

Exhibit D

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

If, between August 20, 2020 and August 20, 2024, you received text messages from Athena Bitcoin, Inc. after sending a “stop” request, you may be able to receive a cash 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 (the “Settlement”) has been reached in a class action lawsuit against Athena Bitcoin, Inc. (“Athena”). Class Representative Keon Jackson alleged in a class action lawsuit that Athena sent, or caused to be sent, telemarketing text messages to people who requested that those messages stop.
- You are an “IDNC Settlement Class Member” if you were a residential telephone subscriber between August 20, 2020 and August 20, 2024, and during that time sent the message “stop” to Athena but received at least two text messages from Athena more than 30 days after.
- If you are an IDNC Settlement Class Member, you may submit a timely and valid Claim Form to receive a cash payment or proceed with one of the options outlined below:

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

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT		DEADLINE
SUBMIT A CLAIM FORM	Submit a timely and valid Claim Form, as instructed below. Submitting a Claim Form allows you to receive your share of the Settlement Fund.	Submitted or Postmarked by MONTH DD, 20YY
ASK TO BE EXCLUDED	Submit a written request to be excluded, as instructed below. Receive nothing from the Settlement but maintain your right to file a separate lawsuit regarding the legal claims at issue.	Postmarked by MONTH DD, 20YY
OBJECT TO THE SETTLEMENT	File a timely objection to the Court, Class Counsel, and Defendant’s Counsel, as instructed below. Stay a Settlement Member but tell the Court which parts of the Settlement you object to.	Filed by MONTH DD, 20YY
DO NOTHING	Get no Settlement benefits, while still being bound by the Settlement. By doing nothing, you lose the opportunity to submit a Claim Form for potential payment but will still be considered a part of the IDNC Settlement Class who have resolved their claims against Athena.	

Your rights and options, and the deadlines to exercise them, are explained in this Notice.

The court presiding over this class action must decide whether to approve the Settlement and the requested attorneys’ fees and expenses. No cash payments will be provided to IDNC Settlement Class Members unless the Court approves the Settlement and it becomes final.

BASIC INFORMATION

1. Why is this Notice being provided?

The Court authorized this Notice because you have a right to know about the Settlement of this class action lawsuit and about your rights and options before the Court decides whether to grant final approval of the Settlement. District Judge Mark E. Walker of the United States District Court for the Northern District of Florida is overseeing this lawsuit. The lawsuit is titled *Jackson v. Athena Bitcoin, Inc.*, Civil Action No. 4:24-cv-331-MW/MJF.

2. What is this lawsuit about?

This class action lawsuit alleges that Class Representative Keon Jackson, and other persons nationwide, received two or more text messages from Athena, selling goods or services, more than 30 days after the text recipient sent a message to Athena saying “stop.” The lawsuit alleges that Athena violated the federal Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”), because that law prohibits sending telemarketing text messages to people after they have requested that those messages stop.

3. What is a class action and who is involved?

In a class action, a person called the “Class Representative,” (in this case, Keon Jackson), sues on behalf of a group (or groups) of people who have similar legal claims. The people collectively are called a “Class,” and each person is called a “Class Member.” The individual who sues—and all of the Class Members—are called the “Plaintiffs.” The entity or company they sue, (in this case, Athena Bitcoin, Inc.), is called the “Defendant.” In a class action lawsuit like this one, the Court resolves the issues and legal claims in the lawsuit for all Class Members, **except** for those who exclude themselves from the Class.

Once a settlement is reached, the Class Members become the “IDNC Settlement Class Members” and the Settlement structures the detail of the case resolution and the “IDNC Settlement Class”, pending approval by the Court.

Additional information about the Court’s reasons for allowing this lawsuit to proceed as a class action is set forth in the Court’s Order, dated June 18, 2025, which is available at www.athenabitcoinTCPAlitigation.com in the Documents section.

THE LEGAL CLAIMS IN THE LAWSUIT

4. What are the Plaintiff's legal claims in this lawsuit?

The legal claims that are made by Class Representative in this lawsuit are described above in Question 2. For additional information, you may read a copy of Plaintiff's Class Action Complaint, available at www.athenabitcoinTCPAlitigation.com in the Documents section.

5. What does Athena say about the Plaintiff's legal claims?

Athena denies that it did anything wrong or violated any law. Specifically, it alleges that it did not violate federal law when sending the text messages because (1) it did not use prohibited dialing equipment to send the messages; and (2) it made a good-faith effort to comply with the law. You can read a copy of Athena's Answer to Plaintiff's Amended Class Action Complaint, available at www.athenabitcoinTCPAlitigation.com in the Documents section.

6. Did the Court decide who is right?

The Court has not decided whether Class Representative or Athena is correct or who is the winning party. Instead, Class Representative and Athena have reached a settlement after considering the risk, cost, and time of continuing the lawsuit through trial and potential appeals.

7. Why is there a Settlement?

As discussed in paragraph 6, the Court has not yet decided in favor of either Party. Accordingly, Class Representative and Athena have both considered the risks and uncertainty that comes with continuing the lawsuit along with the additional time litigation would necessitate and agreed to a Settlement that is in the best interest of the IDNC Settlement Class Members.

WHO IS INCLUDED IN THE IDNC SETTLEMENT CLASS

8. Am I part of the IDNC Settlement Class?

You are an IDNC Settlement Class member if you are a residential telephone subscriber that falls within the IDNC Settlement Class. The IDNC Settlement Class, as defined by the Court, includes:

All persons in the United States (1) to whom Athena delivered, or caused to be delivered, more than one text message promoting goods or services within any 12-month period, (2) more than 30 days after receiving a message consisting solely of the word ‘STOP’, (3) between August 20, 2020, to August 20, 2024, (4) excluding business numbers.

If you have (or had) a telephone number that appeared in Athena’s text message records, you may have received a text message and/or a postcard identifying you as a potential class member and notifying you of this lawsuit prior to this Notice.

If you did not receive a text message or a postcard, you may still be part of the IDNC Settlement Class if your telephone number appears in Athena’s records. You may be able to obtain your telephone bill and/or records from your telephone carrier, but you do not need to submit that information at this time. If you have any questions about how to obtain this information, or if you are still not sure if you are included in the IDNC Settlement Class, you may go to www.athenabitcoinTCPAlitigation.com, or call the Class Action Administrator toll-free at XXX-XXX-XXXX. You may also receive free help by calling Class Counsel, the lawyers in this lawsuit, at the telephone number in Question 28.

9. Who is initially excluded from the Settlement?

Excluded from the IDNC Settlement Class are Athena, including any of its parents, subsidiaries, affiliates, or controlled persons, as well as their officers, directors, agents, servants, and employees, and the immediate family members of such persons and the judges and staff of the United States District Court for the Northern District of Florida.

SETTLEMENT BENEFITS: WHAT YOU QUALIFY FOR

10. What does the Settlement provide?

Athen has agreed to create a Settlement Fund of \$4,500,000.00.

If you are an IDNC Settlement Class Member and you submit a timely and valid Claim form, you may be eligible to receive a cash payment of the Settlement Fund after the following items are deducted from the Settlement Fund: attorneys’ fees and expenses awarded by the Court, Class Representative service award determined by the Court, and costs and expenses associated with class notice and administration of the Settlement.

The actual amount paid to each IDNC Settlement Class Member who submits a timely and valid Claim Form will not be determined until after the Claim Form filing deadline has passed. The actual amount each participating member of the IDNC Settlement Class will receive may be more or less depending on the number of Settlement Class Members who submit timely, valid claims. Cash payments will not be provided to IDNC Settlement Class Members unless and until the Court approves the Settlement and it becomes final.

11. What am I giving up by staying in the IDNC Settlement Class to receive a cash payment?

By remaining in the IDNC Settlement Class, all Court orders and any judgments will apply to you and legally bind you upon final approval of the Settlement. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called "Released Claims." Unless you exclude yourself, as explained below, you will remain in the IDNC Settlement Class.

12. What are the Released Claims?

Section 6 of the Settlement Agreement describes the Releases, Released Claims, and Released Parties, in necessary legal terminology, so please read those sections carefully.

The Settlement Agreement is available at www.athenabitcoinTCPAlitigation.com in the Documents section. For questions regarding the Releases or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Questions 23 and 28 for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

13. How do I make a claim for a cash payment?

Your Claim Form must be submitted online at www.athenabitcoinTCPAlitigation.com by **MONTH DD, 20YY**, or mailed to the Class Action Administrator at the address on the Claim Form, **postmarked by Month DD, 20YY**. Claim Forms are also available by **calling 1-XXX-XXX-XXXX** or by writing to:

Jackson v. Athena Bitcoin, Inc.
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

14. 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 Class Action Administrator of your updated information. You may notify the Class Action Administrator of any changes by writing to:

Jackson v. Athena Bitcoin, Inc.
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

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

If you file a timely and valid Claim Form, cash payments will be provided by the Class Action Administrator 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.athenabitcoinTCPALitigation.com for updates. The Settlement Website is your best source of up to date information.

YOUR RIGHTS AND OPTIONS

You have a choice to make now about whether to stay in the IDNC Settlement Class or pursue one of your other options.

16. What happens if I do nothing?

If you are an IDNC Settlement Class Member, by doing nothing you will remain in the IDNC Settlement Class but you will not receive a cash payment. Despite not

receiving payment out of the Settlement Fund, you will still Release Claims as described in paragraph 12 above. This means by doing nothing, you will not receive any payment but will not be able to file your own lawsuit or continue to sue Athena for any of the legal claims subject to this class action. This means that if you do nothing, you may not be able to sue Athena for the TCPA violations related to the text messages you may have received between August 20, 2020 and August 20, 2024. You will also be legally bound by all of the Orders the Court issues and any judgments the Court may make in this class action.

17. Why would I ask to be excluded?

If you already have filed, or want to file, your own lawsuit against Athena for the same types of text messages it sent during the same time period, and want to continue pursuing your individual lawsuit, you need to ask to be excluded from the IDNC Settlement Class. If you exclude yourself from the IDNC Settlement Class—sometimes referred to as “opting-out” of the Class—you will not get any money or benefits from this class action as a result of the settlement between the Plaintiff/Class Representative and Athena. However, you will be able to continue to pursue your own lawsuit, or separately file your own lawsuit, against Athena for the text messages that are at issue in this class action. If you exclude yourself from the IDNC Settlement Class, you will not be legally bound by the Court’s judgments in this class action. If you start your own lawsuit against Athena after excluding yourself from this Class, you will need to hire and pay your own lawyer for your lawsuit (if needed), and you will need to prove your individual legal claim(s).

18. How do I ask to be excluded from the IDNC Settlement Class?

To exclude yourself from the Class, you must mail a written request for exclusion stating that you want to be excluded from *Jackson v. Athena Bitcoin, Inc.*, Civil Action No. 4:24-cv-331-MW/MJF.

Your request for exclusion must include:

- 1) your name and address,
- 2) the telephone number that received the text messages at issue in this lawsuit,
and
- 3) your signature.

Your exclusion request must be **mailed** to the Class Action Administrator at the following address **postmarked** by **MONTH DD, 20YY**:

Jackson v. Athena Bitcoin, Inc.
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

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

"Mass" or "class" requests for exclusion filed by third parties on behalf of a "mass" or "class" of IDNC Settlement Class members or multiple IDNC Settlement Class members where the request for exclusion hasn't been signed by each and every individual IDNC Settlement Class Member will not be allowed.

19. If I exclude myself from the IDNC Settlement Class, can I get anything from the Settlement?

No. If you exclude yourself, you will not be able to receive a cash payment, but you will not be bound by the Settlement or any judgment in this lawsuit. You can only get a cash payment if you remain in the IDNC Settlement Class and submit a timely and valid Claim Form.

20. If I do not exclude myself from the IDNC Settlement Class, can I sue Athena for the same thing later?

No. Unless you exclude yourself, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves, and you remain bound by the Releases relating to the lawsuit. If you have a separate pending lawsuit against Athena, speak to your lawyer in that case immediately.

OBJECTING TO THE SETTLEMENT

21. How do I tell the Court that I do not like the Settlement?

If you are an IDNC Settlement Class member, you can tell the Court you do not agree with all or any part of the Settlement.

To object, you must file timely written notice with the Court as provided below no later than **MONTH DD, 20YY**, with copies sent to Class Counsel and Defendant's Counsel postmarked by **MONTH DD, 20YY**, stating you object to the Settlement in *Jackson v. Athena Bitcoin, Inc.*, Case No. 4:24-cv-331-MW/MJF.

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

- 1) Your full name, address, telephone number(s), and email address (if any);
- 2) The specific grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
- 3) The number of times you have objected to a class action settlement within the five (5) years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- 4) The identity of any lawyers representing you in connection with the objection (if any);
- 5) The number of times in which your lawyer or your lawyer's law firm have objected to a class action settlement within the five (5) years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made such objection and a copy of any orders related to or ruling upon your lawyer's or the lawyer's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which your lawyer's counsel and/or lawyer's law firm have objected to a class action settlement within the preceding (5) years;
- 6) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any); and
- 7) Your signature as the objector (an attorney's signature is not sufficient).

To be timely, written notice of an objection including all of the information above must be filed with the Court by **MONTH DD, 20YY**.

Court	Class Counsel	Defendant's Counsel
U.S. District Court for the Northern District of Florida. Joseph Woodrow Hatchett United States Courthouse and Federal Building. Attn: District Judge Mark E. Walker. <i>Re: Objection in Jackson v. Athena Bitcoin Inc.</i> 111 N. Adams Street, Tallahassee, FL 32301-7730	The HQ Firm, P.C. Attn: Reid Hudson, Alexander Hood, and Michael Hartmere <i>Re: Objection in Jackson v. Athena Bitcoin Inc.</i> 7533 S Center View Ct #4424 West Jordan, UT 84084	Freeman Mathis & Gary, LLP Attn: Houston S. Park III, Krystina N. Machado, and Ayesa N. Conger. <i>Re: Objection in Jackson v. Athena Bitcoin Inc.</i> 9130 S. Dadeland Blvd. Suite 2000 Miami, FL 33156

If you fail to comply with the requirements for objecting as detailed above, you will waive and forfeit any rights you may have to appear separately and/or to object to the Settlement, and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments entered in the lawsuit.

22. What is the difference between objecting and asking to be excluded (or opting out)?

Objecting is simply telling the Court you do not like something about the Settlement or the requested attorneys' fees and costs. You can object only if you stay in the IDNC Settlement Class (meaning you do not opt out of the Settlement). Opting out of the Settlement, also known as asking to be excluded from the Settlement, is telling the Court you do not want to be part of the IDNC Settlement Class or the Settlement. If you opt out, you cannot also object to the Settlement.

THE LAWYERS REPRESENTING YOU

23. Do I have a lawyer in this lawsuit?

The Court has appointed a team of lawyers from the law firm The HQ Firm, P.C. to represent the IDNC Settlement Class. They are called “Class Counsel.” They are experienced in handling similar class action lawsuits and legal claims.

24. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf in this lawsuit and was appointed by the Court to do so. If you want someone else to represent you in this lawsuit, you may hire your own lawyer at your own expense.

25. How will Class Counsel be paid?

You will not personally pay Class Counsel. Class Counsel will file a motion asking the Court to award attorneys' fees in an amount equal to 33% of the Settlement Fund. Class Counsel will also ask the Court to award the costs it has incurred litigating this case, a service award for the Class Representative, and the costs of administering the Settlement. If awarded by the Court, the attorneys' fees and costs will be paid from the Settlement Fund. The Court may also award less than the amounts Class Counsel asks for.

Class Counsel's application for the attorneys' fees and costs will be made available on the Settlement Website at www.athenabitcoinTCPAlitigation.com.

THE FINAL APPROVING HEARING

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

The Court will hold a Final Approval Hearing on **MONTH DD, 20YY**, at **XX:XX** a.m./p.m. before the Honorable Mark E. Walker at the United States District Court for the Northern District of Florida, Joseph Woodrow Hatchett United States Courthouse and Federal Building, 111 N. Adams Street, Tallahassee, FL 32301-7730. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement and Class Counsel’s application for attorneys’ fees, Class Representative incentive award, and costs.

Note: The date and time of the Final Approval Hearing are subject to change without further notice to the IDNC Settlement Class. The Court may also decide to hold the

hearing via video conference or by telephone. You should check the Settlement Website www.athenabitcoinTCPAlitigation.com for updates and to confirm the date, time, and format of the Final Approval Hearing has not changed.

27. Do I need to attend the Final Approval Hearing?

You do not need to attend the Final Approval Hearing. Class Counsel will represent you there and will answer any questions the Court may have. You are welcome to attend at your own expense.

GETTING MORE INFORMATION

28. Where can I get more information?

This Notice summarizes the proposed Settlement. Complete details about the Settlement, the class action, and relevant Court Orders can be found at the website www.athenabitcoinTCPAlitigation.com. The website will be updated with the most current information about the lawsuit as it becomes available.

You may also get additional information by calling toll-free at XXX-XXX-XXXX, or by writing to:

Jackson v. Athena Bitcoin, Inc.
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

You may also call Class Counsel at XXX-XXX-XXXX if you have further questions.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S
CLERK OFFICE REGARDING THIS NOTICE. THEY CANNOT ANSWER
QUESTIONS ABOUT THIS LAWSUIT.**

