

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**  
**United States District Court for the Central District of California**

***Gregerson v. Toshiba America Business Solutions, Inc.***  
**Case No. 8:24-CV-01201-FWS-ADS**

*This is not a solicitation from a lawyer, junk mail, or an advertisement. A Court authorized this Long Notice (“Notice”).*

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**If Toshiba American Business Solutions (“TABS”) Notified You That Your Personal Financial Information Was Impacted In A Data Incident Occurring on approximately December 4, 2023, You May be Eligible For Benefits From a Class Action Settlement.**

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- A proposed settlement has been reached in a class action lawsuit known as *Gregerson v. Toshiba America Business Solutions, Inc.*, Case No. 8:24-CV-01201-FWS-ADS, filed in the United States District Court for the Central District of California.
- This Litigation alleges that on December 4, 2023, cybercriminals bypassed the TABS’ security systems undetected and accessed PII of TABS’ current and former employees (“Data Incident”). Specifically, Plaintiff alleges that, as a result of the Data Incident, the criminals gained access to Plaintiff’s and other current and former employees’ personal information, including name and Social Security Number (collectively, “PII”). TABS disagrees with Plaintiff’s claims and deny any wrongdoing.
- All Settlement Class Members who submit a Valid Claim can receive the following benefits from the settlement:
  - ❖ **Out-of-Pocket Expense Reimbursement:** All Settlement Class Members who have suffered a proven monetary loss and who submit a Valid Claim using the Claim Form are eligible for up to \$7,500, incurred as a result of the Data Incident.
  - ❖ **California Settlement Subclass Payment:** All California Settlement Subclass members can make a claim for a \$150 cash payment.
  - ❖ **Pro Rata Cash Payment:** All Settlement Class members may make a claim for a pro rata share of all cash remaining in the Net Settlement Fund. The amount of the payment will be based upon the amount in the Net Settlement Fund, if any, after the payment of valid claims for Out-of-Pocket Expense Reimbursement and California Settlement Subclass Payments.
  - ❖ **Information Security Improvements:** TABS will also implement certain reasonable steps to adequately secure its systems and environment.
- You are a Settlement Class Member if you were mailed notice by TABS that your PII was impacted in the Data Incident. You are a California Settlement Subclass Member If you reside in California and were mailed a notice of the Data Incident at a California address.

Your legal rights are affected regardless of whether you do or do not act.

**Read this Notice carefully.**

<b>YOUR LEGAL RIGHTS &amp; OPTIONS IN THIS SETTLEMENT</b>	
<b>Submit a Claim</b>	<b>The only way to get a reimbursement and/or compensation.</b> Claim Forms must be submitted online by August 14, 2025 or, if mailed, <b>postmarked no later than August 14, 2025</b> .
<b>Do Nothing</b>	If you do nothing, you remain in the settlement. You give up your rights to sue and you will not get any money.
<b>Exclude Yourself</b>	<b>Get out of the settlement. Get no money. Keep your rights.</b> This is the only option that allows you to keep your right to sue about the claims in this lawsuit. You will not get any money from the settlement. Your request to exclude yourself must be postmarked no later than July 15, 2025.
<b>File an Objection</b>	Stay in the Settlement but tell the Court why you think the Settlement should not be approved. Objections must be postmarked no later than July 15, 2025.
<b>Go to a Hearing</b>	You can ask to speak in Court about the fairness of the settlement, at your own expense. <i>See</i> Question 18 for more details. The Final Fairness Hearing is scheduled for August 28, 2025.

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## BASIC INFORMATION

### 1. How do I know if I am affected by the Litigation and settlement?

You are a Settlement Class Member if you were mailed notice by TABS that your PII was impacted in the Data Incident.

You are a California Settlement Subclass Member If you reside in California and were mailed a notice of the Data Incident at a California address.

The Settlement Class specifically excludes: (i) TABS, the Related Entities, and their officers and directors; (ii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (iii) any judges assigned to this case and their staff and family; and (iv) any other Person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads nolo contendere to any such charge.

This Notice explains the nature of the lawsuit and claims being settled, your legal rights, and the benefits to the Settlement Class.

### 2. What is this Litigation about?

This case is known as *Gregerson v. Toshiba America Business Solutions, Inc.*, Case No. 8:24-CV-01201-FWS-ADS, filed in the United States District Court for the Central District of California. The person who sued is called the “Plaintiff” and the company they sued, TABS, is known as the “Defendant” in this case. TABS will be called “Defendant” in this Notice. Plaintiff filed a lawsuit against Defendant, individually, and on behalf of anyone whose PII was potentially impacted as a result of the Data Incident.

This Litigation alleges that on December 4, 2023, cybercriminals bypassed TABS’ security systems undetected and accessed PII of current and former employees, including names and Social Security Numbers. After learning of the Data Incident, notification was mailed to persons whose PII may have been impacted by the Data Incident. Subsequently, this Litigation was filed asserting claims against TABS relating to the Data Incident. TABS denies Plaintiff’s claims and denies any wrongdoing.

### 3. Why is there a settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Representative Plaintiff, Defendant, and their attorneys believe the proposed settlement is fair, reasonable, and adequate and, thus, best for the Settlement Class Members. The Court did not decide in favor of the Plaintiff or Defendant. Full details about the proposed settlement are found in the Settlement Agreement available at [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com).

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

In a class action, one or more people called “Representative Plaintiff” sue on behalf of all people who have similar claims. All of these people together are the “Settlement Class” or “Settlement Class Members.”

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

You are included in the settlement if you were mailed notice by TABS that your PII was impacted in the Data Incident. You are a California Settlement Subclass Member If you reside in California and were mailed Questions? Go to **[www.TABSDataSettlement.com](http://www.TABSDataSettlement.com)** or call **(866) 742-4955**

a notice of the Data Incident at a California address. If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the settlement, visit [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com), call toll-free 866-742-4955, or write to TABS Data Breach Litigation, c/o RG/2 Claims Administration LLC, P.O. Box 59479, Philadelphia, PA 19102-9479.

## THE SETTLEMENT BENEFITS

### 6. What does this Settlement provide?

The proposed settlement will provide the following benefits to Settlement Class Members:

**Documented Out-of-Pocket Expense Reimbursement:** All members of the Settlement Class who have suffered a proven monetary loss and who submit a Valid Claim using the Claim Form are eligible for up to \$7,500 if:

- (1) the loss is an actual, documented and unreimbursed monetary loss;
- (2) the loss was more likely than not caused by the Data Incident;
- (3) the loss occurred between December 4, 2023, and the August 14, 2025; and
- (4) the Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion of all available credit monitoring insurance and identity theft insurance.

To receive reimbursement for any of the above-referenced out-of-pocket expenses, Settlement Class Members must submit a timely and Valid Claim, including necessary supporting documentation, to the Claims Administrator. Failure to provide supporting documentation of the out-of-pocket expenses referenced above, as requested on the Claim Form, shall result in denial of a claim.

**California Settlement Subclass Payment:** All California Settlement Subclass members can make a claim for a \$150.00 cash payment.

**Pro Rata Cash Payment:** All Settlement Class members may make a claim for a *pro rata* share of all cash remaining in the Net Settlement Fund. The amount of the payment will be based upon the amount in the Net Settlement Fund, if any, after the payment of valid claims for Out-of-Pocket Expense Reimbursement and California Settlement Subclass Payments.

**Information Security Improvements:** TABS will implement certain reasonable steps to adequately secure its systems and environments. Any costs associated with these security improvements will be paid by TABS separate and apart from other settlement benefits.

### 7. How to submit a claim?

All claims will be reviewed by the Claims Administrator. You must file a Claim Form to get any reimbursement from the proposed settlement. you must complete and submit a Claim Form online at [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com) or by mail to TABS Data Breach Litigation, c/o RG/2 Claims Administration LLC, P.O. Box 59479, Philadelphia, PA 19102-9479. Read the Claim Form instructions carefully, fill out the Claim Form, provide the required documentation, and submit online by August 14, 2025 or by mail **postmarked by August 14, 2025**.

## **8. What am I giving up as part of the settlement?**

If you stay in the Settlement Class, you will be eligible to receive benefits, but you will not be able to sue TABS and its Related Entities and each of their respective past or present owners, parents, subsidiaries, divisions, and related or affiliated entities, and each of their respective predecessors, successors, directors, officers, employees, principals, agents, attorneys, insurers, and reinsurers regarding the claims in this case. The Settlement Agreement, which includes all provisions about Released Claims, releases, and Released Persons, is available at [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com).

The only way to keep the right to sue is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, if the Settlement is approved, and you give up the right to sue for the claims in this case.

## **9. Will the Representative Plaintiff receive compensation?**

Yes. The Representative Plaintiff will seek approval for a service award of up to \$5,000, to compensate him for his services and efforts in bringing the lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Representative Plaintiff.

### **EXCLUDE YOURSELF**

## **10. How do I exclude myself from the settlement?**

If you do not want to be included in the settlement, you must send a timely written request for exclusion. Your request for exclusion must be individually signed by you. Your request must clearly manifest your intent to be excluded from the settlement.

Your written request for exclusion must be postmarked no later than **July 15, 2025**, to:

TABS Data Breach Litigation  
c/o RG/2 Claims Administration LLC  
P.O. Box 59479  
Philadelphia, PA 19102-9479

Instructions on how to submit a request for exclusion are available at [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com) or from the Claims Administrator by calling **(866) 742-4955**.

If you exclude yourself, you will not be able to receive any settlement benefits from the settlement and you cannot object to the settlement. You will not be legally bound by anything that happens in this lawsuit and you will keep your right to sue the Defendant on your own for the claims that this settlement resolves.

## **11. If I do not exclude myself, can I sue later?**

No. If you do not exclude yourself from the settlement, and the settlement is approved by the Court, you forever give up the right to sue the Released Persons (listed in Question 8) for the claims this settlement resolves.

### **THE LAWYERS REPRESENTING YOU**

Questions? Go to [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com) or call **(866) 742-4955**

## 12. Do I have a lawyer in the case?

Yes. The Court has appointed Raina Borrelli and Andrew Gunem of Strauss Borrelli PLLC and Kennedy M. Brian and William B. Federman of Federman & Sherwood (collectively called “Proposed Settlement Class Counsel”) to represent the interests of all Settlement Class Members in this case. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

## 13. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of attorneys’ fees up to one-third of the Settlement Fund (\$145,000) as well as costs and litigation expenses. A copy of Proposed Settlement Class Counsel’s application for attorneys’ fees, costs, and expenses will be posted on the Settlement Website, [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com), before the Final Fairness Hearing. The Court will make the final decisions as to the amounts to be paid to Proposed Settlement Class Counsel, and may award less than the amount requested by Proposed Settlement Class Counsel.

### OBJECTING TO THE SETTLEMENT

## 14. How do I tell the Court that I do not like the settlement?

If you want to tell the Court that you do not agree with the proposed settlement or some part of it, you can submit an objection telling it why you do not think the settlement should be approved. All written objections and supporting papers must be submitted **ONLY TO THE COURT, postmarked by no later than July 15, 2025** and include the following:

- a. clearly identify the case name and number (*Gregerson v. Toshiba America Business Solutions, Inc.*, Case No. 8:24-CV-01201-FWS-ADS);
- b. be submitted to the Court either by filing them electronically or in person at any location of the United States District Court for the Central District of California or by mailing them to the address below, and
- c. be filed or postmarked on or before the deadline established by the Court.

Clerk of the Court
United States District Court Central District of California (Southern Division) Santa Ana Courthouse 411 West Fourth Street, Room 1053 Santa Ana, CA 92701-4516

All objections will be scanned into the electronic case docket, and the parties will receive electronic notices of all filings. If you do not submit your objection with all requirements, or if your objection is not filed or postmarked by July 15, 2025, you will be considered to have waived all objections and will not be entitled to speak at the Final Fairness Hearing.

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

Objecting is simply telling the Court that you don’t like something about the settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you don’t want to be part of

the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

## **THE FINAL FAIRNESS HEARING**

### **16. When and where will the Court decide whether to approve the settlement?**

The Court will hold the Final Fairness Hearing on August 28, 2025, at 10:00 am at Ronald Reagan Federal Building and United States Courthouse, 411 West 4th Street, Courtroom 10D, Santa Ana, CA 92701. The date may change without further notice to the Settlement Class, so please check the [www.TABSDDataSettlement.com](http://www.TABSDDataSettlement.com), the Court's PACER site at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Central District of California, 411 West Fourth Street, Room 1053 Santa Ana, CA 92701-4516, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays, to confirm that the date has not been changed.

At the hearing, the Court will consider whether the proposed settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be approved. If there are valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider the award of Attorneys' Fees, Costs, and Expenses to Class Counsel and the request for a service award to the Representative Plaintiff.

### **17. Do I have to come to the hearing?**

No. You are not required to come to the Final Fairness Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an objection, you do not have to come to the hearing to talk about it. If your objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Final Fairness Hearing, but that is not necessary.

### **18. May I speak at the hearing?**

Yes. You can speak at the Final Fairness Hearing but you must ask the Court for permission. To request permission to speak, you must file an objection according to the instructions in Question 15, including all the information required. You cannot speak at the hearing if you exclude yourself from the settlement.

## **DO NOTHING**

### **19. What happens if I do nothing?**

If you do nothing, you will not get any money from the settlement, you will not be able to sue for the claims in this case, and you release the claims against Defendant described in Question 8.



## GET MORE INFORMATION

### 20. How do I get more information about the Settlement?

*This Notice is only a summary of the proposed settlement.* If you want additional information about this lawsuit, including a copy of the Settlement Agreement, the Complaint, the Court's Preliminary Approval Order, Proposed Settlement Class Counsel's application for attorneys' fees and expenses, and more, please visit [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com) or call 866-742-4955. You may also contact the Claims Administrator at TABS Data Breach Litigation, c/o RG/2 Claims Administration LLC, P.O. Box 59479, Philadelphia, PA 19102-9479, or Class Counsel at [raina@turkestrauss.com](mailto:raina@turkestrauss.com) or 608-237-1775.

### 21. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Claims Administrator of your updated information. You may do so by visiting the Contact Us section of [www.TABSDataSettlement.com](http://www.TABSDataSettlement.com) or at the address below:

TABS Data Breach Litigation  
c/o RG/2 Claims Administration LLC  
P.O. Box 59479  
Philadelphia, PA 19102-9479  
Telephone: 866-742-4955  
Email: [info@rg2claims.com](mailto:info@rg2claims.com)  
Fax: 215-827-5551

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