

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

If Farmers Investment Co. d/b/a Green Valley Pecan Company (“Farmers”) Notified You Of A Data Security Incident, You May Be Eligible For Benefits From A Class Action Settlement.

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

- A proposed Settlement has been reached in a class action lawsuit known as *Maria Barrios v. Farmers Investment Co. d/b/a Green Valley Pecan Company*, Case No.: CV2024-002001 (“Lawsuit”), filed in Maricopa County, Arizona.
- This Lawsuit arises out of unauthorized access to a portion of Farmers’ data system in May 2022 (the “Data Incident”), and allegations concerning certain files potentially accessed during the Data Incident that may have contained personally identifiable information (“PII”) of Settlement Class Members.
- All Settlement Class Members can receive the following benefits from the Settlement: (1) reimbursement for up to \$400 for documented out-of-pocket expenses and fees for credit reports, credit monitoring, or other identity theft insurance products, (2) reimbursement for up to three (3) hours of lost time spent dealing with the Data Incident (reimbursed at a rate of \$15 per hour), and (3) reimbursement for documented extraordinary losses, not to exceed \$4,000 per Settlement Class Member, for proven actual monetary losses.
- Settlement Class Members can receive two years of credit monitoring services with \$1,000,000 in identity theft protection services.
- Farmers has also implemented enhanced data security measures to further protect the PII of Plaintiffs and Class Members.
- You are included in this Settlement as a Settlement Class Member if you were sent a notice of the Data Incident.
- If you are a Settlement Class Member, your legal rights are affected regardless of whether you do or do not act. Read this Notice carefully.

YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT

Submit a Claim and/or Receive Credit Monitoring	You must submit a valid Claim to get money or credit monitoring from this Settlement. Claim Forms must be submitted online by December 16, 2024 or, if mailed, postmarked no later than December 16, 2024.
Do Nothing	If you do nothing, you remain in the Settlement. You give up your rights to sue and you will not get any money or credit monitoring from the Settlement.
Exclude Yourself	Get out of the Settlement. Get no money. Keep your rights. This is the only option that allows you to keep your right, and sue if you choose, about the claims in this Lawsuit. You will not get any money or credit monitoring from the Settlement. Your request to exclude yourself must be postmarked no later than November 15, 2024.

File an Objection	Stay in the Settlement, but tell the Court why you think all or part of the Settlement should not be approved or should be changed. Objections must be postmarked or emailed no later than November 15, 2024.
Go to a Hearing	You can ask to speak in Court about the fairness of the Settlement. <i>See</i> Question 18 for more details. The Final Fairness Hearing is scheduled for January 10, 2025.

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BASIC INFORMATION

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

1. How do I know if I am affected by the Lawsuit or included in the Settlement?

You are a Settlement Class Member if you were sent a notice of the Data Incident. The notice informed individuals that they may have been impacted by the Data Incident.

If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the Settlement, visit www.FICODataSettlement.com call toll free 1-888-431-3743, or write to FICO Data Settlement, PO Box 64053, Saint Paul, MN 55164.

2. What is this case about?

This case is known as *Maria Barrios v. Farmers Investment Co. d/b/a Green Valley Pecan Company*, Case No.: CV2024-002001 (“Lawsuit”), filed in Arizona’s Maricopa County. The person who sued is called the “Plaintiff” and the company she sued, Farmers, is known as the “Defendant” in this case.

Plaintiff filed the Lawsuit against Defendant, individually, and on behalf of anyone whose personally identifiable information (“PII”) was potentially impacted as a result of the Data Incident.

This Lawsuit arises out of unauthorized access to Farmers’ systems in or about May 2022 (the “Data Incident”), and allegations concerning certain files potentially accessed during the Data Incident that may have contained Personally Identifiable Information (“PII”) of Settlement Class Members. After learning of the Data Incident, Defendant mailed notification to persons whose PII may have been impacted by the Data Incident. Subsequently, this Lawsuit was filed asserting claims against Defendant relating to the Data Incident.

Defendant denies any wrongdoing, liability, or that damages resulted from the Data Incident.

3. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Class Representative, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, in the best interests for 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.FICODataSettlement.com.

4. Why is this a class action?

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

THE SETTLEMENT BENEFITS

5. What does this Settlement provide?

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

Expense Reimbursement

Documented Ordinary Loss Expense Reimbursement: All Settlement Class Members who submit a valid claim using the Claim Form are eligible for the following documented ordinary loss expense reimbursement, not to exceed \$400 per Settlement Class Member: documented out-of-pocket expenses that were incurred as a result of the Data Incident, including but not limited to: (i) unreimbursed bank fees; (ii) long distance phone charges; (iii) cell phone charges (only if charged by the minute); (iv) data charges (only if charged based on the amount of data used); (v) postage; (vi) gasoline for local travel; and (viii) fees for credit reports, or other identity theft protection services and plans purchased between May 31, 2022 and seven days after a Court approved Notice is sent to the Settlement Class. To receive reimbursement for any of the above-referenced documented ordinary loss expenses, Settlement Class Members must submit a valid and timely Claim Form, including necessary supporting documentation, to the Claims Administrator.

Lost Time Reimbursement: Settlement Class Members are also eligible to receive reimbursement for up to three (3) hours of lost time spent dealing with the Data Incident (calculated at the rate of \$15 per hour). Settlement Class Members may receive reimbursement for lost time if the Settlement Class Member includes a brief description of activities engaged in responding to the incident and the time spent on each such activity, and attests that any claimed lost time was spent responding to issues raised by the Data Incident. Claims made for lost time can be combined with reimbursement for the above referenced out-of-pocket expenses with the combined reimbursement subject to the \$400 cap for ordinary out-of-pocket expenses.

Documented Extraordinary Loss Reimbursement: Settlement Class Members are also eligible to receive reimbursement for documented extraordinary losses, not to exceed \$4,000 per Settlement Class Member, for documented monetary loss that: (i) is actual, documented, and unreimbursed; (ii) was more likely than not caused by the Data Incident; (iii) occurred between May 31, 2022 and seven days after a Court approved notice of Settlement is sent to the Settlement Class; and (iv) is not already covered by one or more of the above-referenced reimbursed expenses for ordinary losses and the Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion, if applicable, of the Settlement Class Member's credit monitoring insurance and identity theft insurance.

Credit Monitoring: All Settlement Class Members will be eligible to claim two years of free credit monitoring services with \$1,000,000 of coverage for identity theft protection services upon submission of a valid Claim Form. No documentation is required to receive monitoring services.

Remedial Relief: Defendant has enhanced and will also continue to provide security for Plaintiff's and Class Members' PII. Defendant agrees to pay for such remedial costs separate and apart from other settlement benefits.

PLEASE NOTE THAT TO RECEIVE PAYMENT FOR DOCUMENTED ORDINARY OR

EXTRAORDINARY LOSSES, YOU MUST SUBMIT THE REQUIRED SUPPORTING DOCUMENTATION. FAILURE TO PROVIDE DOCUMENTATION WILL RESULT IN A DENIAL OF ANY CLAIM FOR DOCUMENTED ORDINARY OR EXTRAORDINARY LOSSES.

6. How to submit a claim?

All claims will be reviewed by the Claims Administrator for completeness and plausibility. You must file a Claim Form to get money and credit monitoring from the proposed Settlement. Claim Forms must be submitted online by December 16, 2024, or postmarked no later than December 16, 2024. You can download a Claim Form at www.FICODataSettlement.com or you can call the Claims Administrator at 1-888-431-3743 to have a Claim Form sent to you.

7. 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 Farmers and all of its past, present, and future parent companies, partnerships, subsidiaries, affiliates, divisions, employees, servants, members, providers, partners, principals, directors, officers, shareholders, and owners, and all of their respective attorneys, heirs, executors, administrators, insurers, coinsurers, reinsurers, joint ventures, personal representatives, predecessors, successors, transferees, trustees, authorized agents, and assigns, and includes, without limitation, any Person related to any such entities who is, was, or could have been named as a defendant in the Litigation.

The Settlement Agreement, which includes all provisions about settled claims, releases, and Released Parties, is available at www.FICODataSettlement.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, and, if the Settlement is approved, you will give up the right to sue for the claims in this case.

8. Will the Class Representative receive compensation?

Yes. The Class Representative will receive a service award of up to \$2,250 to compensate her for her services and efforts in bringing and pursuing the lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Class Representative.

EXCLUDE YOURSELF

9. How do I exclude myself from the Settlement?

If you do not want to be included in the Settlement, the Court will exclude you from the Settlement if you send a timely written request for exclusion, signed by you or a person authorized by law, such as a trustee, guardian, or person with power of attorney to act on your behalf, which clearly manifests your intent to be excluded from the Settlement Class. If you do not timely exclude yourself from the Settlement you will be included in any judgment, regardless as to whether that judgment is favorable or not.

Your written request for exclusion must be postmarked no later than **November 15, 2024, to:**

FICO Data Settlement
c/o Atticus Administration
PO Box 64053
Saint Paul, MN 55164

Instructions on how to submit a request for exclusion (sometimes called “opting out”) are available in the Settlement Agreement, Section 4, which can be found at www.FICODataSettlement.com or from the Claims Administrator by calling 1-888-431-3743.

If you exclude yourself, you will not be able to receive any cash benefit or credit monitoring from the Settlement, and you cannot object to the Settlement at the Final Fairness Hearing. You will not be legally bound by anything that happens in the Lawsuit, and you will keep your right to sue Defendant for the claims that this Settlement resolves.

10. 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 Parties (listed in Question 7) for the Released Claims.

11. What happens if I do nothing at all?

If you do nothing, you will be bound by the Settlement if the Court approves it, you will not get any money or credit monitoring services from the Settlement, you will not be able to start or proceed with a lawsuit or be part of any other lawsuit against the Released Parties (listed in Question 7) about the Released Claims at any time.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

Yes. The Court has appointed MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN PLLC (called “Class Counsel”) to represent the interests of all Settlement Class Members in this case. You will not be charged for these lawyers. If you do wish to be excluded from the Settlement and want to be represented by your own lawyer, you may hire one at your own expense and enter an appearance in the action through your counsel.

Class Counsel may be contacted at

John J. Nelson
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC**
280 S. Beverly Drive
Beverly Hills, CA 90212
Tel: (858) 209-6941
Email: jnelson@milberg.com

13. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of combined attorneys' fees, costs, and expenses in an amount not to exceed \$143,750. A copy of Class Counsel's motion for attorneys' fees, costs, expenses, and service award for the Class Representative will be posted on the Settlement Website, www.FICODataSettlement.com before the Final Fairness Hearing. The Court will make the final decisions as to the amounts to be paid to Class Counsel and may award less than the amount requested. The amount awarded to Class Counsel will not impact the benefits to be provided to the Settlement Class Members.

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, whether that be to the Settlement benefits, the request for attorneys' fees or service award, the releases provided to the Defendant, or some other aspect of the Settlement, you must file an objection with the Court telling it why you do not think the Settlement should be approved.

Objections must be submitted in writing and include all the following information:

- (i) your full name, address, telephone number, and e-mail address (if any);
- (ii) information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class (e.g., copy of notice, copy of original notice of the Data Incident);
- (iii) a written statement of all grounds for the objection, accompanied by any legal support for the objection you believe applicable;
- (iv) the identity of any counsel representing you for the objection;
- (v) a statement as to whether you and/or your counsel will appear at the Final Fairness Hearing; and
- (vi) your signature and, if applicable, the signature of your duly authorized attorney or other duly authorized representative.

To be timely, written notice of an objection in the appropriate form must be filed with the Clerk of the Court no later than November 15, 2024. Concurrently and by the same date, a copy of the objection must be mailed and postmarked or emailed to the Claims Administrator to the physical or email address established by the Claims Administrator and identified in the Claim Form. If you have any questions about filing procedures or processes, please contact the Clerk of the Court:

Clerk of the Superior Court's Office
Civil File Counter
201 West Jefferson
Phoenix, AZ 85003

If you do not timely submit your objections in compliance with all requirements, you will be considered to have waived all Objections and will not be entitled to speak at the Final Fairness Hearing, unless the Court, at its discretion, allows you to speak.

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

Objecting is 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 at 1:30 p.m. on January 10, 2025 via Court Connect: <https://tinyurl.com/ECB912>. You may also dial in by using your phone: +1-917-781-4590 and Conference ID: 642 102 793#. The hearing may be moved to a different date, time, or location without additional notice, so it is recommended that you periodically check www.FICODataSettlement.com for updated information.

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 finally 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 Settlement Class Counsel and the request for a service award to the Class Representative. The Court's decision on the fee and service award requests will not affect the Court's decision on the Settlement.

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 can but 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 have your own lawyer, at your expense, attend the Final Fairness Hearing, but that is not necessary. However, you must follow the requirements for making objections in Question 14, including the requirements for making an appearance at the hearing.

18. May I speak at the hearing?

Yes. You can speak at the Final Fairness Hearing. The proper way to obtain permission to speak is to file an objection according to the instructions in Question 14. If you do not file an objection, you can still ask to be heard by the Court at the Final Fairness Hearing. The Court may or may not agree to hear you.

GET MORE INFORMATION

19. How do I get more information about the Settlement?

This 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, Class Counsel's motion for attorneys' fees, costs, expenses, and service award

for Class Representative, and more, please visit www.FICODataSettlement.com or call 1-888-431-3743. You may also contact the Claims Administrator at FICO Data Settlement, c/o Atticus Administration, PO Box 64053, Saint Paul, MN 55164.

PLEASE DO NOT ADDRESS ANY QUESTIONS, EXCEPT AS NOTED ABOVE, ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT, THE JUDGE, DEFENDANT, OR DEFENDANT'S COUNSEL. QUESTIONS SHOULD BE DIRECTED TO THE CLAIMS ADMINISTRATOR OR CLASS COUNSEL