling the Court that you do not want to be part of the Settlement Class. If you opt-out, you cannot object because you are no longer part of the Settlement.

## THE LAWYERS REPRESENTING YOU

### 19. Do I have a lawyer in the lawsuit?

Yes. The Court has appointed Jeff Ostrow of Kopelowitz Ostrow P.A., Raina Borrelli of Strauss Borrelli PLLC, Gary M. Klinger of Milberg PLLC and Terence R. Coates of Markovits, Stock DeMarco, LLC as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost if you want someone other than Class Counsel to represent you in this lawsuit.

### 20. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award the attorneys' fees of up to one third (1/3) of the Settlement Fund, plus reimbursement of costs. Class Counsel will also ask the Court to approve the Service Awards for the Class Representatives in the amount of \$2,000 each for their efforts. If awarded by the Court, the attorneys' fees and costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

**Questions? Go to [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) or call 1-877-313-8704**

## THE FINAL APPROVAL HEARING

The Court will hold a “Final Approval Hearing” to decide whether to approve the Settlement and Application for Attorneys’ Fees, Costs, and Service Awards. You may attend and you may ask to speak if you file an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **August 14, 2026, at 1:30 p.m.** before the Honorable Walter H. Rice at the Walter H. Rice Federal Building and U.S. Courthouse, 200 W. Second Street, Room 712, Dayton, OH 45402. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel’s Application for Attorneys’ Fees, Costs, and Service Awards.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you (or your lawyer) ask to speak at the hearing, the Court, at its discretion, may hear objections at the hearing.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com) to confirm the date and time of the Final Approval Hearing have not changed.

### 22. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file your written objection by the deadline, the Court will consider it.

### 23. May I speak at the Final Approval Hearing?

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you (or your lawyer) ask to speak at the hearing, the Court, at its discretion, may hear objections at the hearing.

## GET MORE INFORMATION

### 24. How do I get more information about the Settlement?

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com). You may get additional information at [www.MotilityDataBreachLitigation.com](http://www.MotilityDataBreachLitigation.com), by calling toll-free 1-877-313-8704, or by writing to:

*Motility Data Incident*  
Settlement Administrator  
PO Box 4000  
Portland, OR 97208-4000

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT’S CLERK OFFICE  
REGARDING THIS NOTICE.**

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