

**If your Private Information was compromised as a result of one of two Data Incidents involving MGM Resorts International in or around July 2019, and/or in or around September 2023, you may be entitled to benefits from a Settlement.**

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

- A \$45 million Settlement has been reached against MGM Resorts International (“MGM” or “Defendant”) arising out of two Data Incidents, one that occurred in or around July 2019, and a second separate Data Incident that occurred in or around September 2023 (together, the “Data Incidents”). Varying amounts of Private Information of customers and guests of MGM were accessed in the Data Incidents. The Private Information may have included, names, addresses, telephone numbers, email addresses, dates of birth, drivers’ license numbers, military identification numbers, passport numbers, and Social Security numbers. Only certain people had their Social Security numbers, passport numbers and/or drivers’ license numbers exposed.
- If you are a Settlement Class Member, you may be able to receive the following Settlement Class Member Benefits:

**Documented Loss Cash Payment:** You may submit a timely and valid Claim Form and provide supporting documentation that you spent money or incurred losses related to the Data Incident for up to \$15,000.00.

**Tiered Cash Payments:** Certain Settlement Class Members are also eligible to receive a flat cash payment, without providing documentation, depending on what personal information may have been exposed in the Data Incidents. A timely and Valid Claim required for Tiered Cash Payments also.

**Tier 1 Cash Payment** - If your Social Security number or military identification number was exposed, you may be eligible to receive an estimated \$75.00 flat cash payment.

**Tier 2 Cash Payment** – If your passport number or driver’s license number was exposed, you may be eligible to receive an estimated \$50.00 flat cash payment.

**Tier 3 Cash Payment** – If your name, address, and/or date of birth was exposed, you may be eligible to receive an estimated \$20.00 flat cash payment.

**Financial Account Monitoring:** In addition to the Cash Payments, all Settlement Class members are eligible for one year of Financial Account Monitoring, upon submission of a timely and Valid Claim.

Your Cash Payment may be subject to a *pro rata* (a legal term meaning equal share) increase or decrease. More information about this adjustment is found below.

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

<b>Your Legal Rights and Options</b>		<b>Deadline</b>
<b>SUBMIT A CLAIM FORM</b>	The only way to get Settlement Class Member Benefits is to submit a timely and valid Claim Form.	Submitted or Postmarked by: <b>June 3, 2025</b>
<b>OPT-OUT OF THE SETTLEMENT</b>	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against the Released Parties about the legal claims in these lawsuits that are released by the Settlement.	<b>Postmarked by: May 19, 2025</b>

**Questions? Go to [www.MGMDataSettlement.com](http://www.MGMDataSettlement.com) or call 1-888-899-8358**

<b>OBJECT TO THE SETTLEMENT</b>	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	<b>Postmarked by: May 19, 2025</b>
<b>DO NOTHING</b>	Get no Settlement Class Member Benefits. Give up your legal rights.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice. The Court must decide whether to approve the Settlement and the requested Service Awards and attorneys’ fees and Costs. Settlement Class Member Benefits will not be provided unless the Court approves the Settlement.

## BASIC INFORMATION

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

A court authorized this Notice because you have the right to know about the Settlement 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 Honorable Gloria M. Navarro of the United States District Court for the District of Nevada is overseeing the combined Settlement of two class action lawsuits. The lawsuits are known as *In re MGM International Resorts Data Breach Litigation*, Case No.: 2:20-cv-00376-GMN-NJK and *Tanya Owens, et al. v. MGM Resorts International, et al.*, Case No. 2:23-cv-01480-FRB (“lawsuits”). The individuals who filed these lawsuits are called the “Plaintiffs” and/or “Class Representatives” and the company sued, MGM Resorts International, is called the “Defendant.”

### 2. What are the lawsuits about?

Plaintiffs filed these lawsuits against Defendant, individually, and on behalf of customers and guests of Defendant whose Private Information, including but not limited to, names, addresses, telephone numbers, email addresses, dates of birth, drivers’ license numbers, passport numbers, and Social Security numbers was compromised as a result of two separate Data Incidents.

Plaintiffs allege that on or around July 2019, and again on or around September 2023, as a result of the Data Incidents, unauthorized individuals accessed Defendant’s network and their Private Information. Different Plaintiffs brought two separate lawsuits against Defendant arising out of each of the Data Incidents.

Defendant denies the legal claims in each lawsuit and denies any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by Defendant, or that any law has been violated. Instead, Plaintiffs and Defendant have agreed to a Settlement to avoid the risk, cost, and time of continuing the lawsuit.

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

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or 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 the lawsuits are the Plaintiffs who sued the Settlement Agreement.

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#### 4. Why is there a Settlement?

Sometime after each lawsuit was filed, the Plaintiffs in the lawsuit in the 2019 Data Incident and the Plaintiffs in the lawsuit in the 2023 Data Incident decided to work together and collectively pursue a global settlement of both lawsuits with the Defendant. Plaintiffs and Defendant do not agree about the legal claims made in the lawsuits. Neither lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiffs or Defendant in either one. Instead, Plaintiffs and Defendant have agreed to settle the lawsuits together. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for all Settlement Class members because of the benefits to the Settlement Class members and the risks and uncertainty associated with continuing either of the lawsuits.

### WHO IS INCLUDED IN THE SETTLEMENT?

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

The Settlement Class includes all persons in the United States whose Private Information was compromised as a result of the Data Incidents and who were sent notice by the Defendant of the Data Incidents.

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

Yes. Excluded from the Settlement Class are the judges presiding over the lawsuits and members of their direct families.

#### 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.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) or call the Settlement Administrator's toll-free number at 1-888-899-8358.

### THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

#### 8. What does the Settlement provide?

If you are a Settlement Class member and you submit a timely and valid Claim Form, you may be eligible for the following Settlement Class Member Benefits:

##### **Documented Loss Cash Payment.**

You may submit a Claim Form with supporting documentation that you spent money or incurred losses related to the Data Incidents for up to \$15,000.00.

Examples of losses include, but are not limited to:

- Unreimbursed losses relating to fraud or identity theft;
- Professional fees including attorneys' fees, accountants' fees, and fees for credit repair services;
- Costs associated with freezing or unfreezing credit with any credit reporting agency;
- Credit monitoring costs that were incurred on or after the Data Incidents through the Claims Deadline; and
- Miscellaneous expenses such as notary, facsimile, postage, copying, mileage, and long-distance telephone charges.

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Examples of supporting documentation include, but are not limited to:

- credit card statements;
- bank statements;
- invoices;
- telephone records; and
- receipts

“Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation. You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source.

### **Tiered Cash Payments.**

In addition to the Documented Loss Cash Payment, you may be eligible to receive a flat cash payment if you had certain information exposed in either of the 2019 or 2023 Data Incidents. If you were sent Notice of the Settlement by email or mail, your Notice informed you if you were likely eligible for a Tier 1, Tier 2 or Tier 3 Cash Payment.

**Tier 1 Cash Payment** - If your Social Security number or military identification number was exposed, you may be eligible to receive an estimated \$75.00 flat cash payment.

**Tier 2 Cash Payment** – If your passport number or driver’s license number was exposed, you may be eligible to receive an estimated \$50.00 flat cash payment.

**Tier 3 Cash Payment** – If your name, address, and/or date of birth was exposed, you may be eligible to receive an estimated \$20.00 flat cash payment.

Your Cash Payment may be subject to a *pro rata* (a legal term meaning equal share) increase from the Settlement Fund if the amount of Valid Claims is insufficient to exhaust the entire Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Settlement Fund, the amount of Cash Payments may be reduced *pro rata* accordingly.

### **Financial Account Monitoring.**

In addition to the Cash Payments, you may be eligible for one year of three-bureau identity theft protection, credit monitoring, and at least \$1,000,000 of fraud/identity theft insurance.

## **9. What am I giving up to receive Settlement benefits or stay in the Settlement Class?**

Unless you opt-out of the Settlement, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments 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 Released Parties about the legal issues in the lawsuits that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

## **10. What are the Released Claims?**

Section XIII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read these sections carefully. The complete Settlement Agreement is available at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com). For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Question 14 for free, or you can talk to your own lawyer at your own expense.

**Questions? Go to [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) or call 1-888-899-8358**

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 11. How do I make a Claim for Settlement Class Member Benefits?

You must submit a timely and valid Claim Form for the Settlement Benefits described in Question 8. Your Claim Form must be submitted online at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) by **June 3, 2025**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by June 3, 2025**. Claim Forms are also available on the Settlement Website at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) or by calling 1-888-899-8358 or by writing to:

*MGM Data Incident Litigation*  
Settlement Administrator  
PO Box 3020  
Portland, OR 97208-3020

### 12. How do I know if I qualify for a Tier 1, Tier 2, or Tier 3 Cash Payment?

If you were sent Notice of the Settlement via email or mail, your Notice indicated whether you were eligible for a Tier 1, Tier 2, or Tier 3 Cash Payment. You were also provided with a unique ID number to help you easily file your Claim online at the Settlement Website. If you still have questions about your eligibility, visit [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) or call 1-888-899-8358.

### 13. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, 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:

*MGM Data Incident Litigation*  
Settlement Administrator  
PO Box 3020  
Portland, OR 97208-3020

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

If you file a timely and valid Claim Form, the Settlement Class Member Benefits 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.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) for updates.

## THE LAWYERS REPRESENTING YOU

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

Yes, the Court has appointed John Yanchunis of Morgan & Morgan Complex Litigation Group, E. Michelle Drake of Berger Montague PC, Doug McNamara of Cohen Milstein Sellers & Toll, PLLC, David Berger of Gibbs Law Group LLP, J. Gerard Stranch IV of Stranch, Jennings & Garvey, PLLC, Lynn Toops of Cohen & Malad LLP, James Pizzirusso of Hausfeld LLP, Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman PLLC, and Jeff Ostrow of Kopelowitz Ostrow P.A. as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire

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your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this lawsuit.

## 16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys' fees and costs payable out of the \$45,000,000 Settlement Fund. They will seek 30% of the Settlement Fund in attorneys' fees and reimbursement of their litigation costs. Class Counsel will also ask the Court to approve Service Awards in the amount of \$10,000.00 each for those Class Representatives who had their depositions taken and \$3,500.00 each for all other Class Representatives. The Service Awards are for the Class Representatives' efforts in participating in the Actions and for achieving the Settlement. If awarded by the Court, the Attorneys' Fees, Costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Class Counsel's Application for attorneys' fees, Costs, and Service Awards will be made available on the Settlement Website at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com).

## OPTING-OUT FROM THE SETTLEMENT

If you are a Settlement Class member and want to keep any right you may have to individually sue or continue to sue the Released Parties on your own based about the legal claims in the lawsuits 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 opt-out of the Settlement?

To opt-out of the Settlement, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in *In re MGM International Resorts Data Breach Litigation*, Case No.: 2:20-cv-00376-GMN-NJK and *Tanya Owens, et al. v. MGM Resorts International, et al.*, Case No. 2:23-cv-01480-FRB.”

The opt-out request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **May 19, 2025**:

*MGM Data Incident Litigation*  
Settlement Administrator  
PO Box 3020  
Portland, OR 97208-3020

**You cannot opt-out (exclude yourself) by telephone or by email.**

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class members or multiple Settlement Class members where the opt-out has not been signed by each and every individual Settlement Class member will not be allowed.

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

No. If you timely opt-out, you will not be entitled to receive Settlement Class Member Benefits, but you will not be bound by the Settlement or any judgment in the lawsuits. You can only get Settlement Class Member Benefits if you stay in the Settlement and submit a timely and valid Claim Form.

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

No. Unless you timely opt-out, you give up any right to individually sue any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incidents. You must opt-out of the lawsuits to start or continue with your own lawsuit or be part of any other lawsuit against 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 object to the Settlement?

If you are a Settlement Class Member, you can tell the Court you object to all or any part of the Settlement.

To object, you must send your written objection by U.S. mail to the Clerk of Court, Class Counsel, Defendant's Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **May 19, 2025**, stating you object to the Settlement in *In re MGM International Resorts Data Breach Litigation*, Case No.: 2:20-cv-00376-GMN-NJK and *Tanya Owens, et al. v. MGM Resorts International, et al.*, Case No. 2:23-cv-01480-FRB.

To file an objection, you cannot opt-out of the Settlement Class. Your objection must include all of the following information:

- 1) Your full name, address, telephone number, and email address (if any);
- 2) All grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
- 3) The number of times you have objected to a class action settlement within the 5 years preceding the date that you file the objection, the caption of each case in which you have made an objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- 4) The identity of all lawyers representing you, including any former or current lawyers who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;
- 5) The number of times in which your lawyer or your lawyer's law firm have objected to a class action settlement within the 5 years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made the objection and a copy of any orders related to or ruling upon your lawyer's or the lawyer's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which your lawyer's and/or lawyer's law firm have objected to a class action settlement within the preceding 5 years;
- 6) The identity of all lawyers (if any) representing you who will appear at the Final Approval Hearing;
- 7) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- 8) A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and

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9) Your signature as the objector (a lawyer's signature is not sufficient).

To be timely, written notice of an objection including all of the information above must be mailed to the Clerk of Court, Class Counsel, Defendant's Counsel and the Settlement Administrator by **May 19, 2025**, at the following addresses:

<b>COURT</b>	<b>CLASS COUNSEL</b>
Clerk U.S. District Court Lloyd D. George Federal Courthouse 333 Las Vegas Blvd South Las Vegas, NV 89101	John A. Yanchunis Morgan & Morgan 201 North Franklin Street, 7 <sup>th</sup> Floor Tampa, FL 33602  J. Gerard Stranch IV Stranch, Jennings, Garvey, PLLC 223 Rosa L. Parks Ave, Suite 200 Nashville, TN 32703
<b>DEFENDANT'S COUNSEL</b>	<b>SETTLEMENT ADMINISTRATOR</b>
Neil Gilman Hunton Andrews Kurth LLP 2200 Pennsylvania Avenue, NW Washington, DC 20037 ngilman@huntonak.com  Eric M. Roberts DLA Piper LLP (US) 444 West Lake Street, Suite 900 Chicago, IL 60606 eric.roberts@us.dlapiper.com	MGM Data Incident Litigation Settlement Administrator PO Box 3020 Portland, OR 97208-3020

If you fail to comply with the requirements for objecting as detailed above, you waive and forfeit any and all rights you may have to appear separately and/or to object to the Settlement and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuits.

### **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 the requested Attorneys' Fees, Costs, or Service Awards. 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**

The Court will hold a "Final Approval Hearing" to decide whether to approve the Settlement. You may attend and you may ask to speak if you file an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **June 18, 2025, at 9:00 a.m.** before the Honorable Gloria M. Navarro, II, in Courtroom 7D at the Lloyd D. George Federal Courthouse, 333 Las Vegas Blvd. South, Las Vegas, Nevada 89101. At this hearing, the Court will consider whether the

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Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's Application for the Attorneys' Fees, Costs, and Service Awards.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the hearing, the Court will also listen to you or your lawyer speak at the hearing, if you so request.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) to confirm the date and time of the Final Approval Hearing has not changed.

### **23. Do I have to attend 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 file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file a written objection by the deadline, the Court will consider it.

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

Yes, as long as you do not opt-out and you file a timely written objection requesting to speak at the hearing, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. 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 above—and specifically include a statement whether you and your lawyer 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 of the Settlement Class Member Benefits, 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 any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement relating to the Data Incidents.

## **GETTING MORE INFORMATION**

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

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com). You may get additional information at [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com), by calling toll-free 1-888-899-8358, or by writing to:

**Questions? Go to [www.MGMDDataSettlement.com](http://www.MGMDDataSettlement.com) or call 1-888-899-8358**

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Settlement Administrator  
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Portland, OR 97208-3020

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

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