

United States District Court for the Middle District of Florida

Story, et al. v. Heartland Payment Systems, LLC

Case No. 3:19-cv-724

CLASS ACTION SETTLEMENT NOTICE

AUTHORIZED BY THE U.S. DISTRICT COURT

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

YOU ARE NOT BEING SUED. THE PURPOSE OF THIS NOTICE IS TO EXPLAIN THE LAWSUIT AGAINST HEARTLAND PAYMENT SYSTEMS, LLC, YOUR LEGAL RIGHTS, AND YOUR OPTIONS AFTER READING THIS NOTICE. TO MAKE THE BEST DECISION, KEEP READING.

Did you use a credit or debit card to upload money to buy school lunches on the "MySchoolBucks" platform between June 18, 2013 and July 31, 2019?

Plaintiffs in a class action lawsuit in the Middle District of Florida sued Heartland Payment Systems, LLC ("Heartland").

A "class action lawsuit" is a lawsuit in which one or more people sue in court on behalf of a larger group. This larger group is the "Class." The lawyers who represent the Class are "Class Counsel."

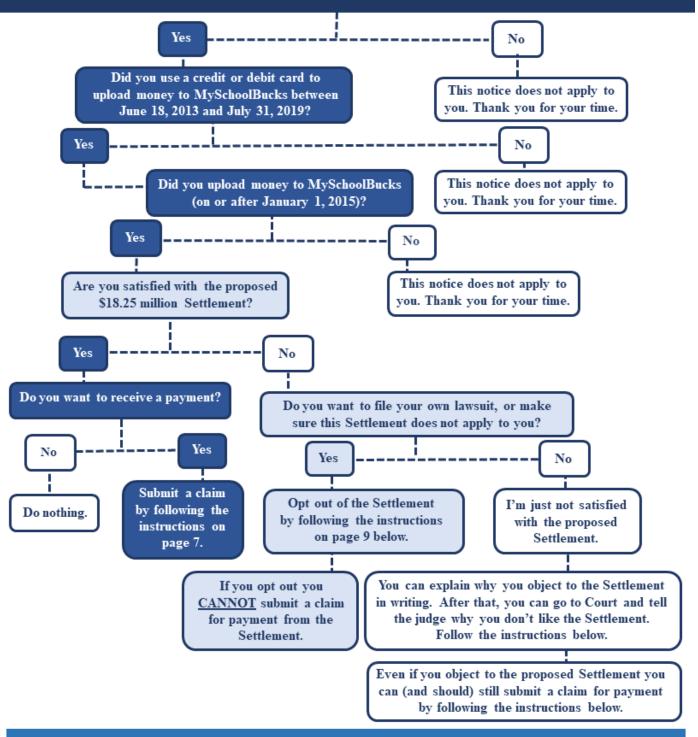
In this lawsuit, Plaintiffs claim that Heartland wrongly charged "Program Fees" to MySchoolBucks users who uploaded money to buy school lunches. Heartland called these uploads "Meals" transactions. These users are members of the Class. The judge has not decided who is right and who is wrong. Instead, the parties agreed to settle the case for \$18.25 million ("the Settlement").

This Settlement could affect your rights. You may be able to receive a payment from this lawsuit.

After you read this notice, you have four options:

- 1. **Submit a Claim for Payment.** If you believe you are a member of the Settlement Class, follow the instructions on page 7 below to submit a claim. If you are eligible, you will be paid from the Settlement.
- 2. **Do Nothing.** Unless you submitted a claim before you received this notice, if you do nothing in response to this notice, you will not receive any payment from the Settlement. You will also not be able to bring a lawsuit against Heartland for charging the "Program Fees" between June 18, 2013 and July 31, 2019.
- 3. **Opt Out of the Settlement.** You can decide not to participate in the lawsuit, which means you will "opt out." If you opt out, you will not receive a payment from the Settlement.
- 4. **Object to the Settlement.** You will have an opportunity to tell the Court about any problems you have with the Settlement, by following the instructions below.

Have you ever uploaded money to Heartland Payment Systems, LLC's "MySchoolBucks" platform for a student to purchase school lunches?



IF YOU ARE STILL NOT SURE WHETHER YOU ARE A MEMBER OF THE SETTLEMENT CLASS, YOU CAN CALL 1 (833) 530-0046, EMAIL INFO@MSBFEESETTLEMENT.COM, OR VISIT THE SETTLEMENT WEBSITE AT WWW.MSBFEESETTLEMENT.COM.

Please DO NOT contact Heartland, Heartland's attorneys, or the Court for any reason (except to serve an objection, explained below).

IMPORTANT THINGS TO KNOW

- You MUST submit a claim to receive money from the Settlement. If you do not submit a claim, you WILL NOT be paid.
- You only need to submit a claim **ONE** time to receive money from the Settlement.
- If you read this notice and decide to do nothing, the terms of the Settlement will still apply to you. This means that your legal rights will be affected. You **WILL NOT** receive any money from the Settlement.
- If you want to opt out from the Settlement, you must do so by August 28, 2025.
- You can learn more about this lawsuit at: www.MSBFeeSettlement.com

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1. WHY AM I RECEIVING THIS NOTICE?

You are receiving this notice because you may be a member of the "Settlement Class," and may be entitled to payment from the Settlement.

Two people filed a class action lawsuit against Heartland Payment Systems, LLC. The people who sued Heartland are called the "Plaintiffs," and Heartland is the "Defendant." The Plaintiffs brought this lawsuit in a court called the Middle District of Florida. They sued Heartland for charging "Program Fees" every time people uploaded money to the MySchoolBucks website for students to buy school lunches. Plaintiffs claim that Heartland was not legally allowed to charge MySchoolBucks users these Program Fees. As a result, MySchoolBucks users paid more money than they should have to upload money for their students to buy lunch. Heartland says that it did not do anything wrong.

The judge has not yet decided who is right or wrong in this lawsuit. Instead, Heartland agreed to pay \$18,250,000 to settle the case. The group of people Heartland has agreed to pay is called the "Settlement Class." **The Settlement Class includes everyone who used credit or debit cards to upload money to MySchoolBucks to purchase school lunches between June 18, 2013 and July 31, 2019.** Please note that if you DID NOT upload money to MySchoolBucks for school lunches on or after January 1, 2015, you are NOT part of the Settlement Class and cannot receive a payment from the Settlement.

Plaintiffs and their lawyers think that this Settlement is in the best interests of all members of the Settlement Class.

What is a "class action lawsuit"?

In a class action lawsuit, one or more people sue an individual or company on behalf of a larger group of people. This larger group of people is called the "Class."

Where can I learn more?

To learn more about the lawsuit, you can access a complete copy of the Plaintiffs' Complaint and the Settlement Agreement at:

www.MSBFeeSettlement.com

What does the Settlement pay for?

Heartland will pay \$18,250,000 into a "Settlement Fund." All of the money in the Settlement Fund will be used to pay members of the Settlement Class, fees and expenses associated with the Settlement, and any attorneys' fees and costs.

Before anyone is paid any money, the judge needs to decide whether or not to approve the Settlement. Before the judge makes that decision, the Plaintiffs and Heartland need to tell everyone who is potentially a member of the Settlement Class what their options are.

So if you received this notice, it means that Heartland's records show that you may have used a credit or debit card to upload money to MySchoolBucks for school lunches between June 18, 2013 and July 31, 2019, and that your last transaction was on or after January 1, 2015.

2. WHAT ARE MY OPTIONS?

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT				
What Are My Rights and Options?	What Does This Mean?			
Submit A Claim for Payment by August 20, 2025	Submitting a claim by August 20, 2025 is the only way to get a payment from the Settlement. You can submit a claim by following the instructions on pages 7–8 below. You must submit the claim on this website: www.MSBFeeSettlement.com .			
	You only need to submit one claim one time to receive a payment from the Settlement, unless you are later asked to submit additional information.			
Do Nothing	If you do not submit a claim form or do anything else after you			
	receive this notice, you will not get any money from the Settlement. See the instructions on page 8 below.			
	However, even though you decided not to do anything, the Court will still consider you a member of the "Settlement Class." This means that the Settlement still legally applies to you, and in the future, you cannot bring lawsuits relating to Program Fees.			
Opt Out of the Settlement by August 28, 2025	You can opt out of the Settlement if you want to keep the right to sue Heartland over the Program Fees on MySchoolBucks. Your deadline to opt out is August 28, 2025. You can follow the instructions on page 9 to opt out of the Settlement.			
	In other words, you can take actions to make sure you ARE NOT included in the Settlement, and ARE NOT part of the Settlement Class. This means the Settlement does not apply to you. If you are thinking about suing Heartland for the Program Fees, you should reach out to your own attorney for legal advice.			
	If you opt out of the Settlement Class, you will NOT receive any money from the Settlement.			
Object to the Settlement by August 28, 2025	If you are a member of the Settlement Class and you do not opt out of the Settlement, you will still be able to object to the Settlement if there is something about it you do not like.			
	Please follow the instructions on pages 9–11 to object to the settlement. Your deadline to object is August 28, 2025.			
	Even if you object to the Settlement, you can (and should) submit a claim for payment.			

A. Option 1: Submit a Claim for Payment by August 20, 2025

Do I need to do anything to get paid?

Yes. To get paid from the Settlement, you **MUST** submit a claim electronically on www.MSBFeesettlement.com by August 20, 2025. You only need to submit **one claim one time** to receive payment from the Settlement, unless the Settlement Administrator, which is the company that has sent you this notice and will send you payment if the Settlement is approved, follows up and asks you for more information.

How do I submit a claim?

To receive payment from the Settlement, by August 20, 2025, you must submit a claim online. To submit a claim online, please visit www.MSBFeeSettlement.com and follow the instructions. This process should take less than five minutes.

If my claim is accepted, how much will I be paid?

How much you are paid depends on how many Program Fees you paid on MySchoolBucks for school lunches between June 18, 2013 and July 31, 2019. How much you are paid also depends on how many people submit claims, and on how much money the judge awards for attorneys' fees, case costs, and service awards (discussed below on page 14). We cannot calculate exactly how much money you have received until the deadline to submit claims has passed.

You can find more information about how to calculate your payment from the Settlement at www.MSBFeeSettlement.com.

If my claim is accepted, when will I be paid?

No one will be paid until the Settlement is finalized and approved by the judge. Before the judge approves the Settlement, the judge will hold a Fairness Hearing on September 25, 2025 at 2:00pm E.T. in his courtroom located at Courtroom 10D of the U.S. District Court for the Middle District of Florida, Bryan Simpson United States Courthouse, 300 North Hogan Street, Jacksonville, FL 32202.

However, even if the Court approves the Settlement at the Fairness Hearing or soon after, there could still be appeals, which may delay your payment.

What am I giving up by making a Settlement Claim?

What Claims Am I Releasing? If you submit a claim, and the judge approves the Settlement and it becomes final, you will be releasing Heartland from all of the claims that are laid out in the Settlement Agreement. Put simply, you will not be able to start another lawsuit, continue another lawsuit, or be part of any other lawsuit against Heartland to get monetary damages for paying Program Fees on MySchoolBucks school lunch transactions between June 18, 2013 and July 31, 2019.

What Claims Am I NOT Releasing? There are also rights you will NOT release by submitting a claim for payment from the Settlement. Specifically, you will still be able to start another lawsuit, continue another lawsuit, or be part of any other lawsuit against Heartland for:

- 1. Program Fees paid before June 18, 2013 and after July 31, 2019;
- 2. Other fees or payments made to Heartland OR to any school;
- 3. Any other transactions that are not school lunch transactions; and/or
- 4. Claims for personal injury.

The Settlement Agreement will tell you exactly what claims you are releasing and what claims you are not releasing by submitting a claim, and is available at: www.MSBFeeSettlement.com.

Will My Claim for Payment Automatically Be Accepted?

No. Your claim for payment will not automatically be accepted. The Settlement Administrator (which is the company that sends out payments from the Settlement) may review your claim and reject it if it is invalid. Then the following will happen:

- 1. If your claim is rejected, the Settlement Administrator will tell you why it has been rejected.
- 2. If it was rejected because it is missing information or documentation, you will have 30 days to resubmit the claim with the missing information.
- 3. As long as you submitted the original claim by the original deadline, you can later resubmit the claim with the requested information even if the deadline has passed. However, you must resubmit the claim within 30 days of being told that your claim is missing information.

B. Option 2: Do Nothing

After you read this notice, you may decide that you do not want to take any action. This means two things:

- 1. You will not receive any money from the Settlement if the judge approves it and it is not thrown out on an appeal; and
- 2. If you decide NOT to do anything, you are still legally considered a member of the Settlement Class if you used credit or debit cards to upload money to MySchoolBucks for school lunches between June 18, 2013 and July 31, 2019, and the last time you uploaded money to MySchoolBucks for school lunches was on or after January 1, 2015. This means you cannot start another lawsuit, continue another lawsuit, or be part of any other lawsuit asking Heartland to return Program Fees paid by people who used credit or debit cards to upload money to MySchoolBucks for school lunches between June 18, 2013 and July 31, 2019.

C. Option 3: Opt Out of the Settlement by August 28, 2025

After you read this Notice, you may decide that you want to take action so that you opt out of the Settlement Class.

What happens if I decide to opt out of the Settlement?

If you decide to opt out of the Settlement and make sure you are not included in the Settlement Class, you will not be legally bound by the Settlement Agreement. This means that **you will still be able to sue or continue to sue Heartland** for payment of Program Fees credit or debit card MySchoolBucks school lunch purchases between June 18, 2013 and July 31, 2019.

Additionally, if you decide to opt out, you will **NOT** receive any money from the Settlement.

How do I opt out of the Settlement?

Please follow the instructions below to opt out of the Settlement:

- 1. Draft a statement that includes:
 - a. Your full name;
 - b. Your home address;
 - c. Your telephone number where you can be contacted;
 - d. A statement confirming that you are a member of the Settlement Class;
 - e. A statement confirming that you want to be excluded from the Settlement Class in *Story et al. v. Heartland Payment Systems, LLC*, No. 3:19-cv-724 (M.D. Fla.); and
 - f. Your signature.
- 2. By August 28, 2025, send this statement by email to <u>info@MSBFeeSettlement.com</u>, OR send the statement to the address below via First Class U.S. Mail (but you do not need to send it both ways):

Heartland Settlement Administrator c/o Eisner Advisory Group LLC P.O. Box 3413 Baton Rouge, LA 70821

- 3. This will be your only opportunity to opt out of the Settlement Agreement.
- 4. To see additional information about how to opt out of the Settlement Class, you can visit www.MSBFeeSettlement.com.

D. Option 4: Object to the Settlement by August 28, 2025

What happens if I decide to object to the Settlement?

If you are a member of the Settlement Class and you **DID NOT** request to opt out from the Settlement, you have the right to object to any aspect of the Settlement. This means that you can submit a formal statement saying that you have a problem with parts of the Settlement.

If the judge decides to deny approval of the Settlement, none of the money in the Settlement will be paid to members of the Settlement Class. The lawsuit will continue against Heartland.

If the Court decides to approve the Settlement and rejects your objection, you will still be bound by the Settlement.

How do I object to the Settlement?

To object to the Settlement, you (or your lawyer, if you have one) must:

- 1. Draft a written objection that MUST include:
 - a. The case name and number of this lawsuit, which is: *Story, et al. v. Heartland Payment Systems, LLC*, Case No. 3:19-cv-724 (M.D. Fla.);
 - b. Your full name, home address, and telephone number where you can be contacted;
 - c. A statement that says, "I am a member of the Settlement Class.";
 - d. A written statement explaining all of the reasons for your objection, including any specific legal and factual support for your objection, and a statement of whether the objection applies only to the objector (you), to a specific subset of the Class (you and other Class Members), or to the entire Class;
 - e. Copies of any papers, briefs, or other documents upon which the objection is based:
 - f. The name, law firm, address, email address, and telephone number of every attorney representing or assisting you with the objection (not including Class Counsel);
 - g. A statement indicating whether you or your lawyer (separate from Class Counsel) intend to appear at the Fairness Hearing, which is not required. If you or your lawyer do intend to appear at the Fairness Hearing, please include a list of all persons, if any, who the judge can call to testify in support of the objection.
 - h. Note that if you have not requested to opt out from the Settlement, and if you properly submitted a written objection, it is possible that you may be required to provide testimony or produce documents.
- 2. Submit a written objection to the judge on or before August 28, 2025, as follows:
 - a. If you have a lawyer, your lawyer must file your objection on the docket through Pacer, which is a website that allows you to access and file federal court records electronically.
 - b. If you do not have a lawyer, you may file your objection in the Clerk's office in person Monday through Friday between 8:30 a.m. and 4:00 p.m. The Clerk's office is located at: Office of the Clerk of the Court, U.S. District Court, Bryan Simpson U.S. Courthouse, 300 North Hogan Street, Jacksonville, FL 32202. You then must email or mail your objection to the Settlement Administrator and Class Counsel (see Instruction 3 below).
 - i. This objection must include a "certificate of service," which states how and when you served a copy of the objection on the Settlement Administrator and Class Counsel. For example, the "certificate of service" should say: "I, [YOUR NAME], certify that on [INSERT MONTH, DATE, YEAR], I served a copy of this document on the Heartland Settlement Administrator, Jason L. Lichtman, Sarah D. Zandi, and Peter Starr by sending it to [IT/HIM/HER] at the following addresses:

Heartland Settlement Administrator	Jason L. Lichtman
c/o Eisner Advisory Group LLC	Lieff Cabraser Heimann & Bernstein, LLP
P.O. Box 3413	250 Hudson Street, 8th Floor
Baton Rouge, LA 70821	New York, NY 10013-1413
Telephone: 1 (833) 530-0046	Telephone: 1 (212) 355-9500
info@MSBFeeSettlement.com	jlichtman@lchb.com
Sarah D. Zandi	Peter Starr
Lieff Cabraser Heimann & Bernstein, LLP	King & Spalding LLP
275 Battery Street, 29th Floor	1180 Peachtree St. NE
San Francisco, CA 94111-3339	Suite 1600
Telephone: 1 (415) 956-1000	Atlanta, GA 30303
szandi@lchb.com	pstarr@kslaw.com

3. Send the objection by U.S. Mail, FedEx, UPS, or email to the Heartland Settlement Administrator, Jason Lichtman, Sarah Zandi, and Peter Starr at the addresses in Instruction 2(b)(i), above.

Can I Submit a Claim Even Though I Objected to the Settlement?

Yes! You do not have to choose between objecting to the Settlement and submitting a Claim. You can object to the Settlement AND submit a claim for payment.

3. WHAT ARE THE IMPORTANT DEADLINES?

Deadline to Submit a Claim to Be Paid	August 20, 2025
from the Settlement	
Deadline to Opt Out of the Settlement	August 28, 2025
Deadline to Object to the Settlement	August 28, 2025

4. WHAT HAPPENS NEXT IN THE LAWSUIT?

A. First, The Judge Will Hold a Fairness Hearing

What Happens at the Fairness Hearing?

First, the judge will hold a Fairness Hearing on September 25, 2025 at 2:00pm E.T. to decide whether or not he thinks the Settlement Agreement is fair and in the best interests of members of the Settlement Class. At this hearing, you and other members of the Settlement Class will have the opportunity to object the Settlement, and people may argue to the judge that the Settlement is unfair. You are **NOT** required to attend the Fairness Hearing.

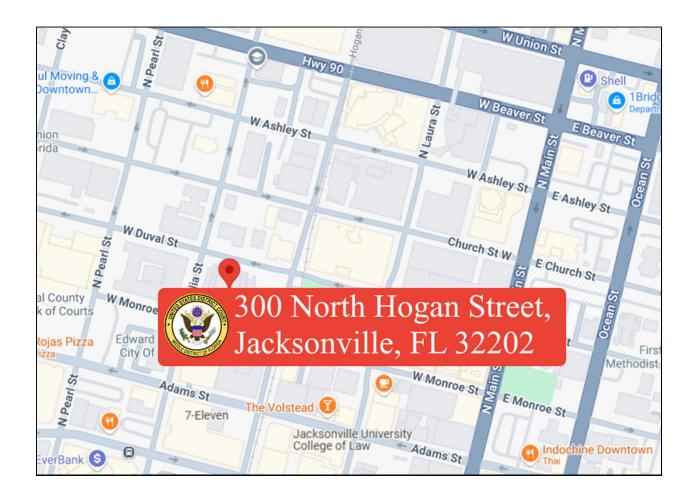
Am I Allowed to Speak at the Fairness Hearing?

If you are a member of the Settlement Class who properly objected to the Settlement by the deadline, you may ask the judge for permission for you or your lawyer(s) to speak at the Fairness Hearing. To ask the judge for permission, by August 28, 2025 you need to file a notice with the judge stating that you or your lawyer(s) intend to appear at the Fairness Hearing. You are not allowed to speak at the Fairness Hearing if you have opted out of the Settlement.

How Do I Attend the Fairness Hearing?

If you decide to attend, the Fairness Hearing will be held before the judge on September 25, 2025 at 2:00pm E.T. in Courtroom 10D, Bryan Simpson United States Courthouse, 300 North Hogan Street, Jacksonville, FL 32202.

Please note that the judge has the right to move this hearing to a later date. If that happens, the following website will let you know: www.MSBFeeSettlement.com.



B. What Happens After the Fairness Hearing?

A few things can happen after this hearing:

What Could Happen Next?	What Does This Mean?	
The Judge Approves the Settlement	If the judge decides that the Settlement is fair, he will approve the Settlement so that members of the Class can be paid, which means:	
	 The lawsuit will end. Every member of the Class who submitted approved claims for payment from the Settlement will be paid. If you submitted a claim but your claim is rejected because you are not a member of the Class, you will not receive a payment. (But note that if someone appeals, the appeal will delay payment.) Additionally, all claims of the members of the Settlement Class against Heartland will be dismissed by the judge and cannot be brought against Heartland again. 	
The Judge Decides the Settlement Is Unfair and Does Not Approve It	If the judge decides that the Settlement is not fair to the Settlement Class, he will not approve it, which means: • The Settlement Agreement will not go into effect and no	
	 one will be paid. The lawsuit will not be over. Plaintiffs and Heartland will need to renegotiate a new Settlement Agreement and submit the new Agreement to the Court for approval. 	

5. WHO ARE THE LAWYERS REPRESENTING ME?

A. Your Current Lawyers in the Case

Who Are the Lawyers Representing the Settlement Class?

Below is the contact information for two lawyers who represent the Settlement Class in this lawsuit. If you have questions or concerns, please make sure you reach out to both attorneys:

Jason L. Lichtman Lieff Cabraser Heimann & Bernstein, LLP 250 Hudson Street, 8th Floor New York, NY 10013-1413 Telephone: 1 (212) 355-9500 ilichtman@lchb.com

Sarah D. Zandi Lieff Cabraser Heimann & Bernstein, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: 1 (415) 956-1000

szandi@lchb.com

How Will the Lawyers Representing the Settlement Class Be Paid?

To be paid for their work in this lawsuit, Class Counsel will request that the judge agree that the attorneys should be paid a fee and litigation expenses not to exceed \$5,475,000. The fee and expenses will be paid out of the Settlement Fund, and will only be paid after the judge approves them. Class Counsel will make this request in a legal document called a "motion," which they will submit to the judge by July 24, 2025 and will be publicly available. Class Counsel's motion for the payment of attorneys' fees and expenses will be available at www.MSBFeeSettlement.com by July 24, 2025.

Class Counsel may also ask the judge to approve a Service Award for both of the Plaintiffs who brought this case for as much as \$15,000 in total. The purpose of the Service Award is to award these Plaintiffs for their time and efforts during the litigation. If approved, the Service Award will be paid from the Settlement Fund.

MEMBERS OF THE SETTLEMENT CLASS WILL NOT HAVE TO INDIVIDUALLY PAY ANY ATTORNEYS' FEES OR EXPENSES IN CONNECTION WITH THIS LAWSUIT.

B. Should I Get My Own Lawyer?

You do not need to hire your own lawyer to submit a claim to receive money from the Settlement. The lawyers who represent the Settlement Class are working on your behalf, because you are a member of the Settlement Class. However, if you would like to get your own lawyer, you may hire one at your own expense. Your own lawyer is allowed to appear on your behalf in this lawsuit.

6. HOW DO I GET MORE INFORMATION ABOUT THE CASE?

Where I Can View Documents About the Lawsuit and Settlement?

More detailed information about this lawsuit, copies of the Plaintiffs' Complaint, the Settlement Agreement, and other documents are available at www.MSBFeeSettlement.com. Please note that though the judge can change dates and deadlines without notice to you, www.MSBFeeSettlement.com will always have up-to-date information.

Complete copies of public filings, rulings from the Court, and other documents on the case docket are available for review and copying at the Office of the Clerk of the Court at the U.S. District Court, Bryan Simpson U.S. Courthouse, 300 North Hogan Street, Jacksonville, FL 32202 from 8:30am to 4:00pm E.T. Monday through Friday.

Who Can I Contact If I Have Ouestions About the Lawsuit and/or Settlement?

If you have questions about the lawsuit and/or Settlement, you can contact the Heartland Settlement Administrator, Eisner Advisory Group LLC, which is the company that has sent you this notice and will issue your payment if the judge approves the Settlement:

Settlement Administrator Contact Information				
Email Address	info@MSBFeeSettlement.com			
Toll-Free Telephone Number	1 (833) 530-0046			
Mail Address	Heartland Settlement Administrator			
	c/o Eisner Advisory Group LLC			
	P.O. Box 3413			
	Baton Rouge, LA 70821			

You can also contact Jason Lichtman and Sarah Zandi, who are two of the lawyers who represent the Settlement Class, using the contact information provided on page 14 of this Notice.

PLEASE DO NOT CONTACT THE JUDGE, THE CLERK OF THE COURT, OR HEARTLAND'S ATTORNEYS FOR ANY REASON OTHER THAN TO FILE OR SERVE AN OBJECTION, EVEN IF YOU HAVE QUESTIONS.