

**SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN THE COUNTY OF KING**

GARY STEVE CLOPP, SHLON SMITHSON, AND  
LEANN CRAWFORD, individually and on behalf  
of others similarly situated,

Plaintiff(s),

vs.

PACIFIC MARKET RESEARCH, LLC, a  
Washington limited liability company; and  
DOES 1-20,

Defendant(s).

Case No. 21-2-08738-4 KNT

**DECLARATION OF SETTLEMENT ADMINISTRATOR**

I, RYAN ALDRIDGE, hereby declare as follows:

**I. INTRODUCTION**

1. ***Personal Information.*** I am a Project Manager for Postlethwaite & Netterville, APAC (“P&N”). P&N was retained as the Settlement Administrator in this case, and, as the project manager, I am personally familiar with the facts set forth in this declaration. If called as a witness, I could and would competently testify to the matters stated herein.
2. ***The Capacity and Basis of this Declaration.*** I am over the age of 21. Except as otherwise noted, the matters set forth in this Declaration are based upon my personal knowledge, information received from the parties in this proceeding, and information provided by my colleagues at P&N and our partners.

**II. BACKGROUND**

3. ***Preliminary Approval.*** On January 24, 2022, the Court entered its order preliminarily approving the Settlement Agreement and the appointment of P&N as Settlement Administrator. After the Court’s preliminary approval of the Settlement, P&N began to implement and coordinate the notice program.

4. ***The Purpose of this Declaration.*** I submit this Declaration to evidence P&N's compliance with the terms of the Preliminary Approval Order and detail P&N's execution of its role as the Settlement Administrator.

### **III. CLASS NOTICE PROGRAM EXECUTION**

5. ***Notice Database.*** P&N maintains a database of 16,236 Settlement Class Members which was used to effectuate the notice campaign as outlined within the Settlement Agreement. P&N received the class data on February 10, 2022, in one Excel file with a total of 16,466 records. After removing duplicates, the Class Member population consists of 16,236 unique records. Of the 16,236 unique records, 16,171 contained name and address information that was sufficient to attempt to issue notice.
6. ***Mail Notice.*** P&N coordinated and caused the Postcard Notice to be mailed via First-Class Mail to Settlement Class Members for which a mailing address was available from the class data. The Postcard Notice included (a) the web address to the case website for access to additional information, (b) rights and options as a Class Member and the dates by which to act on those options, (c) information to Settlement Class Members on how to make a claim, and (d) the original date of the Final Approval Hearing. The Notice mailing was completed on February 23, 2022, in accordance with the Preliminary Approval Order. A true and correct copy of the Postcard Notice is attached hereto as **Exhibit A**, with a copy of the Long Form Notice and Claim Form.
7. ***Mail Notice Delivery.*** Prior to the mailing, all mailing addresses were checked against the National Change of Address (NCOA) database maintained by the United States Postal Service ("USPS"). In addition, the addresses were certified via the Coding Accuracy Support System (CASS) to ensure the quality of the zip code and verified through Delivery Point Validation (DPV) to verify the accuracy of the addresses. P&N attempted Postcard Notice mailings to 16,171 Class Members and supplemental mailings for 821 Class Members for which an initial

Postcard Notice was not deliverable but for which P&N was able to obtain an alternative mailing address through (1) forwarding addresses provided by the USPS, (2) skip trace searches using the LexisNexis third-party vendor database, or (3) requests received directly from Class Members. Mail notice delivery statistics are detailed in Section 12 below.

8. **Settlement Post Office Box.** P&N maintains the following Post Office Box (the “P.O. Box”) for the Settlement Program:

Pacific Market Research Claims Administrator  
c/o Postlethwaite & Netterville  
PO Box 3116  
Baton Rouge, LA 70821

This P.O. Box serves as a location for the USPS to return undeliverable program mail to P&N and for Settlement Class Members to submit Exclusion Requests and other settlement-related correspondence. The P.O. Box address appears in all Notices and in multiple locations on the Settlement Website. P&N monitors the P.O. Box daily and uses a dedicated mail intake team to process each item received.

9. **Settlement Website.** On February 23, 2022, P&N published the Settlement Website, [www.dataresearchsettlement.com](http://www.dataresearchsettlement.com). Visitors to the Settlement Website can download the Long Form Notice, the Claim form, as well as Court Documents, such as the Class Action Complaint, the Settlement Agreement, Motions filed by Counsel, and Orders of the Court. Visitors were also able to submit claims electronically, submit documentation and address updates electronically, and find answers to frequently asked questions (FAQs), important dates and deadlines, and contact information for the Settlement Administrator. On April 20, 2022, the Settlement Website was updated to reflect the change in date of the Final Approval Hearing. As of May 12, 2022, the Settlement Website has received 4,035 unique visitors and 9,160 page views.

10. **Toll-Free Number.** P&N established a toll-free telephone number, 1-833-540-2223 (the “Toll-Free Number”), which is available twenty-four hours per day. Settlement Class Members can call and interact with an interactive voice response (“IVR”) system that provides important settlement information and offers the ability to leave a voicemail message to address specific requests or issues. The Toll-Free Number appeared in all Notices, as well as in multiple locations on the Settlement Website. The Toll-Free Number will remain active through the close of this Settlement Program. As of May 12, 2022, P&N has received 588 calls to the toll-free number with 60 requests by class members to be mailed the Claim Form.
11. **Email Support.** P&N established an Email address, [info@dataresearchsettlement.com](mailto:info@dataresearchsettlement.com), to provide an additional option for Settlement Class Members to address specific questions and requests to the Settlement Administrator for support. As of May 12, 2022, P&N has received and responded to 21 emails from Settlement Class Members.

#### IV. **NOTICE PROGRAM REACH**

12. **Notice Reach Results.** Through the Notice procedures outlined above, P&N attempted to send direct notice to all 16,171 (99.6%) Settlement Class Members for which a mailing address was available. The Notice Program reached a total of 15,288 (94.2%) of Settlement Class Members.<sup>1</sup> Table 1 below provides an overview of dissemination results for the Notice Program and Table 2 provides an overview of the reach statistics for the Notice Program.

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<sup>1</sup> A Settlement Class Member is considered “reached” by direct Notice if a Postcard Notice mailed to the Settlement Class Member has not been returned by the USPS as undeliverable.

<b>Table 1: Direct Notice Program Dissemination Results (as of 05/12/2022)</b>		
<b>Description</b>	<b>Volume of Class Members</b>	<b>Percentage of Class Members</b>
Class Members	16,236	100.0%
<b>Initial Mail Notice</b>		
Total Postcard Notices Mailings Attempted	16,171	99.6%
(-) Total Postcard Notices Returned as Undeliverable	1,463	9.0%
<b>Mail Notice Re-Mailed</b>		
(+) Total Unique Postcard Re-mailings Attempted	821	5.1%
(-) Total Undeliverable (Re-Mailed) Postcards	241	1.5%

<b>Table 2: Direct Notice Program Reach Statistics (as of 05/12/2022)</b>		
<b>Description</b>	<b>Volume (#)</b>	<b>Reach (%)</b>
Class Members	16,236	100.0%
Received Postcard Notice	15,288	94.2%
<b>Received Direct Notice</b>	<b>15,288</b>	<b>94.2%</b>

#### **V. CLAIM ACTIVITY**

13. ***Claim Intake and Processing.*** The online claim submission feature was available beginning February 23, 2022. As of May 12, 2022, P&N has received 186 claim submissions. P&N will continue to intake and analyze claims though claim filing deadline of May 24, 2022.

#### **VI. EXCLUSIONS AND OBJECTIONS**

14. ***Exclusions (Opt-Outs) Received.*** P&N received zero (0) exclusion requests from Settlement Class Members as of May 12, 2022.

15. ***Settlement Objections.*** The Settlement Agreement and Preliminary Approval Order directed that objections be filed with the Court and served on Class Counsel and Counsel for Defendant. P&N has not received any objections from Settlement Class Members.

**VII. CERTIFICATION**

I, Ryan Aldridge, declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed on this 13th day of May, 2022 at Baton Rouge, Louisiana.

A handwritten signature in black ink that reads "Ryan Aldridge". The signature is written in a cursive style with a large initial "R" and a distinct "A".

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Ryan Aldridge

# Exhibit A

## You may be eligible for a payment from a class action settlement relating to a May 2021 Ransomware Attack at Pacific Market Research, LLC

*Si desea recibir esta notificación en español, llámenos o visite nuestra página web*

A settlement has been reached in a class action lawsuit against Pacific Market Research, LLC (collectively "Pacific Market Research") relating to a cyberattack against Pacific Market Research's computer systems that occurred on May 22, 2021 and was disclosed by the Washington State Department of Labor & Industries in July 2021 (the "Ransomware Attack"). The computer systems possibly affected by the Ransomware Attack potentially contained personal information relating to Washingtonian's who had been injured and filed claims with Washington State Labor & Industries. The plaintiffs claim that Pacific Market Research was responsible for the Ransomware Attack and assert claims for: violation of the Washington State Consumer Protection Act and negligence. Pacific Market Research denies all of the claims and says it did not do anything wrong.

**Who is Included?** Pacific Market Research records show you are an individual whose personal information may have been accessed by a third party in the Ransomware Attack on Pacific Market Research disclosed by the Washington State Department of Labor & Industries in July 2021, and, therefore, you are included in this Settlement as a "Settlement Class Member."

Visit [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com) or call 1 (833) 540-2223 for more information.

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### Pacific Market Research Settlement Administrator

P.O. Box 3116  
Baton Rouge, LA 70821

ELECTRONIC SERVICE REQUESTED



1\*1\*1\*\*\*\*AUTO\*\*ALL FOR AADC 980!!!

Settlement Claim ID: AAA-1111111

[First Name] [Last Name]

[Street Address]

[City], [State] [Zip]



Presorted  
First Class  
U. S. Postage

**PAID**

FPI

Postal Service: Do Not Mark or Cover Barcode



**Settlement Benefits.** Pacific Market Research will pay a maximum of \$250,000 total for all valid and timely submitted claims. The Settlement provides two types of payments to people who submit valid claims: 1) Reimbursement of up to \$250 for out-of-pocket expenses and documented lost time that resulted from the Ransomware Attack; and 2) Reimbursement of up to \$2,500 for extraordinary expenses which were more likely than not caused by the Ransomware Attack. Additionally, if you received a now expired credit monitoring code from the Washington State Department of Labor & Industries, Pacific Market Research has paid to extend the time period for you to redeem existing and unredeemed credit monitoring codes until the claim deadline stated below. Pacific Market Research will also commit to improved data security measures in the future.

**The Only Way To Receive A Monetary Benefit Is To File A Claim.** To get a Claim Form, visit the website or call 1-833-540-2223. The claim deadline is **May 24, 2022.**

**Other Options.** If you do nothing, you will remain in the class, you will not be eligible for benefits, and you will be bound by the decisions of the Court and give up your rights to sue Pacific Market Research for the claims resolved by this Settlement. If you do not want to be legally bound by the Settlement, you must exclude yourself by **May 24, 2022.** If you stay in the Settlement, you may object to it by **May 24, 2022.** A more detailed notice is available to explain how to exclude yourself or object. Please visit the website or call 1-833-540-2223 for a copy of the more detailed notice. **On June 3, 2022,** the Court will hold a Fairness Hearing to determine whether to approve the Settlement, Class Counsel's request for attorneys' fees, costs, and expenses not to exceed \$150,000 and an incentive award of \$2,333.33 for the Representative Plaintiffs. The Motion for attorneys' fees will be posted on the website after it is filed. You or your own lawyer, if you have one, may ask to appear and speak at the hearing at your own cost, but you do not have to.

This is only a summary. For more information, call or visit the website below.

[www.DataResearchSettlement.com](http://www.DataResearchSettlement.com)

1(833) 540-2223

**You may be eligible for a payment from a class  
action settlement relating to a May 2021  
Ransomware Attack at Pacific Market Research,  
LLC**

*Para una notificación en Español, visitar [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com).*

*A state court authorized this Notice. This is not junk mail, an advertisement, or a solicitation from a lawyer.*

- A settlement has been proposed in a class action lawsuit against Pacific Market Research, LLC (collectively “Pacific Market Research”) relating to a cyberattack against Pacific Market Research’s computer systems that occurred on May 22, 2021 and was disclosed by the Washington State Department of Labor & Industries in July 2021 (the “Ransomware Attack”). An investigation by a cybersecurity firm could not be completely certain that the third parties did not access specific information stored on the computer systems, which may have included one or more of the following: demographic information (such as full name, date of birth, phone number, address) and workers’ compensation claim number(s) related to Washingtonian’s who had been injured and filed claims with Washington State Department of Labor & Industries.
- If you received a notification from Pacific Market Research, you may be included in this Settlement as a “Settlement Class Member.”
- The Settlement provides payments to people who submit valid claims for out-of-pocket expenses and charges that were incurred and plausibly arose from the Ransomware Attack, and for other extraordinary unreimbursed monetary losses. Additionally, if you received a now expired credit monitoring code from the Washington State Department of Labor & Industries, Pacific Market Research has paid to extend the time period for you to redeem existing and unredeemed credit monitoring codes until the claim deadline stated below. Pacific Market Research will also commit to improved data security measures in the future.
- Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>		<b>DEADLINE</b>
<b>SUBMIT A CLAIM FORM</b>	This is the only way you can get payment.	May 24, 2022
<b>EXCLUDE YOURSELF FROM THE SETTLEMENT</b>	You will not get any payment from the Settlement, but you also will not release your claims against Pacific Market Research. This is the only option that allows you to be part of any other lawsuit against Pacific Market Research or related parties for the legal claims resolved by this Settlement.	May 24, 2022
<b>OBJECT TO THE SETTLEMENT</b>	Write to the Court with reasons why you do not agree with the Settlement.	May 24, 2022
<b>GO TO THE FINAL FAIRNESS HEARING</b>	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Fairness Hearing.	June 3, 2022
<b>DO NOTHING</b>	You will not get any payment from this Settlement and you will give up certain legal rights. Submitting a claim form is the only way to obtain payment from this Settlement.	No Deadline

- These rights and options—and the deadlines to exercise them—are explained in this Notice. For complete details, view the Settlement Agreement, available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com), or call 1-833-540-2223.
- The Court in charge of this case still has to decide whether to grant final approval of the Settlement. Payments will only be made after the Court grants final approval of the Settlement and after any appeals are resolved.

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## BASIC INFORMATION

### **1. Why is this Notice being provided?**

The Court directed that this Notice be provided because you have a right to know about a proposed settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the payments that the Settlement allows. This Notice explains the lawsuit, the Settlement, your legal rights, what payments are available, who is eligible for them, and how to get them.

The Court in charge of this case is the Superior Court of the State of Washington, County of King. The case is known as *Clopp et. al. v. Pacific Market Research, LLC et. al.*, Case No. 21-2-08738-4 KNT (the “Lawsuit”). The persons who filed the Lawsuit are called the Plaintiffs and the entity they sued, Pacific Market Research, is called the Defendant.

### **2. What is this lawsuit about?**

The Lawsuit claims that Pacific Market Research is liable for the Ransomware Attack and asserts claims for: violation of the Washington State Consumer Protection Act and negligence. The Lawsuit seeks, among other things, payment for persons who were injured by the Ransomware Attack.

Pacific Market Research has denied and continues to deny all of the claims made in the Lawsuit, as well as all charges of wrongdoing or liability against it.

### **3. What is a class action?**

In a class action, one or more people called Class Representatives (in this case, Gary Steve Clopp, Shlon Smithson, and LeeAnn Crawford) sue on behalf of people who have similar claims. Together, all these people are called a Class or Class members. One Court and one judge resolves the issues for all Class members, except for those who exclude themselves from the Settlement Class.

### **4. Why is there a Settlement?**

The Court did not decide in favor of the Plaintiffs or Pacific Market Research. Instead, the Plaintiffs negotiated a settlement with Pacific Market Research that allows both Plaintiffs and Pacific Market Research to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. It also allows Settlement Class Members to obtain payment without further delay. The Class Representatives and their attorneys think the Settlement is in the best interest of all Settlement Class Members. This Settlement does not mean that Pacific Market Research did anything wrong.

## WHO IS INCLUDED IN THE SETTLEMENT?

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

You are part of this Settlement as a Settlement Class Member if you are an individual whose personal information may have been accessed by a third party in the ransomware attack on Pacific

Market Research disclosed by the Washington State Department of Labor & Industries in July 2021. If you previously received a notification from Pacific Market Research of the Ransomware Attack then you may be a class member.

#### **6. Are there exceptions to being included in the Settlement?**

Yes. Specifically excluded from the Settlement Class are: (i) Pacific Market Research; (ii) any agent, affiliate, parent, or subsidiary of Pacific Market Research; (iii) any entity in which Pacific Market Research has a controlling interest; (iv) any officer or director of Pacific Market Research; (v) any successor or assign of Pacific Market Research; (vi) any Judge to whom this case is assigned as well as his or her staff and immediate family; (vii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (viii) the Judge assigned to evaluate the fairness of this settlement; and (ix) 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 Ransomware Attack or who pleads nolo contendere to any such charge.

#### **THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY**

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

The Settlement will provide payments to people who submit valid claims.

There are two types of payments that are available: (1) Expense Reimbursement (Question 8, below) and (2) Extraordinary Expense Reimbursement (Question 9, below). Pacific Market Research's total aggregate payments for Expense Reimbursement and Extraordinary Expense Reimbursement shall not exceed \$250,000. You may submit a claim for either or both types of payments. In order to claim each type of payment, you must provide related documentation with the Claim Form.

Additionally, if you received a now expired credit monitoring code from the Washington State Department of Labor & Industries, Pacific Market Research has paid to extend the time period for you to redeem existing and unredeemed credit monitoring codes until the claim deadline stated below. The Settlement also provides that Pacific Market Research has spent at least \$32,646 in improved information security enhancements since the Ransomware Attack, and Pacific Market Research will commit to continuing security enhancements in each of years 2022, 2023, and 2024.

#### **8. What payments are available for Expense Reimbursement?**

Class Members are eligible to receive reimbursement of up to \$250 (in total) for the following categories of out-of-pocket expenses resulting from the Ransomware Attack:

- bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage, or gasoline for local travel;
- fees for credit reports, credit monitoring, or other identity theft insurance product purchased between July 1, 2021 and the date of the Preliminary Approval Order (if Settlement Class Member makes affirmative statement that it was purchased primarily because of the Ransomware Attack);

- reimbursement of up to three hours of documented lost time (at \$20 per hour) spent dealing with the Ransomware Attack, e.g., time spent dealing with replacement card issues, reversing fraudulent charges, but only if at least one full hour was spent, and only if the time can be documented with reasonable specificity by answering the questions on the Claim Form.

#### **9. What payments are available for Extraordinary Expense Reimbursement?**

Class Members who had other extraordinary unreimbursed monetary losses because of information compromised as part of the Ransomware Attack are eligible to make a claim for reimbursement of up to \$2,500. As part of the claim, the Class Member must show that: (1) it is an actual, documented, and unreimbursed monetary loss; (2) the loss was more likely than not caused by the Ransomware Attack; (3) the loss occurred during the time period from May 22, 2021 through and including the end of the applicable claims period; (4) the loss is not already covered by one or more of the categories in Question 8; and (5) a reasonable effort was made to avoid or seek reimbursement for the loss (including exhaustion of all available credit monitoring insurance and identity theft insurance).

More details are provided in the Settlement Agreement, which is available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com).

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

#### **10. How do I get benefits from the Settlement?**

To ask for a payment, you must complete and Submit a Claim Form. Claim Forms are available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com) , or you may request one by mail by calling 1-833-540-2223. Read the instructions carefully, fill out the Claim Form, and submit it online or mail it postmarked no later than **May 24, 2022** to:

Pacific Market Research Claims Administrator  
c/o Postlethwaite & Netterville  
PO Box 3116  
Baton Rouge, LA 70821

#### **11. How will claims be decided?**

The Claims Administrator will initially decide whether the information provided on a Claim Form is complete and valid. The Claims Administrator may require additional information from any claimant. If the required information is not timely provided, the claim will be considered invalid and will not be paid.

If the claim is complete and the Claims Administrator denies the claim entirely or partially, the claimant will be provided an opportunity to have their claim reviewed by an impartial Claim Referee who has been appointed by the Court.

**12. When will I get my payment?**

The Court will hold a Final Fairness Hearing at 9:00 a.m. on June 3, 2022 to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether any appeals can be resolved favorably, and resolving them can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed, depending on the number of claims submitted and whether any appeals are filed. Please be patient.

**REMAINING IN THE SETTLEMENT**

**13. Do I need to do anything to remain in the Settlement?**

You do not have to do anything to remain in the Settlement, but if you want a payment you must submit a Claim Form online or postmarked by **May 24, 2022**.

**14. What am I giving up as part of the Settlement?**

If the Settlement becomes final, you will give up your right to sue Pacific Market Research, the State of Washington, the Washington State Department of Labor & Industries and other related entities for the claims being resolved by this Settlement. The specific claims you are giving up against Pacific Market Research are described in Section 1.21 of the Settlement Agreement. You will be “releasing” Pacific Market Research and all related people or entities as described in Section 6 of the Settlement Agreement. The Settlement Agreement is available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com).

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions about what this means you can talk to the law firms listed in Question 18 for free or you can, of course, talk to your own lawyer at your own expense.

**EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not want a payment from this Settlement, but you want to keep the right to sue Pacific Market Research, the State of Washington, the Washington State Department of Labor & Industries and other related entities about issues in the Litigation, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement Class.

**15. If I exclude myself, can I still get payment from the Settlement?**

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

**16. If I do not exclude myself, can I sue Pacific Market Research for the same thing later?**

No. Unless you exclude yourself from the Settlement, you give up any right to sue Pacific Market Research, the State of Washington, the Washington State Department of Labor & Industries and other related entities for the claims that this Settlement resolves. You must exclude yourself from



the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for a payment.

#### **17. How do I get out of the Settlement?**

To exclude yourself from the Settlement, you must send a letter by mail stating that you want to be excluded from the Settlement in *Clopp et. al. v. Pacific Market Research, LLC et. al.*, Case No. 21-2-08738-4 KNT. Your letter must also include your name, address, and signature. You must mail your exclusion request postmarked no later than **May 24, 2022** to:

Pacific Market Research Claims Administrator  
c/o Postlethwaite & Netterville  
PO Box 3116  
Baton Rouge, LA 70821

#### **THE LAWYERS REPRESENTING YOU**

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

Yes. The Court appointed Timothy W. Emery and Patrick B. Reddy of Emery Reddy, PLLC, 600 Stewart Street, Suite 1100, Seattle, Washington 98101 to represent you and other Settlement Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **19. How will Class Counsel be paid?**

If the Settlement is approved and becomes final, Class Counsel will ask the Court to award attorneys' fees, costs, and expenses in the amount not to exceed \$150,000. Class Counsel will also request approval of an incentive award of \$2,333.33 for the Class Representatives. If approved, these amounts, as well as the costs of notice and settlement administration, will be paid separately by Pacific Market Research and will not reduce the amount of total payments available to Settlement Class Members.

#### **OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement or some part of it.

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

If you are a Settlement Class Member, you can object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve the Settlement. The Court will consider your views before making a decision. To object, you must file with the Court and mail copies to Class Counsel and Pacific Market Research's Counsel a written notice stating that you object to the Settlement in *Clopp et. al. v. Pacific Market Research, LLC et. al.*, Case No. 21-2-08738-4 KNT.

Your objection must include:

- 1) your full name, address, telephone number, and e-mail address;
- 2) information or proof showing you are a Settlement Class Member;

- 3) the reasons why you object to the Settlement, including any documents supporting your objection;
- 4) the name and address of your attorney, if you have retained one;
- 5) the name and address of any attorneys representing you that may appear at the Final Fairness Hearing;
- 6) a statement confirming whether you and/or your counsel intend to personally appear and/or testify at the Final Fairness Hearing;
- 7) a list, by case name, court, and docket number, of all other cases in which you (directly or through a lawyer) have filed an objection to any proposed class action settlement within the last three years;
- 8) a list, by case name, court, and docket number, of all other cases in which your lawyer (on behalf of any person or entity) has filed an objection to any proposed class action settlement within the last three years;
- 9) your signature or the signature of your attorney or other duly authorized representative (along with documentation illustrating representation).

Your objection must be filed with the Clerk of the Superior Court of the State of Washington, County of King, 516 Third Avenue, Room E-609, Seattle, WA 98104 no later than **May 24, 2022**. You must also mail copies of your objection to Class Counsel and Pacific Market Research's Counsel postmarked no later than **May 24, 2022**, at all of the addresses below.

CLASS COUNSEL	PACIFIC MARKET RESEARCH'S COUNSEL
Timothy W. Emery Patrick B. Reddy <b>EMERY REDDY, PLLC</b> 600 Stewart Street, Suite 1100 Seattle, Washington 98101	James R. Morrison <b>BAKER &amp; HOSTETLER LLP</b> 999 Third Avenue, Suite 3900 Seattle, Washington 98101

**21. What is the difference between objecting to and excluding myself from the Settlement?**

Objecting is telling the Court that you do not like something about the Settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this Settlement. If you exclude yourself from the Settlement, you have no basis to object or submit a Claim Form because the Settlement no longer affects you.

**THE COURT'S FINAL FAIRNESS HEARING**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You cannot speak at the hearing if you exclude yourself from the Settlement.

**22. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Final Fairness Hearing at 9:00a.m. on June 3, 2022, in the Superior Court of the State of Washington, County of King, by Zoom in Courtroom E815. At this hearing, the Court

will consider whether the Settlement is fair, reasonable, and adequate. The Court will take into consideration any properly-filed written objections and may also listen to people who have asked to speak at the hearing (*see* Question 20). The Court will also decide whether to approve fees and costs to Class Counsel, and the incentive awards to the Class Representatives.

**23. Do I have to come to the Final Fairness Hearing?**

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

**24. May I speak at the Final Fairness Hearing?**

Yes, you may ask the Court for permission to speak at the Final Fairness Hearing. To do so, you must follow the instructions provided in Question 20 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

**IF YOU DO NOTHING**

**25. What happens if I do nothing?**

If you do nothing, you will not receive any compensation from this Settlement. If the Court approves the Settlement, you will be bound by the Settlement Agreement and the Release. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Pacific Market Research or related parties about the issues involved in the Lawsuit, resolved by this Settlement, and released by the Settlement Agreement.

**GETTING MORE INFORMATION**

**26. Are more details about the Settlement available?**

Yes. This Notice summarizes the proposed Settlement. More details are in the Stipulation and Settlement Agreement, which is available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com), or by writing to the Pacific Market Research Settlement Administrator, P.O. Box 3116, Baton Rouge, LA 70821.

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

Go to [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com), call 1-833-540-2223, or write to the Pacific Market Research Settlement Administrator, P.O. Box 3116, Baton Rouge, LA 70821.

***Please do not call the Court or the Clerk of the Court for additional information.  
They cannot answer any questions regarding the Settlement or the Lawsuit***

Pacific Market Research Claims Administrator  
c/o Postlethwaite & Netterville  
PO Box 3116  
Baton Rouge, LA 70821

**Your Claim Form Must Be Submitted  
On or Before May 24, 2022**

***Clopp et. Al. v. Pacific Market Research, LLC et. al.,***  
Superior Court Of The State Of Washington, County Of King (Case No. 21-2-08738-4 KNT)

**Claim Form**

This claim form should be filled out online or submitted by mail if you received a notification from Pacific Market Research, LLC (collectively "Pacific Market Research") relating to a cyberattack against Pacific Market Research's computer systems that occurred on May 22, 2021, was disclosed by the Washington State Department of Labor & Industries in July 2021 (the "Ransomware Attack"), and you had out-of-pocket expenses, fraudulent charges, lost time spent dealing with the Ransomware Attack, or unreimbursed extraordinary monetary losses as a result of the Ransomware Attack. You may get a check if you fill out this claim form, if the settlement is approved, and if you are found to be eligible for a payment

The settlement notice describes your legal rights and options. Please visit the official settlement administration website, [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com), or call 1-833-540-2223 for more information.

If you wish to submit a claim for a settlement payment, you need to provide the information requested below. Please print clearly in blue or black ink. This claim form must be mailed and postmarked by **May 24, 2022**.

TO RECEIVE BENEFITS FROM THIS SETTLEMENT, YOU MUST PROVIDE ALL OF THE REQUIRED (\*) INFORMATION BELOW AND YOU MUST SIGN THIS CLAIM FORM. THIS CLAIM FORM SHOULD ONLY BE USED IF A CLAIM IS BEING MAILED IN AND IS NOT BEING FILED ONLINE. YOU MAY ALSO FILE YOUR CLAIM ONLINE AT [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com).

**1. CLASS MEMBER INFORMATION.**

<input type="text"/>															<input type="text"/>											
First Name															Middle Initial											
<input type="text"/>															<input type="text"/>											
Last Name															Suffix											
<input type="text"/>																										
Mailing Address: Street Address/P.O. Box (include Apartment/Suite/Floor Number)																										
<input type="text"/>															<input type="text"/>			<input type="text"/>								
City															State			Zip Code								
<input type="text"/>																										
Current Email Address (Optional)																										
<input type="text"/>			<input type="text"/>			<input type="text"/>			<input type="text"/>			<input type="text"/>														
Current Phone Number (Required)															Settlement Claim ID (Required)											

Settlement Claim ID: Your Settlement Claim ID can be found on the postcard Notice you received in the mail informing you about this Settlement. If you need additional help locating this ID, please contact the Settlement Administrator at 1-833-540-2223.

[www.DataResearchSettlement.com](http://www.DataResearchSettlement.com) and select the checkbox on the Class Member Information page that says "Please check if this is a non-U.S. address".

## 2. PAYMENT ELIGIBILITY INFORMATION.

Please review the notice and sections 2.1 through 2.2 of the Settlement Agreement (available at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com)) for more information on who is eligible for a payment and the nature of the expenses or losses that can be claimed.

Please provide as much information as you can to help us figure out if you are entitled to a settlement payment.

### PLEASE PROVIDE THE INFORMATION LISTED BELOW:

Check the box for each category of out-of-pocket expenses, fraudulent charges, or lost time that you have incurred as a result of the Ransomware Attack. **Please be sure to fill in the total amount you are claiming for each category and to attach documentation of the charges as described in bold type** (if you are asked to provide account statements as part of proof required for any part of your claim, you may mark out any unrelated transactions if you wish).

#### **a. Ordinary Expenses Resulting from the Ransomware Attack:**

Unreimbursed charges incurred as a result of the Ransomware Attack Incident.

Examples - Bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage, or gasoline for local travel. Other examples include: fees for credit reports, credit monitoring, or other identity theft insurance product purchased between July 1, 2021 and January 24, 2022.

Total amount for this category: \$     .

Briefly describe the charges you have claimed.

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***If you are seeking reimbursement for fees, expenses, or charges, please attach a copy of a statement from the company that charged you, or a receipt for the amount you incurred.***

***If you are seeking reimbursement for credit reports, credit monitoring, or other identity theft insurance product purchased between July 1, 2021 and January 24, 2022, please attach a copy of a receipt or other proof of purchase for each credit report or product purchased. (Note: By claiming reimbursement in this category, you certify that you purchased the credit monitoring or identity theft insurance product primarily because of the Pacific Market Research Ransomware Attack and not for any other purpose).***

You may mark out any transactions that are not relevant to your claim before sending in the documentation.

Between one and three hours of documented time spent dealing with the Ransomware Attack

Examples – You spent at least one full hour calling customer service lines, writing letters or emails, or on the Internet in order to get fraudulent charges reversed or in updating automatic payment programs because your card number changed as a result of the Ransomware Attack. Please note that the time that it takes to fill out this Claim Form is not reimbursable and should not be included in the total

Total number of hours claimed:

***If the time was spent online or on the telephone, briefly describe what you did, or attach a copy of any letters or emails you wrote. If the time was spent trying to reverse fraudulent charges, briefly describe what you did. If the time was spent updating accounts due to your card being reissued, identify the other accounts that had to be updated.***

You may mark out any transactions that were not fraudulent and any other information that is not relevant to your claim before sending in the documentation.

Briefly describe the time spent dealing with the Ransomware Attack

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**b. Extraordinary Expenses**

Unreimbursed expenses resulting from identity theft or fraud.

Total amount for this category: \$      .

Attach a copy of statements that demonstrate that identity theft or fraud occurred and any correspondence showing that you reported the fraud. If you do not have anything in writing, tell us the approximate date that you reported and to whom you reported the fraud.

You may mark out any information that is not relevant to your claim before sending in the documentation.

Date reported:   /   /

Description of the person(s) to whom you reported the fraud and the documents provided to demonstrate that identity theft or fraud occurred.

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Check this box to confirm that you have exhausted all applicable insurance policies, including credit monitoring insurance and identity theft insurance, and that you have no insurance coverage for these fraudulent charges.

Other unreimbursed out-of-pocket expenses that happened because of the Ransomware Attack that are not accounted for in your responses above.

Examples – This category includes any other unreimbursed expenses or charges that are not otherwise accounted for in your answers to the questions above, including any expenses or charges that you believe were the result of an act of identity theft.

Total amount for this category: \$      .

Describe the expense, why you believe that they are related to the Ransomware Attack, and provide as much detail as possible about the date you incurred these expenses and the company or person to whom you had to pay them. Please provide copies of any receipts, police reports, or other documentation supporting your claim. The settlement administrator may contact you for additional information before processing your claim.

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Check this box to confirm that you have exhausted all credit monitoring insurance and identity theft insurance you might have for these out-of-pocket expenses before submitting this Claim.

**3. SIGN AND DATE YOUR CLAIM FORM.**

I declare under penalty of perjury under the laws of the United States and the laws of my State of residence that the information supplied in this claim form by the undersigned is true and correct to the best of my recollection, and that this form was executed on the date set forth below.

I understand that I may be asked to provide supplemental information by the Settlement Administrator or Claims Referee before my claim will be considered complete and valid.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**4. REMINDER CHECKLIST**

1. Keep copies of the completed Claim Form and documentation for your own records.
2. If your address changes or you need to make a correction to the address on this Claim Form, please visit the Settlement website at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com) and complete the Update Contact Information form or send written notification of your new address. Make sure to include your Settlement Claim ID and your phone number in case we need to contact you in order to complete your request.
3. For more information, please visit the settlement website at [www.DataResearchSettlement.com](http://www.DataResearchSettlement.com) or call the Settlement Administrator at 1-833-540-2223. Please do not call the Court or the Clerk of the Court for additional information.
4. This claim form must be submitted online or postmarked by May 24, 2022 and mailed to: Pacific Market Research Settlement Claims Administrator, c/o Postlethwaite and Netterville, PO Box 3116, Baton Rouge, LA 70821.