

# Exhibit D



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

*IN RE: SEQUOIA BENEFITS AND INSURANCE DATA BREACH  
LITIGATION*

Case No. 22-cv-08217-RFL

# Class Action Notice

*Authorized by the U.S. District Court*

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**Did you receive notice from Sequoia that your personal information may have been impacted in a data incident caused by an unauthorized third-party between September 22 and October 6, 2022?**

**You may be entitled to money.**

**To be part of this settlement, you should:**

**Read this notice.**

**Respond by [date].**

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Important things to know:

- If you take no action, you will still be bound by the settlement, and your rights will be affected.
- You can learn more at: [website]

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# About This Notice

## Why did I get this notice?

This notice is to tell you about the settlement of a class action lawsuit, *IN RE: SEQUOIA BENEFITS AND INSURANCE DATA BREACH LITIGATION* brought on behalf of people whose personal information was stored on a cloud storage system that may have been accessed by an unauthorized third party between September 22 and October 6, 2022.

**You received this notice because you may be a member of the group of people affected, called the “class.”** This notice gives you a summary of the terms of the proposed settlement agreement, explains what rights class members have, and helps class members make informed decisions about what action to take.

**A Court approved this notice. Please do not contact the Court.**

The Court overseeing this case is:

U.S. District Court, Northern District of California  
San Francisco Courthouse, Courtroom 15 – 18th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

## What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Options	More information about each option
<b>Submit a Claim Form</b>	You must submit a claim to receive payment. You will be bound by the settlement.
<b>Do Nothing</b>	Get no payment. Give up rights resolved by settlement.
<b>Opt Out</b>	Get no payment. Allows you to bring another lawsuit against Sequoia about the same issues at your own expense.
<b>Object</b>	Tell the Court why you don't like the settlement.

Read on to understand the specifics of the settlement and what each choice would mean for you.

## What are the most important dates?

Your deadline to object or opt out: [date]

Settlement approval hearing: [date]

Your deadline to submit a claim form: [date]

## Learning About the Lawsuit

### What is this lawsuit about?

Beginning in late 2022, a series of class action lawsuits were filed against Sequoia Benefits & Insurance Services, LLC and Sequoia One PEO, LLC (collectively, "Sequoia") on behalf of people whose personal information was stored on a cloud storage system that may have been accessed by an unauthorized third party between September 22 and October 6, 2022. The lawsuits claim that Sequoia failed to employ reasonable security to protect personal information and, as a result, these individuals' data had been compromised.

Sequoia denies that it did anything wrong.

#### Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in this lawsuit at:

[website]

### Why is there a settlement in this lawsuit?

In 2025, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of the individuals who brought the case and all members of the settlement class, which includes individuals whose personal information may have been accessed by an unauthorized third party. The Court has not decided this case in favor of either side.

#### What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that caused the harm.

## What happens next in this lawsuit?

The Court will hold a fairness hearing to decide whether to approve the settlement. The hearing will be held at:

**Where:** [Courthouse name and address].

**When:** [time] on [date].

The Court has directed the parties to publicly post this notice about the proposed settlement. Because the settlement of a class action decides the rights of all members of the proposed class, the Court must give final approval to the settlement before it can take effect. Payments will only be made if the Court approves the settlement.

You don't have to attend, but you may at your own expense. You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not approve the settlement or the parties decide to terminate the settlement, it will be void and the lawsuit will continue. The date of the hearing may change without further notice to members of the class. To learn more and confirm the hearing date, go to [website]. You are advised to check the settlement website or the Court's PACER site to confirm that the date has not been changed.

## Learning About the Settlement

### What does the settlement provide?

The settlement pays money to individuals whose personal information held by Sequoia may have been accessed by an unauthorized third party.

Sequoia has agreed to pay \$8.7 million into a settlement fund. This money will be divided among the class members and will also be used to pay for costs and fees approved by the Court, including the cost of administering this settlement (expected to be approximately \$[dollar amount]). Members of the settlement class will "release" their claims as part of the settlement, which means they cannot sue Sequoia for the same issues in this lawsuit. The full terms of the release can be

found [\[here\]](#).

If there is money left over after the claims process is completed, it will be donated to a recipient approved by the Court.

## How do I know if I am part of this settlement?

If you received notice from Sequoia that your personal information may have been accessed by an unauthorized third party between September 22 and October 6, 2022, you may be a member of the class and entitled to money.

## How much will my payment be?

Class members have **two different options** for submitting claims. The amount a class member will recover depends on which option they choose.

The **first option** is for a class member to submit a claim to be reimbursed for money or time spent protecting their data as a result of the data breach. The amount will depend on how much the class member has lost or spent and whether they have receipts or other records as well as how many total claims are filed. Class members may recover up to \$7,500 per individual.

The **second option** is for a claimant to receive an estimated cash payment of \$75. Class members who lived in California between September 22 and October 6, 2022 are eligible for an additional \$150 under California privacy law.

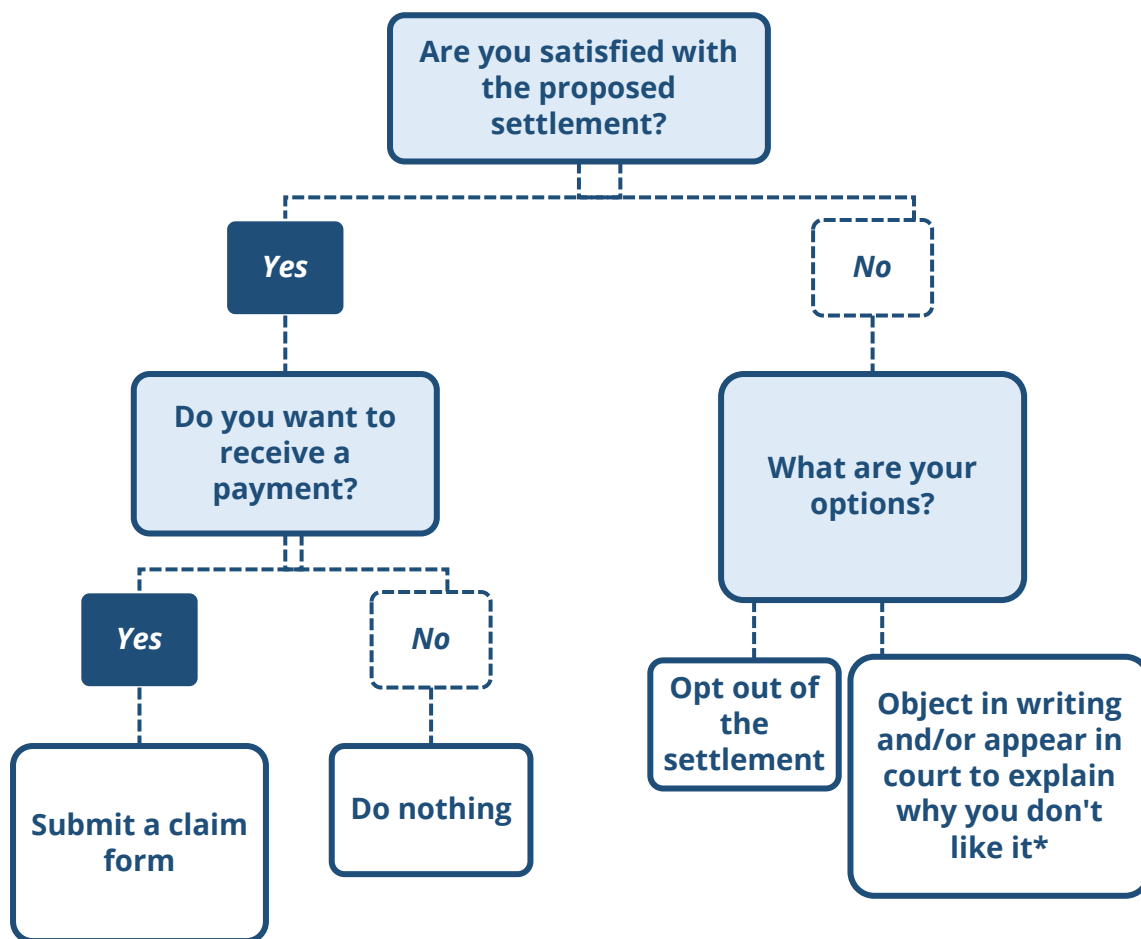
## Deciding What to Do

### How do I weigh my options?

You have four options. You can stay in the settlement and submit a claim, you can opt out of the settlement, you can object to the settlement, or you can do nothing. This chart shows the effects of each option:

	<b>Submit a Claim</b>	<b>Opt out</b>	<b>Object</b>	<b>Do Nothing</b>
<b>Can I receive settlement money if I . . .</b>	YES	NO	YES	NO
<b>Am I bound by the terms of this lawsuit if I . . .</b>	YES	NO	YES	YES
<b>Can I pursue my own case if I . . .</b>	NO	YES	NO	NO
<b>Will the class lawyers represent me if I . . .</b>	YES	NO	NO	YES

## What is the best path for me?





*\*You can object to the settlement AND submit a claim form to receive payment. If you object but do not submit a claim form, you will receive nothing if the Court overrules your objection and approves the settlement.*

## Submitting a Claim

### How do I get a payment if I am a class member?

If you wish to receive money, you must submit a completed claim form to the Settlement Administrator online or download a claim form at [\[website\]](#) and mail to the Settlement Administrator (address below).

### Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals and lawyers.

#### **Your lawyers:**

David M. Berger, GIBBS MURA LLP

Rachele R. Byrd, WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP

M. Anderson Berry, CLAYEO C. ARNOLD A PROFESSIONAL LAW CORP.

Kaleigh N. Boyd, TOUSLEY BRAIN STEPHENS PLLC

These are the lawyers who negotiated this settlement on your behalf.

If you want to be represented by your own lawyer, you may hire one at your own expense.

### Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and costs will be paid from the Settlement Fund. **You will not have to pay the lawyers directly.**

To date, your lawyers have not been paid any money for their work or the expenses that they have paid for the case. To pay for some of their time and risk in bringing this case without any guarantee of payment unless they were successful, your lawyers will request, as part of the

final approval of this Settlement, that the Court approve a payment of up to \$2,175,000 total in attorneys' fees plus the reimbursement of out-of-pocket expenses.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think the settlement terms are otherwise fair.

Your lawyers will also ask the Court to approve a payment of \$21,000 to the Class Representatives (\$3,500 per representative) for the time and effort they contributed to the case. If approved by the Court, this will be paid from the Settlement Fund.

## Opting Out

### What if I don't want to be part of this settlement?

You can opt out. If you do, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit and may be able to file your own case. You cannot exclude yourself from the program changes called for by the proposed settlement.

### How do I opt out?

To opt out of the settlement, you must complete the opt out form included with this notice and mail it by [date] to the Settlement Administrator at:

[Settlement Administrator]  
[Street address]  
[City, State, Zip Code]  
[Phone Number]

Be sure to include your name, address, telephone number, and signature.

# Objecting

## What if I disagree with the settlement?

If you disagree with any part of the settlement (including the lawyers' fees) but don't want to opt out, you may object. You must give reasons why you think the Court should not approve it and say whether your objection applies to just you, a part of the class, or the entire class. The Court will consider your views. The Court can only approve or deny the settlement — it cannot change the terms of the settlement. You may, but don't need to, hire your own lawyer to help you. The requirement to make your objection in writing may be excused upon a showing of good cause.

To object, you must send a letter to the Court (or file through the Court's electronic filing system) that:

- (1) is postmarked by [date];
- (2) includes the case name and number ([case name and number here])
- (3) includes your full name, address and telephone number, and email address (if you have one);
- (4) states the reasons for your objection;
- (5) says whether either you or your lawyer intend to appear at the final approval hearing and your lawyer's name;
- (6) your signature or the signature of a duly authorized attorney or representative representing you for purposes of the objection.

Mail the letter to:

<div>[Settlement Administrator] [Street address] [City, State, Zip Code] [Phone Number]</div>	U.S. District Court, Northern District of California San Francisco Courthouse, Courtroom 15 – 18th Floor 450 Golden Gate Avenue San Francisco, CA 94102
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You must substantially comply with the above requirements.

# Doing Nothing

## What are the consequences of doing nothing?

If you do nothing, you will not get any money, but you will still be bound by the settlement and its “release” provisions. That means you won’t be able to start, continue, or be part of any other lawsuit against Sequoia about the issues in this case. A full description of the claims and persons who will be released if this settlement is approved can be found [\[here\]](#).

## Key Resources

### How do I get more information?

This notice is a summary of the proposed settlement. The complete settlement with all its terms can be found [here](#). To get a copy of the settlement agreement or get answers to your questions:

- contact your lawyer (information below)
- visit the case website at [\[website\]](#)
- access the Court’s [\[eCourt Public Portal\]](#) online or by visiting the Clerk’s office of the Court (address below).

Resource	Contact Information
Case website	<a href="#">[website]</a>
Settlement Administrator	<a href="#">[Settlement Administrator]</a> <a href="#">[Street address]</a> <a href="#">[City, State, Zip Code]</a> <a href="#">[Phone Number]</a>
Your Lawyers	David M. Berger GIBBS MURA LLP 1111 Broadway, Suite 2100 Oakland, CA 94607

	<p>Rachele R. Byrd WOLF HALDENSTEIN ADLER FREEMAN &amp; HERZ LLP 750 B Street, Suite 1820 San Diego, CA 92101</p> <p>M. Anderson Berry CLAYEO C. ARNOLD A PROFESSIONAL LAW CORP. 865 Howe Avenue Sacramento, CA 95825</p> <p>Kaleigh N. Boyd TOUSLEY BRAIN STEPHENS PLLC 1200 Fifth Ave., Ste 1700 Seattle, WA 98101</p>
<b>Court (DO NOT CONTACT)</b>	<p>U.S. District Court, Northern District of California San Francisco Courthouse, Courtroom 15 – 18th Floor 450 Golden Gate Avenue San Francisco, CA 94102</p>