

# EXHIBIT A - CLAIM FORM

# SAMPLE

*In re: Wendy's Data Security Breach Litigation,*  
Case No. 6:16-cv-210-PGB-DAB (M.D. Fla.)

COMPLETE AND SIGN THIS FORM AND  
FILE ONLINE NO LATER THAN  
[due date]  
at [www.settlementwebsite.com](http://www.settlementwebsite.com)  
or file by mail postmarked by [due date]

**CLAIM FORM**

**CLASS MEMBER INFORMATION**

Full Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address (optional): \_\_\_\_\_

(if provided, we will communicate primarily by email about your claim)

**SAMPLE**

**SETTLEMENT OVERVIEW**

**Documented Losses and Time**

If you have documentation establishing that you suffered out-of-pocket losses, unreimbursed charges, or time spent remedying issues relating to the Wendy's data breach, you can make a claim for reimbursement *up to* \$5,000, including up to 5 hours of documented time at \$15 per hour. You must submit supporting documentation for this claim.

**Self-Certifying Time**

If you do not have documentation, you will still be eligible to self-certify your time spent remedying issues relating to the Wendy's data breach at \$15 per hour for up to 2 hours.

The total amount for both Documented Losses and Time and Self-Certifying Time is capped at \$5,000 per claimant.

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1. Did you use a credit or debit card at an affected Wendy's location during the exposure window for that particular location ([click here to see a list of locations and exposure windows](#))?

Yes  (*Proceed to Question 2*) No  (*You are not eligible to submit a claim*)

2. What is the restaurant number of the Wendy's location where you made your purchase? (list up to three)  
([click here to see a list of locations and restaurant number](#))

\_\_\_ \_\_\_ \_\_\_ \_\_\_  
\_\_\_ \_\_\_ \_\_\_ \_\_\_  
\_\_\_ \_\_\_ \_\_\_ \_\_\_

3. Do you have proof of your purchase using a credit or debit card at an affected Wendy's location during the exposure window?  
(*Examples: purchase receipt, credit card statement, bank statement*)

Yes  (*Proceed to Question 4*) No  (*You are not eligible to submit a claim*)

**SAMPLE**

**DOCUMENTED CLAIMS FOR OUT-OF-POCKET LOSSES, UNREIMBURSED CHARGES, OR TIME SPENT REMEDYING ISSUES RELATING TO THE DATA BREACH**

4. Do you have documents supporting that you experienced out-of-pocket losses, unreimbursed charges, or time spent remedying issues relating to the Wendy's data breach? You may submit a claim, with supporting documentation, for up to \$5,000 in out-of-pocket losses, unreimbursed charges, or time spent remedying issues related to the Wendy's data breach.

Yes  (*Proceed to the chart below*) No  (*skip to Question No. 5*)

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<b>Loss Type</b> (Check all that apply)	<b>Date of Loss</b>	<b>Amount of Loss</b>	<b>Description of Supporting Documentation</b> (Identify what you are attaching and why)
<input type="checkbox"/> Costs and expenses spent addressing identity theft or fraud as a result of Wendy's data breach			<i>Examples: Receipt or account statement reflecting fuel costs for driving to bank or filing police report; Receipt for hiring service to assist you in addressing identity theft</i>
<input type="checkbox"/> Losses caused by restricted access to funds (i.e., costs of taking out a loan, ATM withdrawal fees) as a result of the Wendy's data breach			<i>Examples: Account statement with ATM withdrawal fee highlighted; Loan agreement or bank statement with additional interest paid highlighted</i>
<input type="checkbox"/> Preventative costs including purchasing credit monitoring, placing security freezes on credit reports, or requesting copies of credit reports for review as a result of the Wendy's data breach			<i>Example: Receipts or account statements reflecting purchases made for credit monitoring services or to place a credit freeze</i>
<input type="checkbox"/> Late fees, declined payment fees, overdraft fees, returned check fees, customer service fees, and/or card cancellation or replacement fees as a result of the Wendy's data breach			<i>Example: Account statements reflecting overdraft fees</i>

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<input type="checkbox"/> <u>Documented</u> time spent remedying issues relating to the Wendy's data breach		<b>Number of Hours Spent</b> _____ (max = 5 hours)	<i>Example: Phone bill reflecting time spent on phone with bank. You may make a claim for up to 5 hours of <u>documented</u> time at \$15 per hour.</i>
<input type="checkbox"/> Unauthorized charges on credit or debit card reasonably caused by the Wendy's data breach that were not reimbursed or other fraud losses reasonably caused by the Wendy's data breach			The following is required to recover for this category of loses: (1) a copy of the statements that show the fraudulent charges, and (2) correspondence from financial institution declining to reimburse you the charges. If you do not have written correspondence, provide in writing the approximate date that you reported _____ to whom you reported fraudulent charge.
<input type="checkbox"/> Other (provide detailed description)			<i>Please provide detailed description and supporting documentation</i>

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**SELF-CERTIFIED CLAIMS FOR TIME**

5. Did you spend time or additional time other than what is documented above remediating issues relating to the Wendy's data breach?  
*You may make a claim for up to 2 hours of undocumented time at \$15 per hour.*

Yes  (*Please fill out the statement below*) No  (*skip to Question No. 6*)

I spent (up to two) \_\_\_\_\_ hours addressing the repercussions of the Wendy's data breach to be reimbursed at a rate of \$15 per hour.

**ATTESTATION AND SIGNATURE**

I do hereby swear (or affirm), under penalty of perjury, that the information provided above is true and accurate to the best of my knowledge and that the compensation I am claiming is based on losses I reasonably believe to the best of my knowledge were the result of the Wendy's data breach.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SAMPLE**