

Exhibit D

OFFICIAL COURT-APPROVED LEGAL NOTICE

Manza v. PESI, Inc.

United States District Court for the Western District of Wisconsin, Case No. 3:24-cv-00690

A Court authorized this notice.

You are not being sued. This is not a solicitation from a lawyer.

If you purchased one or more video products or services from PESI.com or PsychotherapyNetworker.org, you could receive a cash payment from this class action lawsuit.

A proposed Settlement has been reached in a class action lawsuit called *Manza v. PESI, Inc.* The lawsuit alleges that PESI, Inc. (the “Defendant”) disclosed information identifying persons who purchased its video products or services to third parties in violation of the federal Video Privacy Protection Act. Defendant maintains that it did not disclose information identifying persons who purchased its video products or services to third parties.

The Settlement Class includes all persons who made purchases of video products or services from Defendant’s PESI.com website or PsychotherapyNetworker.org website between October 3, 2022, and October 3, 2024.

If the Court approves the Settlement, Defendant has agreed to establish a Settlement Fund, which will be used to pay administrative fees, attorneys’ fees and costs of up to 30% of the Settlement Fund to Class Counsel, and a service award of up to \$5,000 to the Class Representative. The remainder of the Settlement Fund will then be divided equally among all Settlement Class Members who submit valid Claim Forms. Although the amount of the Cash Award that each claimant will receive depends on the total number of Claim Forms that are submitted, each Cash Award is estimated to be in the range of approximately \$65 to \$130. You must submit a Claim Form by the Claim Deadline to receive a Cash Award. The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be provided only after any issues with the Settlement are resolved. Please be patient.

Please read this notice carefully. Your legal rights are affected whether you act or don’t act. These rights and options—and **the deadlines to exercise them**—are explained in this Notice.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT THE CLAIM FORM BY [INSERT CLAIM FILING DEADLINE]	To receive a cash payment from the Settlement, referred to as a “Cash Award,” you must submit a valid Claim Form online at www.ContinuingEdVPPAClassActionSettlement.com/[location of Claim Form] using your Claim ID number. All Claim Forms must be submitted online by [insert Claims Deadline] (the “Claim Deadline”).

<p>EXCLUDE YOURSELF BY [INSERT DEADLINE]</p>	<p>If you do not want to receive a Cash Award or be bound by the Settlement, you must exclude yourself by sending a signed written request for exclusion, postmarked by [insert deadline], to [insert addresses required for requests for exclusion]. If you exclude yourself, you will receive no payment from the Settlement and will not be able to object to the Settlement, but you will retain the ability to sue PESI, Inc. and its affiliates, including Psychotherapy Networker (the “Released Persons”). If you do not exclude yourself, any claims you may have against the Released Persons will be released, and you will not be able to sue the Released Persons for claims relating to their practices of collecting, sharing, or disclosing your data pertaining to your activities on the Released Persons’s websites to third parties.</p>
<p>OBJECT BY [INSERT DEADLINE]</p>	<p>If you do not like any aspect of the Settlement, you may object to it, but only if you do not exclude yourself. Any objections must be postmarked by [insert deadline]. Objections must contain your signature, provide the reasons for the objection, and comply with the other requirements set by the Court in its order granting preliminary approval of the Settlement, a copy of which is accessible at www.ContinuingEdVPPAClassActionSettlement.com/[location of PA order]. Objections must be sent to [insert addresses required for requests for exclusion] and postmarked no later than [insert deadline].</p>
<p>ATTEND A HEARING ON [INSERT FINAL APPROVAL HEARING DATE]</p>	<p>Ask to speak in Court about the fairness of the Settlement.</p>
<p>DO NOTHING</p>	<p>You will not receive a payment (a Cash Award) from the Settlement and you will not retain the ability to sue the Released Parties later.</p>

BASIC INFORMATION

1. What is this notice?

This notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please review the Settlement Agreement available at **www.ContinuingEdVPPAClassActionSettlement.com/[location of SA]**, contact the Settlement Administrator at **[insert Settlement Administrator’s e-mail address]** or Class Counsel at Hedin LLP, 1395 Brickell Avenue, Ste 610, Miami, FL 33131, or access the Court docket in this case in person at the Clerk’s office at the following address: 120 North Henry Street, Room 320, Madison, Wisconsin 53703.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

2. What is a class action lawsuit?

In a class action, one or more “Representative Plaintiffs” sue on behalf of a group of people who have similar claims. In this case and under this Settlement, the represented individuals are collectively referred to as a “Settlement Class” or “Settlement Class Members.” In a class action, the court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class. After the parties reached an agreement to settle this case, the Court recognized it as a case that may be treated as a class action for settlement purposes only.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

The lawsuit alleges that PESI, Inc. disclosed information identifying persons who purchased its video products or services to third parties in violation of the federal Video Privacy Protection Act (“VPPA”). Defendant maintains that it did not disclose information identifying persons who purchased its video products or services to third parties and did not violate the VPPA.

More information about the complaint in the lawsuit can be found in the “Court Documents” section of the Settlement website at [www.ContinuingEdVPPAClassActionSettlement.com/\[\[location of SA\]\]](http://www.ContinuingEdVPPAClassActionSettlement.com/[[location of SA]]).

4. Why is there a Settlement?

The Court has not decided whether the Representative Plaintiff or the Defendant should win this case. Instead, both sides agreed to a Settlement. The Representative Plaintiff and her attorneys (“Class Counsel”) believe that the Settlement is in the best interests of Settlement Class Members.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

The Settlement Class includes all persons who made purchases of video products or services from Defendant’s PESI.com website or PsychotherapyNetworker.org website between October 3, 2022, and October 3, 2024.

The following are excluded from the Settlement Class: (1) any trial judge and other judicial officers that may preside over the Action; (2) the Mediator; (3) the Released Parties; (4) Plaintiff’s Counsel; (5) any Settlement Class Member who has timely submitted a Request for Exclusion by the Opt-Out Deadline; and (6) any person or entity who has previously given a valid release of the claims asserted in the Action.

Everyone who fits this description is a member of the Settlement Class. If you received an email about this Settlement, it means that Defendant’s records indicate that you are likely a Settlement Class Member.

6. What information was allegedly disclosed?

The information covered by this Settlement includes information allegedly disclosed by Defendant that identifies persons who purchased its video products or services to third parties.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Defendant has agreed to pay \$2,950,000.00 to establish a Settlement Fund, which will be used to pay administrative fees, attorneys' fees and costs of up to 30% of the Settlement Fund to Class Counsel, and a service award of up to \$5,000 to the Class Representative. The remainder of the Settlement Fund, referred to as the "Net Settlement Fund," will then be divided equally among all Settlement Class Members who submit valid Claim Forms. Although the amount of the Cash Award that each claimant will receive depends on the total number of Claim Forms that are submitted, each Cash Award is estimated to be in the range of approximately \$65 to \$130.

Additionally, as a continuing and future benefit to all Settlement Class Members, Defendant has agreed to in the future refrain from disclosing information identifying persons who purchased its video products or services to third parties, absent such persons' consent.

To receive a Cash Award, Settlement Class Members must submit a valid Claim Form (including by providing all of the information requested in the Claim Form) online by the Claim Deadline. Further details are below.

HOW TO GET BENEFITS**8. How do I make a claim?**

To receive a Cash Award, you must submit a Claim Form on the Settlement Website. The Claim Form on the Settlement Website is accessible here: [www.ContinuingEdVPPAClassActionSettlement.com/\[location of Claim Form\]](http://www.ContinuingEdVPPAClassActionSettlement.com/[location of Claim Form]). All Claim Forms must be submitted on the Settlement Website by [\[insert Claims Deadline\]](#).

On the Claim Form, you may choose to receive your Cash Award either by paper check sent to your postal address or by electronic payment method. The amount of your Cash Award will be the same regardless of which method of payment you choose. Checks may be deposited into a bank account or cashed at a bank by the expiration date on the check (120 days after the issuance date stated on the check); after a check expires, it may no longer be deposited or cashed. Payments sent by electronic means will never expire. If you choose to receive your settlement payment by paper check and the mailing address you provided on the Claim Form changes after you submitted your Claim Form, you must submit an address change form on the Settlement Website here: [www.ContinuingEdVPPAClassActionSettlement.com/\[location of change of address form\]](http://www.ContinuingEdVPPAClassActionSettlement.com/[location of change of address form]) as soon as possible and not later than 14 days after the Effective Date.

9. How much will the payment be?

The Net Settlement Fund will be divided equally among all Settlement Class Members who submit valid Claim Forms. The exact amount each claimant will receive depends on the total number of claim forms submitted. Each Cash Award is estimated to be in the range of approximately \$65 to \$130.

10. When will I get my payment?

The Court has scheduled a Final Approval Hearing on [\[insert date\]](#), at [\[insert time\]](#), at 120 North Henry Street, Room 320, Madison, Wisconsin 53703, to consider whether to finally approve the Settlement. You

may appear at the hearing, either yourself or through an attorney hired by you, but you are not required to do so. If you intend to appear at the Final Approval Hearing, you must submit a notice of intent to appear in the manner and form set forth in the Settlement Agreement. For more information, please contact the Settlement Administrator at [insert Settlement Administrator's e-mail address] or Class Counsel at Hedin LLP, 1395 Brickell Avenue, Ste 610, Miami, FL 33131, or visit the Settlement Website at www.ContinuingEdVPPAClassActionSettlement.com.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in this case?

Yes. The Court has appointed the law firm of Hedin LLP to represent you and other Settlement Class Members. These attorneys are referred to as "Class Counsel." Class Counsel can be reached at Hedin LLP, 1395 Brickell Ave., Ste 610, Miami, Florida 33131.

In addition, the Court appointed Plaintiff Dana Manza to serve as the Representative Plaintiff. She is a Settlement Class Member like you.

12. Should I get my own lawyer?

You do not need to hire your own lawyer. Class Counsel is working on your behalf. However, if you want your own lawyer, you are free to retain one.

13. How will the lawyers be paid?

On or before [insert deadline to file application for a fee award and service awards], Class Counsel intend to ask the Court to award an Attorneys' Fee Award for the services they provided the Settlement Class in the Action of up to 30% of the Settlement Fund, inclusive of all litigation expenses incurred in the Action, as well as a Service Award of \$5,000 to the Class Representative for bringing and prosecuting this Action on behalf of the Settlement Class. The Court will determine the amount of any Attorneys' Fee Award to Class Counsel and Service Award to the Representative Plaintiff. The Court may award less than the amounts requested by Class Counsel and the Representative Plaintiff.

Class Counsel will file with the Court and post on the Settlement Website its application for an Attorneys' Fee Award and Service Award by [insert deadline to file application for a fee award and service awards].

YOUR RIGHTS AND OPTIONS

14. What happens if I do nothing?

If you do nothing, you **will not** receive a payment (a Cash Award) and you will not retain the ability to sue the Released Parties later.

15. What happens if I ask to be excluded?

If you exclude yourself from the Settlement, you will not receive a Cash Award or be bound by the Settlement, but you will retain the ability to sue the Released Persons later for allegedly collecting, sharing, or disclosing your data pertaining to your activities on the Released Persons's websites to third parties.

16. How do I ask to be excluded?

To exclude yourself from the Settlement, you must send a letter to the Settlement Administrator clearly stating that you want to be excluded from the Settlement in *Manza v. PESI, Inc.*, No. 3:24-cv-000690-AMB-JDP (W.D. Wis). Your letter must also include your name, address, your current phone number, and your signature. It must be sent to the Settlement Administrator at [Insert Settlement Administrator's address to receive requests for exclusion], postmarked no later than [insert deadline].

17. If I don't exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Released Persons for claims relating to their practices of allegedly collecting, sharing, or disclosing your data pertaining to your activities on the Released Persons's websites to third parties.

18. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you cannot submit a Claim Form and will not receive a Cash Award.

19. How do I object to the Settlement?

If you do not like any aspect of the Settlement, you may object to it, but only if you do not exclude yourself. Objections must contain your signature, provide the reasons for the objection, and comply with all other requirements for submitting objections that have been set by the Court in its order granting preliminary approval of the Settlement, a copy of which is accessible at www.ContinuingEdVPPAClassActionSettlement.com/[[location of PA order]]. Objections must be signed and dated and sent to the Court, Class Counsel, and Defense Counsel, postmarked no later than [insert deadline], at the following addresses:

<u>The Court</u>	<u>Class Counsel</u>	<u>Defense Counsel</u>
Western District, Wisconsin 120 North Henry Street, Room 320 Madison, Wisconsin 53703	Frank S. Hedin Hedin LLP 1395 Brickell Ave., Suite 610 Miami, Florida 33131	David Schultz Hinshaw & Culbertson LLP 151 N. Franklin Street, Suite 2500 Chicago, IL 60606

If, in addition to submitting a written objection to the Settlement, you wish to appear and be heard at the Final Approval Hearing on the fairness of the Settlement, you must file by [insert deadline] a notice of intention to appear with the Court and list the name, address, and telephone number of the attorney, if any, who will appear on your behalf.

20. What is the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you do not like something about the Settlement. You can object only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement Class is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FAIRNESS HEARING

21. When and where will the Court hold a hearing on the fairness of the Settlement?

The Court has scheduled a hearing on **[insert date]**, at **[insert time]**, at 120 North Henry Street, Room 320, Madison, Wisconsin 53703, to consider whether to finally approve the Settlement and to approve the requested Attorneys' Fee Award and Service Award. You may appear at the hearing, either yourself or through an attorney hired by you, but you are not required to do so. For more information, please contact the Settlement Administrator at **[insert Settlement Administrator's e-mail address]** or Class Counsel at Hedin LLP, 1395 Brickell Avenue, Ste 610, Miami, FL 33131, or visit the Settlement Website at **www.ContinuingEdVPPAClassActionSettlement.com**. **Note:** The date and time of the fairness hearing are subject to change by Court Order, but any changes will be posted at the Settlement Website.

22. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you submit an objection, you do not have to come to Court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may retain your own lawyer to attend on your behalf, but you do not have to. If you do not exclude yourself from the Settlement Class, you may attend and speak at the hearing concerning any part of the proposed Settlement by filing a notice of intent to appear at the Final Approval Hearing, in the manner specified in the Settlement Agreement.

GETTING MORE INFORMATION

23. Where can I get additional information?

This notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please review the Settlement Agreement available at **[www.ContinuingEdVPPAClassActionSettlement.com/\[location of SA\]](http://www.ContinuingEdVPPAClassActionSettlement.com/[location of SA])**, contact the Settlement Administrator at **[insert Settlement Administrator's e-mail address]** or Class Counsel at Hedin LLP, 1395 Brickell Avenue, Ste 610, Miami, FL 33131, or access the Court docket in this case in person at the Clerk's office at the following address: 120 North Henry Street, Room 320, Madison, Wisconsin 53703.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.