

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the Southern District of New York
Lee v. Taro Pharmaceuticals U.S.A., Inc.
Case No. 7:23-cv-03834-CS

IF YOU WERE A FORMER OR CURRENT EMPLOYEE OF TARO PHARMACEUTICALS U.S.A., INC. (“TARO”) AS OF MARCH 2023 WHOSE PRIVATE INFORMATION WAS POTENTIALLY COMPROMISED AS A RESULT OF A DATA SECURITY INCIDENT THAT TARO INITIALLY DISCLOSED IN OR AROUND MARCH 2023, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS

A federal court authorized this Notice. You are not being sued.

This is not a solicitation from a lawyer.

- A Settlement has been reached with Taro Pharmaceuticals U.S.A., Inc., (“Taro” or “Defendant”) in a class action lawsuit about a data security incident that was disclosed in or around March 2023 (the “Data Incident”).¹
- The lawsuit is captioned *Lee v. Taro Pharmaceuticals U.S.A., Inc.*, Case No. 7:23-cv-03834-CS (the “Action”), pending in the United States District Court for the Southern District of New York. Taro denies the allegations and all liability or wrongdoing with respect to any and all facts and claims alleged in the lawsuit. Plaintiff and Defendant have agreed to a settlement to avoid the costs and risks associated with continuing this case.
- You are included in this Settlement if you are a Settlement Class Member. A Settlement Class Member is a former or current employee of Taro (as of March 2023) who resides in the United States and whose Private Information was potentially compromised as a result of the Data Incident that Taro initially disclosed in or around March 2023.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

¹ The terms of the Settlement are set forth in the Stipulation and Settlement Agreement, dated January 31, 2024 (the “Settlement Agreement” or “Agreement”), which can be viewed at [www. TaroDataIncidentSettlement.com](http://www.TaroDataIncidentSettlement.com). All capitalized terms not defined in this Notice have the same meanings as defined in the Agreement.

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	<p>The only way to receive cash and/or other benefits from this Settlement is by submitting a valid and timely Claim Form.</p> <p>You can submit your Claim Form online at www.TaroDataIncidentSettlement.com or download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.</p>	May 6, 2024
OPT OUT OF THE SETTLEMENT	<p>You can choose to opt out of the Settlement and receive no payment or other benefit from the Settlement. This option may allow you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement. You can elect to retain your own legal counsel at your own expense.</p>	April 20, 2024
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	<p>If you do not opt out of the Settlement, you may object to it by writing to the Court about why you do not like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for benefits.</p>	April 20, 2024
DO NOTHING	<p>Unless you opt out of the settlement, you are part of the Settlement. If you do nothing, you will not get a payment or any other benefit from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.</p>	

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com

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BASIC INFORMATION

1. Why was this Notice issued?

A federal court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The Honorable Cathy Seibel of the United States District Court for the Southern District of New York is overseeing this class action. The lawsuit is captioned *Lee v. Taro Pharmaceuticals U.S.A., Inc.*, Case No. 7:23-cv-03834-CS (S.D.N.Y.). The person that filed this lawsuit is called the “Plaintiff” and the company he sued, Taro Pharmaceuticals U.S.A., Inc., is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that Private Information was potentially compromised as a result of the Data Incident that Taro initially disclosed in or around March 2023.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are known as “Class Representatives” or “Plaintiffs.” Together, the people included in the class action are called a “class” or “class members.” One court resolves the lawsuit for all settlement

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class members, except for those who opt out from a settlement. In this Settlement, the Settlement Class Representative is Jae Lee.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff or the Defendant. The Defendant denies all claims and contends that it has not violated any laws. Plaintiff and the Defendant agreed to a Settlement to avoid the costs and risks of a trial, and through the Settlement, Settlement Class Members are eligible to receive payments. The Plaintiff and his attorneys think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

The Settlement Class consists, for purposes of the Settlement, of all former and current employees of Taro (at the time of the Data Incident) who reside in the United States and whose Private Information was potentially compromised as a result of the Data Incident.

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are (i) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (ii) any judges assigned to this case and their staff and family; and (iii) any other person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads *nolo contendere* to any such charge.

If you are not sure whether you are included in the Settlement Class, you can ask for free help by emailing or writing to the Settlement Administrator at:

Taro Data Settlement
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Toll Free Phone Number: 1-866-742-4955
Email: info@rg2claims.com
Fax: (215) 827-5551

You may also view the Settlement Agreement at www.TaroDataIncidentSettlement.com.

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Under the Settlement, Taro will provide compensation for valid and timely claims for Out-of-Pocket Losses, Lost Time, and Alternative Cash Payments (explained below). Settlement Class Members also can obtain Credit Monitoring Services (explained below). The maximum amount to be paid by Taro in the aggregate for all valid Settlement Class Member claims and all Notice and Administration Expenses combined is capped at no more than \$190,000. If valid claims and expenses exceed that amount, the amounts paid on such claims will be reduced as necessary in accordance with the Settlement Agreement.

8. How much will my payment be?

Payments will vary: Settlement Class Members may submit a claim form for: (1) Credit Monitoring – Settlement Class Members can enroll in 2 years of 3-bureau credit monitoring services; (2) Out-of-Pocket Losses – up to a total of no more than \$5,500 per claimant for documented unreimbursed losses; (3) Lost Time – \$20 per hour for up to 4 hours (for a total of up to \$80 and subject to the \$5,500 cap for Out-of-Pocket Losses); (4) Alternative Cash Payment – \$30 per claimant (in lieu of all other compensation and Credit Monitoring).

Credit Monitoring Services. All Settlement Class Members shall have the ability to make a claim for 2 years of 3-bureau credit monitoring services by choosing this benefit on the Claim Form.

Claims for Out-of-Pocket Losses must be supported with an attestation (under penalty of perjury) from the Settlement Class Member that the costs and expenditures were incurred as a direct result of the Data Incident between March 2023 and January 31, 2024, and that such losses have not already been reimbursed and are not otherwise covered by insurance. Claims for Out-of-Pocket Losses must also be supported by reasonable documentation, which may include credit card statements, invoices, telephone records, and receipts.

Claims for Lost Time must be supported with an attestation (under penalty of perjury) that the activities the Settlement Class Member performed were a direct result of the Data Incident between March 2023 and January 31, 2024.

9. What claims am I releasing if I stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant or the other Released Parties about any of the legal claims this Settlement resolves. The “Release” and related sections in the Settlement Agreement describe and define the legal claims that you give up if you remain in the Settlement Class. This includes without limitation all claims that relate in any way to or arise from the Data Incident, the Action, the facts alleged in any complaint in the Action, Taro’s information security policies and practices, or Taro’s maintenance or

storage of Private Information, whether such claims are known or unknown. The Settlement Agreement can be found at www.TaroDataIncidentSettlement.com .

HOW TO GET A PAYMENT - MAKING A CLAIM

10. How do I submit a claim and get a cash payment?

You may file a claim if you were a former or current employee of Taro (at the time of the Data Incident) who resides in the United States and whose Private Information was potentially compromised by the Data Incident that Taro initially disclosed in or around March 2023.

Claim Forms may be submitted online at www.TaroDataIncidentSettlement.com or printed from the website and mailed to the Settlement Administrator at:

Taro Data Settlement
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Toll Free Phone Number: 1-866-742-4955
Email: info@rg2claims.com
Fax: (215) 827-5551

You may also contact the Settlement Administrator to request a Claim Form by telephone 1-866-742-4955, by email info@rg2claims.com or by U.S. mail at the address above.

11. What is the deadline for submitting a claim?

If you submit a claim by U.S. mail, the completed and signed Claim Form must be postmarked by **May 6, 2024**. If submitting a Claim Form online, you must do so by **May 6, 2024**.

12. When will I get my payment?

The Court is scheduled to hold a final approval hearing on June 20, 2024 to decide whether to approve the Settlement, whether to approve attorneys' fees and costs for Settlement Class Counsel, and whether to approve a Service Award to the Settlement Class Representative.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement payments and benefits will be distributed as soon as possible, if and when the Court grants final approval to the Settlement and after any appeals are resolved.

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes, the Court appointed the law firm of Turke & Strauss LLP (“Settlement Class Counsel”) to represent you and other members of the Settlement Class for purposes of the Settlement. You will not be charged directly for these lawyers; instead, they will receive compensation from Taro (subject to Court approval). If you want to be represented by your own lawyer, you may hire one at your own expense.

14. Should I get my own lawyer?

It is not necessary for you to hire your own lawyer because Settlement Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Settlement Class Counsel will file a motion for an award of attorneys’ fees and litigation costs and expenses to be paid by Taro. Such award shall not exceed One Hundred and Five Thousand Dollars (\$105,000).

Settlement Class Counsel will also seek a service award payment for the Settlement Class Representative in recognition of his contributions to this Action. Such award shall not exceed Two Thousand Five Hundred Dollars (\$2,500) for the Settlement Class Representative.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to separately sue the Defendant about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called “opting out” of the Settlement Class. If you do not file a timely Request for Exclusion in accordance with these instructions, you will lose the opportunity to exclude yourself from the Settlement and you will be bound by the Settlement. The deadline for requesting exclusion from the Settlement is April 20, 2024.

To exclude yourself from the Settlement, you must submit a written request for exclusion that includes the following information:

- the case name: *Lee v. Taro Pharmaceuticals U.S.A., Inc.*, Case No. 7:23-cv-3834-CS (S.D.N.Y.);
- your full name;

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- current address;
- personal signature; and
- the words “Request for Exclusion” or a comparable statement that you do not wish to participate in the Settlement at the top of the communication.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, postmarked no later than April 20, 2024.

Taro Data Incident Settlement Administrator
 ATTN: Exclusion Request
 c/o RG/2 Claims Administration LLC
 P.O. Box 59479
 Philadelphia, PA 19102-9479
 Toll Free Phone Number: 1-866-742-4955
 Email: info@rg2claims.com
 Fax: (215) 827-5551

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive a payment or any other benefits under the Settlement if you exclude yourself. You may only exclude yourself – not any other person.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I like or do not like the Settlement?

If you are a Settlement Class Member who does not opt out (as explained in **Question 16**), you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve the Settlement.

For an objection to be considered by the Court, the objection must include: (i) the name of the proceedings – *Lee v. Taro Pharmaceuticals U.S.A., Inc.*, Case No. 7:23-cv-03834-CS (S.D.N.Y.); (ii) the Settlement Class Member’s full name, current mailing address, and telephone number; (iii) a statement that states with specificity the grounds for the objection, as well as any documents supporting the objection; (iv) a statement as to whether the objection applies only to the objector, to a specific subset of the Settlement Class, or to the entire Settlement Class; (v) the identity of any attorneys representing the objector; (vi) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vii) a list of all other matters in which the objecting Settlement Class Member and/or his/her attorney has lodged an objection to a class action settlement; and (viii) the signature of the Settlement Class Member or the Settlement Class Member’s attorney.

Any Settlement Class Member who does not file a timely and adequate objection with the Court in accordance with the above paragraph and send a copy to the Settlement Administrator waives the right to object or to be heard at the Final Approval Hearing and shall be forever barred from making any objection to the Settlement and shall be bound by the terms of the Agreement and by all proceedings,

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orders, and judgments in the Action. No Settlement Class Member who files a Request for Exclusion (as explained in **Question 16**) has a right to object to the Settlement.

Objections must be filed with the Court no later than **April 20, 2024**.

Clerk of the Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Copies of all objections must also be sent to Settlement Administrator no later than **April 20, 2024**.

Taro Data Incident Settlement Administrator
ATTN: Objection
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Toll Free Phone Number: 1-866-742-4955
Email: info@rg2claims.com
Fax: (215) 827-5551

18. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

19. When is the Court's Final Approval Hearing?

The Court is scheduled to hold a final approval hearing on **June 20, 2024 at 2:30 p.m. E.T.**, at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150, Courtroom 621, to decide whether to approve the Settlement, whether to approve attorneys' fees and costs for Settlement Class Counsel, and whether to approve a service award payment to Settlement Class Representative. If you are a Settlement Class Member, you or your attorney may request permission to speak at the hearing at your own cost. The date and time of this hearing may change without further notice. Please check www.TaroDataIncidentSettlement.com for updates.

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com

20. Do I have to come to the Final Approval Hearing?

No. Settlement Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you file an objection, you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time and in accordance with the requirements above, the Court will consider it. You may also pay your own lawyer to attend, but such attendance is not necessary for the Court to consider an objection that was filed on time and meets the requirements above.

IF I DO NOTHING

21. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up the rights explained in **Question 9**, including your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendant and the Released Parties, as defined in the Settlement Agreement, about the legal issues resolved by this Settlement. In addition, you will not receive a payment from this Settlement.

GETTING MORE INFORMATION

22. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement, and to the extent the contents of this Notice differ from the terms of the Settlement Agreement, the Settlement Agreement shall control. The Settlement Agreement and other related documents are available at the Settlement Website, www.TaroDataIncidentSettlement.com.

If you have additional questions, you may contact the Settlement Administrator by email, phone, or mail:

Taro Data Settlement
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Toll Free Phone Number: 1-866-742-4955
Email: info@rg2claims.com
Fax: (215) 827-5551

Publicly filed documents can also be obtained by visiting the office of the Clerk of the United States District Court for the Southern District of New York or by reviewing the Court's online docket.

PLEASE DO NOT CONTACT THE COURT OR TARO

Questions? Call 1-866-742-4955 Toll-Free or Visit www.TaroDataIncidentSettlement.com