

## IF YOU WERE ENROLLED IN A RECURRING BILLING PROGRAM FOR CERTAIN CONSUMER PRODUCTS FROM 2009 TO PRESENT, YOU MAY BE ENTITLED TO BENEFITS FROM A SETTLEMENT.

The consumer products included personal care products, electronic cigarettes, and dietary, health, or beauty supplements related to weight loss, muscle development, hair growth, skin care, sexual performance, and cognitive abilities.

*A Court authorized this Notice. This is not a solicitation from a lawyer.*

- A \$33 million global settlement has been reached in a pair of consolidated lawsuits brought against Wells Fargo & Company and Wells Fargo Bank, N.A. (together, “Defendants”), including a class action filed on behalf of consumers by various individuals and another lawsuit filed by a Court-appointed Receiver. The lawsuits allege that Defendants assisted the Apex Entities, Triangle Entities, and Tarr Entities (which misled consumers into monthly subscriptions and products) by opening bank accounts for dozens of related companies and transferring millions of dollars into their third-party bank accounts. Defendants deny all claims and deny any wrongdoing or liability. Plaintiffs and Defendants have agreed to a Settlement solely to eliminate the uncertainty, burden, and expense of further protracted litigation.
- The Class includes all persons who were enrolled in recurring billing by any of the Tarr Entities, Triangle Entities, or Apex Entities from 2009 to present. A list of the Tarr Entities, Triangle Entities, Apex Entities and the products sold can be found below in Question 3.
- If the Settlement is approved by the Court, and if you are a Class Member who does not exclude yourself from the Class, you may be eligible for the following Settlement benefits:

Class Members who previously received a payment from the Federal Trade Commission’s (FTC) refund programs in connection with the FTC’s prior lawsuits against the Triangle or Apex Entities do not need to submit a Claim Form to be eligible to receive Settlement benefits. You are automatically eligible to receive an additional payment, which will be provided to you through the FTC’s existing refund programs in their prior cases against Apex and Triangle, subject to any minimum thresholds for payments that may potentially be set by the FTC.

Class Members who (i) did not receive a payment from the FTC refund programs in connection with the FTC’s prior lawsuits against the Triangle or Apex Entities and/or (ii) were enrolled in recurring billing with a Tarr Entity must submit a timely and valid Claim Form to receive Settlement benefits.

**With Documentation:** If you were enrolled in recurring billing for any of the identified entities, you must submit a timely and valid Claim Form with documentation supporting your out-of-pocket losses to be eligible for a potential pro rata (a legal term meaning proportional share) cash payment based on your documented loss.

**Without Documentation:** If you were enrolled in recurring billing for any of the identified entities but do not have documentation, you must submit a timely and valid Claim Form, certified under penalty of perjury, to be eligible to receive a flat cash payment of up to \$20. Your cash payment may be subject to a pro rata reduction, depending on the number of claims received.

Your documented loss payment or cash payment may be subject to a *pro rata* (a legal term meaning equal share) reduction, depending on the number of claims submitted. For more information, please see Question 10, below, and the Plan of Allocation at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com).

**This Notice may affect your rights. Please read it carefully.**

**Questions? Visit [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com) or call 1-888-884-1172.**

| YOUR LEGAL RIGHTS & OPTIONS     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | DEADLINE                                               |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <b>Submit a Claim Form</b>      | <p>If one or both of the following apply to you, you <b>must</b> submit a timely and valid Claim Form to be eligible to receive Settlement benefits.</p> <ol style="list-style-type: none"> <li>1. You did not receive a payment from the FTC refund programs in connection with the FTC's prior lawsuits against the Triangle or Apex Entities.</li> <li>2. You were enrolled in recurring billing with a Tarr Entity.</li> </ol>                                                                                                          | Submitted Online or Postmarked by <b>March 4, 2026</b> |
| <b>Exclude Yourself</b>         | Get no Settlement benefits. Keep your right to file your own lawsuit against the Releasees about the Released Claims that are released by the Settlement in this lawsuit.                                                                                                                                                                                                                                                                                                                                                                   | Postmarked by <b>March 5, 2026</b>                     |
| <b>Object to the Settlement</b> | Stay in the Settlement and tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.                                                                                                                                                                                                                                                                                                                                                                                     | Filed by <b>March 5, 2026</b>                          |
| <b>Do Nothing</b>               | <p>If you (i) did not receive a payment from the FTC refund programs in connection with the FTC's prior lawsuits against the Triangle or Apex Entities or you (ii) were enrolled in recurring billing with a Tarr Entity, you will get no Settlement benefits.</p> <p>If you previously received a payment from the FTC relating to Triangle or Apex, you will be eligible to receive a payment through the FTC's existing refund programs, subject to any minimum threshold set by the FTC.</p> <p>You will give up your right to sue.</p> |                                                        |

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court must decide whether to approve the Settlement, Class Counsel's requested attorneys' fees and expenses, and the requested Service Awards to the Class Representatives. No Settlement benefits will be provided to Class Members unless the Court approves the Settlement.

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

The Honorable Todd W. Robinson of the United States District Court for the Southern District of California is overseeing this class action and the related Receiver Action. This lawsuit is *John McCraner et al. v. Wells Fargo & Co. et al.*, Case No. 3:21-cv-1246-TWR-DDL (the "McCraner Action" or "Class Action"), which is consolidated with *Thomas McNamara v. Wells Fargo & Co. et al.*, Case No. 3:21-cv-01245-TWR-DDL (the "McNamara Action" or "Receiver Action"). The individuals who filed the class action lawsuit are called "Plaintiffs" and/or "Class Representatives," and the companies being sued, Wells Fargo & Company and Wells Fargo Bank, N.A., are called "Defendants" or "Wells Fargo."

## 2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendants, alleging Defendants assisted the Apex Entities, Triangle Entities, and Tarr Entities (which misled consumers into monthly subscriptions and products) by opening bank accounts for dozens of companies and transferring millions of dollars into their third-party bank accounts.

Defendants deny the legal claims and deny any wrongdoing or liability. The Court has not made any determination of any wrongdoing or violation of law by Defendants. Instead, Plaintiffs and Defendants have agreed to a settlement, subject to the Court's approval, to avoid the uncertainty, burden, and expense of further litigation.

## 3. Who are Apex, Triangle, and Tarr, and what were the consumer products?

Apex, Triangle, and Tarr are three groups of companies that deceptively marketed and sold certain consumer products online. They ran similar but separate online risk-free trial offers of dozens of products, most of which were personal care products, electronic cigarettes, and dietary, health, or beauty supplements related to weight loss, muscle development, hair growth, skin care, sexual performance, and cognitive abilities. Consumers were offered "free" trials of the products for "just the cost of shipping and handling." Shortly after consumers signed up for the "trial," they were charged the full price of the product and enrolled in continuity plans with monthly charges of products without their consent. Cancelling or obtaining a refund was difficult.

### Tarr Entities

These entities include Tarr Inc.; Ad Kings LLC; Apex Advertising LLC; Brand Development Corp.; Coastal Ads LLC; Delux Advertising LLC; Diamond Ads LLC; Digital Nutra LLC; Exclusive Advertising LLC; Iron Ads, LLC; LeadKing Advertising LLC; Lead Seeker, LLC; Mints Marketing LLC; Onyx Ads, LLC; Product Center, LLC; Rebem, LLC; Supertiser LLC; Verticality Advertising, LLC; and White Dog Marketing LLC; and their successors, assigns, affiliates, and subsidiaries.

The Tarr Entities marketed products under names including Alpha Rush Pro, Beauty Labs, Bella Labs Instant Wrinkle Reducer, Biofinite, Brain Storm Elite, Cellublast, Crème del Mar, Dermarose Eye Serum, Dermarose Face Cream, Elite Test 360, Fat Burn X, Fat Shred X, Flawless Raspberry Ketone, Forskolin Belly Buster, Garcinia Cambogia Slim Fast, Green Coffee Fat Burn, Jacked Muscle X, La Crème Anti-Wrinkle Cream, Miracle Garcinia Cambogia, Miracle Green Coffee, Miracle Muscle, Miracle Phytoceramides, Miracle Saffron, Perfect Age Skin Care, Ripped Muscle X, Superior Muscle X, Superior Test X, The Memory Plus, Try Miracle Cleanse, and Ultimate Muscle Black Edition.

### Apex Entities

These entities include Apex Capital Group, LLC; Capstone Capital Solutions Limited; Klik Trix Limited; Empire Partners Limited; Interzoom Capital Limited; Lead Blast Limited; Mountain Venture Solutions Limited; Nutra Global Limited; Omni Group Limited; Rendezvous IT Limited; Sky Blue Media Limited; and Tactic Solutions Limited; and each of their subsidiaries, affiliates, successors, and assigns.

The Apex Entities marketed products under names including Evermax, Virility, Testro, Biogenic, Celexas, NeuroXR, ElitePro, DermaC, NeuroSleep, TestoXR, Flawless, Follicure, FocusZX1, Rejuvius, Lumera, Sleepeze, Juveliere, Dermanique, Garcinia, Yacon, SlimBody, PureBody, and OptimalPet.

### Triangle Entities

These entities include Triangle Media Corporation also doing business as Triangle CRM, Phenom Health, Beauty and Truth, and E-Cigs; Jasper Rain Marketing LLC also doing business as Cranium Power and Phenom Health; Hardwire Interactive Inc., also doing business as Phenom Health, Beauty and Truth, and E-Cigs, and each of their subsidiaries, affiliates, successors, and assigns.

The Triangle Entities marketed products under names including Advanced Trim, BioSlim Burn, Body Boost Garcinia, Body Restore Cleanse, Cerebral X, Erase Repair HA, Eye-Fi, Garcinia Clean XT, Garcinia Lean Xtreme, Nature Renew Cleanse, NO Max Shred, OxyGenius, PhytoLyft, Rapid Lift FX, Renewing Serum, Synagen IQ, TextX Core, Triton Krill Oil, Ultra Pure Forskolin, Vitamood Plus, and Wrinkle Rewind.

#### 4. What were the FTC actions against Apex, Triangle, and Tarr about?

The FTC initiated separate enforcement Actions against Tarr, Triangle, and Apex on October 3, 2017, June 25, 2018, and November 14, 2018, respectively. The FTC alleged, among other things, that Tarr, Triangle, and Apex each engaged in unfair and deceptive business practices related to their marketing and sale of consumer products online, enrollment of consumers in continuity plans without consent, and creating difficulties for consumers seeking a refund or cancellation.

Additional information about the FTC's enforcement Actions can be found online.

**Tarr:** [www.ftc.gov/legal-library/browse/cases-proceedings/142-3236-x180001-tarr-inc](http://www.ftc.gov/legal-library/browse/cases-proceedings/142-3236-x180001-tarr-inc)

**Triangle:** [www.ftc.gov/legal-library/browse/cases-proceedings/172-3108-triangle-media-corporation](http://www.ftc.gov/legal-library/browse/cases-proceedings/172-3108-triangle-media-corporation)

**Apex:** [www.ftc.gov/legal-library/browse/cases-proceedings/172-3189-apex-capital-group-llc](http://www.ftc.gov/legal-library/browse/cases-proceedings/172-3189-apex-capital-group-llc)

#### 5. Why is there a Settlement?

Plaintiffs and Defendants do not agree about the claims or allegations made in this lawsuit. The lawsuit has not gone to trial. The Court has not decided whether Plaintiffs' claims have merit, nor has the Court decided whether Plaintiffs or Defendants are right, or what, if any, damages might be awarded if Plaintiffs are right. Instead, Plaintiffs and Defendants have agreed to settle the lawsuit. Class Representatives and their lawyers believe the Settlement is best for the Class because of the benefits available and the risks, expense, and uncertainty associated with continuing the lawsuit.

#### 6. Why is this lawsuit a class action?

In a class action, one or more people (called Class Representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a Class or Class Members. If the Court certifies a case as a class action, the Court resolves the issues for all Class Members, except for those Class Members who timely exclude themselves (opt-out) from the Class.

### WHO IS INCLUDED IN THE SETTLEMENT?

#### 7. How do I know if I am included in the Settlement?

You are included in the Class if you are a person who was enrolled in recurring billing by any of the Tarr Entities, Triangle Entities, or Apex Entities from 2009 to present. A list of the Tarr Entities, Triangle Entities, Apex Entities and the products sold can be found above in Question 3.

#### 8. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Class are Defendants and present and former officers and directors of Wells Fargo.

#### 9. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Class Member, you may go to [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com) or call the Settlement Administrator toll-free at 1-888-884-1172.

### THE SETTLEMENT BENEFITS

#### 10. What does this Settlement provide?

If you are a Class Member and previously received a payment from the FTC in connection with the FTC's lawsuit against Triangle or Apex, you do **not** need to submit a Claim Form to be eligible to receive Settlement benefits related to Triangle or Apex. However, if you were also enrolled in recurring billing with a Tarr Entity, you **must** submit a timely and valid Claim Form for the Tarr Entity only to be eligible to receive Settlement benefits related to Tarr.

**Questions? Visit [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com) or call 1-888-884-1172.**

If you are a Class Member who (i) did **not** receive a payment from the FTC and/or (ii) was enrolled in recurring billing with a Tarr Entity, you **must** submit a timely and valid Claim Form to be eligible for the following Settlement benefits.

**With Documentation:** If you were enrolled in recurring billing for any of the identified entities, you must submit a timely and valid Claim Form with documentation supporting your out-of-pocket losses to be eligible for a potential *pro rata* (a legal term meaning equal share) cash payment based on your documented loss.

Examples of reasonable documentation include (but are not limited to) credit card statements, bank statements, and/or email receipts. “Self-prepared” documents, such as handwritten receipts, are, by themselves, insufficient to receive reimbursement but can be considered to add clarity or support other submitted documentation.

If you are submitting a Claim Form for a documented loss payment, you must confirm, certified under penalty of perjury, whether you received any refunds of charges you paid to Apex Entities, Triangle Entities, or Tarr Entities. If you received a refund, chargeback, or other form of reimbursement from the Apex Entities, Triangle Entities, Tarr Entities, or any other third-party (e.g. a bank, credit card issuer, payment processor, etc.), you must disclose the amount of the refund.

**Without Documentation:** If you were enrolled in recurring billing by a Tarr Entity, Apex Entity, or Triangle Entity and do not have supporting documentation, you must submit a timely and valid Claim Form, certified under penalty of perjury, to be eligible to receive a flat cash payment of up to \$20.

To be eligible for a flat cash payment, you must (i) briefly describe or name the product(s) involved, (ii) the date(s) purchased, (iii) how you obtained the product(s), (iv) confirm enrollment in a recurring billing program and (v) confirm you did not receive a refund, chargeback, or reimbursement of any kind (including from FTC refund programs for Apex or Triangle, from a Triangle or Apex Entity, or from a credit card company), or disclose the amount of the refund.

The flat cash payments may be reduced proportionally such that: (i) flat cash payments related to Tarr Entities total only 50% of the amount allocated to Tarr Entities; (ii) flat cash payments related to Apex Entities total only 25% of the amount allocated to Apex Entities; and (iii) flat cash payments related to Triangle Entities total only 25% of the amount allocated to Triangle Entities.

All Claim Forms must be submitted under penalty of perjury and will be subject to a verification process. The Settlement Administrator will review all submitted Claim Forms and will implement several anti-fraud measures to validate Claims. The Settlement Administrator may contact you for additional information. The Settlement Administrator will reject Claims if they, for example, (i) contain significant indicators of fraud, (ii) are untimely, or (iii) are incomplete to ensure the integrity of the Claims Process.

The Net Settlement Fund will be allocated initially as follows: 45.17% for charges imposed by Triangle Entities, 32.26% for charges imposed by Apex Entities, and 22.57% for charges imposed by Tarr Entities. These allocations are based on the net losses, adjusted by Plaintiffs’ assessment of the available causes of Action and evidence associated with each enterprise. The payments made to Class Members are likely to be subject to a minimum threshold. A typical minimum threshold requires a Class Member to have a Claim worth \$10 or greater. This is routinely done by Settlement Administrators and the FTC because it is not economically feasible to send checks for a lower amount (such as \$10), and people often do not cash checks in these lower amounts. The Net Settlement Fund will be allocated among all Authorized Class Members/Claimants whose prorated payment is above the minimum threshold (e.g., \$10). If the prorated payment to any Authorized Claimant calculates to less than any threshold that is set, it will not be included in the calculation (i.e., the Recognized Claim will be deemed to be \$0) and no distribution will be made to that Claimant. Any prorated amounts of less than the threshold will be included in the pool distributed to those whose prorated payments are above the threshold. For more information about how the Net Settlement Fund will be distributed to Class Members, please see the Plan of Allocation at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com).

## **11. How do I know if I have previously received a payment from the FTC?**

If you are not sure whether you have previously received a payment from the FTC in connection with the FTC’s lawsuit against the Apex Entities, you may go to [www.ftc.gov/enforcement/refunds](http://www.ftc.gov/enforcement/refunds). You may also visit this website for additional information about the FTC’s Refund Programs, including the refund process and related frequently asked questions.



## 12. What am I giving up to receive Settlement benefits or stay in the Class?

Unless you exclude yourself (opt-out), you are choosing to remain in the Class. If the Settlement is approved and becomes Final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Releasees about the allegations and legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

## 13. What are the Released Claims?

The Stipulation and Agreement of Settlement dated June 25, 2025 (“Class Agreement”) describes the Releases, Released Claims, and Releasees in paragraphs 1 and 4-10, in necessary legal terminology, so please read these paragraphs carefully. The Class Agreement is available online at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com). For questions regarding the Releases, Released Claims, or Releasees and what the language in the Settlement Agreement means, you can also contact Class Counsel listed below for free, or you can talk to your own lawyer at your own expense.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

## 14. How do I submit a Claim Form?

If you are a Class Member and (i) did not receive a payment from the FTC refund programs related to the FTC’s prior lawsuits against the Triangle or Apex Entities, or (ii) if you were enrolled in recurring billing with a Tarr Entity, you must submit a timely and valid Claim Form to be eligible to receive the Settlement benefits as described above. Your Claim Form must be submitted online by **March 4, 2026**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by March 4, 2026**. Copies of the Claim Form are available at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com), by calling 1-888-884-1172, or by writing to the following address:

Free Trial Recurring Billing Settlement  
Settlement Administrator  
P.O. Box 6397  
Portland, OR 97228-6397

## 15. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by sending an email to [info@FreeTrialRecurringBillingSettlement.com](mailto:info@FreeTrialRecurringBillingSettlement.com) or writing to the following address:

Free Trial Recurring Billing Settlement  
Settlement Administrator  
P.O. Box 6397  
Portland, OR 97228-6397

## 16. When will I receive my Settlement benefits?

The Settlement benefits will be provided after the Settlement is approved by the Court and becomes Final.

It may take time for the Settlement to be approved and become Final. Please be patient and check [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com) for updates.

## EXCLUDE YOURSELF OR OPT-OUT OF THE SETTLEMENT

If you are a member of the Class and want to keep any right you may have to sue or continue to sue the Releasees on your own about the legal claims in this lawsuit or released by the Released Claims, then you must take steps to opt out of the Settlement. This is called excluding yourself from—or “opting-out” of—the Settlement.

## 17. How do I exclude myself (opt-out) of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion that includes the following:

1. The case name and number: *McNamara v. Wells Fargo Bank, N.A., et al.*, Case No. 3:21-cv-1245;
2. Your name, address, telephone number, and email address (if any) of the person or entity requesting exclusion;
3. The name(s) of the product(s) involved;
4. Adequate supporting documentation to demonstrate your membership in the Class;
5. A statement that you want to be excluded from the Class, such as “I hereby request to be excluded from the Class”; and
6. Signature of the person, or authorized representative of the entity, requesting exclusion.

The exclusion request must be in writing and **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **March 5, 2026**:

Free Trial Recurring Billing Settlement  
Settlement Administrator  
P.O. Box 6397  
Portland, OR 97228-6397

**You cannot exclude yourself (opt-out) by telephone or by email.**

“Mass” or “Class” requests for exclusion filed by third parties, including on behalf of a “mass” or “Class” of Class Members, or multiple Class Members, where the opt-out has not been signed by each and every individual Class Member, will not be allowed.

## 18. If I exclude myself (opt-out), can I still get anything from the Settlement?

No. If you timely and validly opt-out, you will not be able to receive Settlement benefits, and you will not be bound by the Settlement or any judgments in this lawsuit. You can only get Settlement benefits if you stay in the Settlement. If you are a Class Member who (i) did not receive a payment from the FTC refund programs in connection with the FTC’s prior lawsuits against the Triangle or Apex Entities, or (ii) were enrolled in recurring billing with a Tarr Entity, you must submit a timely and valid Claim Form to receive the Settlement benefits.

## 19. If I do not exclude myself (opt-out), can I sue the Defendants for the same thing later?

No. Unless you timely and validly opt-out, you give up any right to sue any of the Releasees for the legal claims this Settlement resolves and Releases relating to the lawsuit, and you will be bound by all the terms of the Settlement, proceedings, orders, and judgments in the lawsuit. You must opt-out of this lawsuit to start or continue your own lawsuit or be part of any other lawsuit against the Releasees. If you have a pending lawsuit, speak to your lawyer in that case immediately.

## OBJECTING TO THE SETTLEMENT

## 20. How do I tell the Court I do not like the Settlement?

If you are a Class Member, you can tell the Court you do not agree with all or any part of the Settlement, Class Counsel’s attorneys’ fees and Litigation Expenses, and Service Payments.

To object, you must file your written objection with the Court as provided below by **March 5, 2026**, **and** mail it to Class Counsel, Defendants’ Counsel, and the Settlement Administrator, postmarked by or shipped by private courier (such as FedEx) by **March 5, 2026**.

To file an objection, you cannot exclude yourself from the Class. Your objection must include all of the following information:

1. The case name and number of *McNamara v. Wells Fargo Bank, N.A., et al.*, Case No. 3:21-cv-1245;
2. Your full name, mailing address, telephone number, and email address (if any) of the person or entity objecting;
3. A statement of your objection(s), and the specific reasons for each objection(s), including any legal and evidentiary support known to you as the objector or your own lawyer;
4. A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing;
5. Signature by the person, or an authorized representative of the entity, objecting (a lawyer's signature is not sufficient); and
6. Proof of your membership in the Class.

To object, you must file your timely written objection with the Court as provided below no later than **March 5, 2026**, and mail it to Class Counsel, Defendants' Counsel, and the Settlement Administrator, postmarked by or shipped by private courier (such as FedEx) by **March 5, 2026**, at the following addresses:

| COURT                                                                                                                           | CLASS COUNSEL                                                                                                                                                       | DEFENDANTS' COUNSEL                                                                                                                                                                                                                                        | SETTLEMENT ADMINISTRATOR                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Clerk of Court<br>United States District Court<br>Carter-Keep Courthouse<br>333 W. Broadway<br>Suite 420<br>San Diego, CA 92101 | Jonathan Rotter<br>Gregory Linkh<br>Melissa Wright<br>Garth Spencer<br>Glancy Prongay & Murray LLP<br>1925 Century Park East<br>Suite 2100<br>Los Angeles, CA 90067 | David Powell<br>Alicia Baiardo<br>Todd Dressel<br>McGuireWoods LLP<br>Two Embarcadero Center<br>Suite 1300<br>San Francisco, CA 94111<br><br>Molly White<br>Anthony Le<br>McGuireWoods LLP<br>1800 Century Park East<br>8th Floor<br>Los Angeles, CA 90067 | Free Trial Recurring<br>Billing Settlement<br>Settlement Administrator<br>P.O. Box 6397<br>Portland, OR 97228-6397 |

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

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Opting-out is telling the Court that you don't want to be part of the Class. If you exclude yourself (opt-out), you cannot object because you are no longer part of the Settlement.

## THE LAWYERS REPRESENTING YOU

## 22. Do I have a lawyer in the lawsuit?

The Court has appointed Jonathan Rotter, Gregory Linkh, Melissa Wright, and Garth Spencer from the law firm Glancy Prongay & Murray LLP as Class Counsel to represent the Class for the purposes of this Settlement. If you choose to participate in the Settlement, these lawyers will represent you as a Class Member, unless you choose to hire your own lawyer at your own expense. You do not have to hire your own lawyer if you want to participate in the Settlement and want Class Counsel to represent you. You do not need a lawyer to exclude yourself from the Settlement.



### 23. How will Class Counsel be paid?

Class Counsel has been prosecuting the lawsuit on a contingent basis since before its filing in 2021, has not received any payment of attorneys' fees for representing the Class, and has advanced funds to pay expenses necessarily incurred to prosecute the lawsuit. Class Counsel will apply to the Court for an award of attorneys' fees in an amount not to exceed 33⅓% of the Settlement Fund. In addition, Class Counsel will apply for reimbursement of Litigation Expenses paid or incurred in connection with the institution, prosecution, and resolution of the claims against Defendants, in an amount not to exceed \$2,967,000. Class Counsel will also ask the Court to approve Service Awards in an amount not to exceed \$15,000 per Class Representative for his/her efforts in the lawsuit. If awarded by the Court, Class Counsel's attorneys' fees and Litigation Expenses, and the Class Representative's Service Awards will be paid from the Settlement Fund.

## THE FINAL APPROVAL HEARING

The Court will hold a "Final Approval Hearing" to decide whether to approve the Settlement. You may attend and you may ask to speak if you file an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **March 26, 2026, at 1:30 p.m.** before the Honorable Todd W. Robinson at the Carter-Keep Courthouse, 333 W. Broadway, Courtroom 14A, San Diego, CA 92101. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and decide whether to approve the Settlement, Class Counsel's request for attorneys' fees, Litigation Expenses, and Service Awards to the Class Representatives.

If there are any objections that were filed by the deadline, the Court will consider them. If you file a timely objection and you would like to speak at the hearing, the Court, at its discretion, may listen to you or your lawyer speak at the hearing, if you so request.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Class. The Court may also decide to hold the hearing by video conference or by telephone. You should check the Settlement Website, [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com), to confirm the date and time of the Final Approval Hearing have not changed.

### 25. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file your written objection by the deadline, the Court will consider it.

### 26. May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself (opt-out) and you do file a timely and complete written objection requesting to speak at the hearing, the Court may allow you to participate and speak for yourself at the Final Approval Hearing (though you are not required to do so). This is called making an appearance. You can also request to have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed above and specifically include a statement whether you or your lawyer will appear at the Final Approval Hearing.

## GET MORE INFORMATION

### 27. How do I get more information about the Settlement?

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com). You may get additional information at [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com), by calling toll-free 1-888-884-1172 toll-free, or by writing to the following address:

Free Trial Recurring Billing Settlement  
Settlement Administrator  
P.O. Box 6397  
Portland, OR 97228-6397

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE REGARDING THIS NOTICE.**

**Questions? Visit [www.FreeTrialRecurringBillingSettlement.com](http://www.FreeTrialRecurringBillingSettlement.com) or call 1-888-884-1172.**