

**NISSAN CANADA DATA SECURITY INCIDENT CLASS ACTION SETTLEMENT:**  
**CLAIM FORM**

**Private & Confidential**

**Please read this Claim Form carefully and complete it in full. Failure to fully complete this Claim Form and/or sign it will result in your Claim being rejected. Once completed and signed, submit this Claim Form to the Claims Administrator postmarked on or before October 21, 2024. Please mail your completed Claim Form to the address below.**

**Nissan Data Incident Class Action  
c/o RicePoint Administration Inc.  
P.O. Box 3355  
London, ON N6A 4K3**

**You may submit your claim online by completing the form available at  
[www.nissandatasettlement.com](http://www.nissandatasettlement.com).**

This Claim Form is for Settlement Class Members who wish to claim indemnification under the Settlement Agreement dated January 4, 2024 relating to the Nissan Data Security Incident.

**"Data Security Incident"** means the incident occurring on or about December 11, 2017, when Nissan received an anonymous email from an unknown individual claiming to have compromised Nissan's information technology systems and stolen data, and demanding that a ransom in the amount of US\$250,000 be paid in Bitcoin to return the data.

**"Settlement Class Members"** means all persons included in the Class in the Ontario Action Class and in the Quebec Action, as defined below.

<b>Proceeding</b>	<b>Plaintiff(s)</b>	<b>Defendants</b>	<b>Settlement Class</b>
Ontario Superior Court of Justice Court File No. <b>CV-18-00590402-00CP</b> (the <b>"Ontario Action"</b> )	Grossman, Arntfield	Nissan Canada Inc., Nissan North America, Inc	All persons residing in Canada, including their estates, executors or personal representatives but excluding persons resident in Quebec, 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.
Quebec Superior Court (District of Montreal), Court File 500-06-000907-184 (the <b>"Quebec Action"</b> )	Levy	Nissan Canada Inc.	All persons in Quebec: (i) whose personal or financial information held by Nissan Canada was compromised in a data breach of which Respondent was advised by the perpetrators by email on December 11, 2017, or (ii) who received a letter from Nissan Canada on or about January 2018 informing them of such data breach.

**CATEGORY OF CLAIMS:**

A **Documented Claim** means a claim by a Settlement Class Member who has suffered damages, losses, costs and/or unreimbursed expenses that were caused by the Data Security Incident (including as a result of being informed of the Data Security Incident in the Québec Action), which claim is supported by reasonable documentary evidence as determined by the Claims Administrator, in its discretion. This documentary evidence may include invoices, receipts, financial records or photos. A Documented Claim may be but is not necessarily related to actual fraud or identity theft suffered.

An **Undocumented Claim** means a claim by a Settlement Class Member made without the Settlement Class Member having to provide any documentation or proof of harm but only that they are a Settlement Class Member.

**Settlement Class Members are not eligible to receive payment for both a Documented Claim and an Undocumented Claim** (i.e., Settlement Class Members will be entitled only to submit either a Documented Claim or an Undocumented Claim).

Check **one** of the boxes below to indicate whether you are submitting a Documented Claim or an Undocumented Claim.

- Documented Claim
- Undocumented Claim

**If you are submitting a Documented Claim:**  
you **must** complete Sections 1, 3, 4 and 5 below and sign the Claim Form at Section 7

or

**If you are submitting an Undocumented Claim:**  
you **must** complete Sections 1 and 3 below and sign the Claim Form at Section 7

### 1. Claimant Identification

Provide the following information about the person submitting this Claim for compensation, or, if applicable, on whose behalf you are submitting this Claim:

First Name:		Middle Initial:
Last Name:		
Prior Last Name(s) (if applicable):		
Street Address:		Suite Number:
City:	Province/Territory:	Postal Code:
Phone Number:		Email Address:

Your eligibility in the settlement will be confirmed based on information that is contemporaneous to the Data Security Incident. If you had a different mailing address, or email address at any time from December 2016 to December 2017, please provide this information below:

	<b>#1 Alternate Contact Information in 2016/2017</b>	<b>#2 Alternate Contact Information in 2016/2017</b>	<b>#3 Alternate Contact Information in 2016/2017</b>
Street Address			
City, Province			
Postal Code			
Email Address			

**2. Representative Identification (if you are submitting this Claim on behalf of a Settlement Class Member who is deceased or for another reason)**

If you are submitting this Claim as a representative on behalf of a Settlement Class Member, provide the following personal identification information **and attach a copy of the Certificate of Appointment of Estate Trustee, Power of Attorney or other document establishing your authority to act on this person's behalf:**

YOU ARE SUBMITTING THIS CLAIM ON BEHALF OF SOMEONE WHO IS:		
<input type="checkbox"/> DECEASED <input type="checkbox"/> OTHER REASON (Identify):		
Representative's Full Name:		
Representative's Relationship to Claimant:		
Representative's Street Address:		Suite Number:
City:	Province/Territory:	Postal Code:
Representative's Phone Number:		Representative's Email Address:
Representative's Law Firm Name (if applicable):		

**3. Information Regarding Membership in the Settlement Class**

Check **one or all** of the following boxes that apply to you to confirm whether you are a Settlement Class Member under the Ontario Action or the Quebec Action.

- I reside in Québec and had an active lease or loan with Nissan Canada Inc. or Nissan Canada Financial Services / Services Financiers Nissan Canada Inc. between December 22, 2016 and January 12, 2017.
- I reside in Québec and received a letter from Nissan Canada Inc. in or around January 2018 informing me of the Data Security Incident.
- I reside in Canada in a province or territory other than Quebec and had an active lease or loan with Nissan Canada Inc. or Nissan Canada Financial Services / Services Financiers Nissan Canada Inc. between December 22, 2016 and January 12, 2017.

#### 4. Information Regarding Damages Incurred as a Result of the Data Security Incident

**Only fill out this Section if you are submitting a Documented Claim**

In the checklist below select at least one type of cost or expense, to the best of your recollection, to describe the damages, losses, costs and/or unreimbursed expenses you incurred as **a result of the Data Security Incident**.

- Unauthorized opening of an account, whether a chequing account, a savings account, a mobile phone subscription, etc.
- Taking control of a pre-existing account (account takeover).
- Unauthorized application for a credit card, a prepaid card, or financing such as a loan or margin.
- Purchasing of insurance.
- Providing a guarantee or endorsement as part of a transaction.
- Credit-related costs (ex. purchasing credit monitoring services or identity theft protection, credit reports, costs to place a freeze or alert on credit, costs to correct an error on a credit report or credit score).
- Unauthorized, unreimbursed charges on credit or debit card or account.
- Cost to hire someone to help correct your credit.
- Fees paid on your account (ex. late fees, declined payment fees, overdraft fees, returned cheques, customer service, card cancellation or replacement).
- Other costs or unreimbursed expenses, including related to identity theft or fraud, as a result of the Data Security Incident (please describe below).

What is the total amount of out-of-pocket damages claimed (in CAD)?: \$\_\_\_\_\_

## 5. Supporting Documentation

**Note: Failure to provide supporting documentation will result in your Documented Claim being rejected.**

Attach to this Claim Form documentation of unreimbursed damages, losses, costs and/or expenses which were caused by the Data Security Incident and/or as a result of receiving a letter informing you of the Data Security Incident (for the Québec Action only). This may include unreimbursed damages, losses, costs and/or expenses related to fraud or identity theft.

The evidence of a Documented Claim must be objective, reliable and credible, such as credit card statements, invoices, and receipts, financial records or photos of out-of-pocket expenses incurred.

Only damages, losses, costs and/or expenses actually incurred related to the services included in the categories listed in Section 4 above may be claimed, provided that it can be established they were directly caused by the Data Security Incident and/or the receipt of the letter notifying you of the Data Security Incident (for the Quebec Action only), as determined by the Claims Administrator in its sole discretion.

## 6. Privacy Statement

All personal information provided by or on behalf of the Claimant to the Claims Administrator will be handled in accordance with applicable privacy laws. Such information will be used solely for the purposes of administering the Settlement Agreement. The information provided will be treated as private and confidential and will not be disclosed without the express written consent of the Claimant, except in accordance with the Settlement Agreement, Approval Order and/or other orders of the Ontario Superior Court of Justice and the Superior Court of Quebec.

## 7. Signature & Date

By signing below, I declare under penalty of perjury that I am a Settlement Class Member or a representative of a Settlement Class Member as disclosed in Section 2 above, and that the information provided and submitted in this Claim Form is true and correct to the best of my knowledge. I understand that this Claim Form and the supporting documentation attached hereto may be subject to audit, verification, and review by the Claims Administrator and/or Court. I also understand that if the information in this Claim Form or the supporting documentation attached hereto is believed or found to be fraudulent, I will not receive any payment. I agree to participate in the Settlement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Claimant (or Representative)

\_\_\_\_\_  
Printed Name of Claimant (or Representative)

**8. Reminder Checklist**

- I have reviewed this Claim Form for completeness and correctness.
- I have signed and dated this Claim Form.
- I have attached the required supporting documentation.
- I have made a copy and kept a copy of this Claim Form and all supporting documentation for my records.

**9. Submit this Claim Form (with required supporting documentation attached)**

Once completed and signed, submit this Claim Form, with the required supporting documentation attached, to the Claims Administrator online or by mail to the address below postmarked on or before the deadline to submit a Claim Form (**October 21, 2024**). To submit a Claim Form online, please visit [www.nissandatasettlement.com](http://www.nissandatasettlement.com).

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c/o RicePoint Administration Inc.  
P.O. Box 3355  
London, ON N6A 4K3**

If you fail to submit this Claim Form and/or supporting evidence and documentation on or before the deadline to submit a Claim Form (**October 21, 2024**), you will not be eligible for any compensation whatsoever. Sending in a Claim Form late will be the same as doing nothing.

Please note that if your Claim is successful, payments will be distributed after the end of the Claims Period (**October 21, 2024**). This process will take some time, and your patience is appreciated.

If you have any questions about this Claim Form or the Settlement generally, please visit [www.nissandatasettlement.com](http://www.nissandatasettlement.com) or call 1-877-206-7028. You can also contact Class Counsel directly:

**For the Ontario Action:**

<p><b>McKenzie Lake Lawyers LLP</b> 140 Fullarton Street, Suite 1800 London, ON N6A 5P2 Toll-Free Telephone: 1-844-672-5666 email: <a href="mailto:nissandatabreachclassaction@mckenzielake.com">nissandatabreachclassaction@mckenzielake.com</a></p>	<p><b>Landy Marr Kats LLP</b> 2 Sheppard Avenue East, Suite 900 Toronto, ON M2N 5Y7 Telephone: 416-221-9343 email: <a href="mailto:nissandatabreachclassaction@lmklawyers.com">nissandatabreachclassaction@lmklawyers.com</a></p>
<p><b>Du Vernet, Stewart</b> 1392 Hurontario Street Mississauga, ON L5G 3H4 Telephone: 416-231-1668 email: <a href="mailto:nissandatabreachclassaction@duvernet.ca">nissandatabreachclassaction@duvernet.ca</a></p>	

**For the Quebec Action:**

<p><b>Lex Group Inc.</b> 4101 Sherbrooke Street West Westmount, Quebec, H3Z 1A7 Telephone: 514-451-5500 (ext. 101) email: info@lexgroup.ca</p>	
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*Please note that in case of any discrepancy between the terms of this Claim Form and the Settlement Agreement, the terms of the Settlement Agreement shall prevail. Any term not defined in this Notice shall have the meaning ascribed in the Settlement Agreement.*