

LEGAL NOTICE

If your financial institution issued one or more payment cards identified as having been at risk as a result of the data breach that Caribou Coffee, Bruegger's Bagels, and Coffee & Bagels announced in December 2018, it could get a payment from a class action settlement.

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

A settlement of a lawsuit against Caribou Coffee Company, Inc., Bruegger's Enterprises, Inc., Einstein & Noah Corp., and Einstein Noah Restaurant Group, Inc. (collectively, "Caribou") has been proposed in which Caribou has agreed to resolve putative class claims brought by a financial institution, arising from a third-party criminal data breach of Caribou's point-of-sale systems, involving malware targeting customers' payment card information that Caribou reported in 2018 (the "Data Breach"). If your financial institution ("you") qualifies, you may send in a claim form to get benefits, or you can exclude yourself from the Settlement, or object to it.

The U.S. District Court for the District of Minnesota authorized this notice. Before any money is paid, the Court will have a hearing to decide whether to approve the Settlement.

Who Is Included?

You are a member of the Settlement Class and affected by the settlement if:

- (1) You are a financial institution, bank, credit union, or other entity in the United States (including its Territories and the District of Columbia); and
- (2) You issued Visa- and/or MasterCard-branded payment cards (including debit or credit cards) that were affected by the Data Breach and/or part of initial and/or final alerts from Visa or MasterCard related to the Data Breach, alerts from Visa US-2018-0449 series (e.g., US-2018-0449a-PA, US-2018-0449b-PA, US-2018-0449c-PA, US-2018-0449d-IC, and US-2018-0449e-IC) or MasterCard ADC006148-US-18 series (e.g., ADC006148-US-18-1, ADC006148-US-18-2, and ADC006148-US-18-3).

What Is This Case About?

The lawsuit, *Village Bank v. Caribou Coffee Co., Inc. et al*, No. 0:19-cv-01640-JNE-HB (D. Minn.), was filed by a financial institution and alleges that Caribou is legally responsible for the Data Breach. The lawsuit asserts claims for negligence and violation of Minn. Stat. § 325E.64, the Minnesota Plastic Card Security Act, as well as seeking declaratory and injunctive relief. Caribou denies these allegations and claims it did not do anything wrong.

What Does the Settlement Provide?

Caribou has agreed to pay \$5,816,250.00 to be used to pay claims of Settlement Class Members, all attorneys' fees, costs, expenses, and other expenditures approved by the Court. These funds will be paid into an account out of which the Settlement Administrator will make payments to eligible Settlement Class Members. A Settlement Class Member, who submits a valid claim, will receive a *pro rata* share of the settlement fund after attorneys' fees, costs, expenses, and other amounts approved or ordered by the Court are deducted. In addition, Caribou agrees to certain injunctive relief related to payment card data security.

How Do You Ask for a Payment?

A detailed notice and Claim Form package contains everything you need. Just call the toll-free number or visit the website below to get one. To qualify for a payment, you must send in a Claim Form, which can be submitted electronically or by mail. Claim Forms must be submitted electronically or, if mailed, postmarked by **December 22, 2020**.

What Are Your Other Options?

If you do not want to be legally bound by the Settlement, you must exclude yourself by **October 22, 2020**, or you will not be able to sue, or continue to sue, Caribou, or any other Defendant's Released Persons (as defined in the Settlement), for any of the claims resolved by the Settlement. To exclude yourself, you must provide all required information. If you exclude yourself, you cannot get money from this Settlement. If you stay in the Settlement Class, but wish to object, you must do so by **October 22, 2020**. Details for excluding yourself or objecting to the Settlement can be found in the Settlement Agreement and on the Settlement Website.

The Court will hold a hearing in this case on **December 1, 2020** to consider whether to approve the Settlement. At the hearing, the Court will also consider a request by the lawyers representing all Settlement Class Members for attorneys' fees, costs, and expenses for investigating the facts, litigating the case, and negotiating the Settlement, as well as for a Service Award to the Plaintiff for its time participating in the case. You may ask to appear at the hearing, but you do not have to.

Want More Information?

For more information, call toll free at 1-844-905-2994, or visit www.CaribouIssuingBankSettlement.com.