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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

MATTHEW PAGOAGA and ANTHONY JONES, on behalf of themselves and all others similarly situated,

Plaintiff,

vs.

STEPHENS INSTITUTE d/b/a ACADEMY OF ART UNIVERSITY,

Defendants.

CASE NO. CGC 16-551952

DECLARATION OF BRIAN DEVERY OF ANGEION GROUP REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND ADMINISTRATION OF CLASS ACTION SETTLEMENT

STEPHENS INSTITUTE d/b/a ACADEMY OF ART UNIVERSITY,

Cross-Complaint,

vs.

NAVISITE, LLC,

Cross-Defendant.

I, Brian Devery, hereby declare under penalty of perjury pursuant to California Code of Civil Procedure § 2015.5 as follows:

1. I am a Project Manager with Angeion Group (“Angeion”), the Court-appointed settlement administrator in this matter. Angeion’s office is located at 1801 Market Street, Suite 660, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have

1 List”) for purposes of facilitating class notice. Angeion reviewed the class list for completeness of
2 address and other class information, assigned each class member a unique identification number,
3 and formatted the contents for entry into Angeion’s database.

4 6. The Class List provided contained a total of 3,373 entries. Of these entries 2,867
5 records contained an email address.

6 **Dissemination of the Notice**

7 **Mailed Notice**

8 7. On March 6, 2018, Angeion caused the Court-approved class notice to be sent via
9 USPS to 3,373 class members. A copy of the mailed notice is attached hereto as Exhibit “A.”

10 **Email Notices**

11 8. On March 6, 2018, Angeion caused the Court-approved class notice to be sent via
12 email to 2,867 class members who had an email address listed in the data provided by AAU. A
13 copy of the email notice is attached hereto as Exhibit “B.”

14 **Case Specific Website**

15 9. On March 6, 2018, Angeion established the following website devoted to this
16 matter: www.AAUSettlement.com. The website provides class members with the ability to
17 complete and file a claim in this matter utilizing an online claim portal. Additionally, the website
18 contains general information about the settlement, court documents, and important dates and
19 deadlines pertinent to this matter. The website also has a “Contact Us” page whereby class
20 members can contact Angeion via email to update their address or submit additional questions
21 regarding the Settlement. Among other important documents, a copy of the Court-approved notice
22 and claim forms is available on the website, along with pertinent motions and filings relating to
23 the action and settlement.

24 **Toll Free Telephone Number**

25 10. On March 6, 2018, Angeion established a toll-free telephone number (877-346-
26 5225) for class members to call to receive answers to frequently asked questions or connect
27 directly to an Angeion representative in order to get additional information about the settlement or
28 request the mailing of a claim form.

Undeliverable Mail

11. During the period of March 6, 2018 through June 16, 2018,¹ 13 class notices were returned to Angeion by the USPS with a forwarding address. Following the receipt of these returned mailings, class notices were mailed to the forwarding addresses. None of the 13 class notices that were forwarded were returned as undeliverable a second time.

12. During this same period, 135 class notices were returned to Angeion by the USPS without a forwarding address. Angeion conducted address verification searches on 127 records (commonly referred to as “skip tracing”) in an effort to locate updated addresses for these class members. Through this process, Angeion was able to locate updated addresses for 82 of the 127 class members whose class notices were returned without a forwarding address. Angeion updated the Class List with the new address information, and the class notices were re-mailed to the updated addresses of these 82 class members. Of the class notices re-mailed to updated addresses identified via skip trace, nine were returned as undeliverable a second time.

13. Angeion did not conduct address verification searches for eight class members whose class notices were returned without a forwarding address immediately prior to, or after, the claim filing deadline. Angeion confirmed that each of these eight class members received email notice, however, and that two of these class members submitted claims through the online portal.

14. In total, Angeion was able to confirm successful direct mail notice for 3,311 of the 3,373 class members contained on the Class List. Angeion was further able to confirm that of the 62 class members who did not receive direct mail notice, 54 of those class members were successfully sent email notice of the settlement. Five class members did not have email addresses and three class members had their email notices returned as a bounce. Therefore, of the 3,373 class

¹ The original deadline for the submission of a claim during the initial claims period was June 13, 2018, but the claim form that was mailed to class members and posted on the settlement website inadvertently reflected a postmark deadline of June 16, 2018. Accordingly, counsel for the parties agreed to extend the initial claims period by three days and accept any valid claim form submitted through the online website portal through June 16, 2018 or submitted by mail with a postmark date through June 16, 2018.

1 members, only eight class notices remain undeliverable via both distribution methods (mail and
2 email).

3 15. **Claims Submitted During Initial Claims Period.** Angeion received a total of 311
4 claims during the initial claims period through June 16, 2018. Of the claims received, 126 were
5 submitted by mail and 186 were submitted through the online claims portal.² Angeion has
6 reviewed all claims to date and determined that 68 of the claims filed were submitted by non-class
7 members, the vast majority of which have been verified by AAU.³ Each non-class member was
8 mailed a deficiency letter, attached hereto as Exhibit “C”, providing the claimant the ability to
9 provide documentation proving inclusion in the class. One claimant responded to the deficiency
10 letter relating to class membership, but it was determined that the individual was not a member of
11 the class, which was verified by counsel for AAU.

12 16. Of the remaining 243 claims received from verified class members, 231 class
13 members opted to enroll in the credit monitoring services offered under the settlement and 27 class
14 members submitted a claim for reimbursement of out-of-pocket losses, totaling \$26,538.59. In
15 assessing the claims of out-of-pocket losses, Angeion reviewed the documentation submitted in
16 accordance with the “fairly traceable” standard set forth in the Settlement Agreement, and
17 approved claims totaling \$10,307.84. The claims that were not approved in whole or part consisted
18 of the following: (1) claimed losses in the amount of \$6,995.00 that did not include any supporting
19 documentation; (2) claimed losses in the amount of \$5,735.75 whereby the documentation
20 submitted was insufficient to support the claimed loss or the loss was not fairly traceable to the e-
21 mail security incident; and (3) claimed losses in the amount of \$3,500.00 that were in excess of the
22 allowable individual recovery. Class members whose claims were not approved in whole or part
23

24

25

26 ² One Class Member submitted claims by mail *and* via the online claim portal.

27 ³ Counsel for AAU has verified that 56 of the 68 claims submitted by non-class members were in
28 fact non-class members. The remaining 12 submissions were timely postmarked but just recently
received by Angeion on June 19 and 20, 2018 and Angeion is awaiting confirmation from AAU
regarding these submissions.

29

1 received a deficiency letter and opportunity to cure the deficiency.⁴ A copy of that deficiency letter
2 is attached hereto as Exhibit “D”.

3 17. Of the 243 claims received from verified class members, 231 opted to enroll in
4 Experian’s “3B Credit Plus” Credit Monitoring Services. Of the class members who opted to
5 enroll in credit monitoring services, 226 class members opted to receive their enrollment code and
6 instructions for enrollment by email, and the remaining 5 class members will receive their
7 enrollment code and instructions via USPS.

8 18. For verified class members, Angeion sent deficiency notices to 17 class members
9 whose claimed losses were not sufficiently supported or who left portions of their claim form
10 blank. For example, class members who did not select “Yes” or “No” to Questions 3 or 4
11 indicating whether they wanted to submit a claim for out-of-pocket losses or enroll in credit
12 monitoring services were sent a deficiency letter requesting that the class member make a
13 selection. These deficiency letters were accompanied by a new claim form which could be
14 completed and returned. A copy of that deficiency letter is attached hereto as Exhibit “E”.

15 19. Of the 17 deficiency letters mailed to verified class members, Angeion has received
16 and processed two responses, both of which provided answers to questions that were previously
17 left blank. Angeion has not received a response from the remaining 15 class members who were
18 mailed deficiency notices; however, because class members have 30 days to provide a response to
19 a deficiency letter, and deficiency letters were mailed on a rolling basis, there is the potential for
20 additional responses to be received and currently deficient claims to be timely cured.

21 **Exclusion Requests and Objections**

22 20. Angeion has processed three exclusion requests that were timely received on or
23 before the opt-out deadline of May 14, 2018. A copy of these three exclusions are attached hereto
24 as Exhibit “F”.

25 _____

26 ⁴ One claim submitted without documentation to support the claimed loss was timely postmarked
27 but just recently received by Angeion on June 20, 2018. Angeion is in the process of issuing a
28 deficiency letter to this individual.

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21. Angeion has not received any objections to the settlement.

Remaining Tasks

22. After the initial claims deadline ran on June 16, 2018, Angeion updated the settlement website to reflect and allow submissions of the Post-Deadline Claim Form, which will be available through the “Tail Deadline” of March 14, 2020.

23. Angeion will continue to accept and process Post-Deadline Claim Forms, reply to class member inquiries, mail deficiency letters, as well as perform other administrative duties through the deadline date. Angeion will also continue to maintain the Settlement Website and toll-free number at least through 30 days after the “Tail Deadline” as set forth in the Settlement Agreement and shall keep the parties apprised of Post-Deadline Claim Forms received as well as any documentation received or postmarked after the deadline dates.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge. Executed this 21st day of June 2018 at Oakdale, NY.


Brian Devery

Exhibit A

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

Your claim must be submitted online or mailed and postmarked by: JUNE 16, 2018

Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University, Case No. CGC 16-551952
(Superior Court of the State of California, County of San Francisco).

AAU

████████████████████
████████████████████
Claim No: AAU ██████████

Confirmation Code: 26 ██████████



CLAIM FORM (PRE-CLAIMS DEADLINE)

GENERAL INSTRUCTIONS

Settlement Class Members are entitled to free three-bureau credit monitoring services and to request reimbursement of “Out-of-Pocket Losses” that they believe are fairly traceable to the Academy of Art University (AAU) E-mail Security Incident, and that have not already been reimbursed by AAU or any other organization. If you received a notice from AAU that your information was disclosed in or about April 2016, or if you received a settlement notice by mail or e-mail stating that you are a class member, then you are a “Settlement Class Member” and entitled to benefits under this settlement. To learn more about the settlement or to file your claim online, go to www.AAUSettlement.com. If you have questions about this Claim Form, or if you did not receive a settlement notice and you believe that you are or may be a member of the Class, you should contact the Settlement Administrator at AAUSettlement@AdministratorClassAction.com or at the address on last page of this Claim Form.

SETTLEMENT OVERVIEW

Documented Losses and Time

AAU will reimburse Settlement Class Members for documented Out-Of-Pocket Losses that are fairly traceable to the E-mail Security Incident, up to (i) \$1,000 per individual for Out-of-Pocket Losses not including the purchase of professional services; and in addition, (ii) \$2,500 per individual for Out-of-Pocket Losses consisting only of the purchase of professional services, including accountant and attorneys’ fees, subject to an aggregate cap of \$2,500 per individual.

Monitoring Services

All Settlement Class Members are eligible to enroll in two (2) years of Experian’s “3B Credit Plus” credit monitoring services, regardless of whether you submit a claim for documented Out-Of-Pocket Losses. The features included with Experian’s “3B Credit Plus” credit monitoring services include:

- a. Daily credit monitoring of your credit file at all three (3) major credit reporting agencies (Experian, Equifax & TransUnion);
- b. An Experian Credit Report upon enrollment;

- c. A subsequent, updated Experian credit report available at your election as often as daily (online);
- d. Identity theft insurance offered through AIG, which covers certain identity theft related expenses incurred by you up to a limit of \$1 million;
- e. Internet surveillance, which includes monitoring of the “dark web” for your personal information;
- f. Identity validation monitoring and alerts to notify you in the event your identity has been verified across the Experian identity network; and
- g. Identity restoration services that provide professional fraud resolution assistance to you if you experience identity theft or fraud, helping you with identity recovery and restoration.

Note: you will be required to submit your personal information including Social Security number to Experian to enroll in credit monitoring services.

Identity Restoration Services

Even if you do not enroll in Experian’s “3B Credit Plus” credit monitoring services or make a claim for Out-Of-Pocket Losses, all settlement class members will receive access to Identity Resolution Services through Experian after the settlement becomes final. Fraud Resolution Specialists will be available by telephone, e-mail, and mail to help you with typical tasks including placing fraud alerts with the credit bureaus, disputing inaccurate information on your credit reports, scheduling calls with creditors and other service providers, and working with law enforcement and government agencies to dispute fraudulent information. More details about Experian’s Fraud Resolution Services for Settlement Class Members are available at <http://www.experian.com/data-breach/fraud-resolution-faq.html>. The enrollment code to take advantage of these services is provided in Question No. 5.

CLAIM FORM

CLASS MEMBER INFORMATION

First Name	MI	Last Name

Street Address 1

Street Address 2

City	State	Zip Code

Telephone Number	E-Mail Address (If provided we will communicate primarily by e-mail about your claim. We will not use your e-mail address for any other purpose)

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

1. Did you receive notice from the settlement administrator that you are a Settlement Class Member?

Yes (Provide Claim ID number below and go to Question No. 3)

Claim ID:

No (Go to Question 2)

2. Did you receive notice from AAU that your personal information was compromised in or about April 2016?

Yes (Your eligibility will be determined based on your name and address provided above; go to Question No, 3)

No (You should contact the Settlement Administrator at 1-877-346-5225 to determine whether you are a member of the Class and eligible to submit a claim)

DOCUMENTED CLAIMS FOR OUT-OF-POCKET LOSSES

3. Do you have documents supporting that you experienced out-of-pocket losses or unreimbursed charges fairly traceable to the AAU E-mail Security Incident that have not already been reimbursed by AAU or any other organization?

Yes (Fill out information below)

No (You are not eligible to submit a documented claim; skip to Question No. 4)

NOTE: "self-prepared" documents such as handwritten receipts or notes are, by themselves, insufficient to receive reimbursement, but they can be considered to add clarity or support other submitted documentation.

Loss Type (Check all that apply)	Date of Loss	Amount of Loss	Examples of Supporting Documentation (Please detail below what you are attaching and why)
<input type="checkbox"/> Unreimbursed fraud losses or charges			<i>Examples: Account statement with unauthorized charges highlighted; Correspondence from financial institution declining to reimburse you for fraudulent charges</i>
<input type="checkbox"/> Professional fees incurred in connection with identity theft or falsified tax returns			<i>Examples: Receipt for hiring service to assist you in addressing identity theft; Accountant bill for re-filing tax return</i>
<input type="checkbox"/> Credit monitoring that was ordered after April 2016 through the date on which the Credit Monitoring Services become available through this settlement			<i>Examples: Receipts or account statements reflecting purchases made for credit monitoring services</i>

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

<input type="checkbox"/> Payments made to place credit freezes with the credit reporting agencies			<i>Examples: Receipts or notices or account statements reflecting payment for a credit freeze</i>
<input type="checkbox"/> Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges			<i>Example: Phone bills, gas receipts, postage receipts; detailed list of locations to which you traveled (i.e. police station, IRS office), indication of why you traveled there (i.e. police report or letter from IRS re: falsified tax return) and number of miles you traveled</i>
<input type="checkbox"/> Other documented losses (provide detailed description)			<i>Please provide detailed description</i>

Description of Supporting Documentation: Please provide a description of any documentation that you submit in support of your claim.

Document #	Description (explain here how does document shows losses)
1.	
2.	
3.	
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9.	
10.	

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

EXPERIAN'S "3B CREDIT PLUS" CREDIT MONITORING SERVICES

4. You are eligible to enroll in 2 years of Experian's "3B Credit Plus" credit monitoring services. Do you wish to enroll?

Yes By checking here, you will receive enrollment instructions shortly after final approval of the settlement. Please provide the e-mail address where you would like to receive enrollment instructions:

If you click yes and leave this field blank, we will mail enrollment instructions to the address provided above.

No (Go to Question No. 5)

5. Even if you do not enroll in Experian's "3B Credit Plus" credit monitoring services, you are still eligible to take advantage of identity restoration services offered through Experian in the case you suffer identity theft of fraud for a period of two (2) years after the court has granted final approval of the settlement (and the exhaustion of any appeals). You can take advantage of these services by contacting Experian's identity restoration department at **1-866-252-8836** and referencing enrollment code [REDACTED]. (Note if you clicked "yes" to Question 4 you do not need to separately request identity restoration services).

If you would like us to e-mail you a copy of this code for your records along with instructions on how to take advantage of Experian's identity restoration services, please provide the e-mail address where you would like to be contacted:

You must return this claim form with supporting documentation, if any, by mail postmarked no later than June 16, 2018, to the following address:

**AAU E-mail Security Incident
Settlement Administrator
1801 Market Street, Suite 660
Philadelphia PA 19103**

You may also submit a claim form electronically through the settlement website: **www.AAUSettlement.com**.

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

Exhibit B

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

From: AAU Settlement Administrator
<AAUSettlement=Administratorclassaction.com@ausettlement.com> on behalf of
AAU Settlement Administrator <AAUSettlement@Administratorclassaction.com>
Sent: Tuesday, March 6, 2018 8:45 PM
To:
Subject: Notice of Academy of Art University E-mail Security Incident Class Action

Name:

Claim Number:

Confirmation Code:

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

AAU's records show that you are a "Settlement Class Member" because your information was disclosed in the E-mail Security Incident and you may be entitled to reimbursement for out-of-pocket losses and free credit monitoring services under this settlement.

Please read this notice carefully.

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

TO: All current or former employees of Academy of Art University ("AAU") whose identifying information was disclosed in a security incident announced by AAU in April 2016 ("the E-mail Security Incident").

This NOTICE is to inform you of a proposed settlement in the class action lawsuit *Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University*, Case No. CGC 16-551952 (Superior Court of the State of California, County of San Francisco) and a court hearing regarding that Settlement that you may choose to attend. Your rights may be affected by the legal proceedings in this action. The Court will hold a hearing on **July 16, 2018 at 9:00 a.m.** to address whether the proposed Settlement should be approved ("Final Approval Hearing").

If you receive this notice then you are a "Settlement Class Member" because your information was disclosed in the E-mail Security Incident and you may be entitled to reimbursement for out-of-pocket losses and free credit monitoring services under this settlement. The Court still must decide whether to approve the settlement. No payments will be made until after the Court grants final approval of the settlement and all appeals, if any, are resolved.

The settlement relief includes:

- Reimbursement for Out-of-Pocket Losses: AAU will reimburse settlement class members for documented out-of-pocket losses fairly traceable to the E-mail Security Incident, up to (i) \$1,000 per individual for out-of-pocket losses not including the purchase of professional services, and in addition, (ii) \$2,500 per individual for out-of-pocket losses consisting only of the purchase of professional services, including accountant and attorneys' fees. Recovery under subsections (i) and (ii) are subject to an aggregate cap of \$2,500 per individual ("Out-of-Pocket Losses").
- Three-Bureau Credit Monitoring Services: All settlement class members are also eligible to enroll in two (2) years of Experian's "3B Credit Plus" credit monitoring services at no cost, regardless of whether you submit a claim for Out-of-Pocket Losses. This service includes daily credit monitoring of your credit file at all three major credit reporting agencies (Experian, Equifax, and TransUnion), a \$1 million identity theft insurance policy, identity restoration services, and additional features discussed below ("Credit Monitoring Services").

- **Identity Restoration Services:** Regardless of whether you make a claim for Out-of-Pocket Losses or Credit Monitoring Services, all Settlement Class Members affected by the E-mail Security Incident will be eligible to take advantage of identity restoration services offered through Experian, including professional fraud resolution assistance to help with identity recovery and restoration in case you experience identity theft or fraud in the future (“Identity Restoration Services”).
- **Business Practices Changes:** AAU has also agreed to make changes to its business practices, including implementing technical security barriers to limit the flow of fraudulent emails and maintaining an employee cybersecurity training program. These measures are intended to increase the security of employees’ personal information stored on AAU’s databases.

Your legal rights may be affected whether you act or do not act. Your options are summarized in this Notice. To review the full Settlement Agreement and other related documents or for more information, visit www.AAUsettlement.com.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		Deadline
File a claim for out-of-pocket losses	<p>You must make a claim in order to receive reimbursement for Out-Of-Pocket Losses fairly traceable to the E-mail Security Incident. You may claim both Out-of-Pocket Losses and Credit Monitoring Services.</p> <p>For more detailed information, see Questions 7, 11.</p>	<p>Deadline: June 13, 2018</p>
File a claim for credit monitoring services	<p>You must make a claim in order to receive the Credit Monitoring Services offered under the settlement.</p> <p>For more detailed information, see Questions 8, 11.</p>	<p>Deadline: June 13, 2018</p>
Access identity restoration services	<p>You may access Identity Resolution Services using your enrollment number after the settlement becomes final, whether or not you make a claim for Out-of-Pocket Losses or Credit Monitoring Services.</p> <p>For more detailed information, see Question 9.</p>	<p>No deadline</p>
Exclude yourself	<p>You can exclude yourself from the settlement by informing the Settlement Administrator that you want to “opt-out” of the settlement. If the settlement becomes final, this is the only option that allows you to retain your rights to separately sue AAU for claims related to the E-mail Security Incident. If you opt-out, you will not receive any benefits under this Settlement.</p> <p>For more detailed information, see Question 17.</p>	<p>Deadline: May 14, 2018</p>
Object	<p>You may object to the settlement by writing to the Settlement Administrator and explaining why you don’t think the settlement, or any part of it, should be approved. If you object, you will remain a settlement class member, and if the settlement is approved, you will be eligible for the benefits of the settlement and give up your right to sue on certain claims described in the Settlement Agreement which is available at www.AAUsettlement.com.</p> <p>For more detailed information, see Question 18.</p>	<p>Deadline: May 14, 2018</p>

Do nothing	If you do nothing, you will not be eligible to receive Credit Monitoring Services or reimbursement for Out-Of-Pocket Losses. You will be eligible to access identity restoration services through Experian. If the Settlement becomes final, you will give up your rights to sue separately AAU relating to the E-mail Security Incident.	No deadline
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BASIC INFORMATION AND OVERVIEW

1. Why did I get this Notice?

You received this notice because AAU’s records reflect that your information was disclosed in the 2016 E-mail Security Incident. A Court authorized this notice because you have a right to know how the proposed settlement may affect your rights. This notice explains the nature of the litigation, the general terms of the proposed settlement and what it may mean to you. This notice also explains the ways you may participate in, or exclude yourself from, the settlement.

2. What is this lawsuit about?

In April 2016, AAU announced that one of its employees was targeted by a “spoofing” scam, and sent the 2015 Internal Revenue Service Wage and Tax Statements (W-2 Forms) of approximately 3,000 current and former AAU employees to an unknown third party. The information contained on the W-2 Forms included employees’ full names, addresses and ZIP codes, dates of birth, wages, and Social Security Numbers.

This class action lawsuit was filed by two individuals affected by the breach in the Superior Court of the State of California, County of San Francisco. The judge overseeing the case is the Honorable Curtis E.A. Karnow. The individuals who sued are called the “Plaintiffs.” AAU is the “Defendant.” The most recent version of the lawsuit, which describes the specific legal claims alleged by the Plaintiffs, is available at www.AAUsettlement.com.

3. Why is this a class action?

In a class action, one or more people called “class representatives” sue on behalf of themselves and other people with similar claims. All of these people together are the “class” or “class members.” Because this case is a class action, even persons who did not file their own lawsuit can obtain relief from harm that may have been caused by the E-mail Security Incident, except for those individuals who timely exclude themselves from the settlement class.

4. Why is there a settlement?

The Court has not decided in favor of Plaintiffs or AAU. Instead, both sides agreed to a settlement. Settlements avoid the costs and uncertainty of a trial and related appeals, while more quickly providing benefits to members of the settlement class. The “settlement class representatives” appointed to represent the class, and the attorneys for the settlement class (“Class Counsel,” see Question 14) believe that the settlement is in the best interests of the settlement class members.

WHO IS PART OF THE SETTLEMENT

5. How do I know if I am part of the settlement?

You are a member of the settlement class and affected by the settlement if your personal information was disclosed as a result of the E-mail Security Incident.

You are a member of the Settlement Class if:

- You received a notice from AAU that your information was disclosed; or
- You received this settlement notice by mail or email stating that you are a class member.

Excluded from the settlement are:

- Officers and directors of AAU;
- The presiding judge and any judicial staff involved in the lawsuit; and
- Any class member who excludes herself from the settlement (see Question 17)

If you are not sure whether you are included in the Settlement Class, call 1-877-346-5225.

THE SETTLEMENT BENEFITS

6. What does the settlement provide?

The settlement provides the following benefits:

- Cash reimbursement for Out-of-Pocket Losses (see Question 7);
- Free Credit Monitoring Services (see Question 8);
- Free Identity Restoration Services (see Question 9);
- Data Security Commitments by AAU (see Question 10).

AAU has also agreed to pay attorneys' fees, costs, and expenses (see Question 15) and the costs of notifying the class and administering the settlement.

7. How will the Settlement compensate me for identity theft and fraud I have already suffered or expenses I have already paid to protect myself?

Settlement Benefit: Reimbursement for Out-of-Pocket Losses

If you spent money to address fraud or identity theft that you believe was fairly traceable to the E-mail Security Incident, or to protect yourself from future harm, then you may make a documented claim for reimbursement up to \$1,000 per individual for out-of-pocket losses not including the purchase of professional services and also for (ii) \$2,500 per individual for out-of-pocket losses consisting only of the purchase of professional services, including accountant and attorneys' fees. Recovery under subsections (i) and (ii) are subject to an aggregate cap of \$2,500 per individual. Examples of expenses that may be fairly traceable to the E-mail Security Incident and eligible for reimbursement are provided in the bullet points below.

The maximum amount payable to reimburse class members with documented Out-of-Pocket Losses is \$250,000. If the number of claims exceeds that amount, payments will be reduced and distributed on a proportional basis.

If the maximum amount payable is not reached, and you spent money to address fraud or identity theft that you believe was fairly traceable to the E-mail Security Incident **after June 13, 2018** (the "Claims Deadline"), then you can still submit a documented claim for reimbursement for a period of 640 days as long as the following conditions are met: (a) you submitted a claim electing to receive Credit Monitoring Services offered as part of this settlement prior to the Claims Deadline; and (b) you provide an attestation that you have not obtained reimbursement for the claimed expense through other means.

Claims for out-of-pocket losses incurred after the Claims Deadline will be approved **on a first-come first-served basis**. Once \$250,000 is exhausted, no more claims for Out-Of-Pocket Losses will be paid. To fill out and submit a claim form after the Claims Deadline, you can access and submit a post-deadline Claim Form online at the Settlement Administrator's website, or request a hard copy of the post-deadline Claim Form from the Settlement Administrator that can be filled out and return by mail (see Question No. 11).

Out-of-Pocket Losses that are eligible for reimbursement through the Settlement include the following costs incurred after April 2016, if they have not already been reimbursed by AAU or any other organization:

- The costs of credit monitoring or identity protection services you obtained (up to the date on which Credit Monitoring Services become available through this Settlement);
- Unreimbursed losses, fees, or charges incurred as a result of identity fraud or theft connected with the possible misuse of your Social Security Number, date of birth, address, income and/or employment information;
- Professional fees and other costs incurred addressing identity fraud or theft, including falsified tax returns or other identity fraud or theft connected with the possible misuse of your Social Security number, date of birth, address, income and/or employment information;
- Costs associated with placing credit freezes or fraud alerts with the credit reporting agencies; and
- Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance charges that you show were incurred in connection with fraud or identity theft connected with the possible misuse of your Social Security number, date of birth, address, income and/or employment information.

“Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but they can be considered to add clarity or support other submitted documentation. This list provides examples only, and other losses or costs fairly traceable to the E-mail Security Incident may also be eligible for reimbursement.

YOU MUST BE ABLE TO DOCUMENT YOUR CLAIM.

The Settlement Administrator has the sole authority to determine the validity of claims for Out-of-Pocket Losses. Only valid claims will be paid. The deadline to file an Out-of-Pocket Losses Claim will be two years after the Settlement goes into effect.

8. How will the Settlement help protect me against future identity theft and fraud?

Settlement Benefit: Free Three-Bureau Credit Monitoring Services

The settlement provides a way to protect yourself from unauthorized use of your personal information. Settlement Class Members are encouraged to submit a claim to receive two years of Experian’s “3B Credit Plus” credit monitoring services.

The Credit Monitoring Services provided by the Settlement are separate from, and in addition to, the two years of credit monitoring and identity protection services offered by AAU through Experian Protectmyid.com starting in 2016. You need not have signed up for the previous services to be eligible to make a claim for the Credit Monitoring Services offered through this settlement.

The features included with Experian’s “3B Credit Plus” credit monitoring services include:

Claims for out-of-pocket losses incurred after the Claims Deadline will be approved **on a first-come first-served basis**. Once \$250,000 is exhausted, no more claims for Out-Of-Pocket Losses will be paid. To fill out and submit a claim form after the Claims Deadline, you can access and submit a post-deadline Claim Form online at the Settlement Administrator’s website, or request a hard copy of the post-deadline Claim Form from the Settlement Administrator that can be filled out and return by mail (see Question No. 11).

Out-of-Pocket Losses that are eligible for reimbursement through the Settlement include the following costs incurred after April 2016, if they have not already been reimbursed by AAU or any other organization:

- a. Daily credit monitoring of your credit file at all three (3) major credit reporting agencies (Experian, Equifax & TransUnion);
- b. An Experian credit report upon enrollment;

- c. A subsequent, updated Experian credit report available at your election as often as daily (online);
- d. Identity theft insurance offered through AIG, which covers certain identity theft related expenses incurred by you up to a limit of \$1 million;
- e. Internet surveillance, which includes monitoring of the “dark web” for your personal information;
- f. Identity validation monitoring and alerts to notify you in the event your identity has been verified across the Experian identity network; and
- g. Identity restoration services that provide professional fraud resolution assistance to you if you experience identity theft or fraud, helping you with identity recovery and restoration.

Note: you will be required to submit your personal information including Social Security number to Experian to enroll in the credit monitoring services.

Class members who elect to enroll in Credit Monitoring Services will receive an activation code and enrollment instruction by e-mail within 30 days of effective date of the Settlement, or by mail if an e-mail address is not provided. You will have one year from the date the Settlement Administrator sends the activation code to enroll in the Credit Monitoring Services, and those services will be available for two years from the date of activation. You may make claim for both reimbursement for Out-of-Pocket Losses and Credit Monitoring Services.

9. How will the Settlement help me deal with identity theft or fraud if it happens?

Settlement Benefit: Free Identity Restoration Services

All Settlement Class Members will receive access to Identity Resolution Services through Experian after the Settlement becomes final. Fraud Resolution Specialists will be available by telephone, e-mail, and mail to help you with important but often time-consuming tasks such as placing fraud alerts with the credit bureaus, disputing inaccurate information on your credit reports, scheduling calls with creditors and other service providers, and working with law enforcement and government agencies to dispute fraudulent information. More details about Experian’s Fraud Resolution Services for settlement class members are available at <http://www.experian.com/data-breach/fraud-resolution-faq.html>.

All Settlement Class Members may access Identity Resolution Services after the Settlement becomes final, even if you never make a claim from this Settlement, by contacting Experian’s identity restoration department at 1-866-252-8836 or requesting your enrollment number from the Settlement Administrator.

10. Will the settlement help protect information stored by AAU from another E-Mail Security Incident?

Settlement Benefit: Data Security Practice Changes and Commitments by AAU

AAU will maintain security practices to help protect the personal information of its employees. This includes maintaining technical security barriers specifically designed to reduce the flow of unwanted outside emails.

AAU will also maintain an employee cybersecurity training program that regularly trains and educates employees responsible for handling payroll and compensation data on maintaining the confidentiality of such information, and helping them recognize scams aimed at gaining unauthorized access to such information, including “phishing” and “spoofing” scams.

AAU will agree to adopt and implement these measures for a period of three (3) years following the date the settlement goes into effect.

HOW TO GET SETTLEMENT BENEFITS

11. How do I [File a claim](#) for Credit Monitoring Services or Out-of-Pocket Losses?

To obtain Credit Monitoring Services or to [File a claim](#) for reimbursement of Out-of-Pocket Losses fairly traceable to the E-mail Security Incident, you will need to file a claim form and submit documentation regarding the costs and losses that you incurred. There are two options for filing claims:

1. [File Online](#): You may fill out and submit the claim form and supporting documentation online at www.AAUsettlement.com. This is the quickest way to file a claim.
2. [File by Mail](#): Alternatively, you may send back the claim form included with this notice, fill it out, and mail it to the address on the form with supporting documentation, if any. If you lost or did not otherwise receive a claim form, you can download a hard copy of the claim form (available at www.AAUsettlement.com), or ask the Settlement Administrator to mail a claim form to you by calling 1(877) 346-5225. If you choose to file by mail, please fill out your claim form, and mail it (including postage) to: AAU E-mail Security Incident, Settlement Administrator, 1801 Market Street, Suite 660, Philadelphia PA 19103.

The deadline to [File a claim](#) is **June 13, 2018** (this is the last day to file online and postmark deadline for mailed claims). Note that to fill out and submit a claim form for up to 640 days after the Claims Deadline, you will need to access and submit the post-deadline Claim Form online at www.AAUsettlement.com; or contact the Settlement Administrator and request a hard copy of the post-deadline Claim Form from the Settlement Administrator that can be filled out and return by mail. **You will not be able to submit a claim after the Claims Deadline unless you submitted a claim form electing to receive Credit Monitoring Services prior to the Claims Deadline (see Question 7).**

12. When and how will I receive the benefits I claim from the Settlement?

Credit Monitoring Services claimed by settlement class members will begin, and payments for valid claims will be made, after the Court enters a final judgment and the Settlement becomes final. This process may take several months or more. Once there is a final judgment, it will be posted on the Settlement Administrator's website.

If you make a valid claim for Credit Monitoring Services, the Settlement Administrator will send you information on how to activate your credit monitoring. The Settlement Administrator will provide you with an activation code which you will use at the Experian website to activate your Credit Monitoring Services.

Checks for valid Out-of-Pocket Losses claims will be mailed by the Settlement Administrator to the mailing address that you provide on your settlement claim form. If your address changes after you submit a claim form, you can contact the Settlement Administrator to update your file as set forth in Question 19.

LEGAL RIGHTS RESOLVED THROUGH THE SETTLEMENT

13. What am I giving up to stay in the settlement class?

If you make a claim under the settlement, or if you do nothing, you will be releasing all of your legal claims against AAU that result from, arise out of, are based upon, or relate to the E-mail Security Incident or that were or could have been brought based on the facts alleged in the Complaint.

Paragraph 61 of the [Settlement Agreement](#) defines the claims that will be released by Settlement Class Members who do not exclude themselves from the Settlement. If you exclude yourself from the Settlement (see Question 17), you will not be bound by this release. You can access the [Settlement Agreement](#) and read the specific details of the legal claims being released at www.AAUsettlement.com.

If you have any questions about what this means, you can contact the Settlement Administrator (see Question 19).

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

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

Norman E. Siegel J. Austin Moore STUEVE SIEGEL HANSON LLP 460 Nichols Road, Suite 200 Kansas City, MO 64112 816-714-7100	Daniel C. Girard Simon Grille GIRARD GIBBS LLP 601 California Street, 14th Floor San Francisco, CA 94108 415-981-4800
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You will not be charged by these lawyers for their work on the case. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will these lawyers be paid?

Class Counsel has undertaken this case on a contingency-fee basis, and has 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 \$455,000, and reimbursement for costs and expenses up to \$25,000, to be paid separately by AAU. The award of fees, costs and expenses will have no impact on the settlement benefits available to the Class. You will not have to separately pay any portion of these fees yourself. As noted above, Class Counsel’s request for attorneys’ fees and costs (which must be approved by the Court) will be filed on **April 23, 2018** and will be available to view on the Settlement website at www.AAUsettlement.com.

16. Will the named plaintiffs get any additional money?

The named plaintiffs in this action are Matthew Pagoaga and Anthony Jones. Class Counsel will ask the Court to award these individuals a “service award” of \$2,500 for the time that they spent, and the risk that they undertook, in bringing this lawsuit on behalf of the class. This amount is also subject to Court approval. Whatever amount the Court approves, if any, will be paid separately by AAU.

EXCLUDING YOURSELF FROM THE SETTLEMENT

17. How do I exclude myself from the settlement?

If you are a member of the settlement class but do not want to remain in the class, you may exclude yourself from the class (also known as “opting out”). If you exclude yourself, you will lose any right to participate in the Settlement, including any right to receive a settlement payment.

If you decide on this option, you may keep any rights you have, if any, against AAU and you may file your own suit against AAU based upon the same legal claims that are asserted in this lawsuit. If you are considering this option, you may want to consult an attorney to determine the extent of your rights.

IMPORTANT: You will be bound by the terms of the Settlement unless you submit a timely and signed written request to be excluded from the Settlement. To exclude yourself from the Settlement must postmark a request for exclusion, postmarked no later than **May 14, 2018**, to:

**CLASS ACTION OPT OUT & OBJECTION
ATTN: AAU E-MAIL SECURITY INCIDENT
PO BOX 30456
PHILADELPHIA, PA 19103**

This statement must contain the following information:

1. The name of this proceeding (*Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University*, Case No. CGC 16-551952, or similar identifying words such as “AAU E-mail Security Incident Lawsuit”);
2. Your full name;
3. Your current address;
4. The words “Request for Exclusion” at the top of the document or a statement that you do not wish to participate in the Settlement; and
5. Your signature.

If you do not comply with these procedures and the deadline for exclusions, you will lose any opportunity to exclude yourself from the settlement class, and your rights will be determined in this lawsuit by the [Settlement Agreement](#) if it is approved by the Court, and you may not recover under any other individual [Settlement Agreement](#) regarding the claims released as part of the settlement.

OBJECTING OR COMMENTING ON THE SETTLEMENT

18. How do I tell the Court that I like or don't like the settlement?

If you are a Settlement Class Member, and you don't opt out, you have the right to tell the Court what you think of the settlement, including the request for attorneys' fees, attorneys' costs, and “service awards” for the two named plaintiffs. You can object to the settlement if you don't think it is fair, reasonable, or adequate, and you can give reasons why you think the Court should not approve it. Should you wish to review the motion for attorneys' fees and costs, it will be filed by and will be available to view on the Settlement website on **April 23, 2018**.

To object, you must send a letter stating that you object to the settlement. Your objection must include:

1. The name of this proceeding (*Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University*, Case No. CGC 16-551952, or similar identifying words such as “AAU E-mail Security Incident Lawsuit”);
2. Your full name;
3. Your current address;
4. The reasons for the objection, as well as any documents supporting the objection;
5. The identity of any attorneys representing you with respect to the objection; and
6. You or your attorney's signature.

To be considered by the Court, your objection must be mailed, postmarked no later than **May 14, 2018**, to the Settlement Administrator at the following address:

**CLASS ACTION OPT OUT & OBJECTION
ATTN: AAU E-MAIL SECURITY INCIDENT
PO BOX 30456
PHILADELPHIA, PA 19103**

You must not submit your objections directly to the Court. If you do not comply with these procedures and the deadline for objections, you may lose any opportunity to have your objection considered at the Final Approval Hearing or otherwise to contest the approval of the settlement or to appeal from any orders or judgments entered by the Court in connection with the proposed Settlement. You will still be eligible to receive settlement benefits if the Settlement becomes final even if you object to the Settlement.

The Court has scheduled a Final Approval Hearing to listen to and consider any concerns or objections from class members regarding the fairness, adequacy, and reasonableness of the terms of the [Settlement Agreement](#). That hearing will take place on **July 16, 2018 at 9:00 a.m.** before the Honorable Curtis E.A. Karnow, San Francisco Superior Court, Department 304, 400 McAllister St., San Francisco, California, 94102.

GETTING MORE INFORMATION

19. Where can I get more information?

If you have questions about this Notice or the Settlement, you should contact the Settlement Administrator at AAUSettlement@AdministratorClassAction.com or my US Mail to AAU Settlement, Settlement Administrator, 1801 Market Street, Suite 660, Philadelphia PA 19103, for more information or to request that a copy of this Notice be sent to you in the mail. You may also view the Notice on the Settlement website at www.AAUsettlement.com. If you wish to communicate directly with Class Counsel, you may contact them (contact information noted above in Question 14). You may also seek advice and guidance from your own private attorney at your own expense, if you wish to do so.

This Notice is only a summary of the Lawsuit and the [Settlement Agreement](#). The entire [Settlement Agreement](#) and other related documents are available for viewing at the [Settlement website](#). If you have questions about the proposed settlement, or wish to receive a copy of the [Settlement Agreement](#) but do not have access to the Internet to download a copy online, you may contact Class Counsel. The Court cannot respond to any questions regarding this Notice, the lawsuit, or the proposed Settlement.

Please do not contact the Court or its Clerk.

[Unsubscribe](#)

Exhibit C

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

**Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University, Case No.
CGC 16-551952
(Superior Court of the State of California, County of San Francisco).**

NOTICE OF CLAIM DEFICIENCY

DATE: April 19, 2018
Claim No: C [REDACTED] 1

[REDACTED]
[REDACTED]
CL [REDACTED] 1-DEF

Re: Settlement claim filed: Pagoaga v. Academy of Art University (AAU)

Dear [REDACTED],

We have received your Claim Form in the above matter.

Your claim has been reviewed and it has been determined that you are not a member of the class.

The Class is defined as follows:

All current or former employees of Academy of Art University (“AAU”) whose identifying information was disclosed in a security incident announced by AAU in April 2016.

If you believe you are a member of the class and would like to dispute the above determination, please send a written dispute by email to the Settlement Administrator at AAUSettlement@AdministratorClassAction.com or by letter at AAU E-mail Security Incident, 1801 Market Street, Suite 660, Philadelphia, PA 19103. You may include the following information which may assist in the resolution of your claim:

- Your full name;
- Your date of birth;
- All addresses where you have resided in the last 5 years;
- Your dates of employment with AAU;
- Your job position with AAU.

Pursuant to the terms of the settlement agreement, you must dispute the above determination within 30 days of the date of this letter. Please include any additional proof or documentation you have to assist in the resolution of your claim. If you do not dispute the above determination within 30 days of the date of this letter, you will not be able to appeal the above determination.

If you have questions regarding this letter, you may leave a message with the Settlement Administrator at 877-346-5225. The Settlement Administrator will seek to respond to any inquiries within 24 hours (or on the first available weekday if your message is received on a weekend).

A copy of the Claim Form and other important documents are available for your review on the settlement website, www.AAUSettlement.com in the important documents section.

Sincerely:
Settlement Administrator

**** PLEASE DO NOT SEND ORIGINAL DOCUMENTATION TO THE SETTLEMENT ADMINISTRATOR ****

Exhibit D

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

**Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University,
Case No. CGC 16-551952
(Superior Court of the State of California, County of San Francisco).**

NOTICE OF CLAIM DEFICIENCY

DATE: April 19, 2018
Claim No: AAU [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
AAU [REDACTED]-DEF

Re: Settlement claim filed Out-Of-Pocket Losses: Pagoaga v. Academy of Art University (AAU)

Dear [REDACTED],

We have received your Claim Form in the above matter.

Your claim has been reviewed and the following determination has been made:

Claimed Out-of-Pocket Expenses	\$ [REDACTED]
Verified Losses	\$ [REDACTED]
Unverified Losses	\$ [REDACTED]

Explanation of determination:

	No supporting documentation was received to verify the claimed out-of-pocket losses or unreimbursed charges fairly traceable to the AAU E-mail Security Incident
X	The documentation submitted does not support the claimed out-of-pocket expenses claimed. <u>It is not apparent how a tax overpayment in the amount of \$ [REDACTED] is fairly traceable to the AAU E-Mail Security Incident.</u> Additional documentation or explanation is required.

Pursuant to the terms of the settlement agreement you may cure or dispute the above determination within 30 days of the date of this letter.

To cure the above deficiency, please provide further explanation and/or additional supporting documentation to the Settlement Administrator by email at AAUSettlement@AdministratorClassAction.com or by mail at AAU E-mail Security Incident, 1801 Market Street, Suite 660, Philadelphia PA 19103.

If you believe that you that the above determination is in error and you would like to dispute the above determination and request an appeal, please send a written dispute email to the Settlement Administrator at AAUSettlement@AdministratorClassAction.com or by letter to AAU E-mail Security Incident, 1801 Market Street, Suite 660, Philadelphia, PA 19103. Please include any additional proof or documentation you have to assist in the resolution of your claim. If you do not dispute the above determination within 30 days of the date of this letter, you will not be able to appeal the above determination.

When sending additional documentation, please write the above Claim Number on each page of the documentation to ensure is properly associated to your claim.

** PLEASE DO NOT SEND ORIGINAL DOCUMENTATION TO THE SETTLEMENT ADMINISTRATOR **

If you do not reply to this Notice within 30 days, it will be assumed that you are unable to provide the required documentation or that you agree with the above determination.

If you have questions regarding this letter, you may leave a message with the Settlement Administrator at 877-346-5225. The Settlement Administrator will seek to respond to any inquiries within 24 hours (or on the first available weekday if your message is received on a weekend).

If you would like to speak to a lawyer appointed to represent the settlement class, you may contact Austin Moore of Stueve Siegel Hanson LLP by email at moore@stuevesiegel.com or by telephone at 816-714-7100.

A copy of the Claim Form and other important documents are available for your review on the settlement website, www.AAUSettlement.com in the important documents section.

Sincerely:
Settlement Administrator

Exhibit E

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

**Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University,
Case No. CGC 16-551952
(Superior Court of the State of California, County of San Francisco).**

NOTICE OF CLAIM DEFICIENCY

DATE: April 19, 2018

Claim No: AAU [REDACTED]

[REDACTED]
AAU [REDACTED] – DEF

Re: Settlement claim filed: Pagoaga v. Academy of Art University (AAU)

Dear [REDACTED],

We have received your Claim Form in the above matter.

Your claim has been reviewed and has been determined to be deficient for the following reason(s):

Your submitted claim is missing for one or more of the following:

You did not answer Question 3 on the Claim Form asking whether you have documents supporting that you experienced out-of-pocket losses or unreimbursed charges fairly traceable to the AAU E-mail Security Incident.

You did not answer Question 4 on the Claim Form asking whether you would like to enroll in two years of Experian's "3B Credit Plus" credit monitoring services at no cost.

Pursuant to the terms of the settlement agreement you may cure or dispute the above determination of deficiencies within 30 days of the date of this letter.

To cure the above deficiency, please send a corrected claim form to the Settlement Administrator by email at AAUSettlement@AdministratorClassAction.com or by mail to AAU E-mail Security Incident, 1801 Market Street, Suite 660, Philadelphia, PA 19103. If you do not cure the above deficiency within 30 days of the date of this letter, it will be assumed that you intended to select "No" to the unanswered questions on the Claim Form.

If you have questions regarding this letter, you may leave a message with the Settlement Administrator at 877-346-5225. The Settlement Administrator will seek to respond to any inquiries within 24 hours (or on the first available weekday if your message is received on a weekend).

If you would like to speak to a lawyer appointed to represent the settlement class, you may contact Austin Moore of Stueve Siegel Hanson LLP by email at moore@stuevesiegel.com or by telephone at 816-714-7100.

A copy of the Claim Form and other important documents are available for your review on the settlement website, www.AAUSettlement.com in the important documents section.

Sincerely:
Settlement Administrator

Your claim must be submitted online or mailed and postmarked by: JUNE 16, 2018

Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University, Case No. CGC 16-551952
(Superior Court of the State of California, County of San Francisco).

AAU

Claim Number: AAU [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confirmation Code: 2 [REDACTED] 0

CLAIM FORM (PRE-CLAIMS DEADLINE)

GENERAL INSTRUCTIONS

Settlement Class Members are entitled to free three-bureau credit monitoring services and to request reimbursement of “Out-of-Pocket Losses” that they believe are fairly traceable to the Academy of Art University (AAU) E-mail Security Incident, and that have not already been reimbursed by AAU or any other organization. If you received a notice from AAU that your information was disclosed in or about April 2016, or if you received a settlement notice by mail or e-mail stating that you are a class member, then you are a “Settlement Class Member” and entitled to benefits under this settlement. To learn more about the settlement or to file your claim online, go to www.AAUSettlement.com. If you have questions about this Claim Form, or if you did not receive a settlement notice and you believe that you are or may be a member of the Class, you should contact the Settlement Administrator at AAUSettlement@AdministratorClassAction.com or at the address on last page of this Claim Form.

SETTLEMENT OVERVIEW

Documented Losses and Time

AAU will reimburse Settlement Class Members for documented Out-Of-Pocket Losses that are fairly traceable to the E-mail Security Incident, up to (i) \$1,000 per individual for Out-of-Pocket Losses not including the purchase of professional services; and in addition, (ii) \$2,500 per individual for Out-of-Pocket Losses consisting only of the purchase of professional services, including accountant and attorneys’ fees, subject to an aggregate cap of \$2,500 per individual.

Monitoring Services

All Settlement Class Members are eligible to enroll in two (2) years of Experian’s “3B Credit Plus” credit monitoring services, regardless of whether you submit a claim for documented Out-Of-Pocket Losses. The features included with Experian’s “3B Credit Plus” credit monitoring services include:

- a. Daily credit monitoring of your credit file at all three (3) major credit reporting agencies (Experian, Equifax & TransUnion);
- b. An Experian Credit Report upon enrollment;

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

- c. A subsequent, updated Experian credit report available at your election as often as daily (online);
- d. Identity theft insurance offered through AIG, which covers certain identity theft related expenses incurred by you up to a limit of \$1 million;
- e. Internet surveillance, which includes monitoring of the “dark web” for your personal information;
- f. Identity validation monitoring and alerts to notify you in the event your identity has been verified across the Experian identity network; and
- g. Identity restoration services that provide professional fraud resolution assistance to you if you experience identity theft or fraud, helping you with identity recovery and restoration.

Note: you will be required to submit your personal information including Social Security number to Experian to enroll in credit monitoring services.

Identity Restoration Services

Even if you do not enroll in Experian’s “3B Credit Plus” credit monitoring services or make a claim for Out-Of-Pocket Losses, all settlement class members will receive access to Identity Resolution Services through Experian after the settlement becomes final. Fraud Resolution Specialists will be available by telephone, e-mail, and mail to help you with typical tasks including placing fraud alerts with the credit bureaus, disputing inaccurate information on your credit reports, scheduling calls with creditors and other service providers, and working with law enforcement and government agencies to dispute fraudulent information. More details about Experian’s Fraud Resolution Services for Settlement Class Members are available at <http://www.experian.com/data-breach/fraud-resolution-faq.html>. The enrollment code to take advantage of these services is provided in Question No. 5.

CLAIM FORM

CLASS MEMBER INFORMATION

First Name	MI	Last Name

Street Address 1

Street Address 2

City	State	Zip Code

Telephone Number	E-Mail Address (If provided we will communicate primarily by e-mail about your claim. We will not use your e-mail address for any other purpose)

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

1. Did you receive notice from the settlement administrator that you are a Settlement Class Member?

Yes (Provide Claim ID number below and go to Question No. 3)

Claim ID:

No (Go to Question 2)

2. Did you receive notice from AAU that your personal information was compromised in or about April 2016?

Yes (Your eligibility will be determined based on your name and address provided above; go to Question No, 3)

No (You should contact the Settlement Administrator at 1-877-346-5225 to determine whether you are a member of the Class and eligible to submit a claim)

DOCUMENTED CLAIMS FOR OUT-OF-POCKET LOSSES

3. Do you have documents supporting that you experienced out-of-pocket losses or unreimbursed charges fairly traceable to the AAU E-mail Security Incident that have not already been reimbursed by AAU or any other organization?

Yes (Fill out information below)

No (You are not eligible to submit a documented claim; skip to Question No. 4)

NOTE: "self-prepared" documents such as handwritten receipts or notes are, by themselves, insufficient to receive reimbursement, but they can be considered to add clarity or support other submitted documentation.

Loss Type (Check all that apply)	Date of Loss	Amount of Loss	Examples of Supporting Documentation (Please detail below what you are attaching and why)
<input type="checkbox"/> Unreimbursed fraud losses or charges			<i>Examples: Account statement with unauthorized charges highlighted; Correspondence from financial institution declining to reimburse you for fraudulent charges</i>
<input type="checkbox"/> Professional fees incurred in connection with identity theft or falsified tax returns			<i>Examples: Receipt for hiring service to assist you in addressing identity theft; Accountant bill for re-filing tax return</i>
<input type="checkbox"/> Credit monitoring that was ordered after April 2016 through the date on which the Credit Monitoring Services become available through this settlement			<i>Examples: Receipts or account statements reflecting purchases made for credit monitoring services</i>

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

<input type="checkbox"/> Payments made to place credit freezes with the credit reporting agencies			<i>Examples: Receipts or notices or account statements reflecting payment for a credit freeze</i>
<input type="checkbox"/> Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges			<i>Example: Phone bills, gas receipts, postage receipts; detailed list of locations to which you traveled (i.e. police station, IRS office), indication of why you traveled there (i.e. police report or letter from IRS re: falsified tax return) and number of miles you traveled</i>
<input type="checkbox"/> Other documented losses (provide detailed description)			<i>Please provide detailed description</i>

Description of Supporting Documentation: Please provide a description of any documentation that you submit in support of your claim.

Document #	Description (explain here how does document shows losses)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

EXPERIAN'S "3B CREDIT PLUS" CREDIT MONITORING SERVICES

4. You are eligible to enroll in 2 years of Experian's "3B Credit Plus" credit monitoring services. Do you wish to enroll?

Yes By checking here, you will receive enrollment instructions shortly after final approval of the settlement. Please provide the e-mail address where you would like to receive enrollment instructions:

If you click yes and leave this field blank, we will mail enrollment instructions to the address provided above.

No (*Go to Question No. 5*)

5. Even if you do not enroll in Experian's "3B Credit Plus" credit monitoring services, you are still eligible to take advantage of identity restoration services offered through Experian in the case you suffer identity theft of fraud for a period of two (2) years after the court has granted final approval of the settlement (and the exhaustion of any appeals). You can take advantage of these services by contacting Experian's identity restoration department at **1-866-252-8836** and referencing enrollment code **DB05670**. (Note if you clicked "yes" to Question 4 you do not need to separately request identity restoration services).

If you would like us to e-mail you a copy of this code for your records along with instructions on how to take advantage of Experian's identity restoration services, please provide the e-mail address where you would like to be contacted:

You must return this claim form with supporting documentation, if any, by mail postmarked no later than June 16, 2018, to the following address:

**AAU E-mail Security Incident
Settlement Administrator
1801 Market Street, Suite 660
Philadelphia PA 19103**

You may also submit a claim form electronically through the settlement website: **www.AAUSettlement.com**.

If you have questions about whether you are eligible to submit a claim, please contact the Settlement Administrator at 1-877-346-5225 or visit www.AAUSettlement.com.

Exhibit F

TO THE DECLARATION OF BRIAN DEVERY OF ANGEION GROUP
REGARDING DISSEMINATION OF CLASS ACTION NOTICE AND
ADMINISTRATION OF CLASS ACTION SETTLEMENT

March 23, 2018

Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University,
Case No. CGC 16-551952

Ryan Joaquin Medeiros
535 Liberty Street, Apt 102, El Cerrito, CA 94530

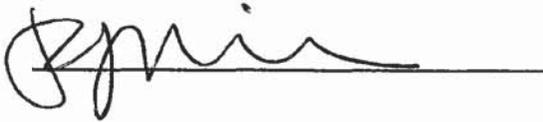
RE: Request for exclusion.

To Whom It May Concern,

I do not wish to participate in the settlement regarding 'Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University, Case No. CGC 16-551952'. I am making a request for exclusion. I can be reached at (510) 508-3155 or by email at ryanmedeiros@gmail.com.

Thank you,

Ryan Medeiros

A handwritten signature in black ink, appearing to read 'Ryan Medeiros', is written over a horizontal line. The signature is stylized and cursive.

Ryan Medeiros
533 Liberty St, Apt. 102
El Cerrito, CA 94530

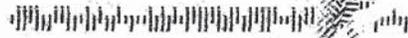
OAKLAND CA 945

24 MAR 2018 PM 7 L



Class Action Opt Out & Objection
ATTN: AAV E-mail Security Incident
PO Box 30456
Philadelphia, PA 19103

19103-845656



M. R. LUKENS

1440 Carlos Ave., Burlingame, CA 94010
t: 650.342.0406 e: margaret@mrlukens.com

Class Action Opt Out & Objection
Attn: AAU E-mail Security Incident
PO Box 30456
Philadelphia, PA 19103

REQUEST FOR EXCLUSION

Re: *Matthew Pagoaga, et. al., v. Stephens Institute d/b/a Academy of Art University*, Case No. CGC 16-551952

Name: Margaret Ruth Lukens
Current Address: 1440 Carlos Avenue, Burlingame, CA 94010

I do not wish to participate in the proposed settlement.

Sincerely,

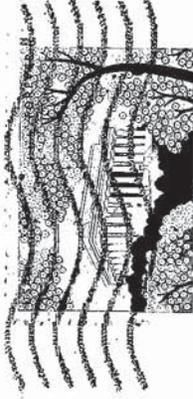


Margaret Lukens

12 May 2018

Lukens
1440 Carlos Ave.
Burlingame, CA
94010

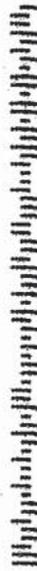
Class Action Opt-Out + Objection
Attn: AAU E-mail Security Incident
PO Box 30456
Philadelphia, PA 19103



SAN FRANCISCO CA 940

12 MAY 2018 PM 7 L

19103-845656



Brian Schirmer
995 Pine Street
Apt. 405
San Francisco, CA 94108

12 May 2018

Class Action Opt Out & Objection
ATTN: AAU E-mail Security Incident
PO Box 30456
Philadelphia, PA 19103

To Whom It May Concern:

I am writing to Request Exclusion from the settlement tied to *Matthew Pagoaga, et al., v. Stephens Institute d/b/a Academy of Art University*, Case No. CGC 16-551952, colloquially referred to as "AAU Email Security Incident Lawsuit".

To be clear, this is my "Request for Exclusion".

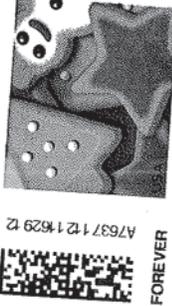
Sincerely,

A handwritten signature in black ink, appearing to read 'B. Schirmer', written over the word 'Sincerely,'.

Brian Schirmer

SCHIRMER
995 PINE ST. #405
SAN FRANCISCO, CA 94108

SAN FRANCISCO
CA 940
14 MAY '18
PM 3 L



CLASS ACTION OPT OUT + OBJECTION
ATTN: AAU EMAIL SECURITY INCIDENT
P.O. BOX 30456
PHILADELPHIA, PA 19103

19103-84565

POSTNET
19103-84565