

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE U.S. VISION DATA BREACH
LITIGATION

Civ. Action No. 1:22-cv-06558
(CPO/SAK)

**DECLARATION OF CAMERON R. AZARI, ESQ. ON IMPLEMENTATION AND
ADEQUACY OF NOTICE PLAN**

I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.
2. I am a nationally recognized expert in the field of legal notice and have served as an expert in hundreds of federal and state cases involving class action notice plans.
3. I am a Senior Vice President of Epiq Class Action and Claims Solutions, Inc. (“Epiq”) and the Director of Legal Notice for Hilsoft Notifications, a firm that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. Hilsoft Notifications is a business unit of Epiq.
6. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq.

OVERVIEW

7. This declaration describes the successful implementation and adequacy of the notice plan (“Notice Plan”) and notices (the “Notice” or “Notices”) for *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-CV-06558 in the United States District Court for the District of New Jersey. I previously executed my *Declaration of Cameron R. Azari, Esq. Regarding Notice Plan* (“Notice Plan Declaration”) on April 2, 2024, which described the Notice Plan, detailed Hilsoft’s class action notice experience, and attached Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions and my ability to render opinions

on overall adequacy of notice programs.

NOTICE PLAN SUMMARY

8. Federal Rule of Civil Procedure, Rule 23 directs that notice must be “the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort,” and that “the notice may be by one or more of the following: United States mail, electronic means, or other appropriate means.”¹ The Notice Plan as implemented satisfied this requirement.

9. The Notice Plan as designed and implemented reached the greatest practicable number of Settlement Class Members. The Notice Plan individual notice efforts reached approximately 90% of the identified Settlement Class Members. The reach was further enhanced by targeted digital notice and a Settlement Website. In my experience, the reach of the Notice Plan was consistent with other court-approved notice plans, was the best notice practicable under the circumstances of this case, and satisfied the requirements of due process, including its “desire to actually inform” requirement.²

CAFA NOTICE

10. On April 11, 2024, Epiq sent 57 CAFA Notice Packages (“CAFA Notice”). The CAFA Notice was mailed via United States Postal Service (“USPS”) Priority Mail to 54 officials (the Attorneys General of 48 states, the District of Columbia, and the United States Territories). As per the direction of the Office of the Nevada and Connecticut Attorneys General, the CAFA Notice was sent to the Nevada and Connecticut Attorneys General electronically via email. The CAFA Notice was also sent via United Parcel Service (“UPS”) to the Attorney General of the United States. Details regarding the CAFA Notice mailing are provided in the *Declaration of Kyle S. Bingham on Implementation of CAFA Notice*, dated April 11, 2024, which is included as **Attachment 1**.

¹ Fed. R. Civ. P. 23(c)(2)(B).

² *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950) (“But when notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected . . .”).

NOTICE PLAN DETAIL

11. On May 8, 2024, the Court approved the Notice Plan and appointed Epiq as the Settlement Administrator in their *Preliminary Approval Order of Settlement of Claims Against Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc.* (“Preliminary Approval Order”). In the Preliminary Approval Order, the Court approved and certified, for settlement purposes, the following Settlement Class:

All residents of the United States who are current or former patients, customers, employees, members, or covered dependents of Nationwide Optometry, P.C., Nationwide Vision Center, LLC, Sightcare, Inc. (collectively “Nationwide-Sightcare”), or any of their affiliated or related business entities whose Personal Information was accessed, stolen, or compromised as a result of the Data Breach.

Excluded from the Settlement Class are (i) Nationwide-Sightcare, any Entity in which Nationwide-Sightcare has a controlling interest, and Nationwide-Sightcare’s officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over the Action and the members of their immediate families and judicial staff; (iii) any individual who timely and validly opts out of the Settlement; and (iv) U.S. Vision, Inc. and USV Optical, Inc. (collectively, “USV”), any Entity in which USV has a controlling interest, and USV’s officers, directors, legal representatives, successors, subsidiaries, and assigns.

12. After the Court’s Preliminary Approval Order was entered, Epiq implemented the Notice Plan. This Declaration details the notice activities undertaken to date and explains how and why the Notice Plan was comprehensive and well-suited to reach the Settlement Class Members. This Declaration also discusses the administration activity to date.

NOTICE PLAN

Individual Notice

13. On May 21, 2024, Epiq received one data file with 713,574 records for identified Settlement Class Members, including names and last known addresses (“Class List”). Epiq deduplicated and rolled-up the records and loaded the unique, identified Settlement Class Member records into its database. These efforts resulted in 682,461 unique, identified Settlement Class Member records. A postcard short notice (“Postcard Notice”) was sent via USPS first class mail to all identified Settlement Class Members with an associated physical address.

Individual Notice – Direct Mail

14. On June 22, 2024, Epiq sent 682,461 Postcard Notices to all identified Settlement Class Members for whom an associated physical address was available. The Postcard Notices were sent via USPS first-class mail. The Postcard Notices clearly and concisely summarized the case, the Settlement, and the legal rights of the Settlement Class Members. In addition, the Postcard Notices also directed the recipients to the Settlement Website where they could access additional information. The Postcard Notice is included as **Attachment 2**.

15. Prior to sending the Postcard Notices, all mailing addresses were checked against the National Change of Address (“NCOA”) database maintained by the USPS to ensure Settlement Class Member address information was up-to-date and accurately formatted for mailing.³ In addition, the addresses were certified via the Coding Accuracy Support System (“CASS”) to ensure the quality of the zip code, and were verified through Delivery Point Validation (“DPV”) to verify the accuracy of the addresses. This address updating process is standard for the industry and for the majority of promotional mailings that occur today.

16. The return address on the Postcard Notices is a post office box that Epiq maintains for this case. The USPS automatically forwarded Postcard Notices with an available forwarding address order that has not expired (“Postal Forwards”). Postcard Notices returned as undeliverable were re-mailed to any new address available through USPS information, (for example, to the address provided by the USPS on returned mail pieces for which the automatic forwarding order has expired, but is still within the time period in which the USPS returns the piece with the address indicated), and to better addresses that were found using a third-party lookup service. Upon successfully locating better addresses, Postcard Notices were promptly remailed. As of September 25, 2024, Epiq has remailed 71,863 Postcard Notices.

³ The NCOA database is maintained by the USPS and consists of approximately 160 million permanent change-of-address (COA) records consisting of names and addresses of individuals, families, and businesses who have filed a change-of-address with the Postal Service™. The address information is maintained on the database for 48 months and reduces undeliverable mail by providing the most current address information, including standardized and delivery-point-coded addresses, for matches made to the NCOA file for individual, family, and business moves.

17. Additionally, a Long Notice and Claim Form (“Claim Package”) was mailed to all persons who request one via the toll-free telephone number or other means. As of September 25, 2024, Epiq mailed 1,123 Claim Packages as a result of such requests. The Long Notice is included as **Attachment 3**. The Claim Form is included as **Attachment 4**.

Notice Results

18. As of September 25, 2024, a Postcard Notice was delivered to 612,369 of the 682,461 unique, identified Settlement Class Members. This means the individual notice efforts reached approximately 90% of the identified Settlement Class Members.

MEDIA PLAN

Targeted Internet Banner Advertising

19. Internet advertising has become a standard component in legal notice programs. The internet has proven to be an efficient and cost-effective method to target class members as part of providing notice of class certification and/or a settlement for a class action case. According to MRI-Simmons data⁴, 97% of all adults are online and 85% of all adults use social media.⁵

20. The Notice Plan included banner advertising on selected advertising networks, which were targeted to Settlement Class Members. The internet Banner Notices linked directly to the Settlement Website, thereby allowing visitors easy access to relevant information and documents.

21. The Notice Plan included targeted digital advertising on the selected advertising network *Google Display Network*, in English and Spanish, which represents thousands of digital properties across all major content categories. The Banner Notices were also placed on the social media sites *Facebook* and *Instagram*. *Facebook* is the leading social networking site in the United

⁴ MRI-Simmons is a leading source of publication readership and product usage data for the communications industry. MRI-Simmons is a joint venture of GfK Mediamark Research & Intelligence, LLC (“MRI”) and Simmons Market Research. MRI-Simmons offers comprehensive demographic, lifestyle, product usage and exposure to all forms of advertising media collected from a single sample. As the leading U.S. supplier of multimedia audience research, the company provides information to magazines, televisions, radio, internet, and other media, leading national advertisers, and over 450 advertising agencies—including 90 of the top 100 in the United States. MRI-Simmons’s national syndicated data is widely used by companies as the basis for the majority of the media and marketing plans that are written for advertised brands in the United States.

⁵ MRI-Simmons 2022 Survey of the American Consumer®.

States with 175 million users and *Instagram* has 143 million active users in the United States.⁶ Combined, these ad networks cover 90% of the United States’ population that is online.

22. All internet Banner Notices ran on desktop, mobile and tablet devices and were distributed as described below. Banner Notices were also targeted (remarketed) to people who visited the Settlement Website after clicking on a Banner Notice. The internet Banner Notices used language from the Long Notice, which allowed users to identify themselves as potential Settlement Class Members.

23. More details regarding the target audiences, distribution, and specific ad sizes of the internet Banner Notices, are included in the following table.

<i>Network/Property</i>	<i>Distribution</i>	<i>Language</i>	<i>Ad Sizes</i>	<i>Delivered Impressions</i>
<i>Google Display Network</i>	National	English / Spanish	728x90, 300x250, 300x600, 970x250	10,879,201
<i>Google Display Network</i>	State of Arizona	English / Spanish	728x90, 300x250, 300x600, 970x250	21,255,023
<i>Facebook</i>	National	English	Newsfeed & Right Hand Column	8,840,883
<i>Facebook</i>	State of Arizona	English	Newsfeed & Right Hand Column	15,534,318
<i>Instagram</i>	National	English	Newsfeed	6,119,843
<i>Instagram</i>	State of Arizona	English	Newsfeed	13,561,613
TOTAL				76,190,881

24. Combined, approximately 76 million targeted impressions were generated by the internet Banner Notices, which ran from August 19, 2024 through September 23, 2024.⁷ Clicking on the Banner Notices linked the reader to the Settlement Website, where they could easily obtain detailed information about the case. Examples of the Banner Notices are included as

⁶ Statista Digital 2023: Global Overview Report. Statista, founded in 2007, is a leading provider of worldwide market and consumer data and is trusted by thousands of companies around the world for data. Statista.com consolidates statistical data on over 80,000 topics from more than 22,500 sources and makes it available in German, English, French and Spanish.

⁷ The third-party ad management platform, ClickCease, was used to audit Banner Notice ad placements. This type of platform tracks all Banner Notice ad clicks to provide real-time ad monitoring, fraud traffic analysis, blocks clicks from fraudulent sources, and quarantines dangerous IP addresses. This helps reduce wasted, fraudulent or otherwise invalid traffic (e.g., ads being seen by ‘bots’ or non-humans, ads not being viewable, etc.).

Attachment 5.

Sponsored Search Listing

25. The Notice Plan included purchasing sponsored search listings to facilitate locating the Settlement Website. Sponsored search listings were acquired on the three most highly-visited internet search engines: *Google*, *Yahoo!*, and *Bing*. The sponsored search listings ran from August 19, 2024, through September 23, 2024, and were displayed 14,900 times. When search engine visitors searched on selected common keyword combinations related to the case, the sponsored search listing was displayed at the top of the page prior to the search results or in the upper right-hand column. Representative search terms included word and phrase variations related to the Settlement. The sponsored search listings were displayed in the state of Arizona only. A complete list of the sponsored search keyword combinations is included as **Attachment 6**. Examples of the sponsored search listing as displayed on each search engine are included as **Attachment 7**.

Settlement Website

26. On June 24, 2024, Epiq established a dedicated website for the Settlement with an easy to remember domain name (www.NationwideSightcare.com). Relevant documents, including the Long Notice, Claim Form, Settlement Agreement, and other case-related documents are posted on the Settlement Website. The Settlement Website also allowed Settlement Class Members to file an online Claim Form prior to the deadline. In addition, the Settlement Website includes relevant dates, answers to frequently asked questions (“FAQs”), instructions for how Settlement Class Members were able to opt-out (request exclusion) from or object to the Settlement prior to the deadline, contact information for the Settlement Administrator, and how to obtain other case-related information. The Settlement Website address was prominently displayed in all notice documents. As of September 25, 2024, there have been 26,090 unique visitor sessions to the Settlement Website and 86,238 website pages presented.

Toll-Free Telephone Number and Other Contact Information

27. On June 24, 2024, a toll-free telephone number (1-888-857-6324) was established for the Settlement. Callers are able to hear an introductory message and also have the option to learn more about the Settlement in the form of recorded answers to FAQs, and to request that a

Claim Package be mailed to them. The automated phone system is available 24 hours per day, 7 days per week. The toll-free telephone number was prominently displayed in all notice documents. As of September 25, 2024, there have been 3,175 calls to the toll-free telephone number representing 8,180 minutes of use.

28. A postal mailing address was established and continues to be available, allowing Settlement Class Members the opportunity to request additional information or ask questions.

Requests for Exclusion and Objections

29. The deadline to request exclusion from the Settlement or to object to the Settlement was August 23, 2024. As an additional verification measure, a unique confirmation code was emailed to individuals who submitted an online exclusion request. The email contained a hyperlink allowing the individual to verify the exclusion request by entering their unique confirmation code. Online requests for exclusion without verification were rendered invalid. As of September 25, 2024, Epiq has received 41 valid requests for exclusion. The Request for Exclusion Report is included as **Attachment 8**. As of September 25, 2024, Epiq is aware of no objections to the Settlement.

Claim Submission & Distribution Options

30. The Notices provided a detailed summary of the relevant information about the Settlement, including the Settlement Website address and how Settlement Class Members could file a Claim Form online or by mail. Settlement Class Members who filed a Claim Form were given the option of receiving a digital payment or a traditional paper check.

31. The deadline for Settlement Class Members to file a Claim Form was September 23, 2024. As of September 25, 2024, Epiq has received 15,908 Claim Forms (15,353 online and 555 paper). As standard practice, Epiq is in the process of conducting a complete review and audit of all Claim Forms received. There is a likelihood that after detailed review, the total number of Claim Forms received will change due to duplicate and denied Claim Forms.

CONCLUSION

32. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes,

and further by case law pertaining to notice. This framework directs that the notice plan be designed to reach the greatest practicable number of potential class members and, in a settlement class action notice situation such as this, that the notice or notice plan itself not limit knowledge of the availability of benefits—nor the ability to exercise other options—to settlement class members in any way. All of these requirements were met in this case.

33. The Notice Plan included an extensive individual notice effort to the identified Settlement Class Members. With the address updating protocols that were used, the Notice Plan individual notice efforts reached approximately 90% of the identified Settlement Class Members. The reach was further enhanced by targeted digital notice and a Settlement Website. The Federal Judicial Center’s (“FJC”) Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide states that “the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a high percentage of the Settlement Class. It is reasonable to reach between 70–95%.”⁸ Here, we have developed and implemented a Notice Plan that readily achieved a reach within that standard.

34. The Notice Plan followed the guidance for satisfying due process obligations that a notice expert gleans from the United States Supreme Court’s seminal decisions, which emphasize the need: (a) to endeavor to actually inform the Settlement Class, and (b) to ensure that notice is reasonably calculated to do so:

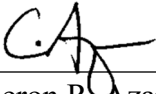
- a) “[W]hen notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it,” *Mullane v. Central Hanover Trust*, 339 U.S. 306, 315 (1950); and
- b) “[N]otice must be reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections,” *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156 (1974) (citing *Mullane*, 339 U.S. at 314).

⁸ FED. JUDICIAL CTR, JUDGES’ CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-and-claims-process-checklist-and-plain-language-guide-0>.

35. The Notice Plan provided the best notice practicable under the circumstances, conformed to all aspects of Federal Rule of Civil Procedure, Rule 23 regarding notice, comported with the guidance for effective notice articulated in the Manual for Complex Litigation, Fourth and applicable FJC materials, and satisfied the requirements of due process, including its “desire to actually inform” requirement.

36. The Notice Plan schedule afforded enough time to provide full and proper notice to Settlement Class Members before the opt-out deadline and the objection deadline.

I declare under penalty of perjury that the foregoing is true and correct. Executed October 1, 2024.



Cameron R. Azari, Esq.

Attachment 1

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE U.S. VISION DATA BREACH
LITIGATION

Civ. Action No. 1:22-cv-06558
(CPO/SAK)

DECLARATION OF KYLE S. BINGHAM ON IMPLEMENTATION OF CAFA NOTICE

I, KYLE S. BINGHAM, hereby declare and state as follows:

1. My name is KYLE S. BINGHAM. I am over the age of 25 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am the Director of Legal Noticing for Epiq Class Action & Claims Solutions, Inc. (“Epiq”), a firm that specializes in designing, developing, analyzing and implementing large-scale, unbiased, legal notification plans. I have overseen and handled Class Action Fairness Act (“CAFA”) notice mailings for more than 400 class action settlements.

3. Epiq is a firm with more than 25 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service (“USPS”), claims database management, claim adjudication, funds management and distribution services.

4. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

5. At the direction of counsel for Defendants Nationwide Optometry, P.C., Sightcare, Inc., and Nationwide Vision Center, LLC, 57 federal and state officials (the Attorney General of the United States and the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories) were identified to receive CAFA notice.

DECLARATION OF KYLE S. BINGHAM ON IMPLEMENTATION OF CAFA NOTICE

6. Epiq maintains a list of these federal and state officials with contact information for the purpose of providing CAFA notice. Prior to mailing, the names and addresses selected from Epiq's list were verified, then run through the Coding Accuracy Support System ("CASS") maintained by the United States Postal Service ("USPS").¹

7. On April 11, 2024, Epiq sent 57 CAFA Notice Packages ("Notice"). The Notice was mailed via USPS Priority Mail to 54 officials (the Attorneys General of 48 states, the District of Columbia, and the United States Territories). As per the direction of the Office of the Nevada and Connecticut Attorneys General, the Notice was sent to the Nevada and Connecticut Attorneys General electronically via email. The Notice was also sent via United Parcel Service ("UPS") to the Attorney General of the United States. The CAFA Notice Service List (USPS Priority Mail, Email, and UPS) is included as **Attachment 1**.

8. The materials sent to the federal and state officials included a Cover Letter, which provided notice of the proposed Settlement of the above-captioned case. The Cover Letter is included as **Attachment 2**.

9. The cover letter was accompanied by a CD, which included the following:

- **Exhibit A:** Class Action Complaint, filed November 10, 2022;
- **Exhibit B:** Amended Consolidated Class Action Complaint, filed July 31, 2023;
- **Exhibit C:** Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
- **Exhibit D:** Plaintiffs' Memorandum of Law in Support of Motion for

¹ CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;

- **Exhibit 1:** Class Action Settlement Agreement and Release with exhibits, filed on April 4, 2024;
- **Exhibit 2:** Declaration of Ben Barnow in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
- **Exhibit 3:** Declaration of Terence R. Coates in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
- **Exhibit 4:** Declaration of Jean S. Martin in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
- **Exhibit 5:** Declaration of Cameron R. Azari, Esq. Regarding Notice Plan, filed April 4, 2024;
- **Exhibit 6:** Proposed Preliminary Approval Order of Settlement of Claims Against Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc., filed April 4, 2024; and
- **Exhibit 7:** Approximate Class Members per State of Residency.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 11, 2024.



KYLE S. BINGHAM

Attachment 1

CAFA Notice Service List

USPS Priority Mail

Appropriate Official	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Treg Taylor	1031 W 4th Ave	Suite 200	Anchorage	AK	99501
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36104
Office of the Attorney General	Tim Griffin	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Kris Mayes	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Protection Section	455 Golden Gate Ave Suite 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway Fl 10	Denver	CO	80203
Office of the Attorney General	Brian Schwalb	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Anne E Lopez	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Brenna Bird	Hoover State Office Building	1305 E Walnut St	Des Moines	IA	50319
Office of the Attorney General	Raul Labrador	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Office of the Indiana Attorney General	Todd Rokita	Indiana Government Center South	302 W Washington St Rm 5	Indianapolis	IN	46204
Office of the Attorney General	Kris Kobach	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Russell Coleman	700 Capitol Ave Suite 118		Frankfort	KY	40601
Office of the Attorney General	Liz Murrill	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Andrea Campbell	1 Ashburton Pl 20th Fl		Boston	MA	02108
Office of the Attorney General	Anthony G Brown	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO BOX 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St Ste 1400		St Paul	MN	55101
Missouri Attorney General's Office	Andrew Bailey	207 West High Street	PO Box 899	Jefferson City	MO	65102
Mississippi Attorney General	Lynn Fitch	PO Box 220		Jackson	MS	39205
Office of the Attorney General	Austin Knudsen	215 N Sanders 3rd Fl	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Drew H Wrigley	600 E Boulevard Ave Dept 125		Bismarck	ND	58505
Nebraska Attorney General	Mike Hilgers	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Matthew J Platkin	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Raul Torrez	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	CAFA Coordinator	28 Liberty Street 15th Floor		New York	NY	10005
Office of the Attorney General	Dave Yost	30 E Broad St Fl 14		Columbus	OH	43215
Office of the Attorney General	Gentner Drummond	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Michelle A Henry	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Marty Jackley	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Jonathan Skrmetti	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	PO Box 12548		Austin	TX	78711
Office of the Attorney General	Sean D Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Jason S Miyares	202 N 9th St		Richmond	VA	23219
Office of the Attorney General	Charity R Clark	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 5th Ave Ste 2000		Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrissey	State Capitol Complex Bldg 1 Room E 26	1900 Kanawha Blvd E	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	109 State Capital		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	American Samoa Gov't Exec Ofc Bldg Utulei	Territory of American Samoa	Pago Pago	AS	96799
Attorney General Office of Guam	Douglas Moylan	Administrative Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Ariel M Smith	3438 Kronprindsens Gade Ste 2	GERS BLDG	St Thomas	VI	00802

CAFA Notice Service List

Email

Appropriate Official	Contact Format	State
Office of the Attorney General for Connecticut	All documents sent to CT AG at their dedicated CAFA email inbox.	CT
Office of the Attorney General for Nevada	All documents sent to NV AG at their dedicated CAFA email inbox.	NV

UPS

Appropriate Official	FullName	Address1	Address2	City	State
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC

Attachment 2

Date: April 11, 2024

**RE: IN RE U.S. VISION DATA BREACH LITIGATION,
Case No. 1:22-cv-06558-CPO/SAK
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY
Notice of Proposed Settlement**

Dear Counsel or Official:

Pursuant to the Class Action Fairness Act of 2005, Nationwide Optometry, P.C., Sightcare, Inc., and Nationwide Vision Center, LLC (collectively, "Nationwide-Sightcare") and Settlement Administrator Epiq ("Epiq") hereby give notice in the above-captioned action relating to the proposed settlement of a class action lawsuit. Nationwide-Sightcare denies the allegations in the complaint and denies any liability whatsoever. But Nationwide-Sightcare has decided to settle this action solely to eliminate the burden, expense, and uncertainties of further litigation.

1. Pursuant to the requirements under the Class Action Fairness Act of 2005, copies of the following documents are included on the enclosed CD:

- **Exhibit A:** Class Action Complaint, filed November 10, 2022;
 - **Exhibit B:** Amended Consolidated Class Action Complaint, filed July 31, 2023;
 - **Exhibit C:** Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - **Exhibit D:** Plaintiffs' Memorandum of Law in Support of Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - **Exhibit 1:** Class Action Settlement Agreement and Release with exhibits, filed on April 4, 2024;
 - **Exhibit 2:** Declaration of Ben Barnow in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - **Exhibit 3:** Declaration of Terence R. Coates in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - **Exhibit 4:** Declaration of Jean S. Martin in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - **Exhibit 5:** Declaration of Cameron R. Azari, Esq. Regarding Notice Plan, filed April 4, 2024;
 - **Exhibit 6:** Proposed Preliminary Approval Order of Settlement of Claims Against Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc., filed April 4, 2024; and
 - **Exhibit 7:** Approximate Class Members per State of Residency.
-
- **28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** The Court has not yet scheduled any judicial hearing in the class action.
 - **28 U.S.C. § 1715(b)(3) – Notification to Class Members:** The proposed notifications to class members are attached as Exhibits A (Short Notice), B (Long Notice), and D (Claim Form) to the Class Action Settlement Agreement and Release (Exhibit 1 to this Notice) and are contained on the enclosed CD. The settlement website (www.NationwideSightcare.com) will also be updated with information that will notify the settlement class members about the details of the settlement.

- **28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The Class Action Settlement Agreement and Release is contained on the enclosed CD, along with the following:
 - Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024;
 - Plaintiffs’ Memorandum of Law in Support of Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan, filed April 4, 2024; and
 - Declaration of Cameron R. Azari, Esq. Regarding Notice Plan, filed April 4, 2024.
- **28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** There are no other settlements or agreements between the parties.
- **28 U.S.C. § 1715(b)(6) – Final Judgment or Notice of Dismissal:** To date, the Court has not issued a final order, judgment, or dismissal in the above-referenced action.
- **28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** It is not feasible to provide the anticipated proportionate share of claims of Settlement Class Members at this time until all Settlement Class Members have had an opportunity to file a Claim. The amounts recovered by each individual Settlement Class Member may vary, and such amounts will be distributed to those who file a Claim. However, in Exhibit 7, we are providing a table with a reasonable estimate of the number of Settlement Class Members residing in each State.
- **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** To date, the Court has not issued an order finally approving the settlement or a final order or judgment in the above-referenced action.

If you have questions about this notice, the lawsuit, or the enclosed materials, please contact counsel for Defendant at the following address: Donald M. Houser, Alston & Bird LLP, 1201 West Peachtree Street, Atlanta, GA 30309. His email address and phone number are: donald.houser@alston.com and 404-881-4749.

Regards,
Settlement Administrator

Attachment 2

UNIQUE ID: [REDACTED]

PIN: [REDACTED]

If your personal information was compromised in a data breach affecting Nationwide Optometry, Nationwide Vision Center, and/or Sightcare, you may be eligible for benefits from a class action settlement. PLEASE VISIT www.NationwideSightcare.com FOR MORE INFORMATION.

A Settlement has been reached with Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc. (collectively, "Nationwide-Sightcare") in a class action lawsuit involving a third-party criminal cyberattack targeting USV Optical, Inc.'s, a subsidiary of U.S. Vision, Inc. email and computer systems between approximately April 20, 2021, and May 17, 2021 (the "Data Breach"). The United States District Court for the District of New Jersey authorized this notice in this case, known as *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-cv-06558-CPO/SAK (D.N.J.). The claims against USV Optical, Inc. and U.S. Vision, Inc. are not being settled and remain pending.

WHO IS INCLUDED? All residents of the United States who are current or former patients, customers, employees, members, or covered dependents of Nationwide-Sightcare, or any of their affiliated or related business entities whose Personal Information was accessed, stolen, or compromised as a result of the Data Breach.

SETTLEMENT BENEFITS. Settlement Class Members may submit a claim for (i) Pro rata cash payment estimated at \$50.00; OR (ii) Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits: (a) reimbursement for undocumented time spent dealing with the repercussions of the Data Breach for up to 4 hours at \$25.00/hour; (b) reimbursement of up to \$300.00 for documented out-of-pocket expenses that resulted from the Data Breach; (c) reimbursement of up to \$5,000.00 for documented actual identity theft expenses that resulted from the Data Breach; (d) two years of free credit monitoring and identity resolution services. Plaintiffs Ian Torres, Donita Odell, and Lacie Morgan will seek Service Awards of \$3,500 for their efforts as Settlement Class Representatives in this case. Class Counsel, Ben Barnow, Terence R. Coates, and Jean S. Martin, the Court-appointed attorneys representing the Settlement Class in this case, will seek attorneys' fees in an amount not to exceed 1/3 of the \$3.45 million Settlement Fund.

WHAT ARE MY OPTIONS? To get a payment and/or benefit you must submit a Claim Form by **September 23, 2024**. To request a Claim Form, visit www.NationwideSightcare.com or call 1-888-857-6324. If you do not want to be legally bound by the Settlement, you must exclude yourself from it by **August 23, 2024**, or you will not be able to sue, or continue to sue, Nationwide-Sightcare about the legal claims this Settlement resolves. If you exclude yourself, you cannot get benefits from the Settlement. If you stay in the Settlement Class, you can tell the Court that you do not agree with the Settlement or some part of it by objecting to it by **August 23, 2024**. A long-form notice available at www.NationwideSightcare.com explains how to exclude yourself or object and describes the released claims in detail.

WANT MORE INFORMATION? Do NOT call the Court. Visit www.NationwideSightcare.com or call 1-888-857-6324.

www.NationwideSightcare.com

1-888-857-6324

AK133 v.04



NO POSTAGE
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IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 581 PORTLAND, OR

POSTAGE WILL BE PAID BY ADDRESSEE

NATIONWIDE-SIGHTCARE
SETTLEMENT ADMINISTRATOR
C/O EPIQ
PO BOX 2713
PORTLAND OR 97208-9720



Attachment 3

NOTICE OF CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY
In Re U.S. Vision Data Breach Litigation,
 Case No. 1:22-cv-06558-CPO/SAK

If your personal information was accessed, stolen, or compromised in a data breach affecting Nationwide Optometry, Nationwide Vision Center, and/or SightCare, you may be eligible for benefits from a class action settlement.

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

- A Settlement has been reached with Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc. (collectively, “Nationwide-Sightcare”) in a class action lawsuit about a third-party criminal cyberattack targeting USV Optical, Inc.’s, a subsidiary of U.S. Vision, Inc., email and computer systems between approximately April 20, 2021 and May 17, 2021 (the “Data Breach”).
- The lawsuit claims that Nationwide-Sightcare was responsible for the Data Breach. Nationwide-Sightcare denies all of the claims. The Court has not decided in favor of any party. Instead, a settlement was reached. This Settlement is not an admission of wrongdoing, but rather is a compromise to end the lawsuit.
- The Settlement includes all residents of the United States who are current or former patients, customers, employees, members, or covered dependents of Nationwide-Sightcare, or any of their affiliated or related business entities whose Personal Information was accessed, stolen, or compromised as a result of the Data Breach.
- The Settlement provides several benefits to Settlement Class Members who submit valid claims, including twenty-four (24) months of 3-bureau credit and identity theft monitoring and cash payments for certain documented and undocumented expenses and lost time incurred as a result of the Data Breach.
- The Settlement releases all claims against Nationwide-Sightcare and the Released Parties arising out of or relating to the Data Breach. The Settlement does not settle or release claims against USV Optical, Inc. or U.S. Vision, Inc. (together, “USV”), relating to the Data Breach. The full scope and text of the release is set forth in Question 16, below.

Your legal rights are affected even if you do nothing. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

Submit a Claim by September 23, 2024	This is the only way to receive a payment for losses suffered as a result of the Data Breach.
Ask to be Excluded by August 23, 2024	You will not receive a payment, but you will retain any rights you currently have with respect to Nationwide-Sightcare and the issues in this case. This is the only option that allows you to bring your own lawsuit against Nationwide-Sightcare related to the Data Breach.
Object by August 23, 2024	Write to the Court about why you do not like the Settlement.
Go to the Hearing	Ask to speak in Court about the fairness of the Settlement.
Do Nothing	Get no payment or benefit. Give up rights to submit a claim or bring a different lawsuit against Nationwide-Sightcare related to the Data Breach.

- 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 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.

Questions? Call 1-888-857-6324

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- 3. Why is this lawsuit a class action?
- 4. Why is there a Settlement?

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Questions? Call 1-888-857-6324

BASIC INFORMATION

1. Why was this Notice issued and why should I read it?

The Court authorized this notice because you may be included in the Settlement Class and have a right to know about the proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to give “final approval” to the Settlement. This notice explains the legal rights and options that you may exercise before the Court decides whether to approve the Settlement.

Judge Christine P. O’Hearn of the United States District Court for the District of New Jersey is overseeing this case known as *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-cv-06558- CPO/SAK. The people who sued are called the Plaintiffs. Nationwide-Sightcare is called the Defendant.

2. What is this lawsuit about?

The lawsuit claims that Nationwide-Sightcare was responsible for the Data Breach and asserts claims such as: negligence, negligence per se, breach of fiduciary duty, breach of implied contract, unjust enrichment, alleged violations of the Arizona Consumer Fraud Act, A.R.S. § 44-1521 *et seq.*, and alleged violations of the Oklahoma Consumer Protection Act, 15 O.S. § 751 *et seq.*

Nationwide-Sightcare denies these claims and says that it did not do anything wrong. The Data Breach was a third-party criminal attack that breached USV’s systems; Nationwide-Sightcare’s systems were not impacted.

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. Here, the Settlement Class Representatives—Ian Torres, Bonita Odell, and Lacie Morgan—sued on behalf of a class of all individuals whose information was compromised as a result of the Data Breach.

4. Why is there a Settlement?

The Court did not issue a ruling in favor of the Plaintiffs or Nationwide-Sightcare. Rather, both sides agreed to a settlement. The Settlement is not an admission that Nationwide-Sightcare did something wrong, but rather is a compromise to end the lawsuit. By agreeing to settle, both sides avoid the cost and risk of a trial, and people who submit valid claims will get compensation. The Settlement Class Representatives and their attorneys believe the Settlement is fair, reasonable, and adequate and, thus, best for the Settlement Class.

WHO IS IN THE SETTLEMENT?

5. How do I know if I am included in the Settlement?

You are included in the Settlement if you reside in the United States, are a current or former patient, customer, employee, member, or covered dependent of Nationwide Optometry, P.C., Nationwide Vision Center, LLC, Sightcare, Inc., or any of their affiliated or related business entities, and your Personal Information was accessed, stolen, or compromised as a result of the Data Breach.

Specifically excluded from the Settlement Class are:

(i) Nationwide-Sightcare, any Entity in which Nationwide-Sightcare has a controlling interest, and Nationwide-Sightcare’s officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over the Action and the members of their immediate families and judicial staff; (iii) any individual who timely and validly opts out of the Settlement; and (iv) USV, any Entity in which USV has a controlling interest, and USV’s officers, directors, legal representatives, successors, subsidiaries, and assigns.

Questions? Call 1-888-857-6324

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

The Settlement includes all residents of the United States who are current or former patients, customers, employees, members, or covered dependents of Nationwide Optometry, P.C., Nationwide Vision Center, LLC, Sightcare, Inc., or any of their affiliated or related business entities whose Personal Information was accessed, stolen, or compromised as a result of the Data Breach. If you believe that you are included in the Settlement, you may print a copy of the Claim Form from the Settlement website, complete the Claim Form, and return it (along with any documentation as required) to the Settlement Administrator at the address provided in Question 13. The Settlement Administrator will review your claim and determine whether you are a member of the Settlement Class and, if so, whether you are entitled to the benefits you claim under the Settlement.

You may call 1-888-857-6324 with questions. You may also write with questions to Nationwide-Sightcare's Settlement Administrator,

Nationwide Sightcare Data Incident
Settlement Administrator
PO Box 2713
Portland, OR 97208-2713.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

Settlement Class Members may submit a claim for either:

- Pro-Rata Cash Payment. The amount of this payment is estimated to be \$50. The amount actually paid will vary and could be *higher or lower*. The amount actually paid will depend on the number and types of claims actually submitted and determined to be valid. Please see Question 8 for more information about how the amount of the Pro-Rata Cash Payment will be calculated.

OR

- Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits: (1) Documented Ordinary Expense Reimbursement (Question 9), (2) Documented Extraordinary Expense Reimbursement (Question 10), (3) Lost-Time Reimbursement (Question 11), and Credit Monitoring Services (Question 12). The aggregate total cash payment that any Settlement Class Member may receive in reimbursement will not exceed \$5,400.00. You may submit a claim for all or any of these benefits for which you qualify.

The requirements to for the various benefits are set forth herein (see Questions 8, 9, 10, 11, and 12), as well as in the Settlement and Claim Form.

8. What is the Pro-Rata Cash Payment?

Settlement Class Members are eligible to claim a pro-rata cash payment. This is in the alternative to all other relief, i.e., this is in the alternative to making a claim for Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits. Put differently, if you submit a claim for the Pro-Rata Cash Payment, you may *not* claim any of the Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits.

It is estimated that this payment will be approximately \$50. However, this is an estimate. ***The amount actually paid could be higher or lower.*** The amount actually paid will depend on the total amount of valid claims submitted by Settlement Class Members for (1) this Pro-Rata Cash Payment, (2) Documented Ordinary Expense Reimbursement, (3) Documented Extraordinary Expense Reimbursement, and (4) Lost-Time Reimbursement. It will also depend on the costs to provide notice of this Settlement and administer it, as well as the amounts that the Court awards for attorneys' fees, expenses, and service awards.

Questions? Call 1-888-857-6324

9. What payments are available for Documented Ordinary Expense Reimbursement?

Settlement Class Members are eligible to receive reimbursement for documented out-of-pocket expenses that were incurred as a result of the Data Breach for one or more of the following, not to exceed a total of \$300.00 per Settlement Class Member:

- costs and expenses spent addressing identity theft or fraud;
- preventative costs including purchasing credit monitoring, placing security freezes on credit reports, or requesting copies of credit reports for review; and
- other documented expenses that were not reimbursed.

Settlement Class Members seeking reimbursement for these expenses must submit reasonable documentation to support that the out-of-pocket ordinary expenses claimed were the result of the Data Breach. Please refer to the Claim Form for additional details.

10. What payments are available for Documented Extraordinary Expense Reimbursement?

Settlement Class Members are eligible to receive reimbursement of up to \$5,000.00 for documented actual identity theft losses or expenses or other unreimbursed fraudulent charges that are the result of the Data Breach. Please refer to the Claim Form for additional details.

11. What payments are available for Lost-Time Reimbursement?

Settlement Class Members who spent time dealing with repercussions of the Data Breach, but do not have documentation of such time, will be eligible to submit a Settlement Claim for time spent in an amount of \$25 per hour up to 4 hours (for a total of \$100.00). Please refer to the Claim Form for additional details.

12. What Credit Monitoring Services are available?

Settlement Class Members are eligible to receive twenty-four (24) months of 3-bureau credit and identity theft monitoring. The credit and identity theft monitoring will have the following features: (i) real time monitoring of the credit file at all three major credit bureaus; (ii) identity theft insurance (no deductible) of one million United States dollars (\$1,000,000); and (iii) access to fraud resolution agents to help resolve identity thefts.

HOW DO YOU SUBMIT A CLAIM?

13. How do I get a payment or benefits under the Settlement?

To receive a payment or other Settlement benefits, you must complete and submit a Claim Form, including all required information and documents (see the Claim Form for more information).

If you received a notice of the Settlement in the mail, your notice contains a unique Claim Form Identifier and PIN that will allow you to submit your Claim Form online through the Settlement website (www.NationwideSightcare.com). You may not submit an electronic Claim Form without this Claim Form Identifier (or PIN). If you received a notice of the Settlement in the mail but prefer to submit paper copy of the Claim Form, please visit the Settlement Website (www.NationwideSightcare.com), print a copy of the Claim Form, read the instructions carefully, provide all requested information and documentation (as appropriate depending on the benefits you are claiming) and return it to Settlement Administrator at the address and by the deadline below.

If you did *not* receive a notice of the Settlement in the mail, but you believe that you are a member of the Settlement Class, you may submit a Claim Form. To do so, please visit the Settlement website (www.NationwideSightcare.com), print a copy of the Claim Form, read the instructions carefully, provide all requested information and documentation (as appropriate depending on the benefits you are claiming) and return it to Settlement Administrator at the address and by the deadline below.

Questions? Call 1-888-857-6324

All Claim Forms must be provided to the Settlement Administrator by the Claims Deadline, which is September 23, 2024. For Claim Forms submitted online, this means that the completed Claim Form and all required information and documentation must be submitted through the Settlement website on or before September 23, 2024. For paper Claim Forms submitted via U.S. Mail, this means that the completed Claim Form and all required information and documentation must be mailed to the Settlement Administrator at the address below and postmarked no later than September 23, 2024.

Nationwide Sightcare Data Incident
Settlement Administrator
PO Box 2713
Portland, OR 97208-2713

14. How will claims be decided?

The Settlement Administrator will initially decide whether the information provided on each Claim Form is complete and valid. The Settlement Administrator may require additional information. If you do not provide the additional information or do not provide the information within the time period set by the Settlement Administrator, the claim will be considered invalid, and you will not receive any benefits under the Settlement.

Approved Claims are those submitted in a timely manner and found to be valid by and in an amount approved by the Settlement Administrator.

If the aggregated amount of Approved Claims for Documented Ordinary Expense Reimbursement, Documented Extraordinary Expense Reimbursement, Lost-Time Reimbursement, and Credit Monitoring, when aggregated with Administration and Notice Costs, Attorneys' Fees as approved by the Court, Expenses as approved by the Court, and Service Awards as approved by the Court **is more than the amount of the Settlement Fund**, then those Approved Claims will be reduced on a *pro rata* basis such that the total aggregate amount of those Approved Claims, Administration and Notice Costs, Attorneys' Fees as approved by the Court, Expenses as approved by the Court, and Service Awards as approved by the Court, does not exceed the amount of the Settlement Fund. This scenario is not anticipated, but it is possible, and if it were to occur, it means that there would be no Pro-Rata Cash Payments at all.

If the aggregated amount of Approved Claims for Documented Ordinary Expense Reimbursement, Documented Extraordinary Expense Reimbursement, Lost-Time Reimbursement, and Credit Monitoring, when aggregated with Administration and Notice Costs, Attorneys' Fees as approved by the Court, Expenses as approved by the Court, and Service Awards as approved by the Court is **less than the amount of the Settlement Fund**, then the remaining amount of Settlement Fund shall be used to pay valid claims made for the Pro-Rata Cash Payment.

Nationwide-Sightcare's total payments under the Settlement will not exceed \$3,450,000.00. This amount includes all payments for all Settlement relief (i.e., Approved Claims), Settlement notice and administration costs, attorneys' fees and expenses, and service awards.

15. When will I get my payment or benefit?

The Court will hold a hearing on **October 15, 2024** to decide whether to approve the Settlement. If the Court approves the Settlement after that, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them 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 NATIONWIDE-SIGHTCARE GET?

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

If the Settlement becomes final and you do not exclude yourself from the Settlement, you will remain a Settlement Class Member and you will give up your right to sue Nationwide-Sightcare and other Released Parties for any Released Claims. The specific claims being released are described below and in the "Definitions" (Section 2) of the Settlement Agreement. Below we have included the definitions of "Released Claims," "Unknown Claims," and "Released Parties." The definitions of any other capitalized terms contained in the terms defined below are also included in the "Definitions" (Section 2) of the Settlement Agreement. If you have any questions you can talk to Class Counsel listed in Question 22 for free or you can, of course, talk to your own lawyer.

Questions? Call 1-888-857-6324

The term “Released Claims” means any and all claims (including, without limitation, any and all common law, equitable, and statutory claims arising under the laws of any jurisdiction, including those arising under state and/or federal laws of the United States), defenses, demands, actions, causes of action, rights, offsets, setoffs, suits, remedies, damages, lawsuits, costs, relief for contempt, losses, attorneys’ fees, expenses, or liabilities of any kind whatsoever, in law or in equity, for any relief whatsoever, including monetary sanctions or damages for contempt, injunctive or declaratory relief, rescission, general, compensatory, special, liquidated, indirect, incidental, consequential, or punitive damages, as well as any and all claims for treble damages, penalties, interest, attorneys’ fees, costs, or expenses, whether known or unknown (including Unknown Claims (defined below)), suspected or unsuspected, existing or potential, contingent or vested, accrued or not accrued, liquidated or unliquidated, matured or unmatured, that in any way concern, arise out of, or relate to the Data Breach, the facts alleged in the Action, or any theories of recovery that were, or could have been, raised at any point in the Action.

“Unknown Claims” means any and all Released Claims that any Settlement Class Representative or Settlement Class Member does not know or suspect to exist in his or her favor as of the Effective Date and which, if known by him or her, might have affected his or her decision(s) with respect to the Settlement. With respect to any and all Released Claims, the Parties stipulate and agree that upon the Effective Date, Settlement Class Representatives and Settlement Class Members shall have waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, the District of Columbia, or principle of common law or otherwise, which includes or is similar, comparable, or equivalent to Cal. Civ. Code § 1542, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

The Settlement Class Representatives and Class Counsel acknowledge, and each Settlement Class Member by operation of law shall be deemed to have acknowledged, that the inclusion of “Unknown Claims” in the definition of Released Claims was separately bargained for and was a key element of the Settlement Agreement.

“Released Parties” means Nationwide Optometry, P.C., Sightcare, Inc., and Nationwide Vision Center, LLC, and each of their current and former parents, subsidiaries, divisions, and affiliated companies, whether indirect or direct, as well as these entities’ respective predecessors, successors, assigns, directors, officers, employees, agents, vendors, insurers, reinsurers, shareholders, attorneys, advisors, consultants, representatives, partners, joint venturers, contractors, wholesalers, resellers, distributors, service providers, and retailers. Expressly excluded from the definition of Released Parties is U.S. Vision, Inc. and USV Optical, Inc. Claims against U.S. Vision, Inc. and USV Optical, Inc. relating to the Data Breach have not been settled, are not being released, and are still pending in the litigation.

Plaintiffs’ Release

As of the Effective Date, all Releasing Parties, on behalf of themselves, their heirs, assigns, beneficiaries, executors, administrators, predecessors, and successors, and any other person purporting to claim on their behalf, hereby expressly, generally, absolutely, unconditionally, and forever release and discharge any and all Released Claims against the Released Parties and any of their current, former, and future affiliates, parents, subsidiaries, representatives, officers, agents, directors, employees, contractors, shareholders, vendors, insurers, reinsurers, successors, assigns, and attorneys, except for claims relating to the enforcement of the Settlement or this Agreement. For the avoidance of doubt, the Releasing Parties do not release any claims against USV.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of this Settlement, but you want to keep the right to sue Nationwide-Sightcare about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself from—or is sometimes referred to as “opting out” of—the Settlement.

17. If I exclude myself, can I get a payment or benefits from this Settlement?

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

Questions? Call 1-888-857-6324

18. If I do not exclude myself, can I sue Nationwide-Sightcare for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Nationwide-Sightcare (and the Released Parties) for the claims that this Settlement resolves. You must exclude yourself from the Settlement 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.

If you are requesting exclusion because you want to bring your own lawsuit based on the matters alleged in this class action, you may want to consult an attorney and discuss whether any individual claim that you may wish to pursue would be time-barred by the applicable statutes of limitations or repose.

19. How do I exclude myself from the Settlement?

To exclude yourself, you must submit a written request to the Settlement Administrator that includes:

- your name and address;
- the case name and number of this Action (i.e., *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-cv-06558-CPO/SAK (D.N.J.));
- a statement clearly indicating that you want to be excluded from the Settlement; and
- your signature.

Requests for exclusion must seek exclusion only for the single individual whose personal signature appears on the request. A request that seeks exclusion on behalf of more than one individual shall be deemed invalid by the Settlement Administrator.

Requests for exclusion may be submitted to the Settlement Administrator in one of two ways:

- By United States mail, postmarked by **August 23, 2024**, to:

**Nationwide Sightcare Data Incident
Settlement Administrator
PO Box 2713
Portland, OR 97208-2713;**

or

- Online through the Opt-Out portal on the Settlement website (www.NationwideSightcare.com), clicking on the FAQ tab, and going to FAQ 19. Once your opt-out has been submitted, please verify it through the link in the confirmation email. Opt-outs must be submitted and verified no later than **August 23, 2024**.

OBJECTING TO THE SETTLEMENT

20. 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 to approve the Settlement. To object, you must file a written objection in this Action, *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-cv-06558-CPO/SAK (D.N.J.), with the Clerk of the Court, and mail copies to Class Counsel and Nationwide-Sightcare's Counsel at the addresses below.

Your written objection must state:

- the case name and number of this Action (i.e., *In Re U.S. Vision Data Breach Litigation*, Case No. 1:22-cv-06558-CPO/SAK (D.N.J.));
- your full name, address, telephone number, and, if you are represented by counsel, his or her full name, address, and telephone number;
- information identifying yourself as a Settlement Class Member, including proof that you are a member of the Settlement Class (e.g., copy of your settlement notice, copy of original notice of the Data Breach, or a statement explaining why you believe you are a Settlement Class Member);

Questions? Call 1-888-857-6324

- a statement of whether your objection applies only to you, to a specific subset of the class, or to the entire class;
- a statement of the number of times you (and, where applicable, your counsel) has objected to a class action settlement within the three years preceding the date you file your objection, along with the caption of each case in which you made such objection;
- a statement of the specific grounds for the objection; and
- a statement confirming whether you intend to appear, whether personally or through counsel, at the Final Approval Hearing.

To be considered, written notice of the objection in the appropriate form must be electronically filed in the Action’s electronic docket no later than August 23, 2024, or if not electronically filed, sent via first class, postage-prepaid United States Mail, postmarked no later than August 23, 2024 to (a) the Clerk of Court, (b) Class Counsel, and (c) Nationwide-Sightcare’s Counsel at the addresses below.

COURT	NATIONWIDE-SIGHTCARE’S COUNSEL	CLASS COUNSEL
Clerk of Court Melissa E. Rhoads Mitchell H. Cohen Building & U.S. Courthouse 4 th & Cooper Streets Camden, NJ 08101	Donald M. Houser ALSTON & BIRD LLP 1201 West Peachtree Street NE Atlanta, GA 30309-3424	Ben Barnow BARNOW AND ASSOCIATES, P.C. 205 West Randolph Street, Ste. 1630 Chicago, IL 60606 Terence R. Coates MARKOVITS, STOCK & DEMARCO, LLC 119 E. Court Street, Suite 530 Cincinnati, OH 45202 Jean S. Martin MORGAN & MORGAN 201 N. Franklin Street, 7 th Floor Tampa, Florida 33602

21. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like the Settlement, or any part of the Settlement, and why you do not think it should be approved. You can object only if you are a member of the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement and do not want to receive any payment or benefit from the Settlement. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE LAWYERS REPRESENTING YOU

22. Do I have a lawyer in this case?

Yes. The Court appointed Ben Barnow of Barnow and Associates, P.C., Terence R. Coates of Markovits, Stock & DeMarco, LLC, and Jean S. Martin of Morgan & Morgan as Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

23. How will the lawyers be paid?

Class Counsel will ask the Court for an award for attorneys’ fees, costs, expenses. Class Counsel will request up to one-third (33⅓%) of the Settlement Fund to be awarded as attorneys’ fees, in addition to seeking reasonable costs and expenses. Any award of attorneys’ fees, plus reasonable costs and expenses, 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.

Questions? Call 1-888-857-6324

The Settlement Class Representatives and Class Counsel will also ask the Court for a service award of up to \$3,500 for each of the Settlement Class Representatives.

Any award for attorneys' fees, costs and expenses for Class Counsel, and service awards to Settlement Class Representatives must be approved by the Court. The Court may award less than the amounts requested. If approved, these amounts will be deducted from the \$3,450,000.00 capped total settlement amount prior to making payments to Settlement Class Members who submit valid Claim Forms. Class Counsel's papers in support of final approval of the Settlement and their application for attorneys' fees, costs and expenses, and service awards will be filed no later than **August 9, 2024**, and will be posted on the Settlement website.

THE COURT'S APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at 10:00 a.m. on **October 15, 2024**, 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. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely objections, 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 costs and expenses, as well as the request for service awards for the Settlement Class Representatives. 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 it is a good idea to check www.NationwideSightcare.com or call 1-888-857-6324.

25. 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 come to the Court to talk about it. As long as you made your written objection on time with the Court according to the instructions provided in Question 20, the Court will consider it.

26. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must submit a written objection according to the instructions in Question 20, including all the information required, no later than **August 23, 2024**.

IF YOU DO NOTHING

27. What happens if I do nothing?

If you do nothing, you will not get any money or benefits from this Settlement and after the Settlement is granted final approval and the judgment becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Nationwide-Sightcare or any of the other Released Parties about the Data Breach, ever again.

GETTING MORE INFORMATION

28. How do I get more information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. A copy of the Settlement Agreement is available at www.NationwideSightcare.com. You may also call the Settlement Administrator with questions or to get a Claim Form at 1-888-857-6324.

Questions? Call 1-888-857-6324

Attachment 4

Option 2: Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits

If you choose Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits, you may select any and all of the four Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits for which you qualify as set forth below and in the Settlement Agreement.

If you select Benefit 1 and/or Benefit 2 (described below), you must provide reasonable documentation that the claimed expenses incurred *as a result* of the Data Breach. Please note that claimed losses or expenses incurred *before* the Data Breach (i.e., before April 20, 2021) could not have been incurred as a result of the Data Breach and therefore are not recoverable. Documentation may include, but is not limited to, credit card statements, invoices, and/or receipts. Losses or expenses cannot be documented solely by a personal declaration or affidavit from the claimant.

- **Benefit 1: Documented Ordinary Expense Reimbursement**

If you have documentation establishing that you experienced out-of-pocket expenses as a result of the Data Breach (as defined in the Settlement Agreement), you can make a claim for reimbursement up to \$300.00. You must submit supporting documentation for this claim as noted above.

- **Benefit 2: Documented Extraordinary Expense Reimbursement**

If you have documentation establishing that you experienced out-of-pocket expenses as a result of actual identity theft or other fraudulent charges that resulted from the Data Breach, you may make a claim up to \$5,000.00. You must submit supporting documentation for this claim as noted above.

- **Benefit 3: Lost-Time Reimbursement**

You can make a claim for reimbursement for up to four hours of lost time spent dealing with repercussions of the Data Breach in an amount of \$25.00 per hour up to 4 hours (for a total of \$100.00). You must attest that the time claimed was actually spent as a result of the Data Breach but need not provide documentation to support your claim for this benefit.

- **Benefit 4: Credit Monitoring**

Settlement Class Members (who do not elect the Pro Rata Cash Payment) are entitled to twenty-four (24) months of 3-bureau credit monitoring and identity resolution services, which includes up to \$1,000,000.00 in identity theft insurance. You are not required to submit supporting documentation to request and receive this benefit, but you must submit this Claim Form and indicate that you wish to receive this benefit.

II. PRO-RATA CASH PAYMENT

1. Do you wish to submit a claim for a Pro-Rata Cash Payment? The amount of this payment is estimated to be \$50.00. The amount actually paid will vary and could be higher or lower. The amount actually paid will depend on, among other things, the amount of valid claims submitted, attorneys' fees and expenses awarded by the Court, service awards awarded by the Court, and the cost of providing notice of the Settlement and administering it. If you select this option, you may not select any of the Out-of-Pocket Expense and Time Reimbursement and Credit Monitoring Benefits.

If Yes , skip Section III and *ONLY* fill out the Attestation and Signature below. If No, proceed to Section III.

III. OUT-OF-POCKET EXPENSE AND TIME REIMBURSEMENT AND CREDIT MONITORING BENEFITS

BENEFIT 1: DOCUMENTED ORDINARY EXPENSE REIMBURSEMENT

2. Do you have documents supporting that you experienced ordinary out-of-pocket expenses as a result of the Data Breach? You may submit a claim, with supporting documentation, for up to \$300.00 in out-of-pocket expenses spent dealing with the repercussions of the Data Breach.

If Yes, proceed to the chart below. If No, skip to Benefit 2 below.

Expense Type	Approximate Amount of Expense and Date	Description of Supporting Documentation (Identify what you are attaching and why it's related to the Data Breach)
<p>Bank or Credit Card Fees <i>Examples: Bank or credit card statements with fees, such as card reissuance, overdraft, and late fees.</i> <i>Note that for credit card and bank charges, you must provide confirmation that the charges were not reversed or credited back.</i></p>	<p>\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> MM DD YYYY</p>	<hr/> <hr/> <hr/> <hr/>
<p>Unreimbursed Credit Monitoring <i>Examples: Costs of credit reports, security freezes on credit reports, credit monitoring, or other identity theft insurance products as a result of the Data Breach.</i></p>	<p>\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> MM DD YYYY</p>	<hr/> <hr/> <hr/> <hr/>
<p>Other Unreimbursed Expenses Incurred as a Result of the Data Breach <i>Examples: Costs of postage, mileage, interest on payday loans or other incidental expenses due to lack of access to existing account (provide detailed description). Note that for credit card and bank charges, you must provide confirmation that the charges were not reversed or credited back.</i></p>	<p>\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> MM DD YYYY</p>	<hr/> <hr/> <hr/> <hr/>

BENEFIT 2: DOCUMENTED EXTRAORDINARY EXPENSE REIMBURSEMENT

3. Do you have documents supporting that as a result of the Data Breach you experienced unreimbursed actual identity theft losses or expenses or other unreimbursed fraudulent charges other than what is included above? You may submit a claim, with supporting documentation, for up to \$5,000.00 for documented unreimbursed actual identity theft losses or expenses and/or other unreimbursed fraudulent charges that resulted from the Data Breach. The total amount you can claim for these extraordinary losses and expenses is capped at \$5,000.00. Please note that you may not seek reimbursement under this category for any expense that you are also seeking reimbursement for in the “Documented Ordinary Expense Reimbursement” category (Benefit 1).

If Yes, proceed to the chart below. If No, skip to Benefit 3 below.

Loss or Expense Type	Approximate Amount of Expense and Date	Description of Supporting Documentation (Identify what you are attaching and why and why it's related to the Data Breach)
Extraordinary Losses Related to Identify Theft or Fraud <i>Examples: Professional fees incurred to address identity theft or fraud, such as falsified tax returns, account fraud, and/or medical identity theft. Note that for credit card and bank charges, you must provide confirmation that the charges were not reversed or credited back.</i>	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> MM DD YYYY	<hr/> <hr/> <hr/> <hr/>
Other Unreimbursed Extraordinary Expenses Incurred as a Result of the Data Breach <i>Examples: Professional fees incurred to address identity theft or fraud, such as falsified tax returns, account fraud, and/or medical identity theft. Note that for credit card and bank charges, you must provide confirmation that the charges were not reversed or credited back.</i>	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> MM DD YYYY	<hr/> <hr/> <hr/> <hr/>

BENEFIT 3: LOST-TIME REIMBURSEMENT

4. You may claim between one (1) and four (4) hours of time spent dealing with the Data Breach (which will be calculated and paid at a rate of \$25 per hour). You must attest that any claimed lost time was spent responding to issues raised by the Data Breach. 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.

- 1 Hour 2 Hours 3 Hours 4 Hours

(Proceed to Benefit 4 below)

BENEFIT 4: CREDIT MONITORING

5. Settlement Class Members (who do not elect the Pro Rata Cash Payment) are entitled to twenty-four (24) months of free 3-bureau credit monitoring. Please indicate below whether you would like this free credit monitoring. If so, and if your claim is approved, you will be sent a code enabling you to redeem this free credit monitoring. You must provide an email address to which the code will be sent.

YES, I would like to receive twenty-four (24) months of free 3-bureau credit monitoring.

Please fill out the Attestation and Signature below.

IV. SUBMITTING THIS CLAIM FORM

You may submit your completed claim form (along with any necessary supporting documentation) in one of two ways: (i) you may submit your claim form online at the Settlement website (www.NationwideSightcare.com) or (ii) mail a copy to the Settlement Administrator at

Nationwide Sightcare Data Incident
Settlement Administrator
PO Box 2713
Portland, OR 97208-2713.

Please refer to the Long Notice, available on the Settlement website, for additional details.

You must submit this claim form by the Claims Deadline, which is **September 23, 2024**. For claim forms submitted online, this means you must submit your completed claim form and all required information and documentation through the Settlement website on or before September 23, 2024. For paper claim forms submitted via U.S. Mail, this means that your completed claim form and all required information and documentation must be mailed to the Settlement Administrator at the address above and postmarked no later than September 23, 2024.

V. PAYMENT

If you made a claim for a cash payment in this Claim Form, you can elect to receive your payment either by check or as a digital payment (e.g., an ACH direct deposit, prepaid debit card, or gift card using instructions emailed to you).

Which do you prefer?

Check
The Settlement Administrator will issue a physical check to the address on your claim form.

Digital Payment
An email will be sent from noreply@epiqpay.com to the email address you provided on this Claim Form. The email will prompt you to elect your method of payment. Popular electronic payment options will be available. Please ensure you have provided a valid and complete email address on your claim form to ensure prompt electronic delivery of your Settlement Award. If you do not provide a current and valid email address, the Settlement Administrator will attempt to send you a check relying on your physical address on file.

VI. ATTESTATION AND SIGNATURE

By filing this claim form, I am certifying that I am a Settlement Class Member and am eligible to make a claim in this settlement and that the information I am providing in this claim form is true and correct. I understand that my claim may be subject to audit, verification, and Court review.

I do hereby swear (or affirm), under penalty of perjury, that the information provided above is true and accurate to the best of my knowledge and that any settlement benefits I am claiming are based on expenses and losses I reasonably believe to the best of my knowledge were the result of the Data Breach.

Signature

Date:

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MM DD YYYY

Print Name

Attachment 5

101° Tucson, AZ

Today

Hourly

10 Day

Weekend

Monthly

Radar

Video

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Offer Available in select offices. Not valid for previous or ongoing work and cannot be combined with other discounts or dental discount programs. Not valid for orthodontia. Discount taken off usual and customary fees for general dentistry services and does not apply to services rendered by a specialist. Patients with insurance will receive either the 20% discount or insurance plan pricing, whichever discount is greater. Offer expires 12/31/24.

Tucson, AZ As of 12:25 pm MST

101°


Sunny

Day 104° • Night 80°



[Watch: Nightmarish Worms In Texas](#)

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Today's Forecast for Tucson, AZ

Morning	93°		--
Afternoon	102°		22%
Evening	89°		15%
Overnight	84°		0%

[Next 48 Hours](#)

Amputee Flees Flood



The Bystander's Courageous Act Saved Them

Hurricane Ernesto
Aug 19, 8:00 am



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Sunny

Day 104° • Night 80°

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Today's Forecast for Tucson, AZ

Morning	93°		--
Afternoon	102°		22%
Evening	89°		15%
Overnight	84°		0%

[Next 48 Hours](#)

Amputee Flees Flood

The Bystander's Courageous Act Saved Them

Hurricane Ernesto

CAT 1

Halifax

Aug 19, 8:00 am

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IF YOU SMOKED, GET SCANNED



Donald Trump posts Taylor Swift AI-generated endorsement

Donald Trump is trying to garner support from Taylor Swift fans with AI-generated endorsements.

MUSIC 10:19 a.m. ET Aug. 19



Democratic convention live updates: Walz makes surprise appearances

ELECTIONS 3:23 p.m. ET Aug. 19



Talk show legend Phil Donahue dies at 88

TV 2:54 p.m. ET Aug. 19



KPMG Women's PGA Championship celebrates 10 years

Story from KPMG



Pro-Palestinian delegates say Harris' election chances tied to Israel arms embargo

About 30 Democratic delegates out of 4,995 were uncommitted, but 160 others consider themselves cease-fire delegates.

ELECTIONS 3:12 p.m. ET Aug. 19



Trump's immigration agenda: End natural-born citizenship

One of Republicans biggest talking points in the 2024 election is immigration. Donald Trump has proposed several policy ideas. Here is what to know.

ELECTIONS 5:31 a.m. ET Aug. 19



Heavy rainfall, flooding in Connecticut, New York kills at least 2

Heavy rainfall pelted Northeast states through Sunday night, resulting in at least two deaths in Connecticut.

NATION 1:32 p.m. ET Aug. 19



Report: Sixers add breakout Olympic star on one-year contract

Power forward Guerschon Yabusele was impressive playing against elite competition at the 2024 Paris Games, helping France to a silver medal.

PHILADELPHIA 76ERS 5:24 p.m. ET Aug. 18

Top Headlines

- John Aprea, 'Godfather Part II,' 'Full House' actor, dead at 83
- Former NFL player arrested in Boston for urinating on fellow passenger
- NFL preseason winners, losers: QB matters coming into focus
- Trump NY sentencing delay request helped by Manhattan DA response
- 'Boy Meets World' star Danielle Fishel diagnosed with breast cancer
- Bama Rush has ended: See how the college girlies celebrated on Bid Day
- Who are the top QBs in the 2025 NFL Draft? Ranking by QBR
- Thriving Tua Tagovailoa calls out former coach's style

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Sam Leavitt named starter for ASU opener vs. Wyoming

ASU 11:37 a.m. MT Aug. 19

Watch Now

Astrojacks? NAU sports add new mascot, color scheme

LUMBERJACKS 12:00 p.m. MT Aug. 19

The Republic's Top 10 preseason 1A HS football rankings

HIGH SCHOOL 5:01 a.m. MT Aug. 19

Tyson-Paul boxing fight hype bullds after scuffle, barbs

BOXING 11:13 a.m. MT Aug. 19

Mercury rout Sky In return to home court

MERCURY 9:37 p.m. MT Aug. 18

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Tyson-Paul boxing fight hype builds after scuffle, barbs

BOXING 11:13 a.m. MT Aug. 19

Mercury rout Sky In return to home court

MERCURY 9:37 p.m. MT Aug. 18

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Bars of the Year
2024

SEE THE F

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Amazing atmosphere.
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USA TODAY
Bars of the Year
2024

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until TUE 8:00 PM MST, Deer Valley, New River Mesa, Superior, South Mountain/Ahwatukee, San Carlos, Buckeye/Avondale, Northwest Valley, Cave Creek/New River, Fountain Hills/East Mesa, Globe/Miami, Apache Junction/Gold Canyon, Aguilá Valley, North Phoenix/Glendale, Rio Verde/Salt River, Southeast Valley/Queen Creek, East Valley, Central Phoenix, Scottsdale/Paradise Valley

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Current Temperatures



Day Planner



For the Record

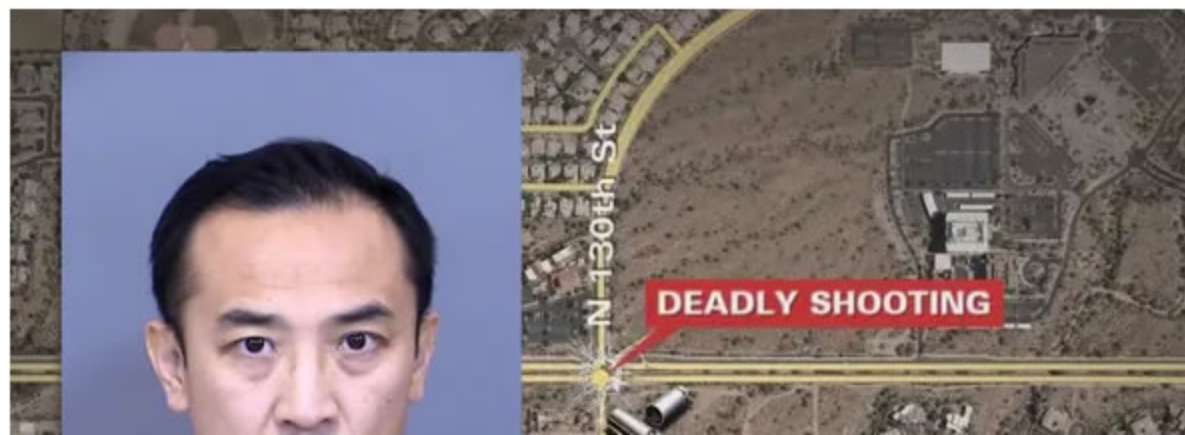
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ARIZONA · 15 AGO

Construyendo puentes para el futuro

Paola Garcia Hidalgo trabaja con ASU junto con la oficina gubernamental y comunitaria, creando lazos importantes con relación a las alianzas con México, que ayudarán al futuro de las nuevas generacion...



ARIZONA · 12 AGO

Karla Luebbert: Innovando con estilo



ARIZONA · 1 AGO

"Colados" Un toque de París en Phoenix



ARIZONA · 24 JUL

Inspiración en Acción: Alejandra y su apoyo a la Juventud

Alejandra Ruiz creció en Phoenix, ella se enfrentó a los retos de ser primera generación de su familia. Actualmente ejerce su maestría de salud pública y se ha convertido en una guía para las nuevas g...



5 JUL

Un regalo despertó el gusto por la tecnología

Ivan Jimenez fue reconocido como el mejor de la clase 2024 de la escuela Preparatoria Cesar Chavez y fue reconocido con becas para que continúe con sus estudios universitarios.




ARIZONA · 28 JUN

Amor y Valentía, Lisbeth y Tiffany

Dos mujeres trabajan al servicio de la comunidad, resaltando la

Si su información personal se hubiese visto comprometida en una violación de datos que afectó a Nationwide Optometry, Nationwide Vision Center o Sightcare,



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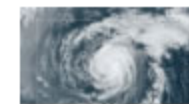
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Cómo donar a la campaña Desocupar los Albergues



SALUD

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HURACANES

Ernesto vuelve a ser huracán y sigue alerta por marejadas en costa este de EEUU



ITALIA

Recuperan cuerpo de magnate británico Mike Lynch entre restos de yate hundido

YO SOY ARIZONA



ARIZONA · 15 AGO

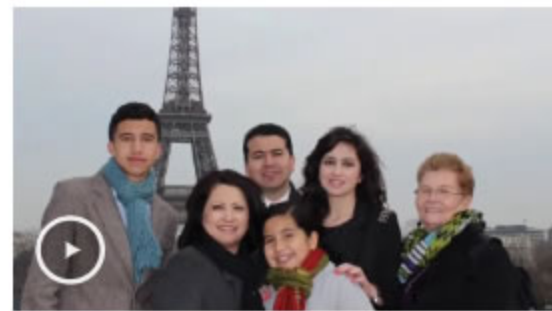
Construyendo puentes para el futuro

Paola Garcia Hidalgo trabaja con ASU junto con la oficina gubernamental y comunitaria, creando lazos importantes con relación a las alianzas con México, que ayudarán al futuro de las nuevas generacion...



ARIZONA · 12 AGO

Karla Luebbert: Innovando con estilo



ARIZONA · 1 AGO

"Colados" Un toque de París en Phoenix



ARIZONA · 24 JUL

Inspiración en Acción: Alejandra y su apoyo a la Juventud

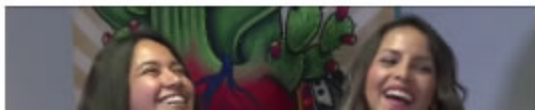
Alejandra Ruiz creció en Phoenix, ella se enfrento a los retos de ser primera generación de su familia. Actualmente ejerce su maestria de salud pública y se ha convertido en una guía para las nuevas g...



5 JUL

Un regalo despertó el gusto por la tecnología

Ivan Jimenez fue reconocido como el mejor de la clase 2024 de la escuela Preparatoria Cesar Chavez y fue reconocido con becas para que continúe con sus estudios universitarios.



ARIZONA · 28 JUN

Amor y Valentia, Lisbeth y Tiffany

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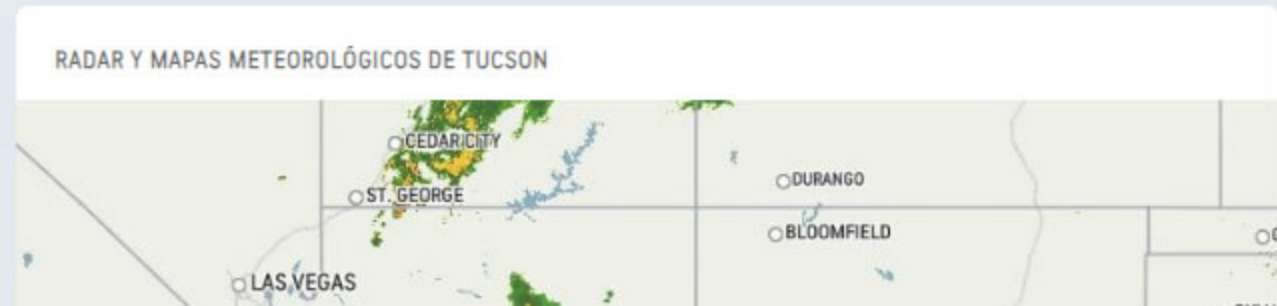
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ITALIA
Recuperan cuerpo de magnate británico Mike Lynch entre restos de yate hundido



EL TIEMPO DE HOY JUEVES, 22 DE AGOSTO
Más cálido con nubes y sol; una tormenta eléctrica en algunos lugares esta tarde; las tormentas eléctricas pueden provocar inundaciones repentinas y ráfagas de viento dañinas localizadas. Máx.: 98°
Esta noche: Tormenta eléctrica en algunos lugares esta noche; por lo demás, mayormente nublado. Mínima: 75°

CLIMA ACTUAL 8:15 AM
88°
Sombra RealFeel™ 87°
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Si su información personal se hubiese visto comprometida en una violación de datos que afectó a Nationwide Optometry, Nationwide Vision Center o Sightcare, puede tener derecho a recibir beneficios de un acuerdo de demanda colectiva.
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3 / 3

UCRANIA

Pese al revés en Kursk, Rusia avanza hacia una ciudad clave de Ucrania

Los padres están escondiendo a sus hijos de las autoridades locales para evitar la evacuación obligatoria en la ciudad ucraniana de Pokrovsk en medio de advertencias de que las fuerzas rusas están avanzando rápidamente hacia esa dirección.

- Las fuerzas rusas luchan contra la ofensiva de Ucrania en Kursk
- Rusia pide dejar las aplicaciones de citas en regiones fronterizas



ITALIA

Recuperan el cuerpo del empresario tecnológico británico Mike Lynch



POLÍTICA

Harris se prepara para el



Política Gus Walz, el hijo de Tim Walz, llora durante el discurso de su padre

BRASIL

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Data Breach? You may receive benefits.

Attachment 6

Nationwide Optometry Data Breach

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Attachment 7



Sightcare Settlement



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A settlement has been reached against TUCC, arising out of a Data Security Incident that occurred between September 7, 2021, and September 8, 2021.

FAQs

Nationwide-Sightcare's total payments under the Settlement ...

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Nationwide/Sightcare Data Breach Settlement. In Re U.S. Vision ...

Documents

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The lawsuit claims that Nationwide-Sightcare was responsible for ...

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(collectively, "Nationwide-Sightcare") in a class action lawsuit about a third-party criminal cyberattack targeting USV Optical, Inc.'s, a subsidiary of U.S. ...

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What is the nationwide sightcare data incident?



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Law360
https://www.law360.com › articles › nationwide-optom...

Nationwide Optometry To Pay \$3.4M Over 2021 Data Breach

Apr 5, 2024 – Nationwide Optometry will pay \$3.4 million to a proposed class of approximately 714000 patients whose personal information was compromised ...



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The Data Breach was a third-party criminal attack that...

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If your personal information was accessed, stolen, or compromised in a data breach affecting Nationwide Optometry, Nationwide Vision Center, and/or SightCare, you may be eligible for benefit...

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Nationwide/Sightcare Data Breach Settlement - Frequently ...

The **Data Breach** was a third-party criminal attack that breached U.S. Vision, Inc. and USV Optical, Inc. (together, "USV") systems; Nationwide-Sightcare's systems were not impacted. The Settlement...

www.claimdepot.com › settlements › nationwide-sight

Nationwide Sightcare \$3,345,000 Data Incident Settlement

Jul 2, 2024 · If your personally identifiable information was comprised in **Nationwide** Sightcare April 2021 data incident, you may be eligible to receive \$50 or up to \$5,400 from a class action...

Occupation: Editor in Chief

baltimoreoutloud.com › wp › 3-45m-nationwide-vision

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Nationwide/Sightcare Data ...

A settlement has been reached against TUCC, arising out of a...

Nationwide/Sightcare Data ...

Questions? Contact the Settlement Administrator at...

People also ask

How do I object to a vision data breach settlement?



Can I get a class action settlement for a data breach?



Who is covered by the nationwide-sightcare data breach settlement?



How do I get benefits from a data breach settlement?



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Nationwide/Sightcare Data Breach Settlement - Submit a Claim ...

A **settlement** has been reached against TUCC, arising out of a **Data** Security Incident that occurred between September 7, 2021, and September 8, 2021.

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Nationwide/Sightcare Data Breach Settlement - Documents

Jun 24, 2024 · Questions? Contact the **Settlement** Administrator at info@NationwideSightcare.com or 1-888-857-6324 (Toll-Free). A **settlement** has been reached against TUCC, arising out of a **Data**...

topclassactions.com > lawsuit-settlements > open

\$3.45M Nationwide Vision data breach class action settlement

Jul 10, 2024 · A **\$3.45 million** Nationwide Vision data breach settlement resolves claims the eye care provider failed to protect patients and employees from a 2021 data breach.

www.claimdepot.com > settlements > nationwide

Nationwide Sightcare \$3,345,000 Data Incident Settlement

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Ad Benefits available if your info was compromised in the Nationwide-Sightcare Data Breach.

Consumer Reviews Web
https://consumerreviewsweb.com

SightCare Reviewed (2024) | The Truth About SightCare

Ad SightCare Honest Review 2024 - See Here All Information and Make a Safe Purchase. Our Experts Reviewed The Most Effective SightCare of 2024.

\$3.45 million

According to 3 sources

A **\$3.45 million** settlement has been proposed to resolve a consolidated class action lawsuit over a 2021 data breach at a U.S. Vision subsidiary that affected more than 710,000 individuals, including 637,999 Sightcare members and 73,073 Nationwide Optometry patients.

[\\$3.4M Settlement Resolve...](#)
hipaajournal.com

A **\$3.45 million** settlement was proposed to resolve a combined class action lawsuit associated with a data breach at USV Optical, a U.S. Vision subsidiary. The 2021 data breach impacted over 710,000 people, which included 73,073 Nationwide Optometry patients and 637,999 Sightcare members.

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defensorum.com



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Class Action Settlement | Data Breach

Ad Was your info compromised by Nationwide-Sightcare? You may be eligible for benefits.

\$3.45 million

According to 4 sources

Nationwide Vision hasn't admitted any wrongdoing but agreed to pay **\$3.45 million** to resolve the data breach class action lawsuit. Under the terms of the Nationwide Vision data breach settlement, class members can receive either a pro rata cash payment or reimbursement for actual data breach losses.

[\\$3.45M Nationwide Vision ...](#)
topclassactions.com

Nationwide Vision has agreed to a substantial **\$3.45 million** settlement to resolve a class action lawsuit stemming from a data breach that occurred between April 20, 2021, and May 17, 2021.

[Nationwide Vision Settles \\$...](#)
cybermaterial.com

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People also ask

Who is covered by the nationwide-sightcare data breach settlement?

All residents of the United States who are current or former patients, customers, employees, members, or covered dependents of Nationwide-...

[UNITED STATES DISTRICT CO...](#)
classaction.org

Can I get a class action settlement for a data breach?

If your personal information was accessed, stolen, or compromised in a data breach affecting Nationwide Optometry, Nationwide Vision Center, and/or SightCare, **you may be eligib...**

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WEB A **Settlement** has been reached with **Nationwide Optometry, P.C., Nationwide Vision Center, LLC, and Sightcare, Inc.** (collectively, "**Nationwide-Sightcare**") in a class action lawsuit

Attachment 8



Exclusion Report
In Re U.S. Vision Data Breach Litigation

Number	First Name	Last Name
1	Karin	Spilman
2	Lee	MacDonald
3	Marlenne	Marquez
4	Robert	Clemmer
5	Harley	Nees
6	Jon	Nickerson
7	Fernando	Talayumtewa
8	Marcus	Talayumtewa
9	Felicity	Talayumtewa
10	Ciara	Enoch
11	Tamara	Ramirez
12	Victoria	Ramirez
13	Whitney	Faust
14	Lynda	Williams
15	Paul	Saba
16	Laura	Russell
17	Cindy	Almendarez
18	Tristyn	Childers
19	Jasmine	Martinez
20	Mary	Guidry
21	Marluisa	Haros
22	Mercy	Beach
23	Cecilia	Candelaria
24	Dennis	Boswell
25	Helen	Highley
26	Ashley	Valdivia
27	Sherri	Boyce
28	Jonathan	Barajas
29	Lina	Hadaya
30	Christina	Garnica
31	Ryan	Smith
32	Laura	Schott
33	racheal	rappe
34	Christopher	Lindsey
35	Jonathan	Nico
36	Kristen	Gadzik
37	Lisa	Barnes
38	Connie	Metts Page
39	Seyma	Kara
40	Isabel	Lopez
41	Anthony	Ramirez