

SCHEDULE A.1

**CLASS ACTION ARISING OUT OF A DATA INCIDENT
NOTICE OF A CLASS ACTION SETTLEMENT APPROVAL HEARING**

Please read this notice carefully as it may affect your rights.

**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 Supreme Court of British Columbia to inform you of the settlement of the class action against MGM Resorts International (“**MGM**”) in *Thandi v. MGM*, Supreme Court of British Columbia Vancouver Registry No. VLC-S-S-207149 (the “**Settlement**”).

The Settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault by MGM. MGM denies all allegations and any liability. No court has found MGM liable. The parties have agreed to settle to avoid the risk, cost, and delay of continued litigation. The Settlement is subject to court approval.

What the proceeding is about

In July 2019 and September 2023, MGM discovered that it had been the victim of cybersecurity attacks on its network committed by third-party intruders who may have gained access to certain personal information of its guests (the “**2019 Data Incident**”, the “**2023 Data Incident**”, and collectively, the “**Data Incidents**”). The Thandi Class Action (defined below) relates only to the 2019 Data Incident.

Class proceedings were filed in various 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 in relation to the 2019 Data Incident (the “**Zuckerman Class Action**”);
- *Thandi v. MGM*, filed before the Supreme Court of British Columbia, file No. VLC-S-S-207149 in relation to the 2019 Data Incident (the “**Thandi Class Action**”); and
- *Dahan v. MGM*, filed before the Superior Court of Québec, file No. 500-06-001280-235 in relation to the 2023 Data Incident (the “**Dahan Class Action**”).

How to know if you are a class member

You received this notice because you have been identified as a potential class member in the Thandi Class Action.

Class members in the Thandi Class Action consist of all persons residing in Canada, excluding Québec, whose information was exposed to unauthorized parties or otherwise compromised in or as a result of the 2019 Data Incident (“**Class Members**”).

The Court has appointed Nikitta Thandi as a representative on behalf of said class. Class counsel are Diamond & Diamond Lawyers LLP.

You may receive only this notice; or you may also receive a notice informing you that you are a member of the class in the Zuckerman Class Action and/or the Dahan Class Action. If you receive the Zuckerman or Dahan Class Action notice(s), 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 19, 2026**, you will be bound by the Settlement and eligible to claim benefits if the Settlement is approved.

What the Settlement provides

The Settlement resolves the Zuckerman Class Action, the Thandi Class Action, and the Dahan 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:

- **Credit monitoring.** Class Members may claim reimbursement for a one-year subscription for future credit monitoring expenses, including up to \$1,000,000 CAD of fraud/identity theft insurance. The one-year period will begin upon submission of their Settlement Claim Form.
- **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 \$20,000.00, subject to the overall Settlement Fund and the *pro rata* provisions described below.
- **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**”); and

- If funds remain after payment of approved unsubstantiated and substantiated losses, as well as future credit monitoring expenses, 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, payments will be reduced proportionally on a *pro rata* basis. Conversely, if the total value of approved claims does not exhaust the Settlement Fund, payments may be increased proportionally on a *pro rata* basis, subject to the maximum caps specified above.

More detailed information is available in the full settlement agreement at www.MGMDDataSettlement.ca.

Class Counsel Fees

Class counsel in both British Columbia and Quebec will collectively request the Courts' approvals 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 these class actions. These amounts will be paid exclusively from the Settlement Fund and will be allocated among class counsel for the class actions in Quebec and British Columbia. It is important to note that the Courts 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. You are automatically included as a Class Member, unless you opt out by **May 19, 2026**. If the Settlement is approved, you will be bound by the Courts' judgments and the release 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 19, 2026** to opt out by filling out the opt-out form available on class counsel's website www.DiamondLaw.ca/MGM or by sending it by email, mail, or courier 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 5, 2026. This document must include:
 - your full name, current mailing address, e-mail address, and phone number;
 - a brief statement of the nature and reasons for your objection or comments;
 - 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); and
 - a statement that the foregoing information is true and correct.

Class Members may also attend the settlement approval hearing. On November 26, 2025, as corrected on March 6, 2026, the Supreme Court of British Columbia certified, for settlement purposes only, the Thandi Class Action against MGM and scheduled a hearing to decide whether to approve the settlement agreement. That hearing will take place on May 25, 2026, at 10:00 A.M. in the Supreme Court of British Columbia in Vancouver, located at 800 Smithe Street, Vancouver, British Columbia.

Contact information of class counsel:

Diamond & Diamond Lawyers LLP act as class counsel in British Columbia in the Thandi Class Action. Any legal fees, disbursements, and applicable taxes payable to class counsel will be subject to approval by the Court and will be paid from the Settlement Fund.

For more information and to access the settlement agreement, the claim forms, important deadlines, and any updates regarding the settlement approval hearing, please visit www.MGMDDataSettlement.ca or contact class counsel:

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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 Supreme Court of British Columbia.