

# **NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

Superior Court of California, Butte County

*Dryden v. Tri Counties Bank*

Case No. 23CV03115

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

**If your Private Information was potentially compromised in a Data Security Incident that took place at Tri Counties Bank on or around February 7, 2023, you could receive Settlement Benefits from a class action Settlement.**

- A Settlement has been proposed in a class action lawsuit against Tri Counties Bank (“Defendant”), relating to the incident discovered on or around February 7, 2023, in which unauthorized third parties potentially gained access to Settlement Class Members’ Private Information (the “Data Security Incident”).
- If your Private Information was potentially accessible as a result of the Data Security Incident, including if you received a notification from Defendant about the Data Security Incident, you are included in this Settlement as a “Settlement Class Member.”
- The Settlement provides a \$1,185,000 Settlement Fund which will be used to pay for Settlement Class Member claims, notice and administration expenses, attorneys’ fees and expenses of counsel, and class representative service awards.
- This Notice may affect your rights. Please read it carefully. For complete details, visit [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com) or call toll-free 1-888-468-0902.

Your Legal Rights and Options		Deadline
<b>DO NOTHING</b>	You will not receive any Settlement Benefits and will no longer be able to sue Defendant over the claims resolved in the Settlement. You will remain a member of the Settlement Class and be subject to the terms of the Settlement if approved by the Court.	No Deadline
<b>SUBMIT A CLAIM FORM</b>	The only way to receive any Settlement Benefits. Claims must be submitted by <b>April 21, 2026</b> .	<b>April 21, 2026</b>
<b>EXCLUDE YOURSELF</b>	If you ask to be excluded, you will not receive any Settlement Benefits, but you may be able to file your own lawsuit against Defendant, for the same claims. This is the only option that leaves you the potential to file your own lawsuit against Defendant for the claims that are being resolved by the Settlement. To be effective, you must submit a request for exclusion by the deadline.	<b>April 21, 2026</b>
<b>OBJECT</b>	If you do not exclude yourself from the Settlement Class, you may submit an objection telling the Court why you do not like the Settlement. If your objection is overruled, you will be bound by the Settlement.	<b>April 21, 2026</b>

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case must still decide whether to approve the Settlement and the requested attorneys’ fees, service awards and costs. No Settlement benefits or payments will be provided unless and until the Court approves the Settlement and it becomes final.

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

The Superior Court of California, Butte County is overseeing this class action. The lawsuit is known as *Dryden v. Tri Counties Bank*, Case No. 23CV03115. The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Tri Counties Bank is called the “Defendant.”

### 2. What is this lawsuit about?

This matter is a class action (the “Action”) arising from an incident whereby a third-party gained unauthorized access to certain database files, resulting in potentially accessing sensitive personal information of Defendant. The lawsuit asserts common law claims against Defendant for alleged negligent data security practices, alleged breach of contract, and statutory claims.

Defendant denies any allegation of wrongdoing and denies that Plaintiff would prevail or be entitled to any relief should this matter proceed to be litigated.

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

In a class action, the Class Representatives sue on behalf of all people who are alleged to have similar claims. Together, in the context of a settlement like this one, all these people are called a Settlement Class or Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those Settlement Class Members who timely exclude themselves (opt-out) from the Settlement Class.

### 4. Why is there a Settlement?

Plaintiffs and Defendant do not agree about the claims made in this Action. The Action did not go to trial, and the Court did not decide in Plaintiffs’ or Defendant’s favor. Instead, Plaintiffs and Defendant agreed to settle the Action. Plaintiffs and the attorneys for the Settlement Class (“Class Counsel”) believe the Settlement is best for all Settlement Class Members because of the Settlement benefits made available under the Settlement, the risks and uncertainty associated with continued Action, and the nature of the defenses raised by Defendant.

## WHO IS INCLUDED IN THE SETTLEMENT?

### 5. How do I know if I am part of the Settlement?

You are a Settlement Class Member if your Private Information was potentially involved in the Data Security Incident discovered in February 2023. Defendant previously mailed notice of the Data Security Incident to Settlement Class Members on or around October 12, 2023. If you are not sure whether you are a Settlement Class Member, you may contact the Settlement Administrator at 1-888-468-0902 or by emailing [TriCountiesSettlement@cptgroup.com](mailto:TriCountiesSettlement@cptgroup.com).

## 6. Are there exceptions to being included in the Settlement?

Yes, the following are not included in the Settlement Class: (1) the Judge(s) presiding over the Action and members of their immediate families and their staff; (2) Defendant and its subsidiaries, parent companies, successors, predecessors, and any entity in which Defendant, has a controlling interest; (3) natural persons who properly execute and submit a Request for Exclusion prior to the expiration of the Opt-Out Period; and (4) the successors or assigns of any such excluded natural person.

## 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the settlement website at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com) or contact the Settlement Administrator's toll-free number at 1-888-468-0902 or by email at [TriCountiesSettlement@cptgroup.com](mailto:TriCountiesSettlement@cptgroup.com).

# THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

## 8. What does the Settlement provide?

Under the Settlement, Defendant will establish a settlement fund in the amount of \$1,185,000. These funds will be used to pay for all valid claims made by Settlement Class Members, notice and administration costs, service awards, and attorneys' fees and costs. In addition, Defendant has or will make certain data security enhancements which are paid by Defendant separately and apart from the cash component paid to Class Members.

In addition to Expanded Identity Theft and Fraud Monitoring ("EITFM"), for which all Class Members who submit a claim will be eligible to elect, each Class Member may also qualify and submit a claim for either (i) a Documented Loss Payment or (ii) an Alternative Cash Payment (plus a California Statutory Cash Payment, if the Class Member is eligible):

- **Documented Loss Payment:** Settlement Class Members may submit a claim for actual out of pocket losses fairly attributable to the Data Security Incident and time spent dealing with it for up to \$5,000 per Settlement Class Member. To receive a Documented Loss payment, a Settlement Class Member must submit appropriate documentation, as determined by the administrator, to be valid. These losses must be justified and documented for tasks such as: (i) Long distance telephone charges; (ii) Cell phone minutes (if charged by the minute); (iii) Internet usage charges (if either charged by the minute or incurred solely as a result of the Data Security Incident); (iv) Costs of credit reports purchased between February 7, 2023 and the claims deadline; (v) Documented costs paid for credit monitoring services and/or fraud resolution services purchased between February 7, 2023 and the claims deadline, provided claimant provides sworn statement that the monitoring or service was purchased primarily because of the Data Security Incident and not for other purposes; (vi) Documented expenses directly associated with dealing with identity theft or identity fraud related to the Data Security Incident; and (vii) Other documented losses incurred by Settlement Class Members that are fairly traceable to the Data Security Incident as determined by the Settlement Administrator. Any claim submitted by a Settlement Class Member for a Documented Loss Payment that is deemed by the Settlement Administrator to be deficient (and which cannot be cured after a reasonable period of time) will be deemed to be a claim for an Alternative Cash Payment, rather than be denied outright.
- **Alternative Cash Payment:** As an alternative to filing a claim for Documented Loss Payment, Settlement Class Members can elect to make a claim for \$100 Alternative Cash Payment which may be adjusted on a pro rata basis. To receive this benefit, Settlement Class Members must submit a Valid Claim, but no documentation is required to make a claim. The amount of the Alternative Cash Payment will be calculated under the Plan of Allocation in Section 3.9 of the Settlement Agreement, after deducting from the

Settlement Fund the amounts needed to pay claims administration, attorney's fees expenses, service awards, fees, cost of EITFM, documented losses and the approved California Statutory Cash Payment.

- **California Statutory Cash Payment:** In addition to making a claim under Documented Loss Payment and Alternative Cash Payment, Settlement Class Members who are residents of California (and/or who resided in California at any point between February 7, 2023 and the claim filing deadline) will be entitled to an additional cash payment in the amount of \$150, which may be adjusted on a pro rata basis should the total amount of claims exceed the Settlement Fund. To qualify for the California Statutory Cash Payment, Settlement Class Members must provide proof of California residency by submitting a sworn attestation confirming their California residency.
- **Expanded Identity Theft and Fraud Monitoring ("EITFM"):** All Settlement Class Members who submit a claim for a monetary payment may also claim a code to enroll, at their option, in an identity theft and fraud monitoring program with single bureau credit monitoring, lasting one year, and offering up to \$1,000,000 in insurance for any losses due to fraud or identity theft during that time as well as access to a dedicated fraud/identity theft rehabilitation specialist. Settlement Class Members who accepted the Defendant' original offer of identity theft and fraud monitoring shall be entitled to an additional one year if they claim this benefit. The cost of the Expanded Identity Theft and Fraud Monitoring (but not Defendant' original offer of monitoring) will be paid from the Settlement Fund. Enrollment instructions will be provided after the settlement receives final approval.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 9. Do I need to submit a claim?

If you would like to receive benefits from the Settlement, you must submit a Claim Form. If you do not want to give up your right to sue Defendant about the Data Security Incident or the issues raised in this case, you must exclude yourself (or "opt out") from the Settlement Class. See Question 17 below for instructions on how to exclude yourself. If you wish to object to the Settlement, you must (a) remain a Settlement Class Member (*i.e.*, you may not exclude yourself from the Settlement Class by opting out and also object to the Settlement) and (b) submit a written objection. See Question 20 below for instructions on how to submit an objection.

### 10. How do I submit a claim for the Settlement Benefits?

To receive Settlement Benefits, you must submit a valid and timely Claim Form to the Settlement Administrator by **April 21, 2026**. You will need your name, address, telephone number, and email address, if applicable, and unique CPT ID provided in the Notice sent to you, to file a Claim Form.

Claim Forms can be submitted by mail or online at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com). If by mail, the Claim Form must be **postmarked** by **April 21, 2026**. You may request a Claim Form be mailed to you by calling 1-888-468-0902 or by writing to:

*Dryden v. Tri Counties Bank*  
c/o CPT Group, Inc.  
PO Box 19504  
Irvine, CA 92623  
[TriCountiesSettlement@cptgroup.com](mailto:TriCountiesSettlement@cptgroup.com)

### 11. What am I giving up so as to receive the Settlement Benefits or to stay in the Settlement Class?

Unless you timely submit a request for exclusion to exclude yourself (opt-out), you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders will apply to you and legally bind you. You will not be able to sue or be part of any other lawsuit against Defendant and Released Parties about

the legal issues in the Action that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

## 12. What are the Released Claims?

The Settlement Agreement describes the Release, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com), in the public Court records on file in this Lawsuit. You can also request a copy of the Settlement Agreement be mailed to you by calling or writing to the Settlement Administrator. For questions regarding the Releases or Released Claims and what the language in the Settlement Agreement means, you can also contact one of the lawyers listed in Question 15 for free, or you can talk to your own lawyer at your own expense.

## 13. What happens if my contact information changes after I submit a claim or receive the Notice?

If you change your mailing address or email address after you submit a Claim Form or after you received the Notice, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by writing to:

*Dryden v. Tri Counties Bank*  
c/o CPT Group, Inc.  
PO Box 19504  
Irvine, CA 92623  
[TriCountiesSettlement@cptgroup.com](mailto:TriCountiesSettlement@cptgroup.com)

## 14. When will I receive my Settlement Benefits?

The Court will hold a hearing on April 22, 2026, at 9:00 a.m. to decide whether to approve the Settlement. The Settlement Benefits will be distributed after the Settlement is approved and becomes final (meaning there is no appeal from the order approving the Settlement). Updates regarding the Settlement will be posted on the Settlement Website, [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com).

## THE LAWYERS REPRESENTING YOU

## 15. Do I have a lawyer in this case?

Yes, the Court has appointed Scott Edward Cole of Cole & Van Note, 555 12th Street, Suite 2100, Oakland, CA 94607; John J. Nelson of Milberg Coleman Bryson Phillips Grossman, PLLC, 402 W. Broadway, Suite 1760, San Diego, CA 92101; and Jason M. Wucetich of Wucetich & Korovilas LLP, 222 N. Pacific Coast Hwy., Suite 2000, El Segundo, CA 90245 as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in the Action.

## 16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys’ fees up to 35% of the Total Economic Benefits of the Settlement, plus reimbursement of costs, not to exceed \$30,000. They will also ask the Court to approve service awards not to exceed \$5,000 to each of the Plaintiffs for their service to the Action and for their efforts in achieving the Settlement. If awarded by the Court, attorneys’ fees and costs and the service awards will be paid from the Settlement Fund. The Court may award less than these amounts.

A copy of Class Counsel’s application for attorneys’ fees, costs, and service awards will be made available on the

settlement website at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com) before the deadline for submission of objections. You may also request a copy be mailed to you by calling the Settlement Administrator.

## OPTING OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue Defendant on your own based on the claims raised in the Action or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from or “opting-out” of the Settlement.

### 17. How do I get out of the Settlement?

To opt-out of the Settlement, you must mail or email a written notice of intent to opt-out, also referred to as a “Request for Exclusion” in the Settlement Agreement. The written notice must be signed by you, include your name, mailing address, and clearly state that you wish to be excluded from the Settlement. You cannot exclude yourself by telephone. You must mail your exclusion request postmarked no later than April 21, 2026, to:

*Dryden v. Tri Counties Bank*  
c/o CPT Group, Inc.  
Attn: Opt-Outs  
PO Box 19504  
Irvine, CA 92623

### 18. If I opt out, can I get anything from the Settlement?

No. If you opt out, you are telling the Court you do not want to be part of the Settlement. You can only get Settlement benefits if you stay in the Settlement. If you opt out, do not submit a Claim Form.

### 19. If I do not opt out, can I sue the Defendant for the same thing later?

No. Unless you opt-out, you give up any right to sue Defendant and Released Parties for the claims this Settlement resolves and releases relating to the Data Security Incident. You must opt-out of the Action to start your own lawsuit against the Defendant or any of the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

## OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement or requested attorneys’ fees, costs and service awards. You can also give reasons why you think the Court should not approve the Settlement or attorneys’ fees, costs and service awards. To object, you must mail timely written notice to the Settlement Administrator as provided below no later than April 21, 2026, stating you object to the Settlement.

The objection must include all the following additional information:

- a. the name of this Action, *Dryden v. Tri Counties Bank*, Case No. 23-CV-03115;
- b. the objector’s full name, mailing address, telephone number, and email address (if any);
- c. include proof that the Class Member is a member of the Settlement Class (e.g., copy of the Settlement Notice, copy of the original notice of the Data Security Incident);
- d. identify the specific factual and legal grounds for the objection;
- e. identify all counsel representing the Class Member, if any;
- f. include a list, including case name, court, and docket number, of all other cases in which the objector and/or the

- objector's counsel has filed an objection to any proposed class action settlement in the past five (5) years;
- g. contain a statement regarding whether the Class Member (or counsel of his or her choosing) intends to appear at the Final Approval Hearing.
- h. objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
- i. the objector's signature (an attorney's signature is not sufficient).

To be timely, written notice of an objection in the appropriate form must be mailed, postmarked by no later than April 21, 2026, to the Court, Class Counsel, Defendant's Counsel and the Settlement Administrator:

Any Settlement Class Member who fails to comply with the requirements for objecting in the Settlement Agreement waives and forfeits any and all rights they may have to appear separately and/or to object to the Settlement Agreement and will be bound by all the terms of the Settlement Agreement and by all proceedings, orders and judgments in the Action.

Court	Class Counsel	Defendant's Counsel	Settlement Administrator
Superior Court of California, Butte County 1775 Concord Avenue Chico, CA 95928	<p>Scott Edward Cole Cole &amp; Van Note 555 12th Street Suite 2100 Oakland, CA 94607</p> <p>John J. Nelson Milberg Coleman Bryson Phillips Grossman, PLLC 402 W. Broadway, Suite 1760 San Diego, CA 92101</p> <p>Jason M. Wucetich Wucetich &amp; Korovilas LLP 222 N. Pacific Coast Hwy. Suite 2000 El Segundo, CA 90245</p>	<p>Justin M. Holmes Gordon Rees Scully Mansukhani, LLP Three Logan Square 1717 Arch Street Suite 610 Philadelphia, PA 19103</p>	<p><i>Dryden v. Tri Counties Bank</i> c/o CPT Group, Inc. Attn: Objections PO Box 19504 Irvine, CA 92623</p>

## 21. What is the difference between objecting and asking to opt out?

Objecting is simply telling the Court you do not like something about the Settlement or requested attorneys' fees, service awards, and costs. You can object only if you stay in the Settlement Class (meaning you do not opt-out of the Settlement). Opting out of the Settlement is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you opt-out, you cannot object to the Settlement.

## THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **April 22, 2026, at 9:00 a.m.** before Judge Virginia L. Gingery at 1775 Concord Avenue, Chico, California 95928.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's application for attorneys' fees, costs and expenses, and the

service awards to Plaintiff. If there are objections, the Court will consider them. The Court may also listen to people who have asked to speak at the hearing. You may attend the hearing at your own expense, or you may pay your own lawyer to attend, but it is not necessary.

Note: The date and time of the Final Approval Hearing are subject to change. Any change will be posted at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com).

### 23. Do I have to attend to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to speak about it. As long as you mail your written objection on time, the Court will consider it.

### 24. May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself (opt-out), you can (but do not have to) participate and speak for yourself in the Action about the Settlement. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 20 and specifically include a statement whether you and your counsel (if any) will appear at the Final Approval Hearing.

## IF YOU DO NOTHING

### 25. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement benefits. You will give up rights explained in the “Opting Out from the Settlement” section of this Notice, including your right to start a lawsuit, or be part of any other lawsuit against Defendant or any of the Released Parties about the legal issues in the Action that are released by the Settlement Agreement.

## GETTING MORE INFORMATION

### 26. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.TriCountiesSettlement.com](http://www.TriCountiesSettlement.com) or call 1-888-468-0902. You can also contact the Settlement Administrator by mail or email.

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**Please do not call the Court or the Clerk of the Court for additional information.**