

If you were notified by Whitley Penn, LLP of a Data Incident around January 30, 2024, you may be entitled to a Cash Payment

Lawrence v. Whitley Penn, LLP

District Court of Tarrant County 342nd Judicial District Cause No. 342-362862-25

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

- A settlement has been reached in a class action lawsuit against Whitley Penn, LLP (“Whitley Penn” or “Defendant”) regarding a data incident (the “Incident”) that resulted in an unauthorized user gaining access to some of Whitley Penn’s systems containing its clients’ personal and financial information.
- You are a “Class Member” if your personal or financial information was compromised in the Incident. Whitley Penn mailed and published notice of the Incident to Class Members in or around January 30, 2024. Class Members may also receive notice of this Settlement via direct mail.
- Whitley Penn has agreed to pay \$155,000 (the “Settlement Fund”) to settle the claims in this case. All Class Members may receive a **Cash Payment**: All Class Members are eligible to receive a *pro rata* cash distribution from the Settlement Fund referred to as the “Settlement Share.” The Settlement Share amount depends on how many Class Members are allocated a Cash Payment but is estimated to be **at least \$75.00**. **CyEx Financial Shield Total**: All Class Members are further eligible to receive a code providing free access for 24 months to CyEx’s Financial Shield product. **Equitable Relief**: For a period of at least three years from the Effective Date of the Settlement Agreement, Whitley Penn agrees to implement and maintain various data security procedures, the cost of which will be fully borne by Whitley Penn and will not be deducted from the Settlement Fund. If you received a Postcard Notice from the Settlement Administrator in the mail telling you about this Settlement, **you must complete a Claim Form to receive a Cash Payment or receive a code for CyEx Financial Shield**. If your address has changed from the time, you received the Postcard Notice, it is your responsibility to update the Settlement Administrator. If you did not receive a Postcard Notice in the mail, but reasonably believe you are a Class Member, you must submit a timely and valid Claim Form for a Cash Payment.

This Notice may affect your rights. Please read it carefully.

Your Legal Rights and Options		Deadline
DO NOTHING	If you do nothing, you will not receive a cash payment or the ability to access 24 months of CyEx’s Financial Shield, but you will still be bound by the settlement and its “release” provisions. That means you won’t be able to start, continue, or be part of any other lawsuit against Whitley Penn about the issues in this case.	N/A
SUBMIT A CLAIM FORM	If you wish to receive a cash payment, you must submit a completed claim form to the Settlement Administrator online, or by downloading a claim form at www.WhitleyPennDataIncident.com and emailing it to WhitleyPennDataIncident@cptgroup.com or mailing to the Settlement Administrator, or by completing the claim form attached to the Postcard Notice.	June 25, 2026
EXCLUDE YOURSELF	If you ask to be excluded, you will not receive a cash payment, but you may be able to file your own lawsuit against Whitley Penn, for the same claims. This is the only option that leaves you the potential to file your own lawsuit against Whitley Penn for the claims that are being resolved by the Settlement. To be effective, you must submit a request for exclusion by the deadline.	May 26, 2026
OBJECT	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.	May 26, 2026

- 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.

Questions? Go to www.WhitleyPennDataIncident.com, email WhitleyPennDataIncident@cptgroup.com, or write to Lawrence v. Whitley Penn, LLP, c/o CPT Group, Inc., PO Box 19504, Irvine, CA 92623.

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BASIC INFORMATION

1. Why is this Notice being provided?

A Texas district court authorized this Notice because you have the right to know about the proposed 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 District Court of Tarrant County 342nd Judicial District of the State of Texas is overseeing this class action. The case is known as *Lawrence et al. v. Whitley Penn, LLP*, Cause No. 342-362862-25 (the “Litigation”). The people who filed this lawsuit are referred to here as the “Plaintiffs” or “Class Representatives,” and the entity sued, Whitley Penn, LLP is referred to here as “Whitley Penn” or the “Defendant.”

2. What is this lawsuit about?

The Litigation arises from a data incident. In October 2023, Whitley Penn discovered a potential data incident that occurred sometime between September 5, 2023, and October 31, 2023. Defendant asserts there is no indication that any data has been misappropriated by the unauthorized user as a result of this Incident.

Whitley Penn denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing or that any law has been violated. Whitley Penn denies these, and all other claims made in the Litigation. By entering into the Settlement, Whitley Penn is not admitting any wrongdoing.

3. Why is the lawsuit a class action?

In a class action, Class Representatives sue on behalf of all people who 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.

The Class Representatives in this case are Alex Lawrence, Amanda Lawrence, Marcus Nordstrom, Alisha Patel, and Jeremy Raphael.

4. Why is there a Settlement?

Plaintiffs and the Defendant do not agree about the claims made in this Litigation. The Litigation 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 Litigation. 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, because of the risks and uncertainty associated with continued litigation, and because of 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 you reside in the United States and were mailed a written notification by Whitley Penn that your personal and financial information was potentially accessed, viewed, and or obtained as a result of the Incident. Notice of this Settlement also may have been sent directly to Settlement Class Members.

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

Yes. Excluded from the Settlement Class are (1) the Judges presiding over the Action and members of their immediate families and their staff; (2) Whitley Penn, its subsidiaries, parent companies, successors, predecessors, and any entity in which Whitley Penn or its parents, have a controlling interest, and its current or former officers and directors; (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.WhitleyPennDataIncident.com for more information or email the Settlement Administrator WhitleyPennDataIncident@cptgroup.com or through mail to the address below. Standard data, messaging, and postage rates apply.

Lawrence v. Whitley Penn, LLP
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

Whitley Penn has agreed to pay \$155,000 (the “Settlement Fund”) to settle this Litigation. All Class Members may receive a **Cash Payment**: All Class Members are eligible to receive a *pro rata* cash distribution from the Settlement Fund referred to as the “Settlement Share.” The Settlement Share amount depends on how many Class Members are allocated a Cash Payment but is estimated to be **at least \$75.00. 24 Months of CyEx Financial Shield Total**: Additionally, all Class Members can elect to receive a code providing free access to CyEx’s Financial Shield Total product for 24 months. Financial Shield Total provides 3-bureau credit monitoring, financial transaction monitoring, monthly credit score and score tracker solutions, bank and financial account monitoring, high risk transaction monitoring, real-time authentication alerts, fictitious identity monitoring, home title monitoring, dark web monitoring, address change monitoring, security freeze assist, lost wallet protection, spend tracking, victim assistance, customer support, and up to one million dollars (\$1,000,000.000) in comprehensive identity theft insurance. **Equitable Relief**: For a period of at least three years from the Effective Date of the Settlement Agreement, Whitley Penn agrees to implement and maintain various data security procedures, the cost of which will be fully borne by Whitley Penn and will not be deducted from the Settlement Fund.

The Settlement Fund will be used to pay benefits to the Class Members who have completed a Claim Form, the costs of notice and claims administration, attorneys’ fees and costs, and service awards to the Plaintiffs, and other court approved costs and expenses reasonably contemplated by the Settlement. If you believe you are a Class Member but did not receive a Postcard Notice in the mail of this Settlement, you may be eligible for allocation of this Settlement by completing and timely submitting a valid Claim Form. By submitting a valid and timely claim for the Cash Payment benefit using the Claim Form, you are eligible to receive a Cash Payment (prorated depending upon how many Settlement Class Members have valid claims) or to receive a code for 24 months of CyEx Financial Shield coverage for free.

HOW TO GET BENEFITS FROM THE SETTLEMENT

9. Do I need to submit a claim?

You must complete a Claim Form if you wish to receive a cash payment and/or free access to CyEx Financial Shield for 24 months. If you complete the Claim Form included with your Postcard Notice, any Settlement payment will be mailed to the same address where your Postcard Notice was sent. If your address has changed from the time you received the Postcard Notice or will change in the coming months, or if you wish to receive an electronic payment rather than a mailed check, you must complete the Digital Claim form available on www.WhitleyPennDataIncident.com, or download a copy of the Claim Form on www.WhitleyPennDataIncident.com and print or email it to the Settlement Administrator. If your address has changed from the time you received the Postcard Notice until you receive payment, it is your responsibility to update the Settlement Administrator **via mail or email**.

10. How do I submit a claim for the cash payment and/or access to Financial Shield?

You can submit a claim by completing the Claim Form attached to the Postcard Notice, submitting the Digital Claim Form, or downloading a Claim Form from the Settlement Website and emailing it or mailing it to the Settlement Administrator. If you complete the Claim Form included with your Postcard Notice, any Settlement payment will be mailed to the same address where your Postcard Notice was sent. If your address has changed from the time you received the Postcard Notice or will change in the coming months, or if you wish to receive an electronic payment rather than a mailed check, you must complete the Digital Claim form available on www.WhitleyPennDataIncident.com, or download a copy of the Claim Form on www.WhitleyPennDataIncident.com and print or email it to the Settlement Administrator. If your address has changed from the time you received the Postcard Notice until you receive payment, it is your responsibility to update the Settlement Administrator **via mail or email**. You will need your name, address, and Claim Number, if applicable, to file a Claim Form. You must also indicate whether or not you are a Medicare beneficiary to enable reporting to the Centers for Medicare & Medicaid Services. If you are a member of the Settlement Class, are a Medicare beneficiary, and will receive over \$750 from the Settlement, the Settlement Administrator will reach out to you to collect more information. If you are not sure if you are a Settlement Class Member or have questions regarding qualifying as a Settlement Class Member, contact the Settlement Administrator by emailing WhitleyPennDataIncident@cptgroup.com. or by mail to the address below.

All Claim Forms must be **submitted or postmarked by June 25, 2026**. If you are submitting a Claim Form by mail, including the Claim Form attached to the Postcard Notice, and the Claim Form must be mailed to the following address:

Lawrence v. Whitley Penn, LLP
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623

11. What am I giving up to receive the Cash Payment 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, continue to sue, or be part of any other lawsuit against the Whitley Penn about the legal issues in this Litigation 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 in Section 4.1 describes the Release, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at www.WhitleyPennDataIncident.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 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 Postcard Notice?

If you change your mailing address or email address after you submit a Claim Form or after you received the Postcard Notice, it is your responsibility to inform the Settlement Administrator of your updated information. Likewise, if you opted to receive a digital payment and your account information has changed, or an account has closed, it is also your responsibility to inform the Settlement Administrator of this change. You may notify the Settlement Administrator of any changes by emailing WhitleyPennDataIncident@cptgroup.com, or by writing to:

Lawrence v. Whitley Penn, LLP
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623

14. When will I receive my Settlement Benefits?

If you file a timely and valid Claim Form, payment will be provided by the Settlement Administrator after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check www.WhitleyPennDataIncident.com or contact the Settlement Administrator or the attorneys in Section 15, below, for updates.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

Yes, the Court has appointed the law firm Tycko & Zavareei LLP 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 this Litigation. You can contact Class Counsel with questions at gseidita@tzlegal.com.

16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys' fees plus reasonable costs of this Litigation to Class Counsel. These fees and costs will not exceed \$77,500. They will also ask the Court to approve Service Awards of \$2,500 to each of the five (5) Plaintiffs for participating in this Litigation and for their efforts in achieving the Settlement. If awarded by the Court, attorneys' fees and costs and the Service Awards will be paid out of the Settlement Fund. The Court may award lower amounts than requested by Class Counsel, or no awards at all.

A copy of Class Counsel's application for attorneys' fees, costs, and service awards will be made available on the settlement website at www.WhitleyPennDataIncident.com before the deadline for submission of objections. You may also request a copy be mailed to you by contacting the Settlement Administrator.

Questions? Go to www.WhitleyPennDataIncident.com, email WhitleyPennDataIncident@cptgroup.com, or write to Lawrence v. Whitley Penn, LLP, c/o CPT Group, Inc., PO Box 19504, Irvine, CA 92623.

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 the Defendant on your own based on the claims raised in this Litigation 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 a written notice of intent to opt-out, also referred to as a “Request for Exclusion” in the Settlement Agreement. The written notice must contain:

- 1) Your full name, current address, current telephone number, and CPT ID number (included on the Postcard Notice);
- 2) The case name and number— *Lawrence et al. v. Whitley Penn, LLP*, Cause No. 342-362862-25 (District Court of Tarrant County 342nd Judicial District).
- 3) A statement to the effect of: “I hereby request to be excluded from the proposed Settlement Class in the Cause *Lawrence et al. v. Whitley Penn, LLP*, No. 342-362862-25.”;
- 4) Your physical signature.

The opt-out request must be **postmarked by the United State Postal Service** and sent to the Settlement Administrator at the following address by May 26, 2026:

Lawrence v. Whitley Penn, LLP
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623

You cannot exclude yourself by email.

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 also cannot object to any aspect 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 the Defendant for the claims this Settlement resolves and releases relating to Incident. You must opt-out of this Litigation to start or continue with your own lawsuit or be part of any other 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 May 26, 2026, stating you object to the Settlement. The objection must include all the following additional information:

- 1) Your full name, current address, current telephone number, and CPT ID number (included on the Postcard Questions? Go to www.WhitleyPennDataIncident.com, email WhitleyPennDataIncident@cptgroup.com, or write to *Lawrence v. Whitley Penn, LLP*, c/o CPT Group, Inc., PO Box 19504, Irvine, CA 92623.

Notice);

- 2) The case name and number—*Lawrence et al. v. Whitley Penn, LLP*, Cause No. 342-362862-25 (District Court of Tarrant County 342nd Judicial District).
- 3) A statement explaining why you believe you are a Settlement Class Member;
- 4) Information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class (e.g., copy of your postcard notice, copy of the original notice of the Incident);
- 5) A written statement of the position you wish to assert, including the specific legal and factual grounds for the position and any documents in support of that position;
- 6) Whether the objection is to the Settlement in part or in whole;
- 7) Whether the objection is only relates to you, or the Settlement Class as a whole;
- 8) The identity of any and all counsel representing you in connection with the objection;
- 9) A list, including case name, court, and docket number, of all other cases in which you or your counsel has filed an objection to any proposed class action settlement in the past five (5) years;
- 10) All documents or writings that the Class Member desires the Court to consider;
- 11) A statement whether you or your counsel request to appear at the Final Approval Hearing; and
- 12) Your signature or the signature of your duly authorized attorney or other duly authorized representative (if any) representing you in connection with the objection.

To be timely, written notice of an objection in the appropriate form must be mailed, postmarked by the United State Postal Service no later than May 26, 2026, to the Settlement Administrator, Class Counsel, and the Court at the following addresses:

Settlement Administrator	Class Counsel	Court
Lawrence v. Whitley Penn, LLP c/o CPT Group, Inc. PO Box 19504 Irvine, CA 92623	Tycko & Zavareei LLP 2000 Pennsylvania Ave. NW - Suite 1010 Washington, D.C. 20006	Tom Vandergriff Civil Courts Building, 5th Floor 100 N. Calhoun Street, Fort Worth, TX 76196, You may also file them in person at the Courthouse.

You cannot object by emailing the Settlement Administrator. Any Settlement Class Member who fails to comply with the requirements for objecting in Section 6.9 of 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 litigation.

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 at a future date and time before Judge Kimberly Fitzpatrick at the District Court of Tarrant County of Texas. This Notice will be updated once a hearing date is set.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether

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to approve the Settlement, Class Counsel’s application for attorneys’ fees, costs and expenses, and the service awards to the Plaintiffs. 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.WhitleyPennDataIncident.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 this Litigation and 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 Section 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 do nothing, you will not receive any Settlement Benefit and you will give up rights explained in the “Opting Out from the Settlement” section of this Notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or any of the Released Parties about the legal issues in this Litigation that are released by the Settlement Agreement relating to the Incident.

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.WhitleyPennDataIncident.com, by emailing WhitleyPennDataIncident@cptgroup.com, or by writing to:

Lawrence v. Whitley Penn, LLP
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623

**PLEASE DO NOT TELEPHONE THE COURT OR ITS
CLERK’S OFFICE REGARDING THIS NOTICE.**

Questions? Go to www.WhitleyPennDataIncident.com, email WhitleyPennDataIncident@cptgroup.com, or write to Lawrence v. Whitley Penn, LLP, c/o CPT Group, Inc., PO Box 19504, Irvine, CA 92623.