UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

If your financial institution issued one or more payment cards identified as having been at risk as a result of the data security incident that Slim CD, Inc. announced in September 2024, it could get a payment from a class action settlement.

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

Your financial institution's legal rights are affected whether you act or don't act. Read this notice carefully. As used in this notice, "Your Financial Institution" refers to the financial institution that received this notice, and "you" refers to Your Financial Institution, acting through its authorized representative.

- A Settlement has been proposed to resolve a lawsuit against Defendant Slim CD, Inc ("Slim CD" or "Defendant") brought by a putative class of financial institutions as a result of the data security incident in which, Slim CD identified unauthorized system access between August 17, 2023, and June 15, 2024. That access may have enabled an unauthorized actor to view or obtain certain payment information between June 14, 2024, and June 15, 2024, which affected up to 1.5 million payment cards issued in the United States (the "Data Security Incident").[1]
- The lawsuit, *First Choice Federal Credit Union and Financial Horizons Credit Union v. Slim CD, Inc.*, Case No. 2:25-cv-01088-MRH (W.D. Pa.), asserts claims on behalf of a class of financial institutions related to the Data Security Incident and Slim CD's data security practices. These claims include alleged negligence, negligence *per se*, declaratory and injunctive relief, and unjust enrichment. Slim CD denies these allegations, any wrongdoing, and liability to the financial institutions in any amount.
- Under the Settlement, eligible Settlement Class Members that submit a valid Claim Form will receive a Pro Rata Share of the Net Settlement Fund. Slim CD will pay a total, non-reversionary Settlement Fund of $2,000,000. After deduction of attorney's fees, costs, expenses, service awards, and the costs of settlement administration, the remaining Net Settlement Fund will be distributed pro rata to Settlement Class Members who submit Approved Claims, based on the number of their Alerted On Payment Cards relative to all Approved Claims.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
Submit A Claim Form	If eligible, your financial institution will receive a cash payment. This is the only way to get compensation from the Settlement.
Exclude your financial institution	If you ask to be excluded, you will not receive a cash payment, but you may be able to file your own lawsuit against Slim CD for the same claims. This is the only option that leaves your financial institution the right to file its own lawsuit against Slim CD and/or Released Defendant's Persons for the claims that are being resolved by the Settlement. In order to be effective, a request to be excluded from the Settlement must include all information required in this Notice.
Object	Your financial institution can remain in the Settlement Class and file an objection telling the Court why you do not like the Settlement, Class Counsel's request for an award of attorneys' fees, costs, and expenses, or Plaintiffs' request for Service Awards. If your objections are overruled, your financial institution will be bound by the Settlement.
Do Nothing	If you do nothing, you will not receive any cash payment. If you do nothing, you will also forfeit your right to sue or bring any claim against Slim CD and/or Released Defendant's Persons related to the Data Security Incident.

1 Unless otherwise defined herein, all capitalized terms shall have the same meanings ascribed to them as in the Settlement Agreement, which is available on the Settlement Website at **www.slimcdpaymentcardsettlement.com**.

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

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BASIC INFORMATION

1. Why did my financial institution get this notice package?

Your financial institution may have issued payment cards identified in one of the alerts (or a similar document) sent out by Visa, MasterCard, or Discover related to the Data Security Incident.

The Court authorized this notice because you have a right to know about your financial institution's rights under a proposed class action settlement before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after objections and appeals are resolved, a settlement administrator appointed by the Court will make the cash payments that the Settlement allows.

This notice explains the lawsuit, the Settlement, your financial institution's rights, what benefits are available, who is eligible for them, and how to get them.

2. What is this lawsuit about?

The Court in charge of the case is the United States District Court for the Western District of Pennsylvania, and the case is known as *First Choice Federal Credit Union & Financial Horizons Credit Union v. Slim CD, Inc.*, Case No. 2:25-cv-01088-MRH (W.D. Pa.). The financial institutions who sued are called "Plaintiffs," and the company they sued, Slim CD, Inc., is the "Defendant."

Slim CD is a payment gateway and processing provider for merchants across the United States, handling electronic payment transactions through web-based terminals and mobile or desktop applications. On or about June 15, 2024, Slim CD became aware of suspicious activity in its computer environment. Upon learning of the activity, Slim CD launched an investigation to determine the full nature and scope of the activity. Slim CD engaged, through counsel, a third-party specialist to investigate the incident. The investigation identified unauthorized system access between August 17, 2023, and June 15, 2024. That access may have enabled an unauthorized actor to view or obtain certain payment card information between June 14, 2024, and June 15, 2024. The Data Security Incident resulted in the compromise of payment card data of up to 1.5 million payment cards issued in the United States.

The lawsuit asserts claims against Slim CD for alleged negligence, negligence *per se*, unjust enrichment, and declaratory and injunctive relief. The financial institutions seek to recover damages for expenses related to Alerted On Payment Cards incurred as a result of the Data Security Incident. Slim CD denies the allegations and any wrongdoing, and that it is liable in any amount to the financial institutions. The Court has not decided whether Slim CD has any legal liability.

3. Why is this a class action?

In a class action, one or more entities called "class representatives" sue on behalf of themselves and other entities with similar claims. All of these entities together are the "class members." One court resolves the issues for all class members, except for those who exclude themselves from the settlement class.

4. Why is there a settlement?

The Court has not decided in favor of Plaintiffs or Slim CD. Instead, both sides agreed to the Settlement. The Settlement is not an admission that Slim CD did something wrong, but rather a compromise to end the lawsuit. By agreeing to settle, both sides avoid the costs, risks, and uncertainties of a trial and related appeals, while providing benefits to members of the Settlement Class. Plaintiffs and the attorneys for the Settlement Class think the Settlement is best for all class members.

WHO IS PART OF THE SETTLEMENT

5. How does a financial institution know if it is part of the settlement?

Your financial institution is a member of the Settlement Class and affected by the Settlement if:

- It is a financial institution in the United States (including its Territories and the District of Columbia); <u>and</u>

- It issued one or more Alerted On Payment Cards.
- An Alerted On Payment Card is any payment card issued in the United States (including debit or credit cards) identified in a card brand notice by Visa, MasterCard, or Discover in connection with the Data Security Incident that is the subject of Plaintiffs' Complaint, including, but not limited to: Visa: US-2024-0663; MasterCard: ADC1104236-US-24-1; Discover: DCA-USA-2024-1961 and PDCA-USA-2024-12563 in connection with the Data Security Incident.
- Specifically *excluded* from the Settlement Class are the Court and any immediate family members of the Court; directors and officers of Defendant; parents and subsidiaries of Defendant; and financial institutions that timely and validly request exclusion from the Settlement Class.

6. Can a financial institution exclude itself from the settlement?

Yes. For more information about how to exclude your financial institution from the Settlement, see Questions 13-15 below.

If your financial institution excludes itself from the Settlement, it is no longer part of the Settlement Class and will no longer be eligible to receive any of the Settlement benefits. This process of excluding your financial institution is also referred to as "opting out" of the Settlement.

7. I am still not sure if my financial institution is included.

If you are still not sure whether your financial institution is included, you can ask for free help. You can call 1-866-356-5839 or visit www.slimcdpaymentcardsettlement.com for more information. Or you can fill out and return the Claim Form described in Question 10 to see if you qualify.

THE SETTLEMENT BENEFITS

8. What does the settlement provide?

Under the Settlement, Slim CD has agreed to pay a total, non-reversionary Settlement Fund of $2,000,000. All Settlement Class Members that submit valid Claim Forms identifying their Alerted On Payment Cards shall be eligible to receive a distribution from the Net Settlement Fund. For a full description of how payments will be calculated and distributed, see the Plan of Allocation set forth at the end of this Notice.

The Settlement Fund shall be used to pay: (i) Taxes and Tax Expenses; (ii) the Fees and Expense Award (including Service Awards) authorized by the Court; (iii) any fees of the Escrow Agent; (iv) the Costs of Settlement Administration; and (v) any other fees and expenses authorized by the Court and paid from the Settlement Fund. The remaining amount—the Net Settlement Fund—will be distributed pro rata to Settlement Class Members who submit Approved Claims.

9. How much will my financial institution's payment be?

If your financial institution issued Alerted On Payment Cards and does not opt out of the Settlement, it may be eligible for a payment. If your financial institution submits a timely and valid Claim Form, the amount it receives will be its Pro Rata Share of the Net Settlement Fund, calculated as follows:

$$\textit{Pro Rata Share} = \frac{\textit{(Member's Alerted On Payment Cards)}}{\textit{(Total Alerted On Payment Cards in All Approved Claims)}} \times \textit{Net Settlement Fund}$$

The actual amount your financial institution receives will depend on the number of Approved Claims and the number of Alerted On Payment Cards in those claims. For a full description of how payments will be calculated and distributed, see the Plan of Allocation set forth at the end of this Notice.

HOW TO GET A PAYMENT — SUBMITTING A CLAIM FORM

10. How can my financial institution get a payment?

To qualify for a payment, you must complete and submit a valid Claim Form. The Claim Form is available on the Settlement

Website at www.slimcdpaymentcardsettlement.com. All Settlement Class Members that wish to receive compensation must complete and submit a Claim Form and follow its instructions, including identifying the number of Alerted On Payment Cards they issued and providing supporting documentation.

To properly complete and timely submit a Claim Form, you should read the instructions carefully, include all required information, sign it, and either submit the signed Claim Form electronically through www.slimcdpaymentcardsettlement.com by **October 5, 2026,** or mail it to the Settlement Administrator postmarked no later than **October 5, 2026,** at the following address:

Slim CD Financial Institution Data Breach Settlement
c/o Analytics Consulting LLC
PO Box 2002
Chanhassen, MN 55317-2002

Please be aware that, effective December 24, 2025, the United States Postal Service (USPS) changed its postmarking practices such that a postmark now reflects the date mail is first processed at an automated USPS facility, which may be one or more days after the date you actually deposited your Claim Form with the USPS. To ensure your Claim Form is submitted on time, your financial institution is strongly encouraged to submit its claim electronically through the Settlement Website at www.slimcdpaymentcardsettlement.com. If you choose to submit by mail, to guarantee your postmark reflects the actual date of mailing, you must bring your Claim Form to a post office retail counter and request a manual (local) postmark or send it by Certified or Registered Mail.

The Settlement Administrator will review your claim to determine its validity and the amount of your financial institution's payment. If your Claim Form has defects, the Settlement Administrator will notify you on a rolling basis, and you will have the later of (i) twenty (20) days following the notice of defect, or (ii) twenty (20) days following the Claims Deadline to cure any identified defects.

11. When would my financial institution get its payment?

The Court will hold a Final Approval Hearing on September 22, 2026, at 1:30 p.m. at the United States District Court of the Western District of Pennsylvania, Joseph F. Weis, Jr. United States Courthouse, 700 Grant Street, Pittsburgh, PA 15219, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them takes time, perhaps years. Payments to Settlement Class Members will be made after the Settlement is finally approved and any appeals or other related proceedings have been completed as set forth in the Settlement Agreement. You may visit www.slimcdpaymentcardsettlement.com for updates on the Settlement's progress. Please be patient.

12. What is my financial institution giving up to get a payment or remain in the Settlement Class?

Unless you exclude your financial institution from the Settlement, your financial institution cannot sue, or be part of any other lawsuit against, Slim CD or Released Defendant's Persons relating to the Data Security Incident. The specific claims your financial institution is giving up against Slim CD and Released Defendant's Persons are described in the Settlement Agreement. The terms of the release are described in Section 8 of the Settlement Agreement. Read it carefully. The Settlement Agreement is available at www.slimcdpaymentcardsettlement.com.

If you have any questions, you can talk to the law firms listed in Question 16 for free, or you can, of course, talk to your own lawyer if you have questions about what this means.

If your financial institution wants to keep its rights to sue or continue to sue Slim CD based on claims this Settlement resolves, your financial institution must take steps to exclude itself from the Settlement Class (see Questions 13–15).

EXCLUDING YOUR FINANCIAL INSTITUTION FROM THE SETTLEMENT

13. How can my financial institution opt out of the settlement?

To exclude your financial institution from the Settlement, or "opt out," you must send a written request for exclusion that includes the following information. If you fail to include this information, the notice of exclusion will be ineffective, and the Settlement Class Member will be bound by the Settlement, including its Releases:

- The name of this Litigation, *First Choice Federal Credit Union and Financial Horizons Credit Union v. Slim CD, Inc.*, Case No. 2:25-cv-01088-MRH (W.D. Pa.);
- The full name, address, and telephone number of the Settlement Class Member;
- The name, address, email address, telephone number, position, and signature of the individual who is acting on behalf of the Settlement Class Member;
- The words "Request for Exclusion" at the top of the document or a statement in the body of the document requesting exclusion from the Settlement; and
- The total number of Alerted On Payment Cards issued by the Settlement Class Member that were identified in any card brand alert issued by Visa, MasterCard, or Discover in connection with the Data Security Incident.

You must mail via first class postage prepaid United States mail the completed above-described letter, postmarked no later than **September 4, 2026,** to the Settlement Administrator at the following address:

Slim CD Financial Institution Data Breach Settlement
c/o Analytics Consulting LLC
PO Box 2002
Chanhassen, MN 55317-2002

If you ask to be excluded, your financial institution will not get any payment as part of this Settlement, and you cannot object to this Settlement. A Settlement Class Member who both objects and opts out shall be deemed to have opted out, and the objection shall be null and void.

If you opt out, your financial institution will not be legally bound by anything that happens in the Settlement and related proceedings. Your financial institution may be able to sue (or continue to sue) Slim CD in the future. If you both object to the Settlement and seek to exclude your financial institution, you will be deemed to have excluded your financial institution.

Financial institutions that exclude themselves from the Settlement are advised to consult with their own counsel promptly regarding any legal deadlines that may affect their ability to bring an independent claim, including any applicable statutes of limitations, statutes of repose, or other time-based bars.

Please see Question 10 for important information about recent changes to the United States Postal Service's postmarking practices to ensure your request for exclusion is timely.

14. If my financial institution doesn't opt out, can it sue Slim CD for the same thing later?

No. Unless you exclude your financial institution from the Settlement, your financial institution gives up any right to sue Slim CD and Released Defendant's Persons (as defined in the Settlement Agreement) for the claims that this Settlement resolves. If you have a pending lawsuit, speak to your lawyer in that case immediately. Your financial institution must exclude itself from this Settlement to continue its own lawsuit. Remember, the exclusion deadline is **September 4, 2026.**

15. If my financial institution excludes itself, can it get money from this settlement?

No. If you exclude your financial institution, do not send in a Claim Form asking for a payment.

THE LAWYERS AND FINANCIAL INSTITUTIONS REPRESENTING YOU

16. Does my financial institution have a lawyer in the case?

Yes. The Court appointed to represent your financial institution and other members of the Settlement Class the following law firms as Class Counsel:

Scott+Scott Attorneys at Law LLP
230 Park Avenue, 24th Floor
New York, NY 10169
Joseph P. Guglielmo, jguglielmo@scott-scott.com
(212) 223-6444

Lynch Carpenter, LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
Gary F. Lynch, gary@lcllp.com
(412) 322-9243

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.

17. How will the lawyers and financial institutions representing the class be paid?

Class Counsel worked on a contingent basis, meaning they would receive a fee only if the lawsuit was successful. None of the lawyers has yet received any payment for their time or expenses. If approved by the Court, Class Counsel will seek attorneys' fees of up to one-third (33⅓%) of the Settlement Fund, plus reasonable costs and expenses, to be paid from the Settlement Fund. Class Counsel will file their Fee and Expense Application no later than fourteen (14) days before the Opt-Out and Objection Deadline. The application will be available on the Settlement Website, or you can request a copy by contacting the Settlement Administrator (see Question 23).

The Settlement Class is represented by two named financial institutions ("Plaintiffs"). Subject to Court approval, the Plaintiffs intend to seek Service Awards of up to $2,500 per Plaintiff (two Plaintiffs), to be paid from the Settlement Fund, for the efforts expended on behalf of the Settlement Class.

The Court will determine whether to approve the amount of fees and costs and expenses requested by Class Counsel and the proposed service awards at the Final Approval Hearing.

OBJECTING TO THE SETTLEMENT

18. How does a financial institution tell the Court that it does not like the settlement?

If your financial institution is a Settlement Class Member, you can object to the Settlement if you do not think it is fair, reasonable, or adequate. You can give reasons why you think the Court should not approve it. The Court will consider your views. If you both object to the Settlement and seek to exclude your financial institution, your financial institution will be deemed to have excluded itself and your objection will be deemed null and void.

Your objection must be in writing and must not exceed fifteen (15) pages, and must include:

- The name of this Litigation: *First Choice Federal Credit Union and Financial Horizons Credit Union v. Slim CD, Inc.*, Case No. 2:25-cv-01088-MRH (W.D. Pa.);
- The full name of the objecting Settlement Class Member and the full name, address, email address, and telephone number of the person acting on its behalf;
- An explanation of the basis upon which the objector claims to be a Settlement Class Member;
- Whether the objection applies only to the objecting Settlement Class Member, a specific subset of the Settlement Class, or the entire Settlement Class;
- All grounds for the objection stated, with specificity, accompanied by any legal support for the objection;
- The identity of all counsel who represent the objecting Settlement Class Member, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement Agreement, Class Counsel's request for attorneys' fees, expenses, or Service Awards;
- The identity of all representatives (including counsel) who will appear at the Final Approval Hearing;

- A statement indicating whether the objecting Settlement Class Member intends to personally appear and/or testify at the Final Approval Hearing;
- A description of all evidence to be presented at the Final Approval Hearing in support of the objection, including a list of any witnesses, a summary of the expected testimony from each witness, and a copy of any documents or other non-oral material to be presented; and
- The objecting Settlement Class Member's signature on the written objection.

Any objection must be either filed electronically with the Court or mailed to the Clerk of the Court, Class Counsel, *and* Defense Counsel at the addresses set forth below. The objection must be electronically filed, or if mailed postmarked, no later than **September 4, 2026**.

Court	Settlement Class Counsel	Defense Counsel
Clerk of the Court USDC, Western District of Pennsylvania Joseph F. Weis, Jr. United States Courthouse 700 Grant Street Pittsburgh, PA 15219	Joseph P. Guglielmo SCOTT+SCOTT ATTORNEYS AT LAW LLP 230 Park Avenue, 24th Floor New York, NY 10169 jguglielmo@scott-scott.com Gary F. Lynch LYNCH CARPENTER, LLP 1133 Penn Avenue, 5th Floor Pittsburgh, PA 15222 gary@lcllp.com	Michael Jervis MULLEN COUGHLIN LLC 426 W. Lancaster Avenue, Suite 200 Devon, PA 19333 mjervis@mullen.law

Please see Question 10 for important information about recent changes to the United States Postal Service's postmarking practices to ensure your objection is timely.

19. What is the difference between objecting and excluding/opting out?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object to the benefits provided by the Settlement or other terms of the Settlement only if your financial institution stays in the Settlement Class. Excluding your financial institution or "opting out," is telling the Court that you don't want to be included in the Settlement Class. If your financial institution excludes itself, you have no basis to object to the Settlement and related releases because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on September 22, 2026 at 1:30 p.m., before the Honorable Mark R. Hornak, United States District Judge for the Western District of Pennsylvania, at the Joseph F. Weis, Jr. United States Courthouse, 700 Grant Street, Pittsburgh, PA 15219, or at such other time, location, and venue as the Court may order. This hearing date and time may be moved. Please refer to the Settlement Website for notice of any changes.

No later than fourteen (14) days before the Opt-Out Deadline and Objection Deadline, Plaintiffs will file a motion for final approval of the Settlement and a separate Fee and Expense Application. Replies in support of final approval or the Fee and Expense Application will be filed no later than fourteen (14) days after the filing of any objections.

At the Final Approval Hearing, the Court will consider, among other things, whether the Settlement is fair, reasonable, and adequate; how much Class Counsel will receive as attorneys' fees, costs, and expenses; and whether to approve service awards to the Settlement Class Representatives. If there are objections, the Court will consider them. The Court will listen to people at the hearing who file in advance a timely notice of their intention to appear (see Question 18). At or after the Final Approval Hearing, the Court will decide whether to approve the Settlement. There is no deadline by which the Court must make its decision.

21. Does my financial institution have to attend the hearing?

No. Class Counsel will answer questions the Court may have. You are welcome, however, to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it. As long as you submitted your objection timely and in accordance with the requirements for objecting set out in the Settlement (see Question 18), the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF YOU DO NOTHING

22. What happens if my financial institution does nothing at all?

If your financial institution is a Settlement Class Member and does nothing, it will remain a part of the Settlement Class but will not get any payments from the Settlement. And, unless your financial institution excludes itself, it will not be able to sue Slim CD about the claims being resolved through this Settlement ever again. See the Settlement Agreement for more details about the releases.

GETTING MORE INFORMATION

23. How do I get more information?

This notice summarizes the Settlement. More details are in the Settlement Agreement itself. You can get a copy of the Settlement Agreement at www.slimcdpaymentcardsettlement.com or from the Settlement Administrator by calling toll-free 1-866-356-5839.

Please do not contact the Court, the Court Clerk, or Slim CD with questions about the Settlement.

PLAN OF ALLOCATION

24. What is the Plan of Allocation and how is my financial institution's payment calculated?

The Plan of Allocation describes how the Net Settlement Fund will be distributed among Settlement Class Members that submit Approved Claims. Each Settlement Class Member that submits a valid Claim Form identifying its Alerted On Payment Cards will receive a Pro Rata Share of the Net Settlement Fund. The Pro Rata Share for each Settlement Class Member is calculated as follows:

$$\textit{Pro Rata Share} = \frac{\textit{(Member's Alerted On Payment Cards)}}{\textit{(Total Alerted On Payment Cards in All Approved Claims)}} \times \textit{Net Settlement Fund}$$

The actual amount your financial institution receives will depend on the number of Approved Claims and the number of Alerted On Payment Cards in those claims.

25. How does the Settlement Administrator validate claims?

To receive a Pro Rata Share, your financial institution must submit a valid Claim Form identifying the number of Alerted On Payment Cards it issued. The Settlement Administrator will evaluate each claim to determine: (a) whether your financial institution is a Settlement Class Member and submitted a complete and accurate Claim Form; and (b) whether the number of Alerted On Payment Cards identified in the Claim Form is accurate, based on a comparison of the information submitted and the Card Brand data provided to the Settlement Administrator. The Settlement Administrator may request documentation that a Card Brand alert was received to confirm that your financial institution is a Settlement Class Member or to verify the number of Alerted On Payment Cards for which your financial institution seeks a Pro Rata Share. The Settlement Administrator will de-duplicate claims using standard approaches and may require supplementation of a Claim Form or additional information to validate or audit a submitted claim. If your financial institution fails to provide the requested supplementation or additional information, the Settlement Administrator may reject the claim. Subject to the appeal rights described in Questions 26 and 27 below, the Settlement Administrator's decision with respect to the validity of a claim shall be final.

26. What happens if my financial institution's claim is found deficient?

If the Settlement Administrator determines that a claim is deficient in whole or in part, it will notify your financial institution of that determination by email or mail to the address provided in the Claim Form, identifying the specific deficiency. By way of example, a claim may be found deficient if your financial institution is not identified in the Card Brand data or if the number of Alerted On Payment Cards on the Claim Form exceeds the number reflected in that data. By the deadline provided in the notice of deficiency, your financial institution must respond to the Settlement Administrator stating whether it accepts the determination, rejects it, or seeks to cure the identified deficiency. Any attempt to cure—such as by providing additional information, an amended Claim Form, or additional documentation—must be submitted with that response. If your financial institution agrees with the Settlement Administrator's determination or fails to timely respond, the determination shall be deemed final.

27. What if my financial institution disputes a Final Determination?

If your financial institution disputes a Final Determination, the Settlement Administrator will provide Class Counsel and Defendant's Counsel with a copy of the dispute, the Claim Form, and all supporting documentation. Class Counsel and Defendant's Counsel will confer and, if they agree on approval or rejection of the claim in whole or in part, that determination shall be final. If they cannot agree, the dispute will be submitted to the Court, whose decision shall be final and non-appealable.

28. When will payments be issued, and what happens to any uncashed funds?

After the Effective Date and once all Approved Claims have been determined, the Settlement Administrator will calculate the Pro Rata Share for each Settlement Class Member that submitted an Approved Claim and will mail a check to the address provided in the Claim Form, or to an updated address if one has been provided to the Settlement Administrator. If a check is returned as undeliverable with forwarding address information, the Settlement Administrator will re-mail the check to the updated address. For checks returned undeliverable without forwarding address information, the Settlement Administrator will make reasonable efforts to re-deliver the check, including attempting to verify an updated address or contact person.

29. How long does my financial institution have to cash its check?

Settlement checks will be valid for 120 days from the date issued.

30. What happens to uncashed or leftover funds?

If any funds remain in the Net Settlement Fund 150 days after checks are issued due to uncashed checks or otherwise, the Settlement Administrator will, if administratively feasible, redistribute those funds pro rata to Settlement Class Members that submitted Approved Claims and cashed their checks. If redistribution is not administratively feasible, the remaining funds will be donated to Neighborhood Legal Services, a non-profit 501(c)(3) organization.