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E-FILED; Montgomery Circuit Court
Docket: 9/4/2026 2:47 PM; Submission: 9/4/2026 2:47 PM
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IN THE CIRCUIT COURT OF MARYLAND FOR MONTGOMERY COUNTY

Donna Rush, Chloris Smith, and Jermaine Jackson, Jr., individually and on behalf of all others similarly situated, Plaintiffs, Red Coats, Inc., Defendant.	Case No. C-15-CV-26-001098

PRELIMINARY APPROVAL ORDER

Before the Court is Plaintiffs Chloris Smith and Jermaine Jackson, Jr., ("Plaintiffs") Unopposed Motion for Preliminary Approval of Class Action Settlement (filed on 04/21/2026) (the "Motion"), the terms of which are set forth in a Settlement Agreement between Plaintiffs and Defendant Red Coats, Inc. ("Defendant," and together with Plaintiffs, the "Parties"), with accompanying exhibits attached as **Exhibit 1** to Plaintiffs' Memorandum of Law in Support of their Motion (the "Settlement Agreement").[1]

Having fully considered the issue, the Court hereby **GRANTS** the Motion and **ORDERS** as follows:

1. **Class Certification for Settlement Purposes Only.** The Settlement Agreement provides for a Class defined as follows:

all persons who were sent written notification of the Data Incident.

Excluded from the Class are (i) the Judge assigned to evaluate the fairness of this settlement; and (ii) any other person found by a court of competent jurisdiction to be guilty under criminal law of

[1] All defined terms in this Order Granting Preliminary Approval of Class Action Settlement ("Preliminary Approval Order") have the same meaning as set forth in the Settlement Agreement, unless otherwise indicated.

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initiating, causing, aiding, or abetting the criminal activity occurrence of the Data Incident or who pleads nolo contendere to any such charge.

Pursuant to Maryland Rule of Civil Procedure 2-231, the Court finds that giving notice is justified. The Court finds that it will likely be able to approve the proposed Settlement as fair, reasonable, and adequate. The Court also finds that it will likely be able to certify the Class for purposes of judgment on the Settlement because it meets all of the requirements of Rule 2-231. Specifically, the Court finds for settlement purposes only that: (a) the Class are so numerous that joinder of all Class Members would be impracticable; (b) there are issues of law and fact that are common to the Class that predominate over any questions affecting only individual members; (c) the claims of the Class Representatives are typical, (d) the Class Representatives will fairly and adequately protect the interests of the Class; (e) and a class action and class settlement is superior to other methods available for a fair and efficient resolution of this Litigation.

2. **Class Representatives and Class Counsel**. The Court finds that Plaintiffs Chloris Smith and Jermaine Jackson, Jr will likely satisfy the requirements of Maryland Rule of Civil Procedure 2-231 and should be appointed as the Class Representatives. Additionally, the Court finds that Milberg PLLC, Kopelowitz Ostrow P.A., and Cole & Van Note will likely satisfy the requirements of Maryland Rule of Civil Procedure 2-231 and should be appointed as Class Counsel.

3. **Preliminary Settlement Approval.** Upon preliminary review, the Court finds the Settlement is fair, reasonable, and adequate to warrant providing notice of the Settlement to the Class and accordingly is preliminarily approved. In making this determination, the Court has considered the monetary and non-monetary benefits provided to the Class through the Settlement, the specific risks faced by the Class in prevailing on their claims, the good faith, arms' length

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negotiations between the Parties and absence of any collusion in the Settlement, the effectiveness of the proposed method for distributing relief to the Class, the proposed manner of allocating benefits to Class Members, the equitable treatment of the Class Members under the Settlement, and all of the other factors required by Maryland Rule of Civil Procedure 2-231 and relevant case law.

4. **Jurisdiction.** The Court has subject matter jurisdiction pursuant to Md. Code Ann., Cts. Jud. Proc. § 1-501 and personal jurisdiction over the parties before it. Additionally, venue is proper in this District pursuant to Md. Code Ann., Cts. Jud. Proc. § 6-201.

5. **Final Approval Hearing**. A Final Approval Hearing shall be held at 10:00 a.m. on January 4, 2027, at Montgomery County Courthouse, 50 Maryland Avenue, Rockville, Maryland [or via telephone or videoconference], where the Court will determine, among other things, whether: (a) the Class should be finally certified for settlement purposes pursuant to Maryland Rule of Civil Procedure 2-231; (b) the Settlement should be approved as fair, reasonable, and adequate, and finally approved pursuant to Maryland Rule of Civil Procedure 2-231; (c) this action should be dismissed with prejudice pursuant to the terms of the Settlement Agreement; (d) Class Members (who have not timely and validly excluded themselves from the Settlement) should be bound by the releases set forth in the Settlement Agreement; (e) the application of Class Counsel for an award of Attorneys' Fees, Costs, and Expenses should be approved; and (f) the application of the Class Representatives for a Service Award should be approved.

6. **Settlement Administrator**. The Court appoints Simpluris, Inc. as the Settlement Administrator, with responsibility for class notice and settlement administration. The Settlement Administrator is directed to perform all tasks the Settlement Agreement requires. The Settlement Administrator's fees will be paid pursuant to the terms of the Settlement Agreement.

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7. **Notice**. The proposed notice program set forth in the Settlement Agreement and the Notices and Claim Form attached to the Settlement Agreement as **Exhibits A, B, and C** are hereby approved. Non-material modifications to these Exhibits may be made by the Settlement Administrator in consultation and agreement with the Parties, but without further order of the Court.

8. **Findings Concerning Notice**. The Court finds that the proposed form, content, and method of giving Notice to the Class as described in the Settlement Agreement and its exhibits: (a) will constitute the best practicable notice to the Class; (b) are reasonably calculated, under the circumstances, to apprise Class Members of the pendency of the Action, the terms of the proposed Settlement, and their rights under the proposed Settlement, including, but not limited to, their rights to object to or exclude themselves from the proposed Settlement and other rights under the terms of the Settlement Agreement; (c) are reasonable and constitute due, adequate, and sufficient notice to all Class Members and other persons entitled to receive notice; (d) meet all applicable requirements of law, including Maryland Rule of Civil Procedure 2-231; and (e) and meet the requirements of the Due Process Clause(s) of the United States and Maryland Constitutions. The Court further finds that the Notice provided for in the Settlement Agreement is written in plain language, uses simple terminology, and is designed to be readily understandable by Class Members.

The Settlement Administrator is directed to carry out the Notice program in conformance with the Settlement Agreement.

9. **Exclusion from Class**. Any Class Member who wishes to be excluded from the Class must individually sign and timely submit a written request to the designated address established by the Settlement Administrator in the manner provided in the Notice. The written

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request must clearly manifest a person's intent to be excluded from the Class, as set forth in the Settlement Agreement, and must be submitted individually, i.e, one request is required for every Class Member seeking exclusion. To be effective, such requests for exclusion must be postmarked no later than the Opt-Out Deadline, which is no later than sixty (60) days from the Notice Deadline, and as stated in the Notice.

Within three (3) business days after the Opt-Out Deadline, the Settlement Administrator shall furnish to Class Counsel and to Defendant's Counsel a complete list of all timely and valid requests for exclusion.

If a Final Approval Order and Judgment is entered, all Persons falling within the definition of the Class who do not timely and validly request to be excluded from the Class shall be bound by the terms of this Settlement Agreement and the Final Approval Order and Judgment. All Persons who submit valid and timely requests to be excluded from the Class shall not receive any cash benefits of and/or be bound by the terms of the Settlement Agreement.

10. **Objections and Appearances**. A Class Member (who does not submit a timely written request for exclusion) desiring to object to the Settlement Agreement may submit a timely written objection by the Objection Deadline and as stated in the Notice. The Notice shall instruct Class Members who wish to object to the Settlement Agreement to file their objections with the Court. The Notice also shall advise Class Members of the deadline for submission of any objections—the "Objection Deadline." Any such objections to the Settlement Agreement must be written and must include all of the following: (a) the name of the Action; (b) the Class Member's full name, current mailing address, and telephone number; (c) a statement of the specific grounds for the objection, as well as any documents supporting the objection; (d) the identity of any attorneys representing the objector; and (e) the signature of the Class Member or the Class

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Member's attorney.

To be timely, written notice of an objection must be mailed to the Settlement Administrator and concurrently served upon counsel for the Parties by the Objection Deadline, which is no later than sixty (60) days from the Notice Deadline.

Any Class Member who fails to comply with the requirements for objecting shall waive and forfeit any and all rights he or she may have to appear separately and/or to object to the Settlement Agreement, shall be bound by all the terms of the Settlement Agreement and by all proceedings, orders, and judgments in the Action, and shall be precluded from seeking any review of the Settlement Agreement and/or Final Approval Order and Judgment by appeal or other means. The provisions stated in Paragraph 46 of the Settlement Agreement shall be the exclusive means for any challenge to the Settlement Agreement. Any challenge to the Settlement Agreement, the final order approving this Settlement Agreement, or the Final Order and Judgment to be entered upon final approval shall be pursuant to appeal under the applicable Maryland Rules and not through a collateral attack.

11. **Claims Process**. Class Counsel and Defendant have created a process for Class Members to claim benefits under the Settlement. The Court preliminarily approves this process and directs the Settlement Administrator to make the Claim Form or its substantial equivalent available to Class Members in the manner specified in the Notice.

The Settlement Administrator will be responsible for effectuating the claims process.

Class Members who qualify for and wish to submit a Claim Form shall do so in accordance with the requirement and procedures specified in the Notice and the Claim Form. If the Final Order and Judgment is entered, all Class Members who qualify for any benefit under the Settlement but fail to submit a claim in accordance with the requirements and procedures specified in the Notice

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and the Claim Form shall be forever barred from receiving any such benefit, but will in all other respects be subject to and bound by the provisions in the Final Order and Judgment, including the releases contained therein.

12. **Termination of Settlement**. This Preliminary Approval Order shall become null and void and shall be without prejudice to the rights of the Parties, all of whom shall be restored to their respective positions existing before the Court entered this Preliminary Approval Order and before they entered the Settlement Agreement, if: (a) the Court does not enter this Preliminary Approval Order; (b) Settlement is not finally approved by the Court or is terminated in accordance with the Settlement Agreement; or (c) the Final Order and Judgment does not become Final because a higher court reverses final approval by the Court. In the event of a termination as provided in Paragraph 60, this Agreement shall be considered null and void, all of the Parties' obligations under the Agreement shall cease to be of any force and effect, and the Parties shall return to the status quo ante in the Action as if the Parties had not entered into this Agreement. In addition, in the event of such a termination, all of the Parties' respective pre-Settlement claims and defenses will be preserved. Any Court orders preliminarily or finally approving certification of the Class and any other orders entered pursuant to the Agreement shall be deemed null and void and vacated.

13. **Use of Order**. This Preliminary Approval Order shall be of no force or effect if the Final Order and Judgment is not entered or there is no Effective Date and shall not be construed or used as an admission, concession, or declaration by or against Defendant of any fault, wrongdoing, breach, liability, or propriety of certifying any class. Nor shall this Preliminary Approval Order be construed or used as an admission, concession, or declaration by or against the Class Representatives or any other Class Member that his or her claims lack merit or that the relief

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requested is inappropriate, improper, unavailable, or as a waiver by any Party of any defense or claims they may have in this Action or in any other lawsuit.

14. **Continuance of Hearing**. The Court reserves the right to adjourn or continue the Final Approval Hearing and related deadlines without further written notice to the Class. If the Court alters any of those dates or times, the revised dates and times shall be posted on the Settlement Website maintained by the Settlement Administrator. The Court may approve the Settlement, with such modifications as may be agreed upon by the Parties, if appropriate, without further notice to the Class.

15. **Stay of Litigation.** All proceedings in the Action, other than those related to approval of the Settlement Agreement, are hereby stayed. Further, any actions brought by Class Members concerning the Released Claims are hereby enjoined and stayed pending Final Approval of the Settlement Agreement.

16. **Schedule and Deadlines**. The Court orders the following schedule of dates for the specified actions/further proceedings:

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Event	Deadline
Defendant Provides Class Member Information To Claims Administrator	Within 7 Days Of Entry Of Preliminary Approval Order, or 14 days at the latest
Deadline For Claims Administrator To Begin Sending Short Form Notice (By First Class USPS Mail)	Within 30 Days Of Delivery of the Class List to the Settlement Administrator, but not later than 45 days after Preliminary Approval
Motion for Attorneys' Fees, Costs, Expenses, and Service Award to Be Filed by Class Counsel	At Least 14 Days Prior To Opt-Out/ Objection Dates
Opt-Out/Objection Date Deadlines	60 Days After Notice Deadline
Claims Administrator Provides Parties With List Of Timely, Valid Opt-Outs	3 Business Days After Opt-Out Dates
Claims Deadline	90 Days After Notice Deadline
Motion For Final Approval To Be Filed By Class Counsel	At Least 14 Days Prior To Final Approval Hearing
Final Approval Hearing	January 4, 2027 at 10:00 a.m. No Earlier Than 110 Days After Entry Of Preliminary Approval Order

IT IS SO ORDERED

9/1/26
Dated

Judge

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