

**Schedule "C"**  
Long Form Pre-Approval Notice

**StockX LLC Data Breach Canadian Class Action  
Pre-Approval Notice of Canadian Settlement Approval  
Hearing**

Detailed information and updates are available on the Settlement Website at the following address: [www.stockxsettlement.ca](http://www.stockxsettlement.ca).

A proposed Canada-wide Settlement has been reached in a putative class action relating to the StockX data breach that occurred on May 14, 2019 when an unknown third -party was able to gain unauthorized access to certain customer data from StockX's cloud environment. This proposed Settlement is subject to Court approval.

On May 2, 2022, the Superior Court of Quebec authorized the Class Action for settlement purposes only.

**WHAT IS THIS CASE ABOUT?**

The lawsuit claims that certain elements of StockX user data were illegally accessed by an unauthorized and unknown third party during a data breach that occurred on or about May 14, 2019. StockX alleges that it informed its users of the data breach on August 3 and 8, 2019 (the "**StockX Notices**"), after having implementing a system-wide security update and password reset on all user accounts. The lawsuit alleges that the compromised personal data caused users monetary damages in the form of credit monitoring measures and moral damages for stress, anxiety and inconveniences. StockX denies all liability for the data breach, and denies that the data breach resulted in any damage to impacted users. StockX also alleges that no sensitive or financial or payment card data was compromised.

**AM I A MEMBER OF THE SETTLEMENT CLASS?**

You may be a Settlement Class Member if you live in Canada and registered for a StockX user account on the StockX website or mobile application prior to May 14, 2019.

**WHAT DOES THIS SETTLEMENT PROVIDE?**

Pursuant to the proposed Settlement, an 18-month subscription with TransUnion for credit monitoring services will be made available for activation by Settlement Class Members, free of charge. In addition, substantiated and documented monetary claims totalling up to an aggregate Settlement Cap of \$130,000 CAD for all approved claims may be reimbursed to Settlement Class Members who provide evidence of out of pocket losses or costs caused by the Data Breach or the receipt of the StockX Notices, as assessed by the Claims Administrator pursuant to the Distribution Protocol attached to the Settlement Agreement. StockX will also pay Class Counsel Fees, administration costs and expenses, as well as all notice costs above and beyond of the said Cap payable to Settlement Class Members.

## **WHAT ARE MY OPTIONS?**

If you are a Settlement Class Member, you may (1) object to or comment on the Settlement; (2) exclude yourself from the Class Action (opt-out); and/or (3) do nothing. If you do not wish to be legally bound by the Class Action, you must exclude yourself from the Class Action (opt-out). To do so, you must complete and submit an Opt-Out Form to Settlement Class Counsel by no later than July 4, 2022, using the form found on the Settlement Website. Anyone who opts out of the Class Action cannot object to or comment on the Settlement and may be eligible to pursue an individual claim. If you do nothing, you will stay in the Class Action and be bound by the Settlement, if approved by the Court.

If you stay in the Class Action, you may object to or comment on the Settlement by submitting a written objection to the Court by no later than June 14, 2022.

## **WHEN AND WHERE WILL THE COURT DECIDE IF THE SETTLEMENT IS APPROVED?**

The Superior Court of Quebec must be satisfied that the Settlement is fair, reasonable and in the best interests of Settlement Class Members.

The Settlement Approval Hearing will take place on July 5, 2022 at 9:30 A.M. in room 2.08 (or any other courtroom which will be indicated by the posting of a sign outside of courtroom 2.08) at the Montreal Courthouse located at 1 Notre-Dame St. East, Montreal, Quebec.

You do not have to attend the hearing but you may do so if you wish. If you have submitted a written objection to the Court, you (or your lawyer) may present arguments with regards to the proposed Settlement.

## **WHAT BENEFITS MAY SETTLEMENT CLASS MEMBERS RECEIVE FROM THE SETTLEMENT?**

Each Settlement Class Member may be eligible for the reimbursement of losses or costs that they can establish were caused by the Data Breach and/or incurred as a result of the Data Breach or the receipt of the StockX Notices. Settlement Class Members must be able to provide reasonable documentary support of the costs and losses caused by the Data Breach or the receipt of the StockX Notices, in this regard. Eligible claims include but are not limited to the following types of costs or expenses caused by the Data Breach and/or incurred by Settlement Class Members as a result of the Data Breach or the receipt of the StockX Notices:

- Credit monitoring, credit insurance, and/or identity theft protection purchased between August 8, 2019 and August 8, 2020;
- Credit reports purchased or the activation of a freeze or alert on a credit report between August 8, 2019 and August 8, 2020;
- Services aimed at correcting an error in a credit report or credit score;
- Other costs, losses and/or unreimbursed expenses related to identity theft suffered by the Settlement Class Member;
- Other costs, losses and/or unreimbursed expenses related to fraud suffered by the Settlement Class Member;

- Any other documented cost, losses and/or unreimbursed expenses where it can be established that it was caused by or incurred because of the Data Breach or the receipt of the StockX Notices.

In addition, all Settlement Class Members will be eligible to activate, on their own volition and free of charge, an 18-month subscription with TransUnion for credit monitoring services. In order to receive this benefit, Settlement Class Members must activate the coverage offered no later than 90 days after the publication of the Approval Notice to Settlement Class Members that the settlement has been approved by the Court.

## **WHAT ARE THE EFFECTS OF STAYING IN THE CLASS ACTION?**

Unless you exclude yourself from the Class Action (opt-out), you cannot sue StockX or be part of any other lawsuit against StockX about the issues this settlement resolves. Unless you exclude yourself from the Class Action (opt-out), all of the decisions by the Court will bind you. If the proposed Settlement is approved by the Court, all Settlement Class Members who have not opted out will be “releasing” StockX and all related people as described in the Settlement Agreement.

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

## **HOW CAN I EXCLUDE MYSELF FROM THE CLASS ACTION? (OPT-OUT)**

If you want to keep the right to sue or continue to sue StockX based on claims this proposed settlement resolves, you must take the following steps to get out of the Class Action (opt-out / exclude yourself).

To exclude yourself from the Class Action (opt-out), you must inform the Court Clerk by completing the Opt-Out Form (available on the Settlement Website at: [www.stockxsettlement.ca](http://www.stockxsettlement.ca)) and sending it by registered mail to the following address:

Superior Court of Québec, Class Action Division  
Montreal Courthouse  
Benabou v. StockX LLC (500-06-001015-193)

1 Notre-Dame Street East, Montreal, Quebec H2Y 1B6

With additional copy sent by mail or email to the Claims Administrator at the following address:

Canadian StockX Data Breach Class Action  
MNP Ltd c/o Rick Anderson  
1500, 640 - 5th Avenue SW  
Calgary, AB, T2P 3G4

You cannot exclude yourself by telephone or by email. You cannot exclude yourself by mailing a request to any other location or after the deadline. You cannot exclude yourself if you intend to object to or comment on the Settlement. Your Opt-Out Form must be signed by you, personally, and not your lawyer or anyone else acting on your behalf.

### **IF I DO NOT EXCLUDE MYSELF, CAN I SUE STOCKX FOR THE SAME THING LATER?**

No. Unless you exclude yourself, you give up the right to sue StockX for the claims that this settlement resolves.

### **IF I EXCLUDE MYSELF, DO I STILL GET A PAYMENT?**

No. You will not get a payment if you exclude yourself from the Class Action and the proposed Settlement is ultimately approved by the Court.

### **DO I HAVE A LAWYER IN THIS CASE?**

Yes. The attorneys representing the Settlement Class Members are the law firm of Lex Group Inc. (Class Counsel). You will not be charged by this law firm for its work on the case. If you want to be represented by your own lawyer, you may hire one at your own expense.

### **HOW WILL THE LAWYERS BE PAID?**

As part of the settlement of this case, StockX has agreed to pay Class Counsel Fees in the amount of \$100,000, plus applicable taxes, for their fees and costs. This payment will **not** reduce the benefits provided to the Settlement Class Members and is not included in the Cap. You will therefore not be paying for any portion of the Class Counsel Fees.

### **WHAT IF I DISAGREE WITH THE PROPOSED SETTLEMENT?**

If you disagree with the proposed settlement, you can object to or comment on the settlement by delivering a written submission on or before June 14, 2022. You cannot file an objection to the settlement if you exclude yourself from the Class Action (opt-out). You may also attend the Approval Hearing which will take place on July 5, 2022 in order to present your objection to the court. Your objection must be sent to Class Counsel by letter, email, or fax, and include all of the following information:

- a) a heading which refers to the name and Court number of this proceeding (Benabo u v. StockX LLC – 500-06-001015-193);
- b) your full name, mailing address, telephone number(s), and email address and, if represented by counsel, the name, address, telephone number, fax number, and email address of your counsel;
- c) a statement whether you intend to appear at the Settlement Approval Hearing, either in person or through counsel;
- d) a declaration that you consider yourself to be a Settlement Class Member;
- e) a statement of the objection and the grounds supporting the objection or comments;
- f) copies of any papers, briefs, or other documents upon which the objection is based;
- g) a declaration under the penalty of perjury that the foregoing information is true and correct;
- h) your signature.

Do NOT send an objection directly to the Court. Class Counsel will file copies of all objections with the Court.

#### **HOW CAN YOU GET MORE INFORMATION?**

The Settlement Agreement and further detailed information, including relevant judgments, are on the Settlement Website at [www.stockxsettlement.ca](http://www.stockxsettlement.ca).

#### **WHO REPRESENTS THE SETTLEMENT CLASS MEMBERS?**

**LEX GROUP INC.**  
c/o Mtre David Assor  
4101 Sherbrooke Street West  
Westmount, Québec, H3Z 1A7  
[www.lexgroup.ca](http://www.lexgroup.ca)

#### **WHO IS THE CLAIMS ADMINISTRATOR?**

**MNP Ltd c/o Rick Anderson**  
1500, 640 - 5th Avenue SW  
Calgary, AB, T2P 3G4

***This Notice has been approved by the Superior Court of Quebec.***