

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**  
**UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY**  
***Wendelken v. Hafetz & Associates LLC*, Case No. 1:24-cv-07755**

**A court has authorized this notice. This is not a solicitation from a lawyer.**

---

**If You Previously Received a Notice Letter Notifying You of the Data Incident,  
Hafetz Discovered in October 2023, You Could be Eligible for a Payment from a Class Action  
Settlement**

---

- You may be eligible to receive a payment from a proposed \$505,000 non-reversionary class action settlement (the “Settlement Fund”).
- The class action lawsuit concerns a cybersecurity incident that Hafetz discovered in October 2023 (the “Data Incident”) in which it was determined that an unauthorized third party may have gained access to certain Hafetz’s email accounts that may have contained names, Social Security numbers, drivers’ license numbers, financial account information, and insurance benefit information (“personally identifiable information” or “PII”). Hafetz denies any wrongdoing and denies that it has any liability but has agreed to settle the lawsuit on a class wide basis.
- To be eligible to make a claim, you must have received a notice letter of the Hafetz’s Data Incident that occurred between July 24, 2023 and October 12, 2023.
- Eligible claimants under the Settlement Agreement will be eligible to receive the following Settlement benefits:
  - ❖ **Credit Monitoring Services:** Two (2) years of Credit Monitoring Services to include credit monitoring through one national credit reporting bureau and with at least \$1,000,000 in identity theft insurance;
  - ❖ **Unreimbursed Economic Losses:** Reimbursement for the actual amount of unreimbursed losses or expenses up to \$10,000.00, with supporting documentation of the monetary losses or expenses; and/or
  - ❖ **Pro Rata Cash Payment:** \$50.00 cash payment from the Settlement Fund that will be increased or decreased pro rata depending on the amount remaining in the Settlement Fund after allocation of the Settlement Fund for reimbursement of documented Unreimbursed Economic Losses, attorneys’ fees and expenses, service award, and Notice and Administrative Expenses.
- For more information or to submit a claim visit [www.HafetzDataSettlement.com](http://www.HafetzDataSettlement.com), [email info@HafetzDataSettlement.com](mailto:info@HafetzDataSettlement.com), or call 1-833-417-4985.
- **Please read this notice carefully. Your legal rights will be affected, and you have a choice to make at this time.**

|                                                                    | <b>Summary of Legal Rights</b>                                                                                                                                                                                                                                                                        | <b>Deadline(s)</b>                                            |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Submit a Claim Form</b>                                         | The only way to receive payment.                                                                                                                                                                                                                                                                      | Submitted or Postmarked on or Before <b>January 22, 2025</b>  |
| <b>Exclude Yourself By Opting Out of the Class</b>                 | Receive no payment. This is the only option that allows you to keep your right to bring any other lawsuit against Defendant for the same claims if you are a Settlement Class Member.                                                                                                                 | Submitted or Postmarked on or Before <b>December 23, 2025</b> |
| <b>Object to the Settlement and/or Attend the Fairness Hearing</b> | You can write the Court about why you agree or disagree with the Settlement. The Court cannot order a different Settlement. You can also ask to speak to the Court at the Final Approval Hearing on <b>February 25, 2026</b> about the fairness of the Settlement, with or without your own attorney. | Received on or Before <b>December 23, 2025</b>                |
| <b>Do Nothing</b>                                                  | Receive no payment. Give up rights if you are a Settlement Class Member.                                                                                                                                                                                                                              | No Deadline.                                                  |

- Your rights and options as a Settlement Class Member – and the deadlines to exercise your rights – are explained in this notice.
- The Court still will have to decide whether to approve the Settlement. Payments to Settlement Class Members will be made if the Court approves the Settlement and after any possible appeals are resolved.

## What This Notice Contains

|                                                                                     |   |
|-------------------------------------------------------------------------------------|---|
| BASIC INFORMATION .....                                                             | 4 |
| 1. Why is there a notice? .....                                                     | 4 |
| 2. What is this lawsuit about? .....                                                | 4 |
| 3. Why is this lawsuit a class action? .....                                        | 4 |
| 4. Why is there a Settlement? .....                                                 | 4 |
| WHO IS IN THE SETTLEMENT? .....                                                     | 4 |
| 5. How do I know if I am part of the Settlement? .....                              | 4 |
| 6. What if I am not sure whether I am included in the Settlement? .....             | 5 |
| THE SETTLEMENT BENEFITS – WHAT YOU RECEIVE IF YOU QUALIFY .....                     | 5 |
| 7. What does the Settlement provide? .....                                          | 5 |
| 8. What payments are available for reimbursement under the Settlement? .....        | 5 |
| HOW DO YOU SUBMIT A CLAIM? .....                                                    | 6 |
| 9. How do I get a benefit? .....                                                    | 6 |
| 10. How will claims be decided? .....                                               | 6 |
| 11. When will I get my payment? .....                                               | 6 |
| WHAT DOES DEFENDANT GET? .....                                                      | 6 |
| 12. What am I giving up as part of the Settlement? .....                            | 6 |
| EXCLUDING YOURSELF FROM THE SETTLEMENT .....                                        | 7 |
| 13. If I exclude myself, can I get a payment from this Settlement? .....            | 7 |
| 14. If I do not exclude myself, can I sue Defendant for the same thing later? ..... | 7 |
| 15. How do I exclude myself from the Settlement? .....                              | 7 |
| OBJECTING TO THE SETTLEMENT .....                                                   | 7 |
| 16. How do I tell the Court that I do not like the Settlement? .....                | 7 |
| 17. What is the difference between objecting and asking to be excluded? .....       | 8 |
| THE LAWYERS REPRESENTING YOU .....                                                  | 8 |
| 18. Do I have a lawyer in this case? .....                                          | 8 |
| 19. How will the lawyers be paid? .....                                             | 8 |
| THE COURT’S FINAL APPROVAL HEARING .....                                            | 9 |
| 20. When and where will the Court decide whether to approve the Settlement? .....   | 9 |
| 21. Do I have to attend the hearing? .....                                          | 9 |
| 22. May I speak at the hearing? .....                                               | 9 |
| IF YOU DO NOTHING .....                                                             | 9 |
| 23. What happens if I do nothing? .....                                             | 9 |
| GETTING MORE INFORMATION .....                                                      | 9 |
| 24. How do I get more information? .....                                            | 9 |

## BASIC INFORMATION

### 1. Why is there a notice?

The Court authorized this notice because you have a right to know about the Settlement, and all of your options, before the Court decides whether to give “final approval” to the Settlement. This notice explains the nature of the lawsuit that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

Chief Judge Renee Marie Bumb of the United States District Court for the District of New Jersey is overseeing this case captioned as *Wendelken v. Hafetz and Associates LLC*, Case No. 1:24-CV-07755-RMB-AMD. The person who brought the lawsuit is called the Plaintiff, Eugene Wendelken. The entity being sued, Hafetz and Associates LLC, is called the Defendant.

### 2. What is this lawsuit about?

The lawsuit claims that Defendant was responsible for the Data Incident and asserts claims for negligence, breach of contract, unjust enrichment, breach of fiduciary duty, invasion of privacy and violations of the New Jersey Consumer Fraud Act.

Defendant denies these claims and says it did not do anything wrong. No court or other judicial entity has made any judgment or other determination that Defendant has any liability for these claims or did anything wrong.

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

In a class action, one or more people called class representatives or representative plaintiffs sue on behalf of all people who have similar claims. Together, all of these people are called a class, and the individuals are called class members. One court resolves the issues for all class members, except for those who exclude themselves from the class.

### 4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiff or Defendant. Instead, both sides agreed to the Settlement. The Settlement avoids the cost and risk of a trial and related appeals, while providing benefits to members of the Class (“Settlement Class Members”). The Class Representative appointed to represent the Class and the attorneys for the Class (“Class Counsel,” see Question 18) think the Settlement is best for all Settlement Class Members.

## WHO IS IN THE SETTLEMENT?

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

You are affected by the Settlement and potentially a member of the Class if you reside in the United States and your PII may have been accessed in the Data Incident, including previously receiving notice from Hafetz that your personal information may have been involved in the Data Incident.

Only Settlement Class Members are eligible to receive benefits under the Settlement. Specifically excluded from the Class are (1) the judges presiding over this Litigation, and members of their direct families; (2) the Defendant, their subsidiaries, parent companies, successors, predecessors, and any

entity in which the Defendant or their parents have a controlling interest, and their current or former officers and directors; and (3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

#### **6. What if I am not sure whether I am included in the Settlement?**

If you are not sure whether you are included in the Settlement, you may call 1-833-417-4985 with questions. You may also write with questions to:

Hafetz and Associates Data Incident  
Settlement Administrator  
PO Box 25191  
Santa Ana, CA 92799  
[info@HafetzDataSettlement.com](mailto:info@HafetzDataSettlement.com)

### **THE SETTLEMENT BENEFITS – WHAT YOU RECEIVE IF YOU QUALIFY**

#### **7. What does the Settlement provide?**

The Settlement provides that Defendant will fund the following payments up to a total of \$505,000.00: (a) up to \$10,000.00 for reimbursement of your documented Economic Losses reasonably traceable to the Data Incident; and (b) a pro rata \$50.00 payment, subject to adjustment as set forth below. All Settlement Class Members can also request two years of Credit Monitoring Services to include credit monitoring through one national credit reporting bureau and with at least \$1,000,000 in identity theft insurance.

The \$50.00 pro rata payment will be dispersed after the distribution of attorneys' fees, Class Counsel's litigation expenses, the Service Award, Notice and Administrative Expenses, and valid claims for Unreimbursed Economic Losses. The other Settlement benefits are also subject to pro rata reduction as needed in the event that the total claims exceed the \$505,000.00 cap on payments to be made by Defendant, and payments may also be increased on a pro rata basis until the Settlement Fund is distributed. Payment of (1) attorneys' fees and expenses and service award to Plaintiff (see Question 19) and (2) the costs of notifying the Class and administering the Settlement will also be paid out of the Settlement Fund.

Also, as part of the Settlement, Defendant either has undertaken or will undertake certain reasonable steps to further secure its systems and environments.

#### **8. What payments are available for reimbursement under the Settlement?**

Settlement Class Members who submit a claim are eligible to receive both:

- a) Reimbursement of actual, documented, Unreimbursed Economic Losses resulting from the Data Incident (up to \$10,000.00 in total), upon submission of a claim and supporting documentation, for unreimbursed ordinary and/or extraordinary economic losses incurred as a result of the Data Incident, including, without limitation, 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 the Data Incident through the date of claim submission; and
- miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

## AND

- b) A potential cash payment of the remainder funds, which is estimated to be \$50.00 but may be adjusted upward or downward pro rata based on how many other claims are made.

All Participating Settlement Class Members may also claim two (2) years of Credit Monitoring Services to include credit monitoring through one national credit reporting bureau and with at least \$1,000,000 in identity theft insurance.

## HOW DO YOU SUBMIT A CLAIM?

### 9. How do I get a benefit?

To receive a benefit under the Settlement, you must complete and submit a claim for that benefit (a “Claim”). Every Claim must be made on a form (“Claim Form”) available at **www.HafetzDataSettlement.com** or by emailing [info@HafetzDataSettlement.com](mailto:info@HafetzDataSettlement.com). A Claim Form will also be sent to Settlement Class Members as part of the postcard notice that will be mailed to Settlement Class Members. Read the instructions carefully, fill out the Claim Form, provide the required documentation, and submit it according to the instructions on the Claim Form.

### 10. How will claims be decided?

The Settlement Administrator will decide whether and to what extent any Claim made on each Claim Form is valid. The Settlement Administrator may require additional information. If you do not provide the additional information in a timely manner, then the Claim will be considered invalid and will not be paid.

### 11. When will I get my payment?

The Court will hold a Final Approval Hearing on **February 25, 2026 at 11 a.m. ET** to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals from that decision and resolving those can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed. Please be patient.

## WHAT DOES DEFENDANT GET?

### 12. What am I giving up as part of the Settlement?

The Defendant gets a release from all claims covered by this Settlement. Thus, if the Settlement becomes final and you do not exclude yourself from the Settlement, you will be a Settlement Class Member and you will give up your right to sue Defendant and other persons (“Released Parties”) as to all claims (“Released Claims”) arising out of or relating to the Data Incident. This release is described in the Settlement Agreement, which is available at **www.HafetzDataSettlement.com**. If you have any questions you can talk to the law firms listed in Question 18 for free or you can talk to your own lawyer.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of this Settlement, then you must take steps to exclude yourself from the Class. This is sometimes referred to as “opting out” of the Class.

### 13. If I exclude myself, can I get a payment from this Settlement?

No. If you exclude yourself you will not be entitled to receive any benefits from the Settlement, but you will not be bound by any judgment in this case.

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

No. Unless you exclude yourself, you give up any right to sue Defendant (and any other Released Parties) for the claims that this Settlement resolves. You must exclude yourself from the Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you want to exclude yourself, then do not submit a Claim Form to ask for any benefit under the Settlement.

### 15. How do I exclude myself from the Settlement?

To exclude yourself, send a letter that says you want to be excluded or opt-out from the Settlement in *Wendelken v. Hafetz and Associates LLC*, Case No. 1:24-CV-07755-RMB-AMD, United States District Court for the District of New Jersey. The letter must state your full name, current address, personal signature, and the words “Request for Exclusion,” a comparable statement that the individual does not wish to participate in the Settlement, or some other clear manifestation of the intent to opt-out of the Settlement in the written communication. You must mail your exclusion request postmarked by **December 23, 2025**, to:

Hafetz and Associates Data Incident  
Settlement Administrator  
Attn: Exclusion Request  
PO Box 25191  
Santa Ana, CA 92799

## OBJECTING TO THE SETTLEMENT

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

You can tell the Court that you do not agree with the Settlement or some part of it by objecting to the Settlement. The Court will consider your views in its decision on whether to approve the Settlement. The Court can only approve or deny the Settlement and cannot change its terms. To object, you must mail your objection to the Clerk of the Court and the Settlement Administrator, at the mailing addresses listed below, postmarked by **no later** than the Objection Deadline, **December 23, 2025**:

| Office of the Clerk of Court                                                                       | Settlement Administrator                                                   |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Mitchell H. Cohen Building & U.S. Courthouse<br>4th & Cooper Streets Room 1050<br>Camden, NJ 08101 | Hafetz and Associates Data Incident<br>PO Box 25191<br>Santa Ana, CA 92799 |

Your objection must be written and must include all of the following: (i) the name of the proceedings; (ii) the Settlement Class Member's full name, current mailing address, and telephone number; (iii) a statement of the specific grounds for the objection, as well as any documents supporting the objection and a description of whether the objection applies only to the Settlement Class Member, a subset of the Settlement Class, or the entire Settlement Class; (iv) the identity of any attorneys representing the objector (if any); (v) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vi) a description and/or copies of evidence that may be introduced at fairness hearing; (vii) a list of proceedings in which the Settlement Class Member has submitted an objection during the past five years; and (viii) the signature of the Settlement Class Member or the Settlement Class Member's attorney.

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

Objecting is telling the Court that you do not like the Settlement and why you do not think it should be approved. You can object only if you are a Settlement Class Member. Excluding yourself is telling the Court that you do not want to be part of the Class and do not want to receive any payment from the Settlement. If you exclude yourself, then you have no basis to object because you are no longer a member of the Class and the case no longer affects you. If you submit both a valid objection and a valid request to be excluded, you will be deemed to have only submitted the request to be excluded.

### **THE LAWYERS REPRESENTING YOU**

#### **18. Do I have a lawyer in this case?**

Yes. The Court appointed Raina C. Borrelli of Strauss Borrelli PLLC as Class Counsel to represent the Class. If you want to be represented by your own lawyer, then you may hire one at your own expense.

#### **19. How will the lawyers be paid?**

Class Counsel will ask the Court for an award for attorneys' fees up to \$168,316.50, plus litigation expenses not to exceed \$20,000.00. Defendant has agreed not to object to any award of attorneys' fees and expenses up to those amounts, to the extent they are approved by the Court. This payment for any attorneys' fees and expenses to Class Counsel will be made out of the Settlement Fund. Any such award would compensate Class Counsel for investigating the facts, litigating the case, and negotiating the Settlement and will be the only payment to them for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent basis.

Class Counsel will also ask the Court for a Service Award up to \$5,000 for the Class Representative for his services in representing the Class in this matter.

Any award for attorneys' fees and expenses for Class Counsel and the Class Representative Service Award must be approved by the Court. The Court may award less than the amount requested. Class Counsel's papers in support of final approval of the Settlement will be filed no later than February 11, 2026, and their application for attorneys' fees and expenses and service award will be filed no later than December 9, 2025, and will be posted on the settlement website.

## THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at 11 a.m. ET on February 25, 2026, at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, NJ 08101, or by remote or virtual means as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely and valid objections, then the Court will consider them and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the request for an award of attorneys' fees and reasonable expenses, and service award. After the hearing the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The hearing may be moved to a different date or time without additional notice, so Class Counsel recommends checking **[www.HafetzDataSettlement.com](http://www.HafetzDataSettlement.com)** or calling 1-833-417-4895.

### 21. Do I have to attend the hearing?

No. Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your expense, but you are not required to do so. If you send an objection, you do not have to visit the Court to talk about it. As long as you filed your written objection on time with the Court and mailed it according to the instructions provided in Question 16, the Court will consider it.

### 22. May I speak at the hearing?

You may ask the Court for permission to speak at the final fairness hearing. To do so, you must file an objection according to the instructions in Question 16, including all the information required. Your objection must be **mailed** to the Clerk of the Court and Settlement Administrator postmarked no later than December 23, 2025.

## IF YOU DO NOTHING

### 23. What happens if I do nothing?

If you do nothing you will not get any money from this Settlement. If the Settlement is granted final approval and the judgment becomes final, then you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant and/or the other Released Parties based on any of the Released Claims related to the Data Incident, ever again.

## GETTING MORE INFORMATION

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

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement itself. A copy of the Settlement Agreement is available at **[www.HafetzDataSettlement.com](http://www.HafetzDataSettlement.com)**. You may also email the Settlement Administrator with questions or to receive a Claim Form at [info@HafetzDataSettlement.com](mailto:info@HafetzDataSettlement.com). You can also call, toll-free 1-833-417-4895, to hear a summary of the Settlement, and for answers to commonly asked questions.

This Notice is approved by the United States District Court for District of New Jersey. **DO NOT CONTACT THE COURT DIRECTLY IF YOU HAVE QUESTIONS ABOUT THE SETTLEMENT.** Please contact the Settlement Administrator or Class Counsel if you have any questions about the Settlement.