

LEGAL NOTICE

If you used a credit, debit, or other payment card at certain Wendy's branded restaurants between October 25, 2015 and June 28, 2016, you may be eligible for a cash payment from a data breach class action settlement.

A Settlement has been reached with Wendy's International, LLC ("Wendy's") in a class action lawsuit about a data breach that occurred at certain of Wendy's independently owned and operated franchisee restaurants between October 25, 2015 and June 28, 2016 ("Data Breach"). The Settlement will pay people whose "Personal Information" was compromised as a result of the Data Breach and who incurred reimbursable losses as described in the Claim Form. Personal Information means information that is or could be used, whether on its own or in combination with other information, to identify, locate, or contact a person, and it also includes names, addresses, payment card numbers, expiration dates, security and service codes, and any other payment card-related information.

The United States District Court for the Middle District of Florida authorized this notice in the case, known as *Torres v. Wendy's International, LLC*, Case No. 6:16-cv-00210-PGB-DCI (M.D.Fla.).

Go to www.wendysdatabreachsettlement.com for additional Settlement information, including a list of affected Wendy's restaurants and the exposure dates for each impacted location.

WHAT IS THIS ABOUT?

The lawsuit claims that Wendy's was responsible for the Data Breach. Wendy's denies all of the claims and says it did not do anything wrong. The Court did not decide in favor of either side. Instead, both sides agreed to a settlement. This Settlement is not an admission of wrong-doing or an indication that any law was violated.

WHO IS INCLUDED?

You are included in the Settlement if you reside in the United States and your Personal Information was compromised as a result of the Data Breach ("Settlement Class Members").

WHAT DOES THE SETTLEMENT PROVIDE?

The Settlement provides two types of payments to people who submit valid claims. You may submit a claim for either or both types of payments.

- (1) Reimbursement of up to \$5,000 for certain documented unreimbursed out-of-pocket expenses and lost time that resulted from the Data Breach.
- (2) Reimbursement for non-documented time spent dealing with the repercussions of the Data Breach for up to 2 hours at \$15/hour (\$30 total).

Wendy's will pay up to \$3.4 million to settle the lawsuit. Court-awarded attorneys' fees, costs and expenses, and service awards to the Representative Plaintiffs will be deducted from the \$3.4 million prior to making payments to Settlement Class Members who submit valid Claim Forms.

HOW DO YOU GET A PAYMENT?

To get a payment you must submit a Claim Form by **March 21, 2019**. Claim Forms are available at www.wendysdatabreachsettlement.com or by calling 1-844-295-9845.

WHAT ARE YOUR OPTIONS?

If you do not want to be legally bound by the Settlement, you must exclude yourself from it by **December 21, 2018**, or you will not be able to sue, or continue to sue, Wendy's about the legal claims this Settlement resolves. If you exclude yourself, you cannot get money from the Settlement.

If you stay in the Settlement Class, you can tell the Court that you do not agree with the Settlement or some part of it by objecting to it by **December 21, 2018**.

The Long Notice available at www.wendysdatabreachsettlement.com explains how to exclude yourself or object and describes the released claims in detail.

WHO REPRESENTS YOU?

The Court appointed John A. Yanchunis of Morgan & Morgan Complex Litigation Group as Lead Counsel and Patrick A. Barthle of Morgan & Morgan Complex Litigation Group, Jean Sutton Martin of Law Office of Jean Sutton Martin PLLC, Ariana Tadler and Melissa Clark of Milberg Tadler Phillips Grossman LLP, John Emerson of Emerson Scott LLP, and Jeremy Glapion of Glapion Law Firm as Class Counsel to represent the Settlement Class. Class Counsel will ask the Court for an award for attorneys' fees of \$1,020,000, plus reasonable costs and expenses, and service awards up to \$5,000 each for the Representative Plaintiffs Christine Jackson, Ashley McConnell, and Gerald Thomas. If you want to be represented by your own lawyer, you may hire one at your own expense.

WHEN WILL THE SETTLEMENT BE APPROVED?

The Court will hold a hearing on **February 25, 2019**, at **10:30 a.m.** to consider whether to approve the Settlement, and Class Counsel's request for attorneys' fees, costs and expenses, and service awards. You or your own lawyer may ask to appear and speak at the hearing at your own cost, but you do not have to.

WANT MORE INFORMATION?

Visit www.wendysdatabreachsettlement.com or call 1-844-295-9845.

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