NOTICE OF VANILLA GIFT CARD RESTITUTION FUND

***People of the State of California v. InComm Financial Services, Inc., et al.*,**
No. CGC-23-610333 (Cal. Sup. Ct., San Francisco Cnty.)

IF you are a California resident **AND**:

- **EITHER**
  - You purchased a non-reloadable **Vanilla Prepaid Gift Card** ("Vanilla Gift Card") **in California** between **November 1, 2019 and September 30, 2024 OR**
  - **Someone gave you a Vanilla Gift Card** that was purchased in California during that time frame;
- **AND**
  - You were not able to use some or all of the money on your Vanilla Gift Card because of charges you did not authorize, which may be the result of criminals who accessed your card by tampering with its packaging;
- **AND**
  - You have not previously received a refund from InComm for the money you lost,

Then you may be eligible to receive a payment from a settlement restitution fund. **To be considered, you must submit a Claim Form and any accompanying documentation, online at www.CAGiftCardSettlement.com or by mail (address below). The Claim Form is available on the settlement website. To be eligible, you must submit your claim between Friday, October 23, 2026 and Friday, February 19, 2027**. If you choose to submit your Claim Form and documentation by mail, the postmark date is considered your date of submission.

This notice answers potential questions about the restitution fund and process:

- (1) What is the restitution fund and what is its purpose? (pp. 1–3);
- (2) How do I make a claim for restitution? What information am I required to provide? (pp. 3–5);
- (3) How will my final payment amount be calculated? When do I get paid? (pp. 5–6);
- (4) How will the information I provide with my claim be used and shared? (p. 6);
- (5) What if I have experienced Vanilla Gift Card fraud but am unable or unwilling to make a claim? Do I have other options? (pp. 6–7);
- (6) Where do I go to submit my claim? (p. 7);
- (7) How can I get more information? (p.7)

I. WHAT IS THE RESTITUTION FUND AND WHAT IS ITS PURPOSE?

- A settlement (the "Settlement") has been reached in a lawsuit brought by the People of the State of California, by and through the San Francisco City Attorney (the "SF City Attorney"), against InComm Financial Services, the company that sells Vanilla Gift Cards (the "Company"). The lawsuit, filed in 2023 in the Superior Court in San Francisco County, California, alleged that Vanilla Gift Cards were susceptible to having

their balances stolen by people who breached the card packaging and accessed the card information before the card was purchased, including during the period between November 2019 and September 2024. The lawsuit also alleged that some cardholders whose funds were stolen were improperly denied refunds by the Company. The Company denies the lawsuit's allegations.

- As part of the settlement, the SF City Attorney and the Company have agreed that the Company will fund a restitution fund, which will be overseen by the SF City Attorney (the "Restitution Fund"). Payments from this fund will be made to qualifying individuals (the "Claimants"). To qualify as a Claimant, you must satisfy the following criteria (the "Claim Criteria"):
    - (1) Be a California resident; **and**
    - (2) **EITHER** have
        - (a) purchased a Vanilla Gift Card in California between November 1, 2019 and September 30, 2024; **OR**
        - (b) received as a gift, or otherwise lawfully acquired, a Vanilla Gift Card that someone else purchased in California during that time frame; **and**
    - (3) have been unable to use the full balance of the Vanilla Gift Card due to one or more unauthorized transactions; **and**
    - (4) believe that the unauthorized transactions were caused by a person tampering with the card's packaging; **and**
    - (5) not yet have received a refund for the funds you were unable to access (you may be eligible to receive payment for funds you lost but were not refunded).

- The total Restitution Fund is $1,525,000. Verita Global ("Claims Administrator") has been chosen to administer the Restitution Fund and will be paid from the Restitution Fund. If money remains in the Restitution Fund after the Claims Administrator and all valid claims are paid, it will be used by the SF City Attorney's Office in the future to protect California consumers.

- To seek payment from the Restitution Fund, submit a Claim Form and any accompanying documentation to the settlement website, **www.CAGiftCardSettlement.com**, or mail a Claim Form, available on the settlement website, to: Gift Card Claims Administrator, PO Box 301132, Los Angeles CA, 90030-1132. Please see Sections II and III below for instructions on how to make a claim and how payment amounts will be calculated for eligible Claimants.

- The Claims Administrator will accept Claim Forms and supporting documentation between **Friday, October 23, 2026 and Friday, February 19, 2027 (the "Claims Period")**. **The Claims Administrator will not review claims submitted after Friday, February 19, 2027.** For claims submitted by mail, the date of postmark will be considered the submission date.

- The SF City Attorney represents the People and does not represent any Vanilla Gift card purchasers or recipients, or any Claimants. The SF City Attorney's Office cannot provide

legal advice to you. If you need legal advice, please consult a lawyer. If you have questions about how to submit a claim, please contact the Claims Administrator at info@CAgiftcardsettlement.com, or 1-888-808-2479.

II. HOW DO I MAKE A CLAIM? WHAT INFORMATION AM I REQUIRED TO PROVIDE?

Where to Submit a Claim. To make a claim, go to **www.CAGiftCardSettlement.com** and complete and submit the Claim Form and Attestation, and (if desired) Proof of Claim. You may also print these claim materials and mail them to:

Gift Card Claims Administrator
PO Box 301132
Los Angeles, CA 90030-1132

The Information You Will be Asked to Provide. To submit a claim, you will need to complete and submit the **Claim Form** and **Attestation** described below. You may also submit **Proof of Claim**, which is not required for a claim but will increase the amount of restitution payment that you are eligible to receive, as described below.

If you have more than one Vanilla Gift Card meeting the claim criteria, you will be able to submit claims for more than one card using the same Claim Form.

The **Claim Form,** which is mandatory, will require you to provide the following information:

- Your name;
- Your phone number;
- Your email address;
- Your home address, including your address when you bought the Vanilla Gift Card, if different from your current address;
- The stated value of the Vanilla Gift Card when it was purchased (how much money was supposed to be on it);
- The approximate date of purchase;
- The approximate location of purchase;
- The amount of money spent in unauthorized transactions that you believe were the result of a person stealing money from the card by tampering with the packaging;
- [*only if you previously sought a refund from the Company for the same Vanilla Gift Card*] The claim number that the Company provided for your refund request;
- The 11-digit serial number on the back of the Vanilla Gift Card; and
  EITHER
- The 16-digit card number of the Vanilla Gift Card you are submitting a claim for,
  OR
- A statement that the Vanilla Gift Card's 16-digit card number was altered or scratched off when you opened the card, along with a photo of the front and back of the altered card.

The **Attestation**, which is mandatory for each valid claim, is a certification you will be required to complete along with your Claim Form, which will ask you to affirm under penalty of perjury that:

- The information provided in the Claim Form is true and accurate;
- You purchased a Vanilla Gift Card in California between November 1, 2019 and September 30, 2024, or received such a Vanilla Gift Card as a gift or through other lawful means; and
- You either (1) attempted to use the card and were unable to spend all funds, or (2) checked the card balance and saw that the balance had been spent or partially spent through transactions you did not authorize; and
- You believe that the funds on your card were depleted through unauthorized transactions by a person who had accessed the card information via package tampering; and
- You have not previously received a refund from the Company for the funds lost.

In addition to the mandatory Claim Form and Attestation, you will also have the option to submit a **Proof of Claim** to the Claims Administrator. Submitting a complete Proof of Claim will increase the potential payment for which you are eligible, as described in Part III below.
To submit a complete Proof of Claim, you must provide each of the following items:

- The receipt for the Vanilla Gift Card purchase;
- Photos of the Vanilla Gift Card (front and back);
- The transaction history for the Vanilla Gift Card (available at https://balance.vanillagift.com/), along with your notation of which transaction(s) you believe were the result of package tampering fraud;
- [*only if you previously sought a refund from the Company for the same Vanilla Gift Card*] Documentation of your prior outreach to the Company about the unauthorized transaction(s) and any communications you received from the Company in response.

Even if you do not have all these items, you are encouraged to provide as many of them as you have because an incomplete Proof of Claim may still entitle you to greater payment.

Please see Part III for more details on how payments are calculated.

How Claims Will be Reviewed and Evaluated. The SF City Attorney and/or Claims Administrator will use a quality-control process to screen, and will deny at its discretion, all claims that appear to be fraudulent or invalid. As part of this process, the SF City Attorney and/or Claims Administrator may share your claim information with the Company to be checked against the Company's records. If the SF City Attorney or Claims Administrator determines that your claim is invalid based on this screening process, your claim will be denied and you will not receive a restitution payment.

Your claim may be determined to be invalid if it is found to be fraudulent, if the SF City Attorney and/or Claims Administrator cannot verify from the information provided that the Vanilla Gift Card was a valid Vanilla Gift Card satisfying the claim criteria, or for other good cause as determined by the SF City Attorney and/or Claims Administrator in their sole discretion.

III. HOW WILL MY FINAL PAYMENT AMOUNT BE CALCULATED? WHEN DO I GET PAID?

Payment Eligibility Calculation: The amount of payment for which you are eligible depends primarily upon whether you submit your claim **with or without a Proof of Claim**.

If you submit a valid **claim with a complete Proof of Claim**, you will be eligible for payment of the full value of the lost funds that you report in the claim. If you have multiple eligible Vanilla Gift Cards, there is no limit on the number of claims with Proof of Claim that you can submit, and you will be eligible for full payment of losses on each such claim. If you have claims for multiple eligible Vanilla Gift Cards, you will be able to submit multiple claims using the same Claim Form.

If you submit a valid **claim without a Proof of Claim**, you will be eligible for a flat payment of up to $15 regardless of the value of loss reported in the claim. **You may not submit claims for more than two eligible Vanilla Gift Cards without a Proof of Claim**, for a maximum total payment of $30. However, even if you submit one or two claims **without** a Proof of Claim, you remain eligible to submit unlimited claims **with** a Proof of Claim, so long as you submit only one claim per affected Vanilla Gift Card.

If you submit a valid **claim with an incomplete Proof of Claim** (that is, you submit some but not all of the components of Proof of Claim), you may be eligible for up to 75% of your reported lost funds for each Vanilla Gift Card at issue depending on the amount of documentation provided. Your payment may be adjusted at the pro-rating stage, described below.

Pro-Rating. After all claims have been processed and payment eligibility for each claim has been determined, payments may be adjusted upward or downward depending on the number and value of valid claims relative to the value of the Restitution Fund. This process is called pro-rating.

At the conclusion of the claims submission period, the SF City Attorney and the Claims Administrator will allocate the funds in the Restitution Fund as follows:

- First, the SF City Attorney and Claims Administrator will allocate the Claims Administrator's costs of administering restitution, for payment of costs to the Claims Administrator.
- Second, the SF City Attorney and Claims Administrator will allocate payment of all **claims with Proof of Claim (complete and incomplete),** for payment to claimants with complete Proof of Claim of the full value of claimed losses, followed by payment to claimants with incomplete Proof of Claim of up to 75% of the value of claimed losses.
- Third, the SF City Attorney and Claims Administrator will allocate payment of all **claims without Proof of Claim,** for payment to claimants of $15 per claim (max $30 per claimant).

If the total value of these allocations *exceeds* the value of the Restitution Fund, the payments for claims **without Proof of Claim** will be prorated, or adjusted downward, dividing the available funds among all claims without Proof of Claim. In this instance, claimants will receive less than $15 per claim without Proof of Claim but claims with Proof of Claim will not be affected.

After payment of all claims as described above, any funds remaining in the Restitution Fund will be used by the SF City Attorney's Office to protect consumers.

Method of Payment: If you submit your claim online at www.CAGiftCardSettlement.com, you will have the option of receiving payment either electronically or by check mailed to your address. To receive payment electronically, you must provide a Venmo or Paypal account for payment when submitting your claim online. If you submit your claim by mail, you will receive payment by check mailed to your address and will not be able to receive payment electronically. You will only receive payment if you provide accurate account and/or address information to the Claims Administrator.

Timing: The Claims Administrator will make payment by approximately **Saturday, June 19, 2027.**

IV. HOW WILL THE INFORMATION I PROVIDE WITH MY CLAIM BE USED AND SHARED?

The SF City Attorney and/or Claims Administrator will use your information and documentation to determine whether you are entitled to a payment from the Restitution Fund and will provide your information to the Company for verification. The Company may then send information from its records to the SF City Attorney and/or Claims Administrator for the same purpose. By submitting a claim for payment from the Restitution Fund, you are (1) authorizing the SF City Attorney and Claims Administrator to share your information and documentation with the Company; and (2) authorizing and directing the Company to disclose information about your card and card experience to the SF City Attorney and Claims Administrator.

Information you submit with your claim and information the SF City Attorney obtains from the Company related to your claim may become subject to disclosure to the extent required by the Public Records Act and the Sunshine Ordinance. The SF City Attorney generally invokes exceptions to these laws to withhold personal contact information and sensitive financial information. The SF City Attorney will destroy all information relating to your claim that the SF City Attorney obtained from the Company within 180 days of the conclusion of the Claims Period, that is, no later than Wednesday, August 18, 2027.

V. I THINK I HAVE LOST MONEY TO VANILLA GIFT CARD FRAUD, BUT I DO NOT MEET THE CLAIM CRITERIA AND/OR DO NOT WISH TO MAKE A CLAIM. DO I HAVE OTHER OPTIONS?

You may opt to seek a refund directly from the Company, either online or by phone, through the Company's established process for fraud redress. Please note that if you have already received a refund from the Company for a specific Vanilla Gift Card, you are not eligible to make a claim for that same card (see Claim Criteria, item (5)).

If you choose to seek a refund from the Company, please review your card or card packaging, or go to vanillagift.com, for details on how to do so.

VI. HOW DO I SUBMIT MY CLAIM?

You can submit a claim online on the settlement website or by mail.

To submit a claim online, please go to **www.CAGiftCardSettlement.com** and complete the Claim Form and upload any supporting documentation described above.

To submit a claim via mail, please mail the completed Claim Form as well as any other supporting documentation described above to:

Gift Card Claims Administrator
PO Box 301132
Los Angeles CA, 90030-1132

VII. WHERE CAN I GET MORE INFORMATION?

If you have questions about the process of submitting a claim, you may contact the Claims Administrator through **www.CAGiftCardSettlement.com**, or by mail at the following address, by phone at the following phone number, or email at the following email:

Gift Card Claims Administrator
PO Box 301132
Los Angeles CA, 90030-1132
1-888-808-2479
info@CAgiftcardsettlement.com

Please do not contact the Court.