

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

**If You Received Notice of an Alleged Data Incident Involving
ZTEX Construction Inc. in October 2024, You May Be Eligible For
Benefits From A Class Action Settlement.**

*This is not a solicitation from a lawyer, junk mail, or an advertisement.
A court authorized this Notice.*

This notice summarizes the Settlement reached in a lawsuit entitled *Miguel Ramirez Jr. and Alexis Teran v. ZTEX Construction Inc.*, Case No. 3:25-cv-00146-DB, in the United States District Court for the Western District of Texas, El Paso Division (the “Action”). For the precise terms of the Settlement, please see the Settlement Agreement available at **www.ZTEXDataSettlement.com** or by contacting the Settlement Administrator at **888-798-7304**.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

**This Notice explains the nature of the lawsuit and claims being settled, your legal rights,
and the benefits to the Settlement Class.**

This notice may affect your rights – please read it carefully.

- A Settlement has been reached in a class action lawsuit filed against ZTEX Construction, Inc. (the “Defendant” or “ZTEX”) regarding allegations of a data security incident affecting ZTEX, which was discovered in October 2024.
- ZTEX denies that it did anything wrong, and the Court has not decided who is right.
- Class Members are eligible to receive Settlement benefits in one of the following forms: (1) Credit Monitoring Services, (2) Compensation for Documented Losses, or (3) an Alternative Cash Payment.. To receive any of these benefits, Class Members must submit a timely and valid Claim Form.
- Your legal rights are affected regardless of whether you act or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM	This is the only way you may receive benefits from this Settlement. The deadline to submit a Claim Form is July 13, 2026 .
EXCLUDE YOURSELF FROM THE SETTLEMENT “OPT-OUT”	This is the only option that allows you to bring or join another lawsuit raising the same legal claims against ZTEX. You will receive no payment or Credit Monitoring Services under this Settlement. The deadline to exclude yourself from the Settlement is June 12, 2026 .
OBJECT TO THE SETTLEMENT	You may write to the Settlement Administrator about any aspect of the Settlement you don’t like, or you don’t think is fair, adequate, or reasonable. If you object to any aspect of the Settlement, you must submit a written Objection, and that Objection must be received by the Deadline. Your Objection must follow the procedures stated in the Settlement Agreement. The deadline to object to the Settlement is June 12, 2026 .
ATTEND THE FINAL APPROVAL HEARING	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing. (If you object to any aspect of the Settlement, you must submit a written Objection by the Objection Deadline noted above. If you Opt-Out of the Settlement, you cannot object.) The Final Approval Hearing will be held on September 2, 2026, at 1:30 p.m.
DO NOTHING	If you do nothing, you will not receive any payment or the free Credit Monitoring Services. You will have no right to sue ZTEX later for the claims released by the Settlement.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice. For complete details, please see the Settlement Agreement, whose terms control, available at www.ZTEXDataSettlement.com.
- The Court in charge of this case still has to decide whether to grant final approval of the Settlement. No Settlement benefits or payments will be provided unless the Court approves the Settlement and it becomes Final.

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BASIC INFORMATION

1. What is this Notice and why should I read it?

The Court authorized this Notice to inform you about a proposed Settlement with ZTEX Construction, Inc. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. You may be eligible to receive a cash payment and free Credit Monitoring Services as part of the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Miguel Ramirez Jr. and Alexis Teran (“Plaintiffs” or “Settlement Class Representatives”), individually and on behalf of the Settlement Class (defined below), and ZTEX Construction, Inc. (“ZTEX” or “Defendant”) in the case titled *Miguel Ramirez Jr. and Alexis Teran v. ZTEX Construction Inc.*, Case No. 3:25-cv-00146-DB, in the United States District Court for the Western District of Texas, El Paso Division (the “Action”). Defendant and Plaintiffs are collectively referred to herein as the “Parties.”

2. What is a class action lawsuit?

A class action is a lawsuit in which one or more Plaintiffs sue on behalf of a group of people who have similar claims. In a class action, the court resolves the issues for all class members, except those who exclude themselves from the class. In this case, the Class is defined as:

All individuals residing in the United States whose PII was allegedly involved in the Data Incident involving ZTEX Construction Inc.’s network, including all those individuals who received notice of the Data Incident.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

Plaintiffs allege that in October 2024, ZTEX Construction Inc. experienced a Data Incident that potentially impacted the Personal Information of themselves and the Settlement Class. ZTEX denies the allegations and all liability with respect to any and all facts and claims alleged in the Action.

More information about the Class Action Complaint filed in the Lawsuit can be found on the Settlement Website at www.ZTEXDataSettlement.com.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Following extensive arm’s-length negotiations and informal discovery to facilitate settlement discussions, the Parties reached an agreement to resolve the Action on a class-wide basis. The Parties agreed to this Settlement and dismissal of the Lawsuit under the terms of the Settlement Agreement, to avoid the uncertainty, risks, and expense of ongoing Litigation. The Settlement Class Representative and Class Counsel, attorneys for the Class Members, believe the terms of the Settlement are fair, reasonable, and adequate, and that the Settlement is in the best interests of the Settlement Class Members. The Settlement is not an admission of any wrongdoing by ZTEX nor that the Lawsuit is without merit.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Class?

This Lawsuit involves Personal Information that was potentially impacted in a Data Incident experienced by Defendant, discovered in or around October 2024.

The Settlement Class Representative and ZTEX will ask the Court to certify a Settlement Class defined as “all individuals residing in the United States whose PII was allegedly involved in the Data Incident involving ZTEX Construction Inc.’s network, including all those individuals who received notice of the Data Incident.” Excluded from the Settlement Class

are: (1) the judges presiding over this Action and their staff, and members of their direct families; (2) Defendant; and (3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

THE SETTLEMENT BENEFITS

6. What benefits does the Settlement provide?

The proposed settlement will provide Settlement Class Members with the opportunity to receive one or more of the following Settlement benefits:

- (i) **Credit Monitoring:** All Settlement Class Members shall be offered an opportunity to enroll in two (2) years of one-bureau Credit Monitoring Services provided through CyEx. These services include one-bureau credit monitoring; dark web monitoring; real-time inquiry alerts; and \$1 million in identity theft insurance, among other features.
- (ii) **Documented Loss Reimbursement:** Settlement Class Members who submit a valid Claim Form with supporting documentation shall be eligible to receive compensation for Documented Losses of up to \$2,250.00. Third-party supporting documentation must meet the following conditions: (1) (i) the loss is an actual, documented, and unreimbursed monetary loss stemming from fraud or identity theft; (ii) the loss from fraud or identity theft was more likely than not caused by the Data Incident; (iii) the loss from fraud or identity theft was incurred after the date of the Data Incident; (iv) the loss from fraud or identity theft is not already covered by one or more of the other reimbursement categories; and (v) the Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for the loss; and/or (2) the out-of-pocket losses that have not otherwise been reimbursed, including losses for lost time; professional fees including attorneys' fees, accountants' fees, and fees for credit repair services; costs associated with freezing or unfreezing credit with any credit reporting agency; credit monitoring costs that were incurred on or after mailing of the notice of data breach/incident, through the date of claim submission; and miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.
- (iii) **Alternative Cash Payment:** All Settlement Class Members can make a Claim for a single thirty-five dollar and zero cents (\$35.00) cash payment in the alternative to Claims for Documented Losses and Credit Monitoring. To receive this benefit, Settlement Class Members must submit a valid Claim Form. No documentation is required to make a claim.

HOW TO GET BENEFITS

7. How do I make a Claim?

To qualify for a Settlement benefit, you must complete and submit a Claim Form. Settlement Class Members who want to submit a Claim must fill out and submit a Claim Form online at www.ZTEXDataSettlement.com or by USPS mail. Claim Forms are available through the Settlement Website at www.ZTEXDataSettlement.com, or Class Members may call the Settlement Administrator and request that a copy of the Claim Form be mailed to them.

Claims will be subject to a verification process. If you received a Notice with a Unique ID, you must include it on your Claim Form. **All Claim Forms must be received online or postmarked on or before July 13, 2026.**

8. When will I get my payment?

The Final Approval Hearing is when the Court considers the fairness of the Settlement. It is scheduled for **September 2, 2026, at 1:30 p.m.** If the Court approves the Settlement, eligible Class Members whose Claims were approved by the Settlement Administrator will be sent payment after the Effective Date.

THE LAWYERS REPRESENTING YOU

9. Do I have a lawyer in this case?

Yes, the Court has appointed Brittany Resch of Strauss Borrelli PLLC and Leigh Montgomery of EKSM, LLP as "Class Counsel."

Should I get my own lawyer?

You don't need to hire your own lawyer because Class Counsel is working on your behalf. These firms are experienced in handling similar cases. You will not be charged for these lawyers. You can retain your own lawyer to appear in Court for you, at your own cost, if you want someone other than Class Counsel to represent you.

10. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys' fees, costs, and expenses not to exceed \$140,000.00, which will be paid by Defendant. Class Counsel will also request a Service Award Payment, not to exceed \$2,500, for the Class Representatives, to be paid by Defendant. The Court will determine the proper amount of any attorneys' fees, costs, and expenses to award Class Counsel and the proper amount of any service award to the Settlement Class Representatives. The Court may award less than the amounts requested.

YOUR RIGHTS AND OPTIONS

11. What claims do I give up by participating in this Settlement?

Suppose you do not exclude yourself from this Settlement. In that case, you will not be able to sue ZTEX or any of the Released Parties about the Claims in the Settlement, and you will be bound by all decisions made by the Court in this case and the terms of the Settlement, including its Release. This is true regardless of whether you submit a Claim Form. Please read the Settlement Agreement at www.ZTEXDataSettlement.com for full details. However, you may exclude yourself from this Settlement (see Question 14). If you exclude yourself from the Settlement, you will not be bound by the Settlement Agreement, including the Released Claims, but you will not be able to make a claim for any benefits under the Settlement.

“Released Claims” means any and all claims, liabilities, rights, demands, suits, actions, causes of action, obligations, damages, penalties, costs, attorneys' fees, losses, and remedies of every kind or description—whether known or unknown (including Unknown Claims), existing or potential, suspected or unsuspected, asserted or unasserted, liquidated or unliquidated, legal, statutory, or equitable—that are based on, arise out of, or in any way relate to the Data Incident or any of the facts alleged or claims asserted in the Action, regardless of whether such claims arise under federal, state and/or local law, statute, ordinance, regulation, common law, or any of other source of law.

The Settlement Agreement describes the Release, Released Claims, and Unknown Claims, so please read it carefully. The Settlement Agreement is available at www.ZTEXDataSettlement.com or in the public Court records on file in this lawsuit. For questions regarding Release and what they mean, you can also contact the lawyer listed in Question 9 for free, or you can talk to your own lawyer at your own expense.

12. What happens if I do nothing at all?

If you do nothing, you will not receive any payment or free Credit Monitoring Services under the Settlement. You will be in the Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court and the Settlement Agreement, including the Release. Unless you exclude yourself, you won't be able to file a lawsuit or be part of any other lawsuit against ZTEX or the Released Parties for any of the claims or legal issues resolved in this Settlement. You will give up your right to sue ZTEX for the claims described in this Notice, and you will be bound by all Court decisions in this case.

13. What happens if I ask to be excluded from the Settlement?

If you exclude yourself from the Settlement, you will receive no benefits, payment, or free Credit Monitoring Services under the Settlement. However, you will not be in the Settlement Class and will not be legally bound by the Court's orders and judgments related to the Class and ZTEX in this Lawsuit or the terms of the Settlement Agreement, including the Release.

14. How do I opt-out of the Settlement?

You can opt-out of the Settlement by submitting a written Request for Exclusion to the Settlement Administrator postmarked

no later than the Opt-Out Deadline. You must submit a document that includes the name of the proceeding, your full name, 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. Any Settlement Class Member who does not file a timely Request for Exclusion in accordance with the Settlement Agreement will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement. You must submit your written Request for Exclusion to the Settlement Administrator by mail postmarked no later than **June 12, 2026**, to the following address:

ZTEX Data Settlement
c/o Analytics Consulting LLC
PO Box 2002
Chanhassen, MN 55317-2002

You cannot exclude yourself by phone or email. Each Class Member who wants to be excluded from the Settlement must submit his or her own exclusion request. No group opt-outs shall be permitted.

15. If I don’t exclude myself, can I sue ZTEX for the same thing later?

No. Unless you exclude yourself, you give up any right to sue ZTEX or the Released Parties for the claims being resolved by this Settlement.

16. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you are not eligible to submit a Claim Form or request any Settlement payment or free Credit Monitoring Services.

17. How do I object to the Settlement?

If you do not exclude yourself from the Class, you can object to the Settlement if you do not agree with any part of it. You can also object to Class Counsel’s request for attorneys’ fees, costs, and a service award for the Plaintiffs. Even if you object to the Settlement, you remain a member of the Settlement Class and are entitled to file a claim for benefits under the Settlement.

To object, you must file a written notice with the Settlement Administrator by mailing your objection and any supporting documents to the following address:

ZTEX Data Settlement
c/o Analytics Consulting LLC
PO Box 2002
Chanhassen, MN 55317-2002

You must also file your written objection with the Clerk of Court and serve copies on Class Counsel and counsel for ZTEX by the Objection Deadline. Objections not filed with the Court and served on all required parties may be rejected as procedurally defective.

If you are represented by a lawyer, the lawyer may file your objection through the Court’s e-filing system. If you are represented, you must include the identity of any and all attorneys representing you in the objection.

Your objection must be in writing and include the case name, *Miguel Ramirez Jr. and Alexis Teran v. ZTEX Construction Inc.*, Case No. 3:25-cv-00146-DB, in the United States District Court for the Western District of Texas, El Paso Division. Your written objection must include (i) the name of the proceedings; (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 class, or to the entire 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 (or electronic equivalent) of the Settlement Class Member or the Settlement Class Member’s attorney.

18. What's the difference between objecting and excluding myself from the Settlement?

Objecting means that you are telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Excluding yourself from the Class means that you don't want to be part of the Class. If you exclude yourself, you have no basis to object.

THE COURT'S FINAL APPROVAL HEARING

19. When and where will the Court have the Final Approval Hearing to determine the fairness of the Settlement?

The Court will hold the Final Approval Hearing on **September 2, 2026, at 1:30 p.m.**, located at 525 Magoffin Ave, El Paso, TX 79901. The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees, costs, and expenses, and Service Award payment to the Settlement Class Representatives.

Note: The date, time, and location (e.g., from in person to zoom) of the Final Approval Hearing are subject to change by Court Order. Any changes will be posted on the Settlement Website, **www.ZTEXDataSettlement.com**, or through the Court's publicly available docket. You should check the Settlement Website to confirm the date and time have not been changed.

20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to attend the hearing at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was timely filed and mailed and meets all of the requirements described in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend on your behalf at your own expense, but you don't have to.

21. May I speak at the Final Approval Hearing?

Yes. If you do not exclude yourself from the Class, you may ask the Court for permission to speak at the Final Approval Hearing concerning any part of the proposed Settlement.

GETTING MORE INFORMATION

22. Where can I get additional information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is available on the Settlement Website at **www.ZTEXDataSettlement.com**.

YOU MAY CONTACT THE SETTLEMENT ADMINISTRATOR ONLINE AT **WWW.ZTEXDATASETTLEMENT.COM**,
BY CALLING TOLL-FREE **888-798-7304**, OR BY WRITING TO:

ZTEX Data Settlement
c/o Analytics Consulting LLC
PO Box 2002
Chanhassen, MN 55317-2002
Email: ZTEXDataSettlement@noticeadministrator.com

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