

**In re 23andMe Canadian Consumer Privacy Class Action**

**LONG-FORM NOTICE OF SETTLEMENT APPROVAL AND CLAIMS PROCESS**

**Please read this notice carefully. A settlement may affect your legal rights.**

**You may have to take prompt action.**

**This notice is directed to any individual who (i) was a customer of 23andMe at any time between May 1, 2023 through October 1, 2023 (the “Cyber Security Incident Period”); (ii) resided in Canada during the Cyber Security Incident Period; (iii) received a notice from 23andMe notifying the customer that their personal information was compromised in the Cyber Security Incident; and (iv) did not opt out of the Canadian Data Breach Settlement in accordance with the Court-approved procedure;**

**(hereinafter, together with the Canadian Plaintiffs, “Canadian Data Breach Class Members”).**

The United States Bankruptcy Court for the Eastern District of Missouri, Eastern Division, and the Supreme Court of British Columbia have approved a settlement achieved on behalf of the Canadian Data Breach Class Members (“**Canadian Data Breach Settlement**”) in relation to claims arising from a data security breach that 23andMe identified and disclosed in October 2023 (“**Cyber Security Incident**”).

If you are a Canadian Data Breach Class Member, you must act in a timely fashion to submit a claim for compensation from the Canadian Data Breach Settlement, in accordance with the information provided in this notice. Please review this notice carefully for details.

**A. IMPORTANT DEADLINE TO FILE A CLAIM FOR COMPENSATION**

**A claim for compensation must be submitted by way of a Canadian Claim Form by no later than 11:59 p.m. Pacific Time on June 25, 2026.**

The Canadian Claim Form may be submitted electronically on the dedicated settlement website at <https://www.canadian23andmesettlement.ca/en> (“**Canadian Settlement Website**”)

A copy of the Canadian Claim Form may also be found on the Canadian Settlement Website.

**B. BACKGROUND OF THE CANADIAN CLASS ACTION AND THE CANADIAN DATA BREACH SETTLEMENT**

In October 2023 and September 2024, the Canadian Class Actions were filed in the Supreme Court of British Columbia (“**Canadian Court**”) on behalf of Canadian customers of Chrome Holding Co. (formerly known as 23andMe Holding Co.) and ChromeCo, Inc. (formerly known as 23andMe, Inc.) (collectively, “**23andMe**”)<sup>1</sup> who were affected in a data security breach that 23andMe identified and disclosed in October 2023 (“**Cyber Security Incident**”). The defendants

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<sup>1</sup> On July 27, 2025, the Bankruptcy Court in *In re Chrome Holding Co. (f/k/a 23andMe Holding Co.), et al.*, Case No. 25-40976 (Bankr. E.D. Mo.) approved the sale of 23andMe Holding Co. and 23andMe, Inc.’s assets to TTAM Research Institute, which sale was completed on July 14, 2025. After the completion of the sale, 23andMe Holding Co. and 23andMe, Inc. formally changed their legal names to Chrome Holding Co. and ChromeCo, Inc., respectively. For ease of reference, Chrome Holding Co. and ChromeCo, Inc. are collectively referenced herein as “23andMe”.

in the Canadian Class Actions are 23andMe, certain of 23andMe's former directors and officers and its auditor, KPMG LLP (United States) (collectively with 23andMe, the "**Defendants**").

On September 5, 2025, Canadian Data Breach Settlement was reached amongst the parties. The Canadian Data Breach Settlement provides for the payment of US\$3.25 million for the benefit of the Canadian Data Breach Settlement Class, inclusive of legal fees, expenses and applicable taxes.

On October 2, 2025, the United States Bankruptcy Court for the Eastern District of Missouri, Eastern Division ("**U.S. Chapter 11 Insolvency Court**") preliminarily approved the Canadian Data Breach Settlement, and certified the claim on behalf of the Canadian Data Breach Settlement Class.

On November 19, 2025, the Canadian Court recognized the Order of the U.S. Chapter 11 Insolvency Court, dated October 2, 2025, under the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36 ("**CCAA**").

On February 17, 2026, the United States Bankruptcy Court approved the Canadian Data Breach Settlement on a final basis, and granted relevant relief.

On March 16, 2026, the Canadian Court recognized the Order of the U.S. Chapter 11 Insolvency Court, dated February 17, 2026, under the *CCAA*.

Copies of important Court Orders and settlement documents are available on the Canadian Settlement Website at <https://www.canadian23andmesettlement.ca/en>.

### **C. CLASS MEMBERS' ENTITLEMENT TO COMPENSATION**

Pursuant to the Orders of the U.S. Chapter 11 Insolvency Court and the Canadian Court approving the Canadian Data Breach Settlement, the Canadian Data Breach Class Members may submit a claim for compensation for two types of claims, as follows.

**FIRST: EXTRAORDINARY CLAIMS.** Each Canadian Data Breach Class Member who has incurred any of the following out-of-pocket expenses may submit a claim for up to CA\$2,500 against the Canadian Extraordinary Claims Distribution Fund:

- (a) unreimbursed costs associated with the purchase of a physical security or monitoring system;
- (b) unreimbursed costs associated with seeking professional mental health counseling or treatment; and/or
- (c) any other documented, unreimbursed, out-of-pocket expense that the eligible Canadian Data Breach Class Member proves was incurred as a direct result of, and in response to, the Cyber Security Incident.

To be eligible, a Canadian Data Breach Class Member who submits an extraordinary claim must submit documentation proving that such expenses were incurred, and that they were incurred between October 1, 2023 and March 31, 2024.

The Court-appointed Canadian Claims Administrator, Concilia Services Inc., will review and determine the extraordinary claims. If the amount available in the Canadian Extraordinary Claims Distribution Fund is less than the aggregate value of the approved extraordinary claims, the Canadian Claims Administrator will pro rate the available funds amongst the claimants based on

the value of their approved extraordinary claims. If the amount available in the Canadian Extraordinary Claims Distribution Fund is greater than the value of the approved extraordinary claims, the Canadian Claims Administrator will pay the extraordinary claims in full and remit the balance remaining in the Canadian Extraordinary Claims Distribution Fund into the Canadian Ordinary Claims Distribution Fund.

**SECOND: ORDINARY CLAIMS.** Each Canadian Data Breach Class Member may submit a claim for a pro-rated share of the available settlement distribution funds with respect to an ordinary claim without the need to provide further proof or documentation.

The available settlement fund, after the deduction of the Court-approved legal fees, expenses, costs, honorarium payments and applicable taxes, will be administered and distributed by the Canadian Claims Administrator, in accordance with the Canadian Data Breach Settlement Class Benefits Plan.

A copy of the Canadian Data Breach Settlement Class Benefits Plan is available on the Canadian Settlement Website at <https://www.canadian23andmesettlement.ca/en>.

#### **D. OPTIONS AVAILABLE TO THE CANADIAN DATA BREACH SETTLEMENT CLASS MEMBERS:**

The available options are as follows:

- 1. SUBMIT A CANADIAN CLAIM FORM:** To submit a claim for compensation, you must submit a Canadian Claim form by no later 11:59 p.m. Pacific Time on **June 25, 2026**. For further details and instructions, please visit the Canadian Settlement Website at <https://www.canadian23andmesettlement.ca/en>.
- 2. DO NOTHING:** Give up any right to compensation.

#### **CANADIAN CLAIMS ADMINISTRATOR**

All inquiries in relation to the administration of the Canadian Data Breach Settlement must be directed to the Court-appointed Canadian Claims Administrator, at the contact information provided below:

Concilia Services Inc.  
1-5900 Andover Avenue  
Montreal, Quebec, H4T 1H5  
Email: [23andMe@conciliainc.com](mailto:23andMe@conciliainc.com)  
Phone: +1-888-770-8437

## **CANADIAN DATA BREACH CLASS COUNSEL**

Please note that Class Counsel are not the claims administrator and will not be able to address inquiries with respect to the claims process. Canadian Data Breach Class Counsel can be contacted at:

Sage Nematollahi (he/him)  
KND Complex Litigation  
[sn@knd.law](mailto:sn@knd.law)

## **INTERPRETATION**

If there is a conflict between the provisions of this notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

**THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION, AND THE SUPREME COURT OF BRITISH COLUMBIA HAVE AUTHORIZED DISTRIBUTION OF THIS NOTICE.**

**QUESTIONS ABOUT THIS NOTICE SHOULD BE DIRECTED TO THE CANADIAN CLAIMS ADMINISTRATOR AND SHOULD NOT BE DIRECTED TO THE COURTS.**