

NISSAN CANADA DATA SECURITY INCIDENT CLASS ACTION: NOTICE OF SETTLEMENT APPROVAL HEARING

Please read this Notice carefully. Your legal rights may be affected regardless of whether or not you act.

This Notice is for all persons residing in Canada, including their estates, executors or personal representatives but excluding persons resident in Québec, who had active leases or loans with Nissan Canada Inc. or Nissan Canada Financial Services Inc. Services Financiers Nissan Canada Inc. in the period from December 22, 2016 to January 12, 2017 (“Ontario Class” or “Ontario Class Members”).

This Notice is to inform you that a proposed Settlement has been reached in two certified class action lawsuits against Nissan Canada Inc., Nissan Canada Financial Services Inc. / *Services Financier Nissan Canada Inc.* and Nissan North America, Inc. (“Nissan”): *Grossman, et al. v. Nissan Canada Inc., et al., c.o.b. as Nissan Canada Finance and c.o.b. as Infiniti Financial Services Canada, Nissan Canada Financial Services Inc., Services Financiers Nissan Canada Inc. and Nissan North America, Inc.*, Ontario Superior Court of Justice Court File No.: CV-18-00590402-00CP (the “Ontario Action”); and, *Levy v Nissan Canada Inc.*, Superior Court of Québec Court File No.: 500-06-000907-184 (the “Québec Action”).

The proposed Settlement applies to Class Members in the Ontario Action and Class Members in the Québec Action (“Settlement Class” or “Settlement Class Members”).

The lawsuits allege that Nissan is liable for damages resulting from an incident in which it received an anonymous email from an unknown attacker claiming to have information about Nissan customers, and demanding a ransom be paid to return the data (the “Data Incident”). Nissan does not admit to any of the allegations in either of the lawsuits, and none of the allegations have been proven. Nissan and the plaintiffs have instead decided to settle the lawsuit.

Nissan has agreed to provide a settlement fund of CAD \$1,820,000 to pay Settlement Class Member claims.

If the Settlement is approved, Settlement Class Members would be eligible to submit either a Documented Claim or Undocumented Claim. Settlement Class Members who have suffered damages, losses, costs and/or unreimbursed expenses caused by the Data Incident and who submit a Claim Form evidencing (i) their membership in the Settlement Class; and (ii) documented damages incurred as a result of the Data Incident, would be eligible for the reimbursement of such damages up to **CAD \$2,500** (“Documented Claim”).

Settlement Class Members who do not have documentation or proof of damages and who submit a Claim Form evidencing their membership in the Settlement Class would be entitled to **CAD \$35** for reimbursement of lost time (“Undocumented Claim”).

APPROVAL HEARING: The proposed Settlement must be approved by the Courts to become effective. The approval hearings will take place on:

- April 24, 2024: Ontario Superior Court of Justice
- Date to be set: Superior Court of Québec (together, the “Courts”)

Check the Settlement Website regularly after these dates to see if the Settlement has been approved. You can also register with Class Counsel to be notified by email if the Settlement is approved.

YOUR LEGAL RIGHTS AND OPTIONS:

- **Participate** in the Settlement, if approved by the Courts, and submit a claim for indemnification. If you wish to participate, you are not required to do anything until after the Settlement is approved.
- **Object** to the Settlement before the Courts consider whether to approve it, and attend an approval hearing. If you wish to object, you must serve Class Counsel a written notice by April 4, 2024.

TO OBTAIN MORE INFORMATION, VISIT WWW.NISSANDATASETTLEMENT.COM OR CALL 1-877-206-7028

YOU MAY ALSO CONTACT LAWYERS FOR THE ONTARIO CLASS

McKenzie Lake Lawyers LLP: 519-672-5666

Landy Marr Kats LLP: 416-221-9343

Du Vernet, Stewart: 416-231-1668

This Notice was approved by order of the Ontario Superior Court of Justice.

This is not a solicitation from a lawyer.