

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

**A Settlement Has Been Reached in A Class Action Lawsuit  
Against Golden Entertainment Claiming Personal Information  
of Approximately 17,683 Customers, Vendors, and Employees Was  
Compromised Due to A Phishing Attack.**

*A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer*

- A settlement has been reached in a proposed class action lawsuit concerning Plaintiffs Jennifer Miranda and Patricia Terry’s (“Plaintiffs”) allegations that between May 30 and October 6, 2019, Golden Entertainment (NV), Inc. (“Golden”) was the target of a cyberattack in which third parties sent phishing emails to Golden employees in the hopes of gaining access to its computer systems, which might have resulted in unauthorized parties accessing the personal information of approximately 17,683 Golden customers, vendors, and current and former employees (the “Phishing Attack”).
- Among the potentially compromised data were Social Security numbers, passport numbers, government ID numbers, driver’s license numbers, dates of birth, usernames, passwords, payment card numbers, expiration dates, card security codes (CVV), financial account numbers, routing numbers, health insurance information, and health or treatment information.
- The lawsuit is titled *Miranda, et al. v. Golden Entertainment (NV), Inc.*, Case No. 2:20-cv-00534-JAD-DJA, and is currently pending in the United States District Court for the District of Nevada. If you have been affected by the unauthorized disclosure, you may be entitled to payment or other relief under the settlement reached in the case.
- As part of this Settlement, Golden has agreed to pay eligible customers, vendors, and current and former employees of Golden reimbursement for out-of-pocket expenses and lost time (**up to a maximum of \$200 per claim**), as well as, credit monitoring and fraud restoration services. You must submit a valid claim form in order to receive any benefits under this settlement.

**YOUR LEGAL RIGHTS ARE AFFECTED EVEN IF YOU DO NOTHING,  
SO READ THIS NOTICE CAREFULLY.**

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>FILE A CLAIM</b>	The only way to get benefits under this settlement. You must file a claim by <b>April 15, 2021</b> .
<b>OPT-OUT OF THE SETTLEMENT</b>	Get no benefits. This is the only option that may allow you to sue Golden over the claims being resolved by this settlement. You must opt-out of the settlement by <b>March 16, 2021</b> .
<b>OBJECT</b>	Write the Court about why you do not think this settlement is fair, reasonable, or adequate. You must object by <b>March 16, 2021</b> .
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the settlement.
<b>IF YOU DO NOTHING</b>	Get no benefits. Give up your rights to sue Golden about the legal claims in this case.

The Court still must decide whether to approve the settlement. No payments will be made until after the Court grants Final Approval of the settlement and all appeals, if any, are resolved.

If you have questions? Visit [www.GoldenSettlement.com](http://www.GoldenSettlement.com) or call **1-833-253-8063**.

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## BASIC INFORMATION

### 1. What is this lawsuit about?

This lawsuit was filed on behalf of Golden's customers, vendors, and current and former employees in connection with a Phishing Attack that occurred between May 30, 2019 and October 6, 2019.

Plaintiffs allege that between May 30 and October 6, 2019, Golden was the target of a cyberattack in which third parties sent phishing emails to Golden's employees in the hopes of gaining access to its computer systems, which might have resulted in unauthorized parties accessing the personal information of approximately 17,683 Golden customers, vendors, and current and former employees. Among the potentially compromised data were Social Security numbers, passport numbers, government ID numbers, driver's license numbers, dates of birth, usernames, passwords, payment card numbers, expiration dates, card security codes (CVV), financial account numbers, routing numbers, health insurance information, and health or treatment information (collectively, "PII").

Golden denies any wrongdoing and denies all claims asserted against it in the lawsuit. Both sides have agreed to settle the lawsuit to avoid the cost, delay, and uncertainty of litigation.

You can read Plaintiffs' Amended Complaint, the settlement agreement, and other case documents, as well as download a claim form, at [www.GoldenSettlement.com](http://www.GoldenSettlement.com).

### 2. What is a class action?

In a class action, a plaintiff (in this case, plaintiffs Jennifer Miranda and Patricia Terry), sue on behalf of a group (or a "class") of people. Here, the Plaintiffs sued on behalf all customers, vendors, and current and former employees of Golden Entertainment (NV), Inc. to whom Golden mailed notice that between, May 30, 2019 and October 6, 2019, it was the target of a cyberattack in which third parties sent phishing emails to Golden's employees in the hopes of gaining access to its computer systems and might have resulted in unauthorized parties accessing personal information.

### 3. Why is there a settlement?

To avoid the cost, risk, and delay of litigation, Golden and Plaintiffs (collectively, the "Parties") reached a settlement as to the claims of Plaintiffs and the class.

### 4. How do I know if I am a part of the settlement?

You are included in the Settlement if you meet the following definition:

All customers, vendors, and current and former employees of Golden Entertainment (NV), Inc. to whom Golden mailed notice that between, May 30, 2019 and October 6, 2019, it was the target of a cyberattack in which third parties sent phishing emails to Golden's employees in the hopes of gaining access to its computer systems and might have resulted in unauthorized parties accessing personal information.

The Settlement does not include:

- (i) Golden and its respective officers and directors;
- (ii) All class members who timely and validly opt-out of the settlement;
- (iii) The judge assigned to evaluate the fairness of this settlement; and
- (iv) 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 Phishing Attack or who pleads *nolo contendere* to any such charge.

## THE SETTLEMENT BENEFITS

### 5. What relief is available to class members and how do I receive benefits?

To obtain a recovery, you must submit a claim form along with reasonable documentation where necessary (e.g., bank statement or credit card statement with unreimbursed fees circled; cell phone or internet bill with charges circled; receipts or account statements reflecting purchases made for credit reports) and/or a proper attestation. This is the only way to get a payment or receive the free credit monitoring.

If you have questions? Visit [www.GoldenSettlement.com](http://www.GoldenSettlement.com) or call 1-833-253-8063.

### **Reimbursement for Lost Time**

You can get reimbursement of up to 3 hours for lost time dealing with the Phishing Attack at a rate of \$15/hour. Lost-time claims can be combined with out-of-pocket-expense claims, but total reimbursement will **not exceed a maximum of \$200**.

You must have spent at least one (1) half-hour dealing with issues arising out of the Phishing Attack. All partial hour increments will be rounded to the nearest whole hour (i.e., an individual who spent 1.2 hours responding to the Phishing Attack would receive compensation for one hour, while an individual who spent 1.5 hours responding to the Phishing Attack would receive compensation for two hours).

Claims for lost time must be submitted no later than **April 15, 2021** along with a written statement attesting to time spent dealing with the Phishing Incident. **No other documentation is required to receive compensation for lost time.**

### **Reimbursement for Documented Out-of-Pocket Expenses**

You can receive up to a **maximum of \$200** as reimbursement for documented out-of-pocket expenses that you incurred (or made) related to the Phishing Attack. The maximum amount Golden is required to pay for all claims for out-of-pocket expenses is \$250,000. If the total amount of out-of-pocket-expense claims exceeds \$250,000, each class member's claim will be reduced proportionally until the total amount is \$250,000.

Out-of-pocket expenses include:

- (i) Unreimbursed bank fees;
- (ii) Unreimbursed card reissuance fees;
- (iii) Unreimbursed overdraft fees;
- (iv) Unreimbursed charges related to unavailability of funds;
- (v) Unreimbursed late fees;
- (vi) Unreimbursed over-limit fees;
- (vii) Long distance telephone charges;
- (viii) Cell phone minutes (if charged by minute), Internet usage charges (if charged by the minute or by the amount of data usage and incurred solely as a result of the Phishing Attack), and text messages (if charged by the message and incurred solely as a result of the Phishing Attack);
- (ix) Unreimbursed charges from banks or credit card companies;
- (x) Interest on payday loans due to card cancellation or due to over-limit situation incurred solely as a result of the Phishing Attack;
- (xi) Costs of credit report(s) purchased by class members between November 7, 2019 and the date of the Preliminary Approval Order (with an affirmative statement by the class member that it was purchased primarily because of the Phishing Attack); and
- (xii) Other losses incurred by class members determined by the claims administrator to be fairly traceable to the Phishing Attack.

Claims for out-of-pocket reimbursement must be submitted no later than **April 15, 2021** along with documentation for the out-of-pocket expenses incurred.

### **Credit Monitoring**

You can receive one year of free credit monitoring, called "Identity Guard Total powered by IBM Watson". If you already previously received one year of free credit monitoring related to the Phishing Attack, you will get an additional year of free credit monitoring. Credit monitoring includes:

- Up to \$1 Million Dollars reimbursement insurance from AIG covering losses due to identity theft and stolen funds;
- Three bureau credit monitoring providing notice of certain changes to the enrolled Participating Settlement Class member's credit profile, including, at least, two-credit bureau inquiry alerts in real-time;

If you have questions? Visit **www.GoldenSettlement.com** or call **1-833-253-8063**.

- Real time authentication alerts, in as little as three seconds, when someone attempts to make a change to enrolled Participating Settlement Class members' personal account information within Identity Guard's network;
- LexisNexis authentication alerts utilizing LexisNexis' database of legal, governmental and newsworthy incidents;
- Alerts based on searches of payday-loan providers and court records and monitoring of the top ten largest U.S. financial institutions, for attempted or actual fraudulent use of the enrolled Participating Settlement Class members' information;
- Online income tax filing alerts provided by LexisNexis;
- Dark web monitoring that will provide notification if an enrolled Participating Settlement Class member's information such as social security number, credit card numbers, financial account numbers, and health insurance number are found on the dark web;
- Threat alerts powered by IBM "Watson's" artificial intelligence of potential threats relevant to the enrolled Participating Settlement Class members found by IBM Watson's artificial intelligence, for instance: breaches, phishing scams, and malware vulnerabilities;
- Customer support and victim assistance provided by Identity Guard®;
- Anti-phishing applications for iOS & Android mobile devices; and
- Safe browsing software for personal computers and Macs to help protect the enrolled Participating Settlement Class member's computer(s) against malicious content with an add-on for Safari, Chrome, and Firefox web browsers that delivers proactive malware protection by blocking various malware delivery channels including phishing, malvertisements, and flash (the extension also blocks content and tracking cookies to help protect personal information).

You can download the Claim Form at [www.GoldenSettlement.com](http://www.GoldenSettlement.com) and mail it to:

**Golden Entertainment Settlement**  
 c/o Claims Administrator  
 PO Box 126  
 Warminster, PA 18974-0126

**Again, all claim forms must be submitted online, or mailed and postmarked, no later than April 15, 2021.**

## **6. What am I giving up to receive these benefits?**

By not timely opting-out of the class, all of the Court's orders will apply to you, and you give Golden a "release." A release means you cannot sue or be part of any other lawsuit against Golden about the claims or issues in this lawsuit (relating to the Phishing Attack), and you will be bound by the settlement. The specific claims you are giving up against Golden and related persons or entities are called "Released Claims." The Released Claims are defined in Section 1.9 and described in Section 6 of the settlement agreement, which is available under the documents page at [www.GoldenSettlement.com](http://www.GoldenSettlement.com). The settlement agreement describes the Released Claims with specific and accurate legal descriptions, so read it carefully.

## **7. How much will the Plaintiffs receive?**

The Plaintiffs will receive a portion of the settlement as class members should they choose to submit a claim. The Plaintiffs in this case will also receive a payment of up to \$3,000 as an incentive award for having pursued this litigation. Any incentive award is subject to Court approval.

## **THE LAWYERS REPRESENTING YOU**

## **8. Do I have a lawyer in this case?**

The Court has appointed Bursor & Fisher, P.A. as "Class Counsel" to represent class members who do not timely opt-out of the settlement. You can contact Class Counsel at (646) 837-7150.

Class Counsel will request from the Court to award attorneys' fees, costs and expenses not to exceed \$225,000, inclusive of any costs and expenses of the litigation. Class Counsel, in their sole discretion, shall allocate and

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distribute the amount of attorneys’ fees, costs, and expenses awarded by the Court among Plaintiffs’ counsel. Any award of attorneys’ fees and costs and expenses are subject to Court approval.

You may hire your own attorney, but only at your own expense.

## OPT-OUT OF THE SETTLEMENT

### 9. I don’t want to be part of this case. How do I opt-out of the settlement?

If you don’t want to be reimbursed for out-of-pocket and/or lost-time expenses, don’t want credit monitoring services, and want to keep the right to sue Golden regarding issues relating to the Phishing Attack, you must submit a request to opt-out of the Settlement. This is called “opting out” of the settlement.

To opt-out, you must send a letter by mail that:

- (i) States your full name and address,;
- (ii) Includes the case name and case number - *Miranda, et al. v. Golden Entertainment (NV), Inc.*, Case No. 2:20-cv-00534-JAD-DJA;
- (iii) Contains your signature or the signature of the person authorized by law to sign on behalf of you; and
- (iv) States unequivocally that you want to opt-out of the settlement.

To be valid, you must mail your opt-out request, postmarked no later than **March 16, 2021**, to:  
Golden Entertainment Settlement, c/o Claims Administrator, PO Box 126, Warminster, PA 18974-0126.

## OBJECTION PROCEDURES

### 10. How do I object to the settlement?

Any class member who does not opt-out of the settlement may object to the settlement. In order to exercise this right, you must mail your objection to Class Counsel and counsel for Golden at the addresses provided below.

Your objection must include the following information:

- (i) Your full name and address;
- (ii) You must include the case name and case number - *Miranda, et al. v. Golden Entertainment (NV), Inc.*, Case No. 2:20-cv-00534-JAD-DJA.
- (iii) Information identifying yourself as a class member, including proof that you are a member of the class (e.g., copy of settlement notice, copy of original notice of the Phishing Attack, or a statement explaining why you believe you are a class member);
- (iv) A written statement of all grounds for the objection, accompanied by any legal support for the objection you believe is applicable;
- (v) The identity of any and all counsel representing the objector in connection with the objection;
- (vi) A statement whether you and/or your counsel will appear at the Final Fairness Hearing; and
- (vii) Your signature or the signature of the attorney or any other authorized representative (if any) representing you in connection with the objection.

Your written notice of an objection, in the appropriate form, must be mailed, postmarked by **March 16, 2021**, and sent to the following addresses:

Class Counsel	Counsel for Golden
Yitzchak Kopel BURSOR & FISHER P.A. 888 Seventh Avenue, Third Floor New York, NY 10019	Casie D. Collignon Baker & Hostetler, LLP 1801 California Street, Suite 4400 Denver, Colorado 80202-2662

### Another Option to Submit Your Objection

You, or your counsel, may also file Objections with the Court through the Court’s electronic case filing (“ECF”) system, with service on Class Counsel and Golden’s Counsel made through the ECF system.

If you have questions? Visit [www.GoldenSettlement.com](http://www.GoldenSettlement.com) or call **1-833-253-8063**.

## THE FAIRNESS HEARING

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

The Court will hold a Final Approval and Fairness Hearing on **May 12, 2021 at 9:30 a.m.** to determine whether the proposed Settlement is fair, reasonable, and adequate and in the best interests of the class, and to rule on applications for compensation for Class Counsel and an incentive award for the Plaintiffs. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed Settlement.

YOU ARE **NOT** REQUIRED TO ATTEND THIS HEARING TO BENEFIT FROM THIS SETTLEMENT. The hearing may be postponed to a later date without notice. The Court may hold the hearing in person at the Lloyd D. George Federal Courthouse, 333 Las Vegas Boulevard, South, Las Vegas, NV 89101, via zoom, or telephonically. Instructions on how to appear at the hearing will be available on the settlement website, [www.GoldenSettlement.com](http://www.GoldenSettlement.com)

If you have objected to the settlement and intend to appear at the Final Approval Hearing, either with or without counsel, you must file with the Court your notice to appear at the hearing, and serve it on Class Counsel and Defendants' Counsel at the addresses above, by **March 16, 2021**. If you intend to appear at the Final Approval Hearing through counsel, you also must identify the attorney(s) representing you who will appear at the Final Approval Hearing and include the attorney(s) name, address, phone number, e-mail address, state bar(s) to which counsel is admitted, as well as associated state bar numbers. *See Question 10* for complete instruction on objecting to the Settlement and appearing at the Fairness Hearing.

## GET MORE INFORMATION

### 12. How do I get more information about the Settlement?

Additional information and documents, including case documents, are available at [www.GoldenSettlement.com](http://www.GoldenSettlement.com) or by contacting the Claims Administrator at 1-833-253-8063 or write to Golden Entertainment Settlement, c/o Claims Administrator, PO Box 126, Warminster, PA 18974-0126. You may also contact Class Counsel at (646) 837-7150

**PLEASE DO NOT CALL THE COURT OR THE JUDGE WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.**