

Exhibit D

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the Northern District of California
Berman, et al. v. Forbes Media LLC, Case No. 24-cv-09287-WHO

If you are a California resident and you accessed Forbes’s websites from December 20, 2023, and [Preliminary Approval Date], you may be entitled to a payment from a class action settlement.

A Federal court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement has been reached with Forbes Media LLC (“Forbes”) in a class action lawsuit that alleges that from December 20, 2023 through [Preliminary Approval Date] Forbes unlawfully collected Settlement Class Members’ IP addresses, unique identifiers, and/or personal information without their consent using trackers present on Forbes’s websites (“Trackers”) and shared that data with third parties. Forbes denies these allegations and denies any wrongdoing.
- The Settlement Class includes all California residents who, from December 20, 2023 to [Preliminary Approval Date], accessed websites owned or controlled by Forbes and had their IP addresses and/or unique identifiers shared with third parties as a result of the Trackers present on Forbes’s websites.
- Under the proposed Settlement, Forbes will pay \$10,000,000 into a Settlement Fund to resolve the lawsuit. The Settlement Fund will be used to pay for Administration Costs, any Court-awarded attorneys’ fees and costs and incentive awards, and payments to Settlement Class Members.
- Your rights are affected whether you do or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
SUBMIT A CLAIM	The only way to receive a payment from this Settlement is to submit a valid and timely Proof of Claim form.	Month XX, 2026
EXCLUDE YOURSELF FROM THE SETTLEMENT	If you exclude yourself (or “opt out”), you will not be bound by the terms of the Settlement and you keep the right to sue the Defendant about the claims resolved by this Settlement. You will not receive a payment from the Settlement.	Month XX, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it and tell the Court what you do not like about it. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you can still submit a Proof of Claim form.	Month XX, 2026
DO NOTHING	If you do nothing, you will not get a payment and you give up the right to sue the Defendant about the claims resolved by this Settlement.	No deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still must decide whether to approve the Settlement.

Questions? Call (XXX) XXX-XXXX or visit [www.\[website\].com](http://www.[website].com).

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BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about the proposed Settlement of this class action and about all of your options before the Court decides whether to grant final approval of the Settlement. This Notice explains the Action, your legal rights, what benefits are available, and who can receive them.

The Action is called *Berman, et al. v. Forbes Media LLC*, Case No. 24-cv-09287-WHO pending in the United States District Court for the Northern District of California. The people who filed this Action are called the “Plaintiffs” and the company they sued, Forbes Media LLC (“Forbes”), is the “Defendant.”

2. What is this Action about?

This Action alleges that, from December 20, 2023 through [Preliminary Approval Date], the Defendant, Forbes Media LLC (“Forbes”) unlawfully collected Settlement Class Members’ IP addresses, unique identifiers, and/or personal information without their consent using trackers present on Forbes’s websites (“Trackers”) and shared that information with third parties. The collected information is used by Forbes and third parties to optimize targeted advertising campaigns. Plaintiffs allege this was in violation of the California Invasion of Privacy Act, Cal. Pen. Code § 638.51, and the California Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200. Forbes denies these allegations and denies any wrongdoing.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals who sue are known as “Class Representatives” or “Plaintiff Class Representatives.” Together, the people included in the class action are called a “Settlement Class” or “Settlement Class Members.” One court resolves the lawsuit for all Settlement Class Members, except for those who exclude themselves (sometimes called, “opting out”) from a settlement. In this Settlement, the Class Representatives are Domenica Berman and Abygael Piehl.

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or the Defendant. The Defendant denies all claims and contends that it have not violated any laws. The Plaintiffs and Defendant agreed to a Settlement to avoid the costs and risks of a trial, and through the Settlement, Settlement Class Members are eligible to claim a payment. The Plaintiffs and their attorneys, who also represent Settlement Class Members as “Settlement Class Counsel,” believe the Settlement is in the best interests of all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

The Settlement Class consists of all California residents who, from December 20, 2023 to the [Preliminary Approval Date], accessed websites owned or controlled by Forbes and had their IP addresses and/or unique identifiers shared with third parties as a result of the Trackers present on Forbes’s websites.

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (1) Forbes and its parents, subsidiaries, and affiliates, and the officers, directors, employees, and agents of any of them; (2) members of the immediate families of any officers or directors of Forbes, and the heirs, successors, or assigns of any of the foregoing; (3) anyone employed by Settlement Class Counsel’s law firms; (4) any judicial officer to whom this Action is assigned, and his or her immediate family members and (5) any Person who timely and validly requests exclusion from the Settlement Class in accordance with the procedures set forth in the Settlement Agreement.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Under the proposed Settlement, Forbes will pay \$10,000,000 into a Settlement Fund to resolve the lawsuit. After paying Administration Costs, any Court-awarded attorneys' fees and costs and incentive awards, the remaining balance of the Settlement Fund will be used for payments to Settlement Class Members.

8. How much will my payment be?

If you are a Settlement Class Member, you may submit a Proof of Claim form to receive a portion of the Settlement Fund. The amount of this payment will depend on how many Settlement Class Members timely submit valid Proof of Claim forms. Each Settlement Class Member who files a valid Proof of Claim form will receive a *pro rata* (proportional) share of the remaining balance of the Settlement Fund after costs, fees, and awards are deducted (see Question 7).

9. What claims am I releasing if I stay in the Settlement?

Unless you exclude yourself from the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant about any of the legal claims this Settlement resolves. The Settlement Agreement describes the "Released Claims" that you give up if you remain in the Settlement Class. The Settlement Agreement is available at [www.\[website\].com](http://www.[website].com).

HOW TO GET BENEFITS –SUBMITTING A PROOF OF CLAIM

10. How do I submit a Proof of Claim form to get a payment?

You must submit a Proof of Claim on or before **Month XX, 2026** to receive a payment from this Settlement. You may submit your Proof of Claim online at [www.\[website\].com](http://www.[website].com) or by mail, postmarked on or before **Month XX, 2026**, to the Claims Administrator at:

Berman, et al. v. Forbes Media LLC
c/o Kroll Settlement Administration LLC
P.O. Box **XXXXXX**
New York, NY 10150-**XXXX**

11. When will I get a payment?

The short answer is – after the Settlement is "finally approved" and any challenges to that approval are finally resolved. The Court is scheduled to hold Final Approval Hearing on **Month XX, 2026**, to decide whether to approve the Settlement, the attorneys' fees, expenses, and costs for Settlement Class Counsel for representing the Settlement Class, and an award to the Plaintiff Class Representatives who brought this Action on behalf of the Settlement Class.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Payments will be distributed as soon as possible, if and when the Court grants final approval of the Settlement and after any appeals are resolved.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

Yes, the Court has appointed Krysta Kauble Pachman of Susman Godfrey L.L.P. and Don Bivens of Don Bivens, PLLC to represent you and other members of the Settlement Class as Settlement Class Counsel. You will not be charged directly for these lawyers; instead, they will receive compensation from the Settlement Fund (subject to Court approval). If you want to be represented by your own lawyer, you may hire one at your own expense.

13. Should I get my own lawyer?

It is not necessary for you to hire your own lawyer because Settlement Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will the lawyers be paid?

Settlement Class Counsel is entitled to ask the Court to approve attorneys' fees of up to 25% of the Settlement Fund (\$2,500,000), plus reimbursement of expenses and costs of prosecuting the Action, as well as a \$2,500 Incentive Award for each of the Plaintiff Class Representatives for helping to bring and settle the Action. However, the Court may award less than these amounts.

EXCLUDING YOURSELF FROM THE SETTLEMENT

15. How do I opt out of the Settlement?

If you do not want to receive a payment from the Settlement, and you want to keep your right to separately sue the Defendant about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class.

To exclude yourself from the Settlement, you must submit a written request for exclusion stating that you want to be excluded from the Settlement in *Berman, et al. v. Forbes Media, LLC*, Case No. 24-cv-09287-WHO. Your letter must include your full name, address, telephone number, email address (if any), and signature.

Your request for exclusion must be mailed to the Claims Administrator at the address below, postmarked no later than **Month XX, 2026**.

Berman, et al. v. Forbes Media, LLC
c/o Kroll Settlement Administration LLC
ATTN: Request for Exclusion
P.O. Box **XXXXXX**
New York, NY 10150-**XXXX**

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it, whether that be to the benefits, the request for attorneys' fees, costs, and expenses, the Incentive Awards for the Plaintiff Class Representatives, the releases provided to the Defendant, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement.

To be considered by the Court, your written objection must include:

- The case name and number, *Berman, et al. v. Forbes Media, LLC*, Case No. 24-cv-09287-WHO;
- Your full name, address, telephone number, and email address (if any);
- A written statement of all grounds for the objection accompanied by any legal support for the objection (if any);
- Copies of any papers, briefs, or other documents upon which the objection is based;
- A list of all persons who will be called to testify in support of the objection (if any);
- A statement of whether you intends to appear at the Final Approval Hearing; and
- Your signature and the signature of your counsel.

Objections must be filed with, or mailed to, the Clerk of the Court no later than **Month XX, 2026** at the address below.

Questions? Call **(XXX) XXX-XXXX** or visit **www.[website].com**.

Clerk of the Court
U.S. District Court for the Northern District of California

Street Address
City, CA Zip Code

17. What is the difference between objecting and opting out?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from it. Excluding yourself from the Settlement means telling the Court you do not want to be part of the Settlement. If you exclude yourself or opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

18. When is the Court's Final Approval Hearing?

The Court is scheduled to hold a Final Approval Hearing on **Month XX, 2026 at XX:X0 x.m.**, at **Courthouse Name, Street Address, City, CA Zip Code**, to decide whether to approve the Settlement, how much in attorneys' fees, costs, and expenses to award to Settlement Class Counsel for representing the Settlement Class, and whether to approve the Incentive Awards to the Plaintiff Class Representatives who brought this Action on behalf of the Settlement Class. The date and time of this hearing may change without further notice. Please check **www.[website].com** for updates.

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

No. Settlement Class Counsel will answer any questions the Court may have. You may attend at your own expense. If you file an objection, you may, but you do not have to, come to the Final Approval Hearing to talk about it. If you file your written objection on time and in accordance with the requirements above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF YOU DO NOTHING

20. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendant and the Releasees (Forbes and other released parties), as defined in the Settlement Agreement, about the legal issues resolved by this Settlement. In addition, you will be bound by the Released Claims in the Settlement and will not be eligible to receive a payment.

GETTING MORE INFORMATION

21. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, **www.[website].com**.

If you have additional questions or need to update your address, you may contact the Claims Administrator by telephone at **(XXX) XXX-XXXX**, or by mail:

Berman, et al. v. Forbes Media, LLC
c/o Kroll Settlement Administration LLC
P.O. Box **XXXX**
New York, NY 10150-**XXXX**

Questions? Call **(XXX) XXX-XXXX** or visit **www.[website].com**.