

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

PLEASE READ THIS NOTICE CAREFULLY

To: All Persons residing within the United States whose Personal Information was potentially compromised in the Cyberattack against Westinghouse Air Brake Technologies Corporation d/b/a Wabtec Corporation;

A proposed Settlement has been reached in the class-action Litigation captioned *Hokky Tjahjono, et al. v. Westinghouse Air Brake Technologies Corporation d/b/a Wabtec Corporation*, Case No. 2:23-cv-531 in the U.S. District Court for the Western District of Pennsylvania. The Litigation asserted claims against Wabtec arising out of the Cyberattack.

The United States District Court for the Western District of Pennsylvania has authorized this notice. It is not a solicitation from a lawyer. You are not being sued. If you have received a notice of this lawsuit in the mail, you have been identified as a person who is or may be a member of the Settlement Class in this lawsuit, and the proposed settlement of this lawsuit, if approved, may affect your legal rights. You should read this notice carefully.

**SUMMARY OF THE OPTIONS AND THE LEGAL EFFECT OF
EACH OPTION FOR SETTLEMENT CLASS MEMBERS**

YOUR OPTIONS	INSTRUCTIONS	DUE DATE
DO NOTHING AND AUTOMATICALLY RECEIVE A PAYMENT	Your payment will be sent automatically by first-class U.S. Mail to your last known postal address on file with Wabtec. If you would like the Settlement benefits to be distributed to you via PayPal or Venmo, rather than the mailing of a check, you can elect to do so through the website maintained for this Settlement.	See Answer 8 below.
EXCLUDE YOURSELF FROM THE PROPOSED SETTLEMENT	You can choose to “opt out” of the proposed Settlement. Opting out means that you choose not to participate in the proposed Settlement. It also means that you cannot object to the proposed Settlement (see below). If you opt out, you will not receive a payment and you will keep any individual claims you may have against Wabtec relating to the Cyberattack. Be aware that the statute of limitations may impact your ability to file a claim. For more detailed opt-out instructions, see Answer 10 below.	Postmarked no later than November 25, 2024
OBJECT TO THE PROPOSED SETTLEMENT	You can file an objection with the Court explaining why you believe the Court should reject the proposed Settlement. If your objection is overruled by the Court and the proposed Settlement is approved, then you would be included in the Settlement Class. If the Court agrees with your objection, then the proposed Settlement may not be approved. If you choose to object, you may not also opt out of the proposed Settlement, as only participating Settlement Class Members may object to a proposed Settlement. For more detailed objection instructions, see Answer 11 below.	Postmarked no later than November 25, 2024

These rights and options—and the deadlines to exercise them—along with the material terms of the proposed Settlement are explained further below in this notice.

BASIC INFORMATION

1. What is this lawsuit about?

The class action being settled is captioned *Hokky Tjahjono, et al. v. Westinghouse Air Brake Technologies Corporation d/b/a Wabtec Corporation*, Case No. 2:23-cv-531. This case is a putative class action, meaning that the Class Representatives—Hokky Tjahjono and Miles Black—brought this action as individuals acting on behalf of a putative class of all people whose Personal Information was potentially compromised in the Cyberattack. The Class Representatives alleged claims for negligence, breach of contract, and unjust enrichment. After motions practice and a comprehensive mediation, the Parties came to the proposed Settlement.

2. Why did I receive notice of this lawsuit?

If you received notice of this lawsuit, it is because Wabtec's records indicate that your Personal Information was potentially compromised in the Cyberattack. The Court directed that this notice be made available to all members of the Settlement Class because each member has a right to notice of the proposed Settlement and the options available to them before the Court decides whether to approve the proposed Settlement.

3. Why did the Parties settle?

In any lawsuit, there are risks and potential benefits that come with litigating as compared to settling. It is the Class Representatives' and Class Counsel's job to identify when a proposed Settlement offer is sufficient and justifies settling the case instead of continuing to litigate. In a class action, Class Counsel determines when to recommend settling to the Class Representatives. The Class Representatives then have a duty to act in the best interests of the class as a whole when deciding whether to accept this recommendation. In this case, it is the belief of the Class Representatives and Class Counsel that this proposed Settlement is in the best interest of all Settlement Class Members.

Wabtec denies all claims asserted, denies any and all allegations of wrongdoing and inadequate security, and disclaims all liability relating to and arising out of the Cyberattack. Nevertheless, Wabtec has considered the uncertainty and risks inherent in any litigation and concluded that contesting the Litigation further could be protracted and expensive, and thus has agreed to resolve the Litigation solely to avoid further expense, inconvenience, and burden. Given the benefits that Wabtec and the Settlement Class will receive from a negotiated settlement and prompt resolution of the case, the Parties consider it desirable to resolve the Litigation.

4. What must happen for the proposed Settlement to be approved?

The Court must decide that the proposed Settlement is fair, reasonable, and adequate before it will approve the proposed Settlement. At this time, the Court has already reviewed and decided to grant preliminary approval of the proposed Settlement, after which notice was disseminated to members of the Settlement Class. The Court will make a final decision regarding the proposed Settlement at a Final Approval Hearing, which is currently scheduled for January 21, 2025.

YOUR OPTIONS

5. What options do I have with respect to the proposed Settlement?

If you are a member of the Settlement Class, you have three options with respect to this proposed Settlement: (1) do nothing and be eligible to participate in the proposed Settlement and receive the Settlement benefits allocated to you according to the terms of the proposed Settlement; (2) opt out of the proposed Settlement; or (3) participate in the proposed Settlement, but object to it. Each of these options is described further below.

6. What are the details and deadlines related to my options?

- a. If you do nothing, and the proposed Settlement is approved by the Court, you will be eligible to participate in the proposed Settlement and to receive the Settlement benefits allocated to you according to the terms of the proposed Settlement. Your payment will be sent automatically by first-class U.S. Mail to your last known postal address on file with Wabtec. If you would like the Settlement benefits to be distributed to you via PayPal or Venmo, rather than the mailing of a check, you can elect to do so through the website maintained for this Settlement.
- b. If you would like to opt out or object to the proposed Settlement, your request must be postmarked no later than November 25, 2024.

7. How do I decide which option to choose?

If you would prefer not to participate in the proposed Settlement, then you may want to consider opting out. If you opt out, you will not receive a payment and you will keep any individual claims you may have against Wabtec relating to the Cyberattack. Be aware that the statute of limitations may impact your ability to bring a claim.

If you believe the proposed Settlement is unreasonable, unfair, or inadequate, and that the Court should reject the proposed Settlement, you may want to consider objecting to the proposed Settlement. The Court will decide if your objection is valid. If the Court agrees with your objection, then the proposed Settlement may not be approved. If your objection (or any other objection) is overruled, and the proposed Settlement is approved, then you will still receive a payment under the proposed Settlement and you will be bound by the proposed Settlement. Note that if you do not object to the proposed Settlement, and the proposed Settlement is later approved, you cannot appeal that approval order.

8. Do I have to do anything if I want to participate in the proposed Settlement?

No. If you do nothing, and the proposed Settlement is approved by the Court, you will be eligible to participate in the proposed Settlement and to receive the Settlement benefits allocated to you according to the terms of the proposed Settlement. Your payment will be sent automatically by first-class U.S. Mail to your last known postal address on file with Wabtec. If you would like the Settlement benefits to be distributed to you via PayPal or Venmo, rather than the mailing of a check, you can elect to do so through the website maintained for this Settlement.

OPTING OUT OF THE PROPOSED SETTLEMENT

9. What happens if I opt out of the proposed Settlement?

If you opt out of the proposed Settlement, you will preserve any claims you may have against Wabtec related to the Cyberattack. However, you will not be entitled to receive a payment from this proposed Settlement—assuming that the proposed Settlement is approved by the Court. Be aware that the statute of limitations may impact your ability to bring a claim.

10. How do I opt out of the proposed Settlement?

To opt out of the proposed Settlement, you must send a written request to the Settlement Administrator at: *Tjahjono v. Westinghouse Air Brake Technologies* Settlement Administrator, P.O. Box 301134, Los Angeles, CA 90030-1134, which must:

- a. include a statement that clearly manifests your wish to be excluded from the Settlement Class;
- b. be physically signed by you;
- c. include your full name, postal address, and email address;
- d. include the caption for the Litigation: *Hokky Tjahjono, et al. v. Westinghouse Air Brake Technologies Corporation d/b/a Wabtec Corporation*, Case No. 2:23-cv-531; and
- e. be postmarked no later than November 25, 2024.

A request to opt out of the proposed Settlement that does not meet the above requirements, or that is sent to an address other than that of the Settlement Administrator, will be invalid and the person sending the defective request will remain in the Settlement Class and, if the proposed Settlement is approved by the Court, will receive a payment, and will be bound by the proposed Settlement.

A request to opt out of the proposed Settlement must be done on an individual basis. A Settlement Class Member cannot purport to opt others out of the proposed Settlement on a class or representative basis.

OBJECTING TO THE PROPOSED SETTLEMENT

11. How do I object to the proposed Settlement?

You can object to the proposed Settlement, or any part of it, so long as you do not opt out of the proposed Settlement, as only Settlement Class Members have the right to object to the proposed Settlement, including any attorneys’ fees sought by Class Counsel. To have your objection considered by the Court at the Final Approval Hearing, your objection must:

- a. include your full name, postal address, and email address;
- b. include information identifying you as a Settlement Class Member, with proof (*e.g.*, a copy of your settlement notice, a copy of your original notice of the Cyberattack, or a statement explaining why you believe you are a Settlement Class Member);
- c. contain a statement that includes all objections, states whether each objection applies only to you, to a subset of the Settlement Class, or to the entire Settlement Class, and states the specific reasons for all objections, including any legal arguments and evidentiary support (including copies of any documents relied upon);
- d. include the caption for the Litigation: *Hokky Tjahjono, et al. v. Westinghouse Air Brake Technologies Corporation d/b/a Wabtec Corporation*, Case No. 2:23-cv-531;
- e. identify any counsel representing you in connection with the objection;
- f. state whether you or your counsel (if any) wish to speak at the Final Approval Hearing;
- g. be signed by you, the objecting Settlement Class Member, or your duly-authorized representative (if any) representing you in connection with the objection; and
- h. be postmarked no later than November 25, 2024.

Your objection and any accompanying papers must be filed with the Clerk of Court. If you are represented by counsel, the objection must be filed through the Court’s electronic case filing (ECF) system. All objections must also be mailed at the same time to Class Counsel, Wabtec’s counsel, and the Settlement Administrator at the addresses below.

Clerk of Court	Settlement Administrator	Class Counsel	Wabtec’s Counsel
Clerk of the Court United States District Court for the Western District of Pennsylvania Joseph F. Weis, Jr., U.S. Courthouse 700 Grant Street Pittsburgh, PA 15219	<i>Tjahjono v. Westinghouse Air Brake Technologies</i> Settlement Administrator P.O. Box 301134 Los Angeles, CA 90030- 1134	LYNCH CARPENTER LLP Attn: Jamisen Etzel 1133 Penn Avenue 5 th Floor Pittsburgh, PA 15222 DANNLAW Attn: Marc E. Dann 15000 Madison Avenue Cleveland, OH 44107	JONES DAY Attn: Rebekah B. Kcehowski 500 Grant Street Suite 4500 Pittsburgh, PA 15219

12. What happens if I object to the proposed Settlement?

If you object to the proposed Settlement, the Court will consider your objection at the Final Approval Hearing. If the Court sustains your objection, or the objection of any other Settlement Class Member, the proposed Settlement may not be approved. If you object, but the Court overrules your objection and any other objections and approves the proposed Settlement, then you will be bound by the proposed Settlement, and you may appeal the approval order to the extent that it overrules your objection.

13. What is the difference between objecting and opting out of the proposed Settlement?

Objecting to the proposed Settlement is telling the Court that you do not believe the proposed Settlement is fair, reasonable, and adequate for the Settlement Class, and asking the Court to reject it. If you object to the proposed Settlement and the proposed Settlement is ultimately approved, then you are entitled to a payment and will release any claims related to the Cyberattack. Opting out of the proposed Settlement, however, is telling the Court that you do not want to be a part of the proposed Settlement if it is approved, you do not want to receive a payment, and you will not release claims you might have against Wabtec that would otherwise have been released by participating in the proposed Settlement.

14. Can I opt out and object to the proposed Settlement?

No. To object to the proposed Settlement, you must participate in the proposed Settlement. Thus, you must choose between opting out or objecting to the proposed Settlement.

THE PROPOSED SETTLEMENT PAYMENT

15. How much is this proposed Settlement?

The Parties have agreed to a Settlement Fund of \$625,000.

As discussed in more detail below, attorneys' fees and costs, contribution awards for the Class Representatives, and administrative fees, including the costs paid to a third-party Settlement Administrator, will be paid out of the Settlement Fund. Thereafter, the remaining funds will be divided among all Settlement Class Members entitled to payments as outlined in the proposed Settlement and discussed further below in Answer 19.

16. How much of the Settlement Fund will be used to pay for attorneys' fees and costs?

Class Counsel will request that the Court approve attorneys' fees of not more than thirty-three and one-third percent (33.33%) of the Settlement Fund, and will request that Class Counsel be reimbursed for their out-of-pocket litigation costs incurred in the Litigation in an amount not to exceed \$10,000. Class Counsel must submit their request to the Court by November 11, 2024, at which point the amount of the requested attorneys' fees, as well as Class Counsel's motion, will be published on the Settlement Website at www.paclassaction.com. The Court will then decide the amount of the attorneys' fees and costs based on a number of factors, including the risk associated with bringing the Litigation, the amount of time spent on the Litigation, the magnitude and complexity of the Litigation, the quality of the work, and the requested fee in relation to the outcome of the Litigation.

17. How much of the Settlement Fund will be used to pay the Class Representatives?

Class Counsel will request that the Class Representatives, Hokky Tjahjono and Miles Black, be paid an award in the amount of no more than \$5,000 each, in recognition of their work in connection with this case. The award must be approved by the Court.

18. How much of the Settlement Fund will be used to pay administrative expenses?

A third-party Settlement Administrator was retained to provide notice and administer the payments to Settlement Class Members. The expenses of the Settlement Administrator are projected to not exceed \$75,000.00.

19. How much will my payment be?

The balance of the Settlement Fund after paying administrative expenses, attorneys' fees and costs, and award to the Settlement Class Representatives will be distributed equally to Settlement Class Members. The Parties estimate that each Settlement Class Member will receive at least \$15.

If any amount remains in the Settlement Fund after all issued checks have become void, the Parties will instruct the Settlement Administrator to make a second distribution of those funds in equal amounts to all Settlement Class Members who redeemed or cashed their initial payments. If, however, the residual amount in the Settlement Fund is insufficient to permit a second payment amount of at least \$5 to all such Settlement Class Members, then the Parties shall instruct the Settlement Administrator to make a *cy pres* payment by donating all remaining funds to the Carnegie Science Center.

20. When will I receive my payment?

The Court will hold a Final Approval Hearing on January 21, 2025 to consider whether the proposed Settlement should be approved. If the Court approves the proposed Settlement, then payments will be distributed within forty-five (45) days of the date after which the proposed Settlement becomes final and effective, as defined in the Settlement Agreement.

THE FINAL APPROVAL HEARING

21. When and where will the Court decide whether to approve the proposed Settlement?

The Court will hold a Final Approval Hearing on January 21, 2025 at the United States District Court for the Western District of Pennsylvania, William S. Stickman IV, U.S. Courthouse, Courtroom 8B, 700 Grant Street, Pittsburgh, PA 15219. At this hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. If objections have been properly submitted, the Court will consider them. The Court may also decide how much to award Class Counsel for attorneys' fees and litigation costs and the amount of the award to the Settlement Class Representatives. The hearing will be public. The hearing may be virtual, in which case the instructions for viewing the hearing and participating will be posted on the Settlement Website at www.paclassaction.com. The date and time of the Final Approval Hearing may change without further notice. Please check the Settlement Website for updates.

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

No. Class Counsel will answer any questions the Court may have. You may attend if you desire to do so. If you have properly submitted an objection, the Court will consider your objection regardless of whether you attend.

23. May I speak at the Final Approval Hearing?

If you are a Settlement Class Member, you may ask the Court for permission to speak at the Final Approval Hearing. If you are objecting and would like to speak at the Final Approval Hearing, you must state in your objection, as described in Answer 11 above, that you wish to be heard at the Final Approval Hearing.

THE LAWYERS REPRESENTING THE CLASS

24. Do I have a lawyer in this case?

The Court has ordered that Jamisen A. Etzel of Lynch Carpenter, LLP and Marc E. Dann of DannLaw will serve as Class Counsel and will represent all Settlement Class Members in this matter.

25. Do I have to pay the lawyers bringing this suit on behalf of the Settlement Class?

No. Class Counsel will be paid directly from the Settlement Fund, subject to the Court's approval.

26. Who determines what the attorneys' fees will be?

The Court will be asked to approve the amount of attorneys' fees at the Final Approval Hearing. Class Counsel will file an application for attorneys' fees, which shall not exceed thirty-three and one-third percent (33.33%) of the Settlement Fund, plus their out-of-pocket litigation costs, and will specify the amount being sought in an amount not to exceed \$10,000. Class Counsel must submit its request to the Court by November 25, 2024, at which point the amount of the requested attorneys' fees, as well as Class Counsel's motion, will be published on the Settlement Website at www.paclassaction.com. Settlement Class Members who would like to object to the amount of attorneys' fees sought by Class Counsel may do so by following the instructions described in Answer 12 above.

GETTING MORE INFORMATION

This notice only summarizes the proposed Settlement. More details are contained in the Settlement Agreement, which can be viewed or obtained online at www.paclassaction.com. This notice contains certain capitalized, defined terms, which are defined specifically in the Settlement Agreement. In the event of any inconsistency between the Settlement Agreement and this notice, the Settlement Agreement will govern.

For additional information about the proposed Settlement, you should contact the Settlement Administrator as follows:

Tjahjono v. Westinghouse Air Brake Technologies Settlement Administrator
P.O. Box 301134
Los Angeles, CA 90030-1134

For more information, you may also contact Class Counsel:

LYNCH CARPENTER LLP

Attn: Jamisen A. Etzel
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222

DANNLAW

Attn: Marc E. Dann
15000 Madison Avenue
Cleveland, OH 44107

**PLEASE DO NOT CONTACT THE COURT OR WABTEC
CONCERNING THIS NOTICE OR THE PROPOSED SETTLEMENT.**