

**Notice of Proposed Class Action Settlement**  
***Viviali et al. v. One Point HR Solutions, LLC***  
**Case No. 26-CI-00098**

*The 16th Judicial Circuit, Kenton County, Kentucky authorized this Notice.  
You are not being sued.*

- A proposed Settlement has been reached with One Point HR Solutions, LLC (“One Point” or “Defendant”) arising out of a data incident experienced by One Point between July 3, 2023, and February 14, 2024 (the “Data Incident”).
- The Settlement Class includes all individuals residing in the United States whose Personal Information was potentially compromised as a result of the Data Incident, including all individuals who received notice of the Data Incident.
- Under the Settlement, One Point has agreed to provide certain benefits to Participating Settlement Class Members who submit valid and timely claims. In addition, One Point has agreed to implement certain security enhancements, and has agreed to pay for the costs of Notice and Administrative Expenses; Service Award Payments for the Class Representatives; and Attorneys’ Fee Award and Costs.
- Your legal rights will be affected whether you act or do not act. **You should read this entire Notice carefully.**

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:**

<b>FILE A CLAIM FORM</b> <b>DEADLINE:</b> <b>JULY 29, 2026</b>	Submitting a Claim Form is the only way that you can receive any of the Settlement benefits. If you submit a Claim Form, you will give up the right to sue Defendant and certain other Released Parties (as defined in the Settlement Agreement) in a separate lawsuit about the legal claims this Settlement resolves.
<b>EXCLUDE YOURSELF FROM THIS SETTLEMENT</b> <b>DEADLINE:</b> <b>JUNE 29, 2026</b>	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Defendant or other Released Parties, for the claims this Settlement resolves. If you exclude yourself, you will give up the right to receive any Settlement benefits from this Settlement.
<b>OBJECT TO OR COMMENT ON THE SETTLEMENT</b> <b>DEADLINE:</b> <b>JUNE 29, 2026</b>	You may object to the Settlement by writing to the Court and informing it why you do not think the Settlement should be approved. You will still be bound by the Settlement if it is approved. <ul style="list-style-type: none"> <li>• If you exclude yourself from the Settlement, you cannot object to it.</li> <li>• If you object, you may also file a Claim Form to receive Settlement benefits.</li> </ul>
<b>GO TO THE FINAL APPROVAL HEARING</b> <b>JULY 31, 2026</b>	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.
<b>DO NOTHING</b>	If you do nothing, you will not receive any of the Settlement benefits and you will give up your rights to sue Defendant and other Released Parties for the claims this Settlement resolves.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. No Settlement benefits will be provided unless the Court approves the Settlement, and it becomes final.

**Questions? Visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) or call toll-free 1-844-747-4257.**

## BASIC INFORMATION

### 1. Why did I get this Notice?

The Court authorized this Notice because you have the right to know about the proposed 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 benefits are available, who is eligible for the benefits, and how to receive those benefits.

The case is known as *Viviali et al. v. One Point HR Solutions, LLC*, Case No. 26-CI-00098 (the “Action”), pending in the 16th Judicial Circuit, Kenton County, Kentucky. The individuals who filed this lawsuit, Charles Viviali, Lisa Alicea, and Kayla Lofton, are called the “Plaintiffs” or “Settlement Class Representatives” and the company that was sued, One Point HR Solutions, LLC, is called the “Defendant” or “One Point.”

### 2. What is this lawsuit about?

Between July 3, 2023, and February 14, 2024, One Point experienced a cybersecurity incident (the “Data Incident”) in which the **Personal Information** of Settlement Class Members was potentially compromised.

For purposes of this Settlement, “Personal Information” includes, but is not limited to, names, Social Security numbers, dates of birth, driver’s license numbers, state identification numbers, federal employer identification numbers, financial account information, government identification numbers, health insurance information, individual tax identification numbers, medical information, passport numbers, payment card information, email addresses, usernames, and passwords.

Following the Data Incident, Plaintiffs brought this Action against One Point. For more information about Plaintiffs’ allegations, visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com), where you can review Plaintiffs’ Amended Complaint.

One Point denies all claims of wrongdoing or liability that Plaintiffs, Settlement Class Members, or anyone else have asserted in this Action or may assert against Defendant in the future regarding the Data Incident.

### 3. Why is this a class action?

In a class action, one or more people called the “Plaintiffs”, or “Settlement Class Representatives” sue on behalf of all people who have similar claims. Together, all of these people are called a “Settlement Class” or “Settlement Class Members.” One court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement.

A “Participating Settlement Class Member” is defined in this Settlement as a Settlement Class Member who does not submit a valid request for exclusion prior to the Opt-Out Deadline (*See* Question 18 for information on requesting exclusion from the Settlement).

### 4. Why is there a Settlement?

The Plaintiffs and Defendant disagree over the legal claims alleged in the Action. The Action has not gone to trial, and the Court has not decided in favor of the Plaintiffs or Defendant (collectively referred to as the “Parties”). Instead, in exchange for the mutual promises and valuable consideration provided for in the Settlement Agreement, the Parties have agreed to a full, complete, and final settlement and resolution of the Action and any and all Released Claims (including Unknown Claims), subject to Court approval.

## WHO IS INCLUDED IN THE SETTLEMENT?

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

Questions? Visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) or call toll-free 1-844-747-4257.

The Settlement Class includes all individuals residing in the United States whose Personal Information was potentially compromised in the cybersecurity incident experienced by One Point between July 3, 2023 and February 14, 2024, including all those who received notice of the Data Incident.

**6. Are there exceptions to individuals who are included in the Settlement Class?**

Yes, excluded from the Settlement Class are (i) Defendant; (ii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (iii) any judges assigned to this case and their staff and family; and (iv) any other person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads *nolo contendere* to any such charge.

**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 the Settlement Website at [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com), or call toll-free 1-844-747-4257. You may also email the Settlement Administrator at [info@OPHRDataSettlement.com](mailto:info@OPHRDataSettlement.com).

**THE SETTLEMENT CLASS MEMBER BENEFITS**

**8. What does the Settlement provide?**

The Settlement will provide Participating Settlement Class Members with the opportunity to submit a Claim Form for Credit Monitoring and Cash Benefits.

**Credit Monitoring Services.** Includes two (2) years of one-bureau credit monitoring and \$1 million in identity theft protection insurance, among other features.

**Cash Benefits.** Participating Settlement Class Members can submit a Claim Form for one of the following Cash Benefit options.

**Cash Benefit A** – Includes Ordinary Losses, Lost Time, and/or Extraordinary Losses.

- **Ordinary Losses.** Compensation up to a total of \$400.00 per Participating Settlement Class Member upon submission of a valid documented claim and supporting third-party documentation for each item of expenditure claimed. This can include receipts or other documentation not “self-prepared” by the claimant that document the costs incurred. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation. Ordinary Losses would include, without limitation and by way of example:
  - i. *Out of pocket expenses actually incurred* as a result of the Data Incident, including, without limitation, and by way of example, unreimbursed losses relating to fraud or identity theft; professional fees including attorneys’ fees, accountants’ fees, and fees for credit repair services; costs associated with freezing or unfreezing credit with any credit reporting agency; credit monitoring costs that were incurred on or after «mailing of the notice of Data Incident», through the date of this Claim Form submission; and miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.
  - ii. Fees for credit reports, credit monitoring or other identity theft insurance products purchased as a result of the Data Incident.
- **Lost Time.** Reimbursement of up to 3 hours at a rate of \$30.00 per hour (for a total of \$90.00) per Participating Settlement Class Member for time actually spent responding to issues raised by the Data Incident if at least one full hour was spent dealing with the Data Incident. Participating Settlement Class Members must submit a valid claim form identifying the activities engaged in and the time spent on each such activity and provide attestation, under

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penalty of perjury, on the Claim Form that the activities they performed were related to the Data Incident. ***Claims for Lost Time are subject to the \$400.00 cap for Ordinary Losses.***

- **Extraordinary Losses.** Claim up to a total of \$5,000.00 per Participating Settlement Class Member who was the victim of actual fraud or identity theft in compensation on submission of a valid and timely claim form for monetary losses with third party documentation that meets the following conditions:
  - i. The loss is an actual, documented, and unreimbursed monetary loss stemming from fraud or identity theft;
  - ii. The submitted documentation is not “self-prepared” by the claimant. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation;
  - iii. The loss from fraud or identity theft was more likely than not caused by the Data Incident;
  - iv. The loss was incurred after July 3, 2023 and before July 29, 2026;
  - v. The loss is not already covered by the Ordinary Loss or Lost Time categories;
  - vi. The Participating Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion of all available credit monitoring insurance and identity theft insurance; and

**Cash Benefit B** – Includes the Alternative Cash Payment.

- **Alternative Cash Payment.** Participating Settlement Class Members may claim an Alternative Cash Payment of \$65.00 per Settlement Class Member in lieu of claims for Ordinary Losses, Lost Time, and Extraordinary Losses. In other words, if a Settlement Class Member claims the Alternative Cash Payment, they cannot also receive compensation for Ordinary Losses, Lost Time, or Extraordinary Losses. However, Participating Settlement Class Members can claim both the Alternative Cash Payment and Credit Monitoring Services. To receive this benefit, Participating Settlement Class Members must submit a valid claim form, but no documentation is required for the Alternative Cash Payment.

**Aggregate Cap.**

The Defendant will pay, up to an aggregate cap of \$750,000, Approved Claims for Ordinary Losses, Extraordinary Losses, and/or Lost Time Reimbursement, or, in the alternative, Alternative Cash Payments, as described above. In the event that the total Cash Benefits exceed \$750,000, Approved Claims and Alternative Cash Payments will be decreased *pro rata* to stay within the maximum \$750,000 cap.

**9. Are there other Settlement benefits?**

Defendant will provide a confidential declaration to Settlement Class Counsel describing its information security enhancements since the Data Incident and estimating, to the extent reasonably calculable, the annual cost of those enhancements. The cost of such enhancements will be paid by Defendant separate and apart from all other Settlement benefits.

**10. What am I giving up in order to receive a Settlement benefit or stay in the Settlement Class?**

Unless you exclude yourself, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all of the Court’s orders 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 Defendant and the other Released Parties about the legal issues in this Action, resolved by this Settlement, and released by the Settlement Agreement. The specific rights you are giving up are called Released Claims (See next question).

**11. What are the Released Claims?**

Released Claims includes any and all claims, liabilities, rights, claims, demands, suits, actions, causes of action, obligations, damages, penalties, costs, attorneys’ fees, losses, and remedies of every kind or description—whether known or unknown (including Unknown Claims), existing or potential, suspected or unsuspected, asserted or unasserted, liquidated or

unliquidated, legal, statutory, or equitable—that result from, relate to, are based upon, or arise out of the Data Incident, the operative facts alleged in the Action, including the complaint and any amendment thereto, Defendant’s information security policies and practices, or Defendant’s maintenance or storage of Personal Information, and conduct that was alleged or could have been alleged in the Action, regardless of whether such claims arise under federal, state and/or local law, statute, ordinance, regulation, common law, or other source of law.

More information about the Released Claims and Released Parties is provided in the Settlement Agreement, available at [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com).

## HOW TO GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM

### 12. How do I make a claim for Settlement benefits?

Visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) to submit your claim online or to download a full Claim Form to complete and return it by mail. Claim Forms must be submitted online by **July 29, 2026**. Claim Forms submitted by mail must be postmarked no later than **July 29, 2026**.

Participating Settlement Class Members can also request a Claim Form by calling toll-free **1-844-747-4257** or by writing to the Settlement Administrator.

Mail: OPHR Data Incident Settlement, Attn: Claim Request, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Email: [info@OPHRDataSettlement.com](mailto:info@OPHRDataSettlement.com)

### 13. Where do I send my completed Claim Form?

Completed Claim Forms, along with supporting documentation may be mailed to the Settlement Administrator at: OPHR Data Incident Settlement, Attn: Claim Form Submissions, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Remember, Claim Forms submitted by mail must be postmarked no later than **July 29, 2026**.

### 14. What happens if my contact information changes after I submit a claim?

If you need to update your contact information after you submit a Claim Form, you may notify the Settlement Administrator of any changes by writing to the Settlement Administrator via mail or email. Please include your Notice ID number with any written requests to assist the Settlement Administrator in identifying you.

### 15. When and how will I receive the Settlement Benefits?

If you submit a Valid Claim for Credit Monitoring Services, the Settlement Administrator will send you an email with instructions on how to activate those services after the Settlement is approved and becomes Final.

Cash Benefit payments will be issued by the Settlement Administrator after the Settlement is approved and becomes Final. Payments will be issued via the payment selection made on the Claim Form. It is your responsibility to inform the Settlement Administrator of any updates to your payment information after the submission of your Claim Form.

The Settlement approval process may take time and there may be appeals that must be resolved before any Settlement benefits can be issued. Please be patient and check [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) for updates.

## THE LAWYERS REPRESENTING YOU

### 16. Do I have a lawyer in this case?

Yes, the Court has appointed Andrew Mize of Stranch, Jennings & Garvey, PLLC, Daniel Srourian of Srourian Law Firm, P.C., and Raina C. Borrelli of Strauss Borrelli PLLC, as Settlement 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 and expense if you want someone other than Settlement Class Counsel to represent you in this Action.

Questions? Visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) or call toll-free **1-844-747-4257**.

**17. How will Settlement Class Counsel be paid?**

Settlement Class Counsel will file a motion for Fee Award and Costs, to be paid by Defendant. Defendant agrees not to oppose Settlement Class Counsel's request for Fee Award and Costs, which shall not exceed Two Hundred and Ninety Thousand Dollars (\$290,000.00). Settlement Class Counsel's motion will also seek a service award payment for each Settlement Class Representative in recognition of their contributions to this Action not to exceed Two Thousand and Five Hundred Dollars and Zero Cents (\$2,500.00).

These amounts are subject to Court approval and do affect the Aggregate Cap.

**EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you are a Settlement Class Member and want to keep any rights you may have to sue or continue to sue the Defendant and/or the other Released Parties on your own based on the claims raised in this Action or released by 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. Any Settlement Class Member who does not file a timely Request for Exclusion in accordance with the instructions below will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement.

**18. How do I get out of the Settlement?**

Settlement Class Members who want to exclude themselves or “opt-out” of the Settlement must submit a Request for Exclusion to the Settlement Administrator by mail, postmarked no later than **June 29, 2026**.

The Request for Exclusion must include the name of the proceeding, the individual's full name, current address, personal signature, and the words “Request for Exclusion” or a comparable statement that the individual does not wish to participate in the Settlement.

Any Settlement Class Member who does not file a timely request for exclusion in accordance with the above requirements will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement.

The Request for Exclusion must be postmarked or received by the Settlement Administrator at the address below no later than **June 29, 2026**:

OPHR Data Incident Settlement  
Attn: Exclusion Requests  
P.O. Box 58220  
Philadelphia, PA 19102

No person shall purport to exercise any exclusion rights of any other person, or purport (a) to opt-out Settlement Class Members as a group, in the aggregate, or as a class; or (b) to opt-out more than one Settlement Class Member on a single Request for Exclusion, or as an agent or representative. Any such purported Request(s) for Exclusion shall be void, and the Settlement Class Member(s) who is or are the subject of such purported Request(s) for Exclusion shall be treated as a Participating Settlement Class Member and be bound by this Settlement Agreement, including the Release contained herein, and judgment entered thereon, unless he or she submits a valid and timely Request for Exclusion.

**19. If I exclude myself, can I still receive Settlement benefits?**

No. If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You are only eligible to receive Settlement benefits if you stay in the Settlement and submit a valid Claim Form.

**20. If I do not exclude myself, can I sue the Defendant for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue the Defendant and the other Released Parties for the claims that this Settlement resolves. You must exclude yourself from this Action to start or continue with your own lawsuit or be

part of any other lawsuit against the Defendant or any of the other Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

**OBJECT TO OR COMMENT ON THE SETTLEMENT**

**21. How do I tell the Court that I do not like the Settlement?**

Settlement Class Members who wish to object to the Settlement or request for attorneys’ fees and Litigation Costs and Expenses must file a written objection with the Court no later than June 29, 2026.

The written objection must include (i) the name of the Action; (ii) the Settlement Class Member’s full name and current mailing address; (iii) a statement that states with specificity the grounds for the objection, as well as any documents supporting the objection; (iv) the identity of any attorneys representing the objector; (v) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vi) information identifying the objector as a Settlement Class Member, including proof that the objector is within the Settlement Class (e.g., copy of the Notice or copy of original notice of the Data Incident); and (vii) the signature of the Settlement Class Member or the Settlement Class Member’s attorney.

The Settlement Class Member shall also send a copy of the written objection to the Settlement Administrator, Settlement Class Counsel, and Defendant’s Counsel postmarked no later than June 29, 2026.

<b>Court</b>	<b>Settlement Administrator</b>
<p align="center"><b>Kenton County Justice Center</b> 230 Madison Avenue, Covington, Kentucky 41011</p>	<p align="center">OPHR Data Incident Settlement Attn: Objections P.O. Box 58220 Philadelphia, PA 19102 info@OPHRDataSettlement.com</p>
<b>Settlement Class Counsel</b>	<b>Settlement Class Counsel</b>
<p align="center">Raina C. Borrelli <b>Strauss Borrelli PLLC</b> 980 N Michigan Ave, Suite 1610 Chicago, IL 60611 raina@straussborrelli.com</p>	<p align="center">Andrew Mize <b>Stranch, Jennings &amp; Garvey, PLLC</b> 223 Rosa L. Parks Avenue, Suite 200 Nashville, TN 37203 amize@stranchlaw.com</p>
<b>Settlement Class Counsel</b>	<b>Defendant’s Counsel</b>
<p align="center">Daniel Srourian <b>Srourian Law Firm, P.C.</b> 468 N. Camden Dr., Suite 200 Beverly Hills, CA 90210 daniel@slfla.com</p>	<p align="center">Claudia McCarron <b>Mullen Coughlin LLC</b> 426 W. Lancaster Avenue, Suite 200 Devon, PA 19333 cmccarron@mullen.law</p>

This is the exclusive means for any challenge to the Settlement Agreement. Any Settlement Class Member who does not file a timely and adequate objection in accordance with this section waives the right to object or to be heard at the Final Approval Hearing and shall be forever barred from making any objection to the Settlement and shall be bound by the terms of the Agreement and by all proceedings, orders, and judgments in the Action, including the Release.

**22. What is the difference between objecting and requesting exclusion?**

Objecting is telling the Court you do not like something about the Settlement. You can object only if you stay in the Settlement Class (that is, you do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you exclude yourself, you cannot object to the Settlement because it no longer affects you.

## THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **July 31, 2026 at 11:00 am**, located at the Kenton County Justice Center, 230 Madison Avenue, Covington, Kentucky 41011.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class, so please check [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) for updates.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement, Settlement Class Counsel's request for Fee Award and Costs, and Service Awards for the Settlement Class Representatives. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

### 24. Do I have to come to the Final Approval Hearing?

No. Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you submit a timely and complete objection, the Court will consider it, and you do not have to come to Court to talk about it.

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

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (*See* Question 21). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify any witnesses you may call to testify or exhibits you intend to introduce into evidence at the Final Approval Hearing. If you plan to have your attorney speak for you at the Final Approval Hearing, your objection must also include your attorney's name, address, and phone number.

## IF YOU DO NOTHING

### 26. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement benefits. You will also give up certain rights, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or any of the other Released Parties about the legal issues in this Action and released by the Settlement Agreement.

## GETTING MORE INFORMATION

### 27. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com). You may also contact the Settlement Administrator by mail or email:

Mail: OPHR Data Incident Settlement, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Email: [info@OPHRDataSettlement.com](mailto:info@OPHRDataSettlement.com)

**PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE  
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**

Questions? Visit [www.OPHRDataSettlement.com](http://www.OPHRDataSettlement.com) or call toll-free 1-844-747-4257.