

Exhibit D

NOTICE OF CLASS ACTION
SETTLEMENT

If you received a notice of an Incident from Panera, LLC, you are entitled to submit a claim for monetary compensation under a class action settlement.

www.PaneraSettlement.com

<<Barcode>>

Class Member ID: <<Refnum>>

<<FirstName>> <<LastName>>

<<BusinessName>>

<<Address>>

<<Address2>>

<<City>>, <<ST>> <<Zip>>-<<zip4>>

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WHO IS A SETTLEMENT CLASS MEMBER?
This notice is about the **Class** of Panera, LLC and its **Class Data** Administration. The **Class** is defined as all persons who, on or after January 1, 2025, have opted-out, then you will be bound by the Settlement and give up your right to sue security incident discovered by Panera in March 2024 (the “Incident”).
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If you got a notice letter from Panera about the Incident, then you are a Settlement Class Member (“Class Member”). Recently, Panera has agreed to settle the lawsuit—and Class Members are now entitled to get cash payments.

WHAT ARE THE SETTLEMENT BENEFITS AND TERMS?

Under the Settlement, Panera will pay \$2,500,000 into a Settlement Fund—which will be distributed to Class Members who submit Approved Claims (after deducting attorneys’ fees and expenses, service awards, and Cost of Claims Administration). All Class Members may submit Claims to get cash payments. **First**, Class Members who suffered unreimbursed ordinary out-of-pocket losses because of the Incident may claim up to \$500 (but Class Members must provide documentation of their losses). An example of an “ordinary out-of-pocket loss” is paying for credit monitoring. **Second**, Class Members who suffered unreimbursed extraordinary losses and/or lost time may claim up to \$6,500 (but Class Members must provide documentation of their losses). An example of “extraordinary losses” is identity theft. **Third**, Settlement Class Members who lived in California at the time of the Incident may get a statutory payment of up to \$100. **Fourth**, Class Members may claim a Residual Cash Payment of up to \$250 (the value will be calculated after deducting payments for Approved Claims, Costs for Claims Administration, service awards, and attorneys’ fees and expenses). More information about the types of claims and how to file them is available at **www.PaneraSettlement.com** (“Settlement Website”). Any amounts remaining in the Settlement Fund after Approved Claims are paid will be sent to a charitable organization proposed by the parties and approved by the Court as a *cy pres* award.

WHAT ARE YOUR RIGHTS AND OPTIONS?

Submit a Claim Form. To qualify for a cash payment, you must timely mail a Claim Form. You can submit the claim form that is attached to this notice. Or you can submit a Claim Form online at **www.PaneraSettlement.com**. Your Claim Form must be postmarked or submitted online no later than **January 1, 2025**. **Opt Out.** You may opt-out from the Settlement and keep your ability to sue

Panera on your own by mailing a written request for exclusion to the Claims Administration that is postmarked no later than **January 1, 2025**. If you do not opt-out, then you will be bound by the Settlement and give up your right to sue Panera about the Incident.
Object. If you do not exclude yourself, you have the right to object to the Settlement. Written objections must be signed, postmarked no later than **January 1, 2025**, and provide the reasons for the objection. Please visit **www.PaneraSettlement.com** for more details.
Do Nothing. If you do nothing, you will ***not*** receive money but you will lose the right to sue Panera about the Incident—and you will be bound by the Court’s decision in this case.
Attend the Final Fairness Hearing. The Court will hold a **Final Fairness Hearing** at **January 1, 2025** to determine if the Settlement is fair, reasonable, and adequate. All persons who timely object to the Settlement may appear at the Final Fairness Hearing.
Do I have an attorney? Yes, the Court appointed M. Anderson Berry of Clayeo C. Arnold, A Professional Corporation and Ryan D. Maxey of Maxey Law Firm, P.A., as Class Counsel to represent the entire Settlement Class.
Do I have to pay for the attorneys? No. The attorneys’ fees and expenses will be paid exclusively from the Settlement Fund (subject to approval by the Court). The attorneys’ fees will be in an amount of up to 33.33% of the Settlement Fund and the expenses will not exceed \$50,000. The Fee and Expense Application will be posted on the Settlement Website after it is filed with the Court.
How much are the service awards? The named Plaintiffs, **TBD and TBD** (also called the Class Representatives) will seek service awards in the amount of \$2,000 each for their efforts in leading this case.
Where can I get a copy of the Settlement Agreement, learn more about the case, or learn more about submitting a claim? **www.PaneraSettlement.com**

*** Please note that if you wish to submit a claim for compensation for out-of-pocket losses, you will likely need to submit your claim online so you may attach all information necessary to support your request for payment. A longer version of the Claim Form is on the Settlement Website.

This Notice is a summary of the proposed Settlement.

Postage
Prepaid

Panera Incident
c/o Claims Administrator
P.O. Box XXXX
City, State Zip

Claims for a **Residual Cash Payment of up to \$250**, a California Statutory Payment of up to \$100, and/or Attested Time do not require documentation and may be submitted using this tear-off claim form, for which the postage is prepaid.

Please select below the claim(s) you would like to make (insert an “X” in the box):

- ☐ I would like a Cash Payment of up to \$250
- ☐ I was a California resident at the time of the Incident (March 2024) and would like a California Statutory Payment of up to \$100
- ☐ I attest under penalty of perjury that I spent ☐ 1 Hour ☐ 2 Hours ☐ 3 Hours ☐ 4 Hours ☐ 5 Hours ☐ 6 Hours ☐ 7 Hours ☐ 8 Hours ☐ 9 Hours ☐ 10 Hours of time remedying issues related to the Incident. I understand that I must separately submit proof of valid, documented Extraordinary Losses in order to recover for this time.

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Below is a brief description of (1) the actions I took remedying issues related to the
Incident; and (2) the time associated with each action:

Select from one of the following payment methods:

PayPal Venmo Zelle Virtual Prepaid Card Check

Please provide the email address or phone number associated with your PayPal, Venmo,
or Zelle account, or an email address for the Virtual Prepaid card:

Claims for Reimbursement of Ordinary Out-of-Pocket Losses and/or Extraordinary
Losses require supporting documentation and cannot be made using this tear-off claim
form. Any such claims should be submitted through the settlement website at www.PaneraSettlement.com or by mailing a completed full claim form (available on the
settlement website) and supporting documentation to the settlement administrator.

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Verification & Signature: I swear under penalty of perjury under the laws of the United States that the information in this Claim # 364 is true and correct to the best of my knowledge and belief.

Signature: _____

Printed Name: _____ Date: _____