

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Young, et al. v. FloSports, Inc., Case No. 2023LA000516

(In the Circuit Court of DuPage County, Illinois, 18th Judicial Circuit)

This notice is to inform you of the settlement of a class action lawsuit against FloSports, Inc. (“FloSports”), the “Defendant,” filed by Plaintiffs Lucas Young, Daniel O’Malley, and Charles Buckingham (collectively, the “Plaintiffs”) in the Circuit Court of DuPage County, Illinois. The Class Plaintiffs allege that they were enrolled in automatically renewing subscriptions for FloSports’ content without adequate disclosures and notice regarding renewal charges and cancellation terms. FloSports claims its subscription renewal practices complied with all applicable laws and regulations and that it fairly disclosed all terms associated with its subscriptions. Thus, FloSports denies all allegations of wrongdoing, and the Court has not determined who is right. Rather, the Parties have agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

Am I a Class Member? Yes. Our records indicate you are a Settlement Class Member. Class Members are persons who, from August 29, 2018, through June 15, 2023, enrolled in an automatically renewing FloSports subscription using a California, New York, North Carolina, Oregon, Florida, Illinois, Washington D.C., North Dakota, Virginia, Hawaii, Vermont billing address and paid fee(s) in connection with such subscription.

What Can I Get? You **must** submit a Claim Form (see instructions below) to receive a benefit from this Settlement. Class Members with **active subscriptions** to FloSports may choose to receive either (1) a pro rata cash payment of up to \$30.00 for annual subscribers, and up to \$6 for monthly subscribers via check; or (2) a 10% discount on the next immediate FloSports renewal charge (or an electronic voucher for a free pay-per-view event from FloSports, with certain exceptions, if your membership is no longer active when the settlement becomes final). If you are an **inactive subscriber** to FloSports, you may choose to receive either (1) a pro rata cash payment of up to \$30.00 for annual subscribers, and up to \$6 for monthly subscribers via check; or (2) an electronic voucher for a free pay-per-view event from FloSports, with certain exceptions.

Details on the electronic voucher option can be found on the settlement website at www.FSRenewalSettlement.com.

The cash payments may be subject to *pro rata* adjustment depending on the number of valid claims that are filed. A Settlement Fund of up to \$1,550,000.00 will be established to pay all approved claims to the Settlement Class, together with notice and administration expenses, approved attorneys’ fees and costs to Class Counsel, and Service Awards to the Plaintiffs.

How Do I Get a Cash Payment, Discount, or Voucher? You **must** complete and submit a Claim Form to receive a benefit from the Settlement. You may submit a Claim Form either electronically on the Settlement Website by clicking [here](http://www.FSRenewalSettlement.com) www.FSRenewalSettlement.com, or by printing and mailing in a paper Claim Form, copies of which are available for download [here](http://www.FSRenewalSettlement.com) www.FSRenewalSettlement.com. Claim Forms must be submitted online by 11:59 p.m. EST on January 25, 2024, or postmarked and mailed by January 25, 2024.

What are My Other Options? You may exclude yourself from the Settlement Class by sending a letter to the settlement administrator no later than January 25, 2024. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue FloSports over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or to object to the proposed settlement. Your written objection must be filed no later than January 25, 2024. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at www.FSRenewalSettlement.com. If you do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims against FloSports and others will be released.

Who Represents Me? The Court has appointed Bursor & Fisher, P.A. and Gucovschi Rozenshteyn, PLLC to represent the class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at 10:00 am on February 28, 2024, at the 18th Judicial Circuit Courthouse, 505 N. County Farm Road, Wheaton, IL 60187. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Plaintiffs \$5,000 each from the Settlement Fund for their services in helping to bring and settle this case. FloSports has agreed that Class Counsel may be paid reasonable attorneys' fees and costs from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek no more than \$1,000,000, but the Court may award less than this amount.

How Do I Get More Information? For more information, including a more detailed Class Notice, a copy of the Settlement Agreement and other documents, go to www.FSRenewalSettlement.com, contact the settlement administrator by emailing info@FSRenewalSettlement.com or by writing to FloSports Settlement Administrator, PO Box 231, Valparaiso, IN 46384, or contact Class Counsel by calling (646) 837-7150 or emailing info@bursor.com.