

IN THE U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA,  
TAMPA DIVISION

**If you were notified by mail of the Data Breach between 2017 and 2019 impacting information maintained by PCS Revenue Control Systems, Inc. (“PCS”) in 2021, you may be eligible for a class action settlement payment.**

*A court authorized this notice. This is not a solicitation from a lawyer.*

- A Settlement has been reached in a class action lawsuit about a data incident that occurred on between May 19, 2017 and December 19, 2019, which potentially exposed personally identifiable information (“PII”) maintained by PCS Revenue Control Systems, Inc. (“PCS”) (the “Data Breach”).
- The circumstances giving rise to this case occurred between May 19, 2017, and December 19, 2019, and involved unauthorized access to personally identifiable information (“PII”) maintained by PCS. The exposed information may have included names, student identification numbers, dates of birth, and/or Social Security numbers. Subsequently, a lawsuit was filed against PCS, alleging that it did not take appropriate care to protect the PII. PCS denies the claims and denies any wrongdoing.
- The Settlement includes all Persons to whom PCS sent notification that their personal information may have been or was exposed to unauthorized third parties as a result of the Data Breach.
- The Settlement provides payments to people who submit valid claims for out-of-pocket expenses and lost time that were incurred and plausibly arose as a result of the Data Breach.

**Your legal rights are affected even if you do nothing. Read this Notice carefully.**

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>Submit a Claim</b>	The only way to get a payment and/or credit monitoring. You must submit a claim by <b>November 23, 2022.</b>
<b>Ask to be Excluded</b>	Get no payment. The only option that allows you to sue PCS over the claims resolved by this Settlement. You must exclude yourself by <b>November 23, 2022.</b>
<b>Object</b>	Write to the Court about why you do not like the Settlement. You must object by <b>November 23, 2022.</b>
<b>Do Nothing</b>	Get no payment. Give up rights.

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court in charge of this case still has to decide whether to grant final approval of the Settlement. Payments will only be made after the Court grants final approval of the Settlement and after any appeals are resolved.

**Questions? Call 1-800-842-4612 or visit [www.pcsrevenue-datasettlement.com](http://www.pcsrevenue-datasettlement.com)**

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## BASIC INFORMATION

### 1. Why was this Notice issued?

The Court authorized this notice because you have a right to know about the proposed Settlement in this class action lawsuit and about all of your options before the Court decides whether to give “final approval” to the Settlement. This notice explains the legal rights and options that you may exercise before the Court decides whether to approve the Settlement.

This matter involves a lawsuit styled *Gamez et al. v. PCS Revenue Control Systems, Inc.*, in the U.S. District Court for the District of New Jersey, Newark Division, Case No. 2:21-cv-08991-JXN-AME. The persons who sued are called the Plaintiffs. PCS is called the Defendant.

### 2. What is this lawsuit about?

The lawsuit claims that PCS (“Defendant”) was responsible for the Data Breach and asserted claims such as: negligence and violations of the Florida Deceptive and Unfair Trade Practices Act. The lawsuit seeks compensation for people who experienced unreimbursed, documented out-of-pocket expenses, fraudulent charges, and/or lost time spent dealing with the aftermath / clean-up of the Data Breach.

PCS denies all of the Plaintiffs’ claims and maintain they did not do anything wrong.

### 3. Why is this lawsuit a class action?

In a class action, one or more people called “Representative Plaintiffs” sue on behalf of all people who have similar claims. All of these people together are the “Class” or “Class Members.” In this case, the Representative Plaintiffs are Carlos Gamez, on behalf of himself, and Roberto Quinonez, on behalf of his minor son. One Court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

### 4. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost and risk of a trial, and people who submit valid claims will get compensation. The Representative Plaintiffs and their attorneys believe the Settlement is fair, reasonable, and adequate and, thus, best for the Class and its members. The Settlement does NOT mean that PCS did anything wrong.

## WHO IS IN THE SETTLEMENT?

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

You are included in the Settlement Class if you are a person to whom PCS sent notification that personal information may have been or was exposed to unauthorized third parties as a result of the Data Breach occurring between May 19, 2017 and December 19, 2019.

Specifically excluded from the Settlement Class are: (i) PCS and its parents, subsidiaries, affiliates, officers and directors, and any entity in which PCS has a controlling interest; (ii) all individuals who make a timely election to be excluded from this proceeding using the correct protocol for opting out; (iii) any and all federal, state, or local governments, including but not limited to their departments, agencies, divisions, bureaus, boards, sections, groups, counsels and/or subdivisions; (iv) the attorneys representing

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the any of the parties in the lawsuit; (v) all judges assigned to hear any aspect of the lawsuits, as well as their immediate family members; and (vi) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the Data Breach, or who pleads *nolo contendere* to any such charge.

## **6. What if I am not sure whether I am included in the Settlement?**

If you are not sure whether you are included in the Settlement, you may call 1-800-842-4612 with questions or visit [www.pcsrevenuodatasettlement.com](http://www.pcsrevenuodatasettlement.com). You may also write with questions to PCS Revenue Control Systems Claims Administrator, PO Box PO Box 23489, Jacksonville, FL 32241. Please do not contact the Court with questions.

## **THE SETTLEMENT BENEFITS**

### **7. What does the Settlement provide?**

The Settlement will provide payments to people who submit valid claims.

There is one type of general payment that is available:

#### **(1) Ordinary Expense Reimbursement (Question 8)**

You may submit a claim for this type of payment. You must also provide proof of your class membership in the form of either (1) the unique identifier provided in the notice you received by postcard or e-mail; or (2) name and physical address at which you received a notification by mail of the Data Breach announced by PCS on or around March 12, 2021.

If you provide a bill or payment card statement as part of required proof for any part of your claim, you may redact unrelated transactions and all but the first four and last four digits of any account number. In order to claim each type of payment, you must provide related documentation with the Claim Form, and the expense for which you are submitting a claim form cannot have been reimbursed through any other source.

Finally, as part of the Settlement, PCS has agreed to maintain certain data security measures. More details are provided in the Settlement Agreement, which is available at [www.pcsrevenuodatasettlement.com](http://www.pcsrevenuodatasettlement.com).

### **8. What payments are available for Expense Reimbursement?**

- Class Members are each eligible to receive reimbursement of up to \$2,500 (in total, per person) for
  - documented out-of-pocket costs or expenditures actually incurred that are fairly traceable to the Data Breach, including, without limitation, unreimbursed costs associated with fraud or identity theft including professional fees including attorneys' fees, accountants' fees, and fees for credit repair services and miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges, as well as costs for credit monitoring costs or other mitigative services that were incurred on or between May 19, 2017 and the Claims Deadline and/or
  - up to 3 hours, at \$25 per hour, of time spent remedying issues related to the Data Breach.

**Questions? Call 1-800-842-4612 or visit [www.pcsrevenuodatasettlement.com](http://www.pcsrevenuodatasettlement.com)**

## HOW TO GET BENEFITS

### 9. How do I get benefits?

To ask for a payment or to sign up for credit monitoring, you must complete and submit a Claim Form. Claim Forms can be submitted online at [www.pcsrevenueclaim.com](http://www.pcsrevenueclaim.com), or you may request one by mail by calling 1-800-842-4612. Read the instructions carefully, fill out the Claim Form, and mail it postmarked no later than **November 23, 2022** to:

PCS Revenue Control Systems Claims Administrator  
PO Box 23489, Jacksonville, FL 32241

### 10. How will claims be decided?

The Claims Administrator will decide in their professional judgment whether the information provided on a Claim Form is complete and valid. The Claims Administrator may require additional information from any claimant. If the required information is not provided timely, the claim will be considered invalid and will not be paid.

## REMAINING IN THE SETTLEMENT

### 11. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement, but if you want a payment you must submit a Claim Form postmarked by **November 23, 2022**.

### 12. What am I giving up as part of the Settlement?

If the Settlement becomes final, you will give up your right to sue for the claims being resolved by this Settlement. The specific claims you are giving up are described in Section 13.bb of the Settlement Agreement. You will be “releasing” PCS and all related people or entities as described in Paragraphs 28 and 29 of the Settlement Agreement. The Settlement Agreement is available at [www.pcsrevenueclaim.com](http://www.pcsrevenueclaim.com).

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can talk to the law firms listed in Question 16 for free or, you can, of course, talk to your own lawyer at your own expense if you have questions about what this means.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this Settlement, but you want to keep the right to sue PCS about issues in this case, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement Class.

### 13. If I exclude myself, can I get a payment from this Settlement?

No. If you exclude yourself, you will not be entitled to any benefits of the Settlement, but you will not be bound by any judgment in this case.

Questions? Call 1-800-842-4612 or visit [www.pcsrevenueclaim.com](http://www.pcsrevenueclaim.com)

#### **14. If I do not exclude myself, can I sue PCS for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue for the claims that this Settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for a payment.

#### **15. How do I exclude myself from the Settlement?**

To exclude yourself, send a letter that says you want to be excluded from the Settlement in lawsuit styled *Gamez et al. v. PCS Revenue Control Systems, Inc.*, in the U.S. District Court for the District of New Jersey, Newark Division, Case No. 2:21-cv-08991-JXN-AME. Include your name, address, and signature. You must mail your Exclusion Request postmarked by **November 23, 2022**, to:

PCS Revenue Control Systems Settlement Exclusions  
PO Box 23489, Jacksonville, FL 32241

### **THE LAWYERS REPRESENTING YOU**

#### **16. Do I have a lawyer in this case?**

Yes. The Court appointed the following lawyers as “Class Counsel”: James A. Barry of PGMBM, LLC, 161 Washington St. Suite 250, Conshohocken, PA 19428, and John A. Yanchunis and Ryan D. Maxey of MORGAN & MORGAN COMPLEX LITIGATION GROUP, 201 N. Franklin St., 7th Floor, Tampa, Florida 33602.

You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **17. How will the lawyers be paid?**

Class Counsel will request the Court’s approval of an award for attorneys’ fees and reasonable costs and expenses of up to \$85,000. Class Counsel will also request approval of incentive awards of \$1,000 each for the Representative Plaintiffs. Any amount that the Court awards for attorneys’ fees, costs, expenses, and an incentive award will be paid separately by Defendant and will not reduce the amount of payments to Class Members who submit valid claims.

### **OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement or some part of it.

#### **18. How do I tell the Court that I do not like the Settlement?**

You can object to the Settlement if you do not like it or some part of it. The Court will consider your views. To do so, you must **file** a written objection in this case, *Gamez et al. v. PCS Revenue Control Systems, Inc.*, in the U.S. District Court for the District of New Jersey, Newark Division, Case No. 2:21-cv-08991-JXN-AME, with the Clerk of the Court at the address below.

Your objection must include all of the following:

**Questions? Call 1-800-842-4612 or visit [www.pcsrevenueDataSettlement.com](http://www.pcsrevenueDataSettlement.com)**

- your full name , address, telephone number, and e-mail address (if any);
- information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class, which is described in response to Question 5;
- a written statement of all grounds for the objection, accompanied by any legal support for the objection that you believe is applicable;
- the identity of all counsel representing you, if any, in connection with your objection;
- a statement confirming whether you intend to personally appear and/or testify at the Final Fairness Hearing;
- your signature or the signature of your duly authorized attorney or other duly authorized representative;

To be timely, your objection must be **filed** with the Clerk of the Court for the U.S. District Court for the District of New Jersey (Newark Division) no later than **November 23, 2022**.

In addition, you must **mail** a copy of your objection to both Class Counsel and Defense Counsel, postmarked no later than **November 23, 2022**:

<b>Court</b>	<b>Class Counsel</b>	<b>PCS's Counsel</b>
Clerk of the Court U.S. District Court for the District of New Jersey (Newark Division) 50 Walnut Street, Room 4015, Newark, NJ 07101	James A. Barry PGMBM, LLC 161 Washington St., Suite 250 Conshohocken, PA 19428  John A. Yanchunis Ryan D. Maxey MORGAN & MORGAN COMPLEX LITIGATION GROUP 201 N. Franklin St., 7 <sup>th</sup> Floor, Tampa, Florida 33602	Brittany L. Primavera Brian E. Middlebrook John T. Mills GORDON REES SCULLY MANSUKHANI, LLP One Battery Park Plaza New York, New York 10004

### **19. What is the difference between objecting and asking to be excluded?**

Objecting is telling the Court that you do not like the Settlement and why you do not think it should be approved. You can object only if you do not exclude yourself from the Class. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

## **THE COURT'S FAIRNESS HEARING**

The Court will hold a hearing to decide whether to grant final approval of the Settlement.

### **20. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Fairness Hearing at **11:00 a.m. EST on December 20, 2022**, via Zoom before Judge Julien X. Neals. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check [www.pcsrevenueDataSettlement.com](http://www.pcsrevenueDataSettlement.com) or call 1-800-842-4612. At this

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hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely objections, the Court will consider them and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the request for an award of attorneys' fees and reasonable costs and expenses, as well as the request for an incentive award for the Representative Plaintiffs. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

### **21. Do I have to attend the hearing?**

No. Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your expense, but you are not required to do so. If you send an objection, you do not have to come to the Court to talk about it. As long as you filed your written objection on time with the Court and mailed it according to the instructions provided in Question 18, the Court will consider it.

### **22. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must file an objection according to the instructions in Question 18, including all the information required therein. Your Objection must be **filed** with the Clerk of Court for the U.S. District Court for the District of New Jersey (Newark Division) by mailing it postmarked no later than **November 23, 2022**. In addition, you must **mail** a copy of your objection to both Class Counsel and Defense Counsel listed in Question 18, postmarked no later than **November 23, 2022**.

## **IF YOU DO NOTHING**

### **23. What happens if I do nothing?**

If you do nothing, you will get no benefits from this Settlement. Unless you exclude yourself, after the Settlement is granted final approval and the judgment becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against PCS about the legal issues in this case, ever again.

## **GETTING MORE INFORMATION**

### **24. How do I get more information?**

This Notice summarizes the proposed Settlement. More details are in a Settlement Agreement. You can get a copy of the Settlement Agreement at [www.pcsrevenueclaimsettlement.com](http://www.pcsrevenueclaimsettlement.com). You may also write with questions to PCS Revenue Control Systems Claims Administrator, PO Box PO Box 23489, Jacksonville, FL 32241. You can also get a Claim Form at the website, or by calling the toll-free number, 1-800-842-4612.