

Exhibit D

COURT AUTHORIZED NOTICE OF CLASS
ACTION AND PROPOSED SETTLEMENT

OUR RECORDS
INDICATE YOU HAVE
A CRITERION
CHANNEL ACCOUNT
OR SUBSCRIPTION
AND MAY BE
ENTITLED TO A
PAYMENT FROM A
CLASS ACTION
SETTLEMENT.

Criterion Channel Settlement
Settlement Administrator
P.O. Box 0000
City, ST 00000-0000



Postal Service: Please do not mark barcode

XXX—«ClaimID» «MailRec»

«First1» «Last1»

«C/O»

«Addr1» «Addr2»

«City», «St» «Zip» «Country»

By Order of the Court Dated: [date]

A settlement has been reached in a class action lawsuit claiming that Defendant, The Criterion Collection, LLC, disclosed its subscribers' personally identifiable information ("PII") to Twilio, Inc. and Meta Platforms, Inc., without consent and in violation of the following privacy statutes: the Video Privacy Protection Act (the "VPPA"), the Electronic Communications Privacy Act, the Pennsylvania Wiretapping and Electronic Surveillance Control Act, and the Florida Security of Communications Act. The VPPA defines PII to include information which identifies a person as having requested or obtained specific video materials or services from a video tape service provider. Defendant denies that it engaged in any wrongful conduct or that it violated any law, and the Court has not decided who is right. The parties have agreed to settle the lawsuit to avoid the uncertainties and expenses associated with continuing the case.

Am I a Class Member? Our records indicate you may be a Class Member. Class Members are all persons who during the Class Period in the United States, (1) were a registered user of, or had subscription to, the Criterion Channel Service; and (2) watched a pre-recorded video through the Criterion Channel Service. The Class Period is September 27, 2022 through December 27, 2024.

What Can I Get? If approved by the Court, Defendant will make available \$4,500,000.00 under the Settlement to pay all valid claims submitted by the Settlement Class, together with notice and administration expenses, attorneys' fees and costs, and an incentive award. If you are entitled to relief, you may submit a claim to receive a cash payment of a *pro rata* (meaning equal) payout of this fund after all expenses have been paid.

How Do I Get a Payment? You must submit a timely and complete Claim Form **no later than [claims deadline]**. You may submit a Claim Form either electronically on the Settlement Website by visiting www.criterionchannelsettlement.com, or by printing and mailing in a paper Claim Form, copies of which are available for download at the Settlement Website. Your payment will come by check unless you elect to receive payment electronically by PayPal or Venmo.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the settlement administrator no later than **[objection/exclusion deadline]**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendant over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed no later than **[objection/exclusion deadline]**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at www.criterionchannelsettlement.com. If you file a claim or do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to Defendant's alleged disclosure of subscriber information to any third party will be released.

Who Represents Me? The Court has appointed the law firms of Bursor & Fisher, P.A. and Levi & Korsinsky, LLP, to represent the class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at [redacted], on [date] in **Courtroom 20C at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl St., New York, NY 10007**. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representatives \$2,500 each from the Settlement Fund for their service in helping to bring and settle this case. Defendant has agreed to pay Class Counsel reasonable attorneys' fees in an amount to be determined by the Court. Class Counsel is entitled to seek no more than one-third of the Settlement Fund, but the Court may award less than this amount.

How Do I Get More Information? For more information, including the full Notice, Claim Form and Settlement Agreement go to www.criterionchannelsettlement.com, contact the settlement administrator at 1-[redacted] or Criterion Channel Settlement Administrator, [address], or contact Class Counsel at info@bursor.com.

Criterion Channel Settlement Administrator
c/o [Settlement Administrator]
PO Box 0000
City, ST 00000-0000

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