

SETTLEMENT CLAIM FORM

In re Morgan Stanley Data Security Litigation, 1:20-cv-05914-AT (S.D.N.Y.)

USE THIS FORM TO MAKE A CLAIM FOR REIMBURSEMENT OF OUT-OF-POCKET LOSSES AND TIME INCURRED AS A RESULT OF THE DATA SECURITY INCIDENTS ANNOUNCED BY MORGAN STANLEY IN JULY 2020, AND JUNE 2021.

THE DEADLINE TO SUBMIT THIS CLAIM FORM IS: AUGUST 11, 2022

I. GENERAL INSTRUCTIONS

If you have an existing or closed Morgan Stanley account(s) established in the United States and received a Notice Letter regarding the Data Security Incidents in either July 2020, and/or June 2021, you are a “Settlement Class Member.” The Settlement, if approved by the Court, would establish a Settlement Fund of \$60 million, which will be used to provide at least 24-months of fraud insurance coverage for all Settlement Class Members who enroll, reimburse Class Members for out-of-pocket losses and lost time researching and remedying the effects of the Data Security Incidents, as well as to pay Plaintiffs’ attorneys’ fees, costs, and expenses, and a service award for each of the named Plaintiffs.

If you are a Settlement Class Member, and you believe you lost money or spent time related to the Morgan Stanley Data Security Incidents, then you may make a claim for reimbursement. As further described below, Settlement Class Members may make a claim for (1) reimbursement up to \$10,000 for documented out-of-pocket losses; (2) up to 4 hours of “attested to” time compensable at \$25 per hour; and/or (3) up to an additional 5 hours of “documented time” at either \$25 per hour, or if you took time from work, at the rate of documented compensation up to \$50 per hour, that you believe you incurred as a result of the Morgan Stanley Data Security Incidents.

If you received a notice from the Settlement Administrator about this class action Settlement addressed to you with a Settlement Unique ID, then the Settlement Administrator has already determined that you are a Settlement Class Member. If you did not receive a notice but believe you may be a Class Member, please contact the Settlement Administrator at 1-855-604-1744. To learn more about the Settlement, the benefits provided under the Settlement, and/or how to determine whether you are a Class Member (if you did not receive notice), go to www.MorganStanleyDataSecuritySettlement.com.

To the extent all Settlement Class Members’ claims plus attorneys’ fees, costs, and expenses, and service awards to the named Plaintiffs exceed the \$60 million fund, then the amount of each claim will be reduced pro rata (equal share). If the claims of Settlement Class Members plus attorneys’ fees, costs, and expenses, and service awards to the named Plaintiffs are less than the \$60 million fund, the excess money will be used to extend the fraud insurance coverage for all Settlement Class Members.

Settlement Class Members who spent time researching or remedying issues related to the Data Security Incidents may receive reimbursement of up to 4 hours of time at a rate of \$25 per hour with a statement attesting that their actions were taken in response to the Data Security Incidents (“Attested Time”). No documentation will be required.

Out-of-Pocket Losses incurred from March 1, 2016, to the present and which are documented may be eligible for reimbursement. Such Out-of-Pocket Losses include, but are not limited to:

- Unreimbursed losses, fees, or charges incurred as a result of identity fraud or theft connected with the possible misuse of your name, business or home email addresses, telephone number, birthdate, Social Security number, passport number, or financial account information (“Personal Information”).
- Professional fees and other costs incurred addressing identity fraud or theft, including falsified tax returns or other identity fraud or theft, connected with the possible misuse of your Personal Information.
- Costs associated with credit freezes and credit repair services.
- The costs of credit monitoring or identity protection services you obtained on or after July 1, 2020, through the date of claim submission.
- Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance charges that you show were incurred in connection with identity fraud or theft connected with the possible misuse of your Personal Information.

This list provides examples only, and other costs due to one or more of the Data Security Incidents may also be eligible for reimbursement. However, YOU MUST BE ABLE TO DOCUMENT YOUR CLAIM for Out-of-Pocket Losses.

Additionally, Settlement Class Members who spent more than 4 hours researching or remedying issues related to the Data Security Incidents can claim up to an additional 5 hours at either \$25 per hour, or if they took time off work, at the rate of documented compensation, up to \$50 per hour (“Documented Time”). Documentation is required for all out-of-pocket claimed losses and is subject to a \$10,000 cap per claimant.

The Settlement Administrator has the sole authority to determine the validity of claims. Only valid claims will be paid. To the extent only portions of the claim are adequately documented and/or validated, only those portions will be paid. To the extent the amounts required to fund valid claims exceed the amount of the net Settlement Fund, the cash payments for the valid claims will be reduced on a pro rata (equal share) basis.

For your claim to be considered, you must fully complete this Claim Form. You can complete and submit this Claim Form online at www.MorganStanleyDataSecuritySettlement.com, by email at claims@MorganStanleyDataSecuritySettlement.com, or by U.S. Mail sent to the following address: Morgan Stanley Data Security Settlement, c/o Settlement Administrator, P.O. Box 6758, Portland, OR 97228-6758. If you submit your claim by U.S. Mail, make sure the completed and signed Claim Form is postmarked by **August 11, 2022**.

If you have any questions, please contact the Settlement Administrator by email at info@MorganStanleyDataSecuritySettlement.com or by telephone at 1-855-604-1744 or send your question to the Settlement Administrator by U.S. Mail using the address above.

After the Court grants Final Approval, if your Claim Form is determined to be complete and valid, you will receive an email (at the email address provided in this Claim Form) prompting you to select how you would like to be paid. You can receive your payment via a variety of digital options such as digital debit card or PayPal, or you can elect to receive a check.

You must notify the Settlement Administrator if your contact information changes after you send your Claim Form.

DEADLINE: If you send in a Claim Form by U.S. Mail, it must be postmarked by **August 11, 2022**. If you file a Claim Form online, then you must do so by **11:59 p.m. EST on August 11, 2022**.

IV. OUT-OF-POCKET LOSSES AND DOCUMENTED TIME SPENT

Fill out the below to claim out-of-pocket losses (up to \$10,000) relating to the Data Security Incidents (attach additional pages as needed). Documentation is required for all out-of-pocket claimed losses. Please be sure to include documentation to expedite the processing of your claims.

Out-of-Pocket Losses (Fill all that apply)	Date Incurred	Amount	Examples of Supporting Documentation
<input type="checkbox"/> Unreimbursed fraud losses or charges	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Account statement with unauthorized charges highlighted; correspondence from a financial institution or credit card agency declining to reimburse you for fraudulent charges</i>
<input type="checkbox"/> Professional fees incurred in connection with identity theft, falsified tax returns, or other fraud or misuse of your personal information	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Receipt for hiring a service to assist you in addressing identity theft; accountant bill for re-filing tax return</i>
<input type="checkbox"/> Lost interest or other damages resulting from a delayed state and/or federal tax refund in connection with fraudulent tax return filing	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Letter from IRS or state about tax fraud in your name; documents reflecting length of time you waited to receive your tax refund and the amount</i>
<input type="checkbox"/> Credit freeze	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Notices or account statements reflecting payment for a credit freeze</i>
<input type="checkbox"/> Credit monitoring ordered after July 2020	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Receipts or account statements reflecting purchases made for credit monitoring services</i>
<input type="checkbox"/> Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Phone bills, gas receipts, postage receipts; detailed list of locations to which you traveled (i.e. police station, IRS office), indication of why you traveled there (i.e. police report or letter from IRS re: falsified tax return) and number of miles you traveled</i>
<input type="checkbox"/> Other Out-Of-Pocket Losses (provide detailed description in the box below)	MM - DD - YY	\$ [] [] [] [] [] [] • [] []	<i>Detailed description below or in a separate document submitted with this Claim Form</i>

Detailed Description of Other Out-of-Pocket Losses, required if Other Out of Pocket Losses option is claimed:

If, in addition to the above, you spent more than four hours addressing issues related to the Data Security Incidents or took time off work, and you have documentation to support this extra time, you may submit a claim for up to an additional 5 hours (9 hours in total). You may be compensated at \$25 per hour or unpaid time off work at your actual hourly rate up to \$50 per hour, whichever is greater, for up to 5 hours. Note that the hours claimed here are in addition to and above any Attested Time claimed in the section above.

- If you spent more than 4 hours remedying issues relating to Data Security Incidents, please indicate the number of hours here:

My hourly rate was: \$ •

- Please explain in detail how this time was expended and why it was necessary:

- Please provide any available documentation of the potential fraud and/or identity theft that made this expenditure of time necessary (i.e. letter from IRS or bank; police report).
- If you took unpaid time off from work, please provide documentation of the number of hours that you took off from work, and your hourly wage.

Attestation

I attest that Out-of-Pocket Expenses for preventative measures, such as obtaining credit monitoring services or credit freezes were incurred in response to the Notice Letters from Morgan Stanley regarding the Data Security Incidents.

I attest that Out-of-Pocket Expenses for unreimbursed losses related to identity theft, falsified tax returns, or other alleged wrongdoing (collectively "Misconduct"), or for attempting to remedy Misconduct, are related to Misconduct I believe is connected to the Data Security Incidents and the Misconduct involved possible misuse of the type of Personal Information accessed in the Data Security Incidents (i.e., name, date of birth, Social Security number, and account information).

V. VERIFICATION AND ATTESTATION UNDER OATH

By signing below and submitting this Claim Form, I hereby swear under penalty of perjury that the information provided in this Claim Form is, to the best of my knowledge, true and correct, and that I have not submitted another claim in connection with this Settlement and know of no other person having done so on my behalf.

Signature

Date: - -
MM DD YYYY

REMINDER CHECKLIST

1. Please make sure you answered all the questions on the Claim Form.
2. Please make sure that you signed and dated the Claim Form.
3. Please make sure you have included documentation for your out-of-pocket losses.
4. Please keep a copy of your completed Claim Form and your documentation for your own records.
5. If you have any questions, please first refer to the settlement website, www.MorganStanleyDataSecuritySettlement.com. You may also contact the Settlement Administrator by calling the toll-free number, 1-855-604-1744, by email to info@MorganStanleyDataSecuritySettlement.com, or by writing via U.S. Mail addressed to Morgan Stanley Data Security Settlement, c/o Settlement Administrator, P.O. Box 6758, Portland, OR 97228-6758.