

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA
In Re: Ethos Technologies Inc. Data Breach Litigation, No. 3:22-cv-09203-SK

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

If You Were Subject to the Ethos Technologies Inc. Data Incident and Previously Received a Notice Letter Notifying You of the Data Incident, You Could be Eligible for Benefits from a Class Action Settlement

- You may be eligible to receive a payment from a proposed \$1,000,000 class action settlement.
- The class action lawsuit concerns the Data Incident perpetrated against Defendant Ethos Technologies Inc. (“Ethos” or “Defendant”) between approximately August 2022 and December 2022 in which it was determined that an unauthorized third party gained access to certain Ethos files containing sensitive personal information of its customers, employees, and some third-party contractors. Ethos denies that it did anything wrong and disputes that it has any liability but has agreed to settle the lawsuit on a class wide basis.
- To be eligible to make a Settlement Claim, you must have received a Short Notice letter of the Ethos Data Incident that occurred between approximately August 2022 and December 2022.
- Eligible claimants under the Settlement Agreement may receive reimbursement up to \$5,000 for Out-of-Pocket Losses, \$100 *pro rata* Cash Payment, and 12 months of free Experian Credit Monitoring and Identity-Protection Services. California Subclass Members may also claim an additional \$100 payment for claims arising under the California Consumer Privacy Act (“CCPA Payment”).
- For more information or to submit a Claim Form visit www.EthosSettlement.com or call 833-933-8588 Monday through Friday, between 8:30 a.m. and 5:00 p.m. Central Standard Time.
- **Please read this notice carefully. Your legal rights will be affected, and you have a choice to make at this time.**

	Summary of Legal Rights	Deadline(s)
SUBMIT A CLAIM FORM	The only way to receive payment.	Submitted or postmarked on or before the Claims Deadline June 5, 2024.
EXCLUDE YOURSELF BY OPTING OUT OF THE CLASS	Receive no payment. This is the only option that allows you to keep your right to bring any other lawsuit against Defendant for the same claims. For detailed information about how to exclude yourself, see Sections 17-19 below.	Submitted or postmarked on or before the Opt-Out Date, May 6, 2024.

Questions! Go to www.EthosSettlement.com or call 1-833-933-8588

<p>OBJECT TO THE SETTLEMENT AND/OR ATTEND THE HEARING</p>	<p>You can write the Court about why you agree or disagree with the Settlement. The Court cannot order a different settlement. You can also ask to speak to the Court at the Final Approval Hearing on August 5, 2024 about the fairness of the Settlement, with or without your own attorney. For detailed information about how to object to or comment on the Settlement, see Sections 20-21 below.</p>	<p>Received on or before the Objection Date, May 6, 2024.</p>
<p>DO NOTHING</p>	<p>Receive no monetary benefits, but still receive 12-months free credit monitoring. Give up rights if you are a Settlement Class Member.</p>	

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

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CLASS NOTICE INFORMATION

1. Why did I get this Notice?

If you received a Short Form or postcard notice concerning the Settlement, Ethos’s records indicate that your information may have been part of a Data Incident perpetrated against Ethos’s systems between August 4, 2022 and December 9, 2022 that may have exposed certain personal information of yours. If you qualify, you could be eligible to receive a payment as part of the Settlement.

For more information, go to: www.EthosSettlement.com

The people who have sued Ethos Technologies Inc. are called the Plaintiffs. Ethos Technologies Inc. is the Defendant that has been sued in the lawsuit.

2. What is this lawsuit about?

Between approximately August 4, 2022, and December 9, 2022 Defendant Ethos Technologies experienced a Data Incident perpetrated against it by some third-party entity. This Data Incident allowed cybercriminals to gain access to certain individuals’ personal information. Upon receiving notice that their information was part of the Data Incident, Plaintiffs brought this lawsuit on behalf of themselves and other affected individuals, alleging claims of negligence to implement adequate data security safeguards, which allowed cybercriminals to access their personal information, in addition to claims for invasion of privacy, violation of the California Unfair Competition Law, Cal. Bus. & Profs. Code § 17200, *et seq.*, violation of California’s Consumer Privacy Act, Cal. Civ. Code § 1798.100 *et seq.*, and declaratory relief. Defendant denies the claims, all allegations of wrongdoing, and that it acted negligently in protecting Plaintiffs’ personal information.

3. What is a class action?

In a class action lawsuit, one or more people called “Class Representatives” have sued on behalf of themselves and other people who have similar claims. These people and entities together are called a “Settlement Class” or “Settlement Class Members.” The company Plaintiffs sued on behalf of themselves and all others similarly situated—Ethos Technologies Inc.—is called the Defendant. In a class action, one court resolves the issues for all Settlement Class Members, except for those who choose to exclude themselves.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendant. Instead, the Parties agreed to a Settlement to resolve the claims. A class-wide settlement avoids the costs and risk of a trial, and Settlement Class members can receive the available Settlement compensation benefits. The Class Representatives and Class Counsel believe the Settlement is in the best interest of the Settlement Class.

WHO IS INCLUDED IN THE SETTLEMENT

5. Who is in the Settlement?

You have been identified through Ethos's records as a Settlement Class Member, and are included in the Settlement, if you received a Short Form notice letter regarding the Data Incident from Defendant indicating that you may have been impacted by the Data Incident perpetrated against Defendant between August 2022 and December 2022. The Settlement Class is defined for Settlement purposes as:

All persons identified by Defendant (or its agents or affiliates) as being among those individuals impacted by the Data Incident, including all who were sent a notice of the Data Incident.

Excluded from the Settlement Class are Ethos's officers, directors, and employees; any entity in which Ethos has a controlling interest; and the affiliates, legal representatives, attorneys, successors, heirs, and assigns of Ethos. Also excluded from the Settlement Class are members of the judiciary to whom this case is assigned, their families, and members of their staff.

6. What should I do if I am not sure whether I am included?

If you are not sure whether you are included in the Settlement Class, you can request free assistance by calling the Claims Administrator at 833-933-8588 for more information.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

The Defendant will pay \$1,000,000 into a Settlement Fund, which will be distributed to Settlement Class Members who submit Valid Claims, after deducting Class Counsel's Attorneys' Fees and Expenses Award, Cost of Claims Administration, and the Class Representatives' service awards, if such awards are approved by the Court.

The Settlement Fund will provide:

- **\$100** to each Settlement Class Member upon submission of a Valid Claim;**
- **\$100** to each California Subclass Member upon submission of a Valid Claim;**
 - California Subclass Members may receive the \$100 CCPA Payment in addition to the \$100 payment to each Settlement Class Member.**The Cash Payments may be increased or decreased *pro rata* from the remainder of the Settlement Fund after all Settlement Claims are submitted.
- **Up to \$5,000** in compensation to each Settlement Class Member who submits a Valid Claim for proven Out-of-Pocket Losses or expenses if:
 - The loss is an actual, documented, and unreimbursed loss;
 - The loss is fairly traceable to the Ethos Data Incident;
 - The loss occurred on or after August 4, 2022;
 - The Settlement Class Member has not already received some reimbursement for the loss or expense; and
 - 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 and identity theft insurance.
- **12-Months Experian Credit Monitoring and Identity-Protection Services** to each Settlement Class Member.

8. Why does the Settlement include a separate California Subclass?

The Settlement includes a subclass of California residents who will receive additional Settlement monetary benefits under the California Consumer Privacy Act. Settlement Class Members who submit Valid Claims will receive a different amount than the California Subclass Members (“CCPA Payment”).

9. Who can get money from the Settlement, and how much?

To receive money from the Settlement, you must be a Settlement Class Member – meaning that you received a Short Form notice of the Data Incident perpetrated against Ethos between August 4, 2022 and December 9, 2022. The determination of Settlement Funds available to each valid claimant is described in response to Question #7 above.

10. What am I giving up if I stay in the Class?

If you are a Settlement Class Member (*see* Question #5 above), unless you exclude yourself with an opt-out request (*see* Questions #17-19 below), you cannot sue, continue to sue, or be part of any other lawsuit against Defendant concerning the same issues as in this lawsuit. The “Release” section in the Settlement Agreement (IV, ¶ 6.1) describes the legal claims that you are giving up if you remain in the Settlement Class. The Settlement Agreement can be viewed at www.EthosSettlement.com.

HOW TO GET A PAYMENT – MAKING A CLAIM

11. How can I get a payment?

By submitting a Valid Claim on or before the Claims Deadline of June 5, 2024. If you received the Data Incident notification letter from Ethos, you can make a Settlement Claim by filling out and submitting the Claim Form available at www.EthosSettlement.com.

You can also contact the Claims Administrator to request a paper Claim Form by telephone (833-933-8588), email (info@EthosSettlement.com), or U.S. mail (Claims Administrator, Ethos Technology Data Incident Settlement, c/o Kroll Settlement Administration LLC, PO Box 225391, New York, NY 1050-5391).

12. What is the deadline for submitting a Claim Form?

To be eligible for payment from the Settlement, your Valid Claim **must be received or postmarked no later than the Claims Deadline of June 5, 2024.**

13. When will I get my payment?

The Court will hold a hearing on August 5, 2024 at 9:30 a.m. PT, to decide whether to approve the Settlement. Payments will be made after the Settlement is approved and becomes final, meaning there is no appeal from the Court’s order approving the Settlement.

Updates regarding the Settlement will be posted on the Settlement Website, www.EthosSettlement.com.

THE ATTORNEYS REPRESENTING YOU

14. Do I have an attorney in the case?

Yes. The Court appointed the following attorneys to represent you and other Settlement Class Members as “Class Counsel.”

M. Anderson Berry aberry@justice4you.com Gregory Haroutunian gharoutunian@justice4you.com CLAYEO C. ARNOLD, A PROFESSIONAL CORPORATION 865 Howe Avenue Sacramento, CA 95825 Telephone: (916) 239-4778	Dylan J. Gould dgould@msdlegal.com Jonathan T. Deters jdeters@msdlegal.com MARKOVITS, STOCK & DEMARCO, LLC 119 East Court Street, Suite 530 Cincinnati, OH 45202 Telephone: (513) 651-3700	Samuel J. Strauss sam@turkestrauss.com Raina Borrelli raina@turkestrauss.com Brittany Resch brittanyr@turkestrauss.com TURKE & STRAUSS LLP 613 Williamson Street, Suite 201 Madison, Wisconsin 53703 Telephone: (608) 237-1775
Jean S. Martin jeanmartin@forthepeople.com MORGAN & MORGAN COMPLEX LITIGATION GROUP 201 N. Franklin Street, 67th Floor Tampa, FL 33602 Telephone: (813) 559-4908	John J. Nelson jnelson@milberg.com MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN PLLC 401 W Broadway, Suite 1760 San Diego, CA 92101 Telephone: (858) 209-6941	

You will not be charged by these attorneys for their work on the case. If you want to be represented by your own attorney, you may hire one, but you will be responsible for any payment for that attorney’s services.

15. Should I get my own attorney?

You do not need to hire your own attorney. If you want your own attorney, you may hire one, but you will be responsible for any payment for that attorney’s services. For example, you can ask your own attorney to appear in Court for you if you want someone other than Class Counsel to speak on your behalf. You may also appear for yourself without an attorney.

16. How will the attorneys be paid?

Class Counsel have undertaken this case on a contingency-fee basis, meaning they have paid for all of their expenses in the case and have not been paid any money in relation to their work on this case. Accordingly, Class Counsel will ask the Court to award them attorneys’ fees of up to 1/3 (\$333,333.33) of the Settlement Fund and reimbursement for costs and expenses not to exceed \$20,000 to be paid from the Settlement Fund. The Court will decide the amount of fees and costs and expenses to be paid. You will not have to separately pay any portion of these fees yourself. Class Counsel’s request for Attorneys’ Fees and Expenses Award will be filed by November 6, 2023, and will be available to view on the Settlement Website at www.EthosSettlement.com.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class Member and you do not want to receive the benefits from the Settlement, and you want to keep your right, if any, to sue Defendant on your own about the legal issues at issue in this lawsuit, then you must take affirmative steps to get out of the Settlement. This is called excluding yourself from – or “Opting Out” of – the Settlement Class.

17. How do I opt out of the Settlement?

A Settlement Class Member may request to be excluded from the Settlement in writing by mailing or emailing a request. The request must be emailed or postmarked on or before the Opt-Out Date (75 days after Notice Date) of May 6, 2024. The timely exclusion must include:

- The requestor’s name, address and email address;
- The requestor’s physical signature;
- The name and number of this Litigation, i.e., *In Re: Ethos Technologies Inc. Data Breach Litigation*, Case No. 3:22-cv-09203 (N.D. Cal.); and
- A statement that clearly manifests the requestor’s wish to be excluded from the Settlement Class for purposes of this Settlement.

A request to be excluded that is sent to an address other than that designated as the Claims Administrator’s address (Question #27 below), or that is not electronically submitted or postmarked within the time specified, shall be invalid and the person serving such a request shall be considered a member of the Settlement Class and shall be bound by the terms of the Settlement.

18. If I am a Settlement Class Member and don’t opt-out, can I sue the Defendant for the same thing later?

No. If you are a Settlement Class Member (*see* Question #5 above), unless you opt-out, you give up the right to sue Ethos for the claims resolved by the Settlement. So, if you are a Settlement Class Member and you want to try to pursue your own lawsuit, you must opt out.

19. What happens if I opt-out?

If you opt-out of the Settlement, you will not have any rights as a member of the Settlement Class under the Settlement terms; you will not receive any payment as part of the Settlement; you will not be bound by any further orders or Judgments in this case; and you will keep the right, if any, to sue on the claims alleged in this lawsuit at your own expense.

OBJECTING TO OR COMMENTING ON THE SETTLEMENT

20. How do I tell the Court if I don’t agree with the Settlement terms?

You can ask the Court to deny approval of the Settlement by filing an objection. You can’t ask the Court to order a different settlement; the Court can only approve or reject this Settlement. If the Court denies approval, no Settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you should object. Any objection to the proposed Settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your

own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must include:

- (i) the objector's full name and address;
- (ii) the case name and number (*In Re: Ethos Technologies Inc. Data Breach Litigation*, Case No. 3:22-cv-09203 (N.D. Cal.));
- (iii) information identifying the objector as a Settlement Class Member, including proof that the objector is a member of the Settlement Class (e.g., copy of the objector's settlement notice, copy of original notice of the Data Incident, or a statement explaining why the objector believes he or she is a Settlement Class Member);
- (iv) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable;
- (v) the identity of any and all counsel representing the objector in connection with the objection;
- (vi) a statement whether the objector and/or his or her counsel will appear at the Final Approval Hearing; and
- (vii) the objector's signature or the signature of the objector's duly authorized attorney or other duly authorized representative (if any) representing him or her in connection with the objection.

Objections must be submitted to the Court either by filing them electronically or in person at any location of the United States District Court for the Northern District of California or by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 450 Golden Gate Ave., San Francisco, CA 94102. Objections must be filed or postmarked on or before the Objection Date of May 6, 2024.

21. What's the difference between objecting and opting out?

Objecting is telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you are a Settlement Class Member and do not opt-out of the Settlement. Opting-out of the Settlement indicates to the Court that you do not want to be part of the Settlement. If you opt-out of the Settlement, you cannot object to it because it does not affect you. You cannot both opt-out of the Settlement and also object to the Settlement.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at 9:30 a.m. PT on August 5, 2024, at the federal courthouse located at the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them and listen to any arguments presented. The Court may also decide how much Class Counsel should receive in fees and expense reimbursements. After the hearing, the Court will decide whether to approve the Settlement.

The Court may reschedule the Final Approval Hearing or change any of the deadlines described in this notice. The date of the Final Approval Hearing may change without further notice to the Settlement Class Members. Be sure to check the Settlement Website, www.EthosSettlement.com, for news of any such changes.

23. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to the hearing to talk about it. As long as you mailed or filed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

24. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include a statement in your written objection (discussed above at Question #20) that you intend to appear at the hearing. Be sure to include your name, address, and signature as well.

You cannot speak at the hearing if you exclude yourself from the Settlement Class.

IF I DO NOTHING

25. What happens if I do nothing?

If you do nothing and you are a Settlement Class Member, you will get no money from this Settlement, and you will not be able to sue Ethos for the conduct alleged in this lawsuit. You will still be eligible to receive the 12 months of free Experian Credit Monitoring offered under the Settlement. If you do nothing and you are not a Settlement Class Member, the Settlement will not affect or release any individual claim you may have.

GETTING MORE INFORMATION

26. Are more details about the Settlement available?

Yes. This Long Form notice summarizes the proposed Settlement—more details are in the Settlement Agreement and other case documents. You can get a copy of these documents at www.EthosSettlement.com, by accessing the docket in this case through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.dcd.uscourts.gov/>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102 between 9:00 a.m. and 4:00 p.m. PST, Monday through Friday, excluding Court holidays.

27. How do I get more information?

The Settlement Website (www.EthosSettlement.com) has the Claim Form, answers to questions about the Settlement and other information, including important documents, to help you determine whether you are eligible for a payment. You can also write to or call the Claims Administrator at:

Ethos Technologies Data Incident Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391
833-933-8588
info@EthosSettlement.com

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