

SCHEDULE C.1

CLASS ACTION ARISING OUT OF A CONFIDENTIALITY INCIDENT INVOLVING PERSONAL INFORMATION

NOTICE OF A CLASS ACTION SETTLEMENT APPROVAL HEARING

YOU HAVE NOTHING TO PAY IN ORDER TO REMAIN INCLUDED IN THIS CLASS ACTION AND IN ORDER TO PARTICIPATE IN THE PROPOSED SETTLEMENT

This notice has been authorized for publication by the Superior Court of Québec to inform you of the settlement of the class action instituted against MGM Resorts International (“**MGM**”) arising out of a confidentiality incident involving personal information of its customers that occurred on or about September 11, 2023 (the “**Settlement**”). The Settlement is subject to Court approval.

The Superior Court of Québec authorized, for settlement purposes only, this class action against MGM and scheduled a hearing to decide whether to approve the Settlement on May 20, 2026 at 9:30 am in room 15.02 of the Superior Court of Québec in Montreal, located at 1 Notre-Dame Street E., Montreal, Quebec, H2Y 1B6. It is **not** mandatory for Class Members to attend this hearing. Remote attendance will be available by Microsoft Teams at the following link: [Teams Link](#). The Court may change the date and time of the hearing, in which case an update will be posted on the following website www.MGMDDataSettlement.ca.

How to know if you are a Class Member

You received this notice because you have been identified as a potential member of the class action instituted by Mr. Dahan against MGM, which was filed before the Superior Court of Québec, district of Montréal, bearing court file number 500-06-001280-235 (the “**Dahan Class Action**”).

Class members in the Dahan Class Action consist of all persons in Canada, including their estates, executors or personal representatives, whose personal and/or financial information was lost by and/or stolen from MGM as a result of the data incident that occurred on or about September 11, 2023.

You may receive this notice only; or you may also receive a notice informing you that you are a Class Member in the Zuckerman Class Action or the Thandi Class Action (as defined below). If you receive the Zuckerman Class Action notice or the Thandi Class Action notice, please also review such notices carefully for the instructions specific to that matter.

If you are a Class Member, and you do not opt out by May 17, 2026, you will be bound by the Settlement and eligible to claim the benefits therein if the Settlement is approved.

You have nothing to pay.

What the Settlement Provides

A national Canadian settlement has been reached to resolve litigation arising from two data cybersecurity attacks on its network carried out by third-party intruders who may have accessed certain personal information of its customers, one occurring in or around July 2019, and another in or around September 2023 (collectively, the “**Data Incidents**”).

In addition to the Dahan Class Action, class proceedings were filed in other Canadian jurisdictions against MGM, seeking compensatory and/or punitive damages stemming from the Data Incidents, including:

- *Zuckerman v. MGM*, filed before the Superior Court of Québec, file No. 500-06-001078-209 (the “**Zuckerman Class Action**”); and
- *Thandi v. MGM*, filed before the Supreme Court of British Columbia, file No. VLC-S-S-207149 (the “**Thandi Class Action**”).

MGM denies all allegations and any liability in respect of the plaintiffs’ claim. No court has found MGM liable. The parties have agreed to settle to avoid the risk, costs, and delay of continued litigation.

The Settlement, if approved by all relevant courts, will resolve the Dahan Class Action, the Zuckerman Class Action, and the Thandi Class Action.

Under the terms of the Settlement, MGM has agreed to pay a total of four million Canadian dollars (CAD \$4,000,000.00) (the “**Settlement Fund**”). Following deduction of class counsel fees, disbursements, and administrative costs, the remaining balance of the Settlement Fund will be distributed in accordance with the structure outlined below:

- **Substantiated Losses.** Class Members who submit a timely and valid claim with supporting documentation evidencing out-of-pocket losses reasonably attributable to the Data Incidents may receive up to CAD \$20,000, subject to the overall Settlement Fund and the *pro rata* provisions described below.
- **Future Credit Monitoring Expenses.** Class Members may be eligible to claim reimbursement for the cost of subscribing to or maintaining an identity theft protection and/or credit monitoring service for a period of up to twelve (12) months following the date on which they submit their Settlement Claim Form. Eligibility requirements and additional details are outlined in the Settlement Claim Form.
- **Unsubstantiated Losses.** Class Members who submit a timely and valid claim without supporting documents may receive:
 - CAD \$150 if the Class Member falls within only one of the Data Incidents (the “**First Group**”);

- CAD \$300 if the Class Member falls within both of the Data Incidents (the “**Second Group**”).
- If funds remain after the calculation of approved Substantiated Losses, Future Credit Monitoring Expenses, and Unsubstantiated Losses, payments may be increased up to a maximum of CAD \$500 for First Group claimants and up to a maximum of CAD \$1,000 for Second Group claimants.
- **Pro rata adjustments.** If the total value of approved claims exceeds the funds remaining in the Settlement Fund (after deduction of class counsel fees, disbursements, and administrative costs), payments will be made in the following order of priority, with proportional, *pro rata* reductions applied within a category only if there are insufficient funds to pay that category in full: first, Substantiated Losses; second, Future Credit Monitoring Expenses; and third, Unsubstantiated Losses. The Claims Administrator will apply a proportional *pro rata* reduction within a category of claims only if there are insufficient funds to pay that category in full. Conversely, if the total value of approved claims does not exhaust the Settlement Fund, such residual funds will be used solely to increase payments to Unsubstantiated Loss claimants on a uniform, *pro rata* basis, subject to the maximum caps specified above.

Distribution Protocol

Class Members may elect to submit a claim for one or more of the following:

- Monetary Benefits for Substantiated Losses;
- Reimbursement of Future Credit Monitoring Expenses; and
- Monetary Benefits for Unsubstantiated Losses.

Class Members submitting a **Substantiated Losses** Claim must complete, sign, and date the Settlement Claim Form and provide reasonable supporting documentation as specified in the form. **For clarity, the email or letter from MGM notifying you of the confidentiality incident does not constitute supporting documentation for a Documented Loss.** Class Members submitting a claim for a Substantiated Loss will also be included in the distribution of Monetary Benefits for Unsubstantiated Losses, regardless of the determination of their claim for a Substantiated Loss.

Settlement Class Members submitting a reimbursement for **Future Credit Monitoring Expenses** must complete, sign and date the Settlement Claim Form and provide reasonable supporting documentation as specified in the form.

Settlement Class Members submitting an **Unsubstantiated Losses** Claim must complete, sign, and date the Settlement Claim Form.

Class Counsel Fees

Class Counsel in both Québec and British Columbia will collectively request the Court's approval for legal fees in the amount of CAD \$1,200,000.00, plus applicable taxes (calculated at the time of payment), as well as their disbursements in the class actions. These amounts will be paid exclusively from the Settlement Fund and will be allocated among the Class Counsel for the class actions in Quebec and British Columbia. It is important to note that the Court may approve the Settlement even if it does not approve the legal fees requested by Class Counsel.

More detailed information is available in the full Settlement Agreement at www.MGMDDataSettlement.ca.

Your Options and what they Mean

If you are a Class Member, you have the following options:

- **Participate and Receive Benefits (you have nothing to pay).** If you wish to participate in the Settlement and potentially receive benefits, you do not need to pay or do anything at this stage. If the Settlement is approved, you will be bound by the Court's judgment and the release provided in the Settlement Agreement. You will need to submit a claim form by the claims deadline to receive benefits. Instructions and deadlines for submitting claims will be posted at www.MGMDDataSettlement.ca.
- **Exclude Yourself (Opt Out).** If you are a Class Member and do not wish to be bound by the Settlement, you have until **May 17, 2026**, to opt out by filling out the opt-out form available on Class Counsel's website www.LexGroup.ca and sending it to the clerk's office of the Superior Court of Quebec:

Grefe de la Cour supérieure du Québec
1, rue Notre-Dame Est
Montréal (Québec) H2Y 1B6
Court File number : 500-06-001280-235

In addition to sending a copy of the opt-out form to the clerk's office, you may also send a copy of the form by e-mail to Class Counsel whose contact information is listed below. If you validly opt out, you will not receive any benefits under this Settlement and you will not be bound by it.

- **Object or comment.** If you do not opt out, you may object to or comment on the Settlement Agreement. Class Members who object or comment will remain bound by the Settlement. If you wish to object to or comment on the Settlement, you must send your objection or comment in writing no later than May 13, 2026 to Class Counsel by email at: info@lexgroup.ca or to the Claims Administrator by email at: MGM@conciliainc.com or appear at the hearing scheduled for May 20, 2026 in Courtroom 15.02 of the Montreal Courthouse.

This document must include:

- Your name, address, e-mail address, and phone number;
- a brief statement of the reasons for your objection or comments; and
- whether you intend to attend the hearing in person or through a lawyer (you must provide the lawyer's name, address, e-mail address, and phone number).

Nevertheless, you retain the right to object to the Settlement in person on the day of the Settlement Approval Hearing, even if you did not submit a written objection by the specified deadline

For More Information:

Lex Group Inc. acts as Class Counsel for the Dahan Class Action and the Zuckerman Class Action. Any legal fees, disbursements, and applicable taxes payable to Class Counsel will be subject to approval by the Superior Court of Québec and will be paid from the Settlement Fund. You do **not** have to pay for these legal fees and disbursements.

To contact Class Counsel:

Lex Group Inc.
Mtre David Assor
4101 Sherbrooke Street West
Westmount, QC, H3Z 1A7
Phone: (514) 451-5500, extension 101
Fax: (514) 940-1605
Email: info@lexgroup.ca

For more information and to access the Settlement Agreement, the claim forms, important deadlines, and any updates regarding the settlement approval hearing, please visit the Settlement Website at www.MGMDataSettlement.ca or contact the Claims Administrator at:

Concilia Services Inc.
Attn: MGM Data Settlement
5900 Andover Avenue, Suite 1
Montreal, QC, H4T 1H5
Phone: 1-888-959-5770
Email: MGM@conciliainc.com

In case of discrepancies between this notice and the Settlement Agreement, the Settlement Agreement prevails.

The publication of this notice has been approved by the Superior Court of Québec.