

If you were a log-in account holder and/or digital newsletter subscriber to a BuzzFeed Website and accessed a video through a BuzzFeed Website while a pixel was operational as to video, you may be entitled to a payment from a class action settlement.

A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

- A \$9 million settlement has been reached in a class action lawsuit against BuzzFeed, Inc. (“BuzzFeed”). The class action lawsuit alleges BuzzFeed disclosed its subscribers’ personally identifiable information (“PII”) to Facebook, without consent of subscribers, in violation of the Video Privacy Protection Act (“VPPA”). BuzzFeed denies that it violated any law, but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing the lawsuit.
- You are included in the Settlement Class if during May 16, 2021, through November 10, 2023, in the United States, you (i) were a log-in account holder and/or digital newsletter subscriber to a BuzzFeed Website and (ii) accessed a video through a BuzzFeed Website while a pixel was operational as to video. For purposes of this Settlement, “a pixel” is a type of coding for a website that works as an analytics tool to measure actions people take on a website, here while accessing a video through a BuzzFeed Website. BuzzFeed Websites include, but are not limited to, www.buzzfeed.com, www.huffpost.com, www.tasty.com, and www.complex.com.
- Settlement Class Members who file a valid Claim Form can receive a cash payment of up to \$8.00 and a one-year subscription to BuzzFeed+ (valued at \$35.88 a year) with no subscription fee. The cash payment may be reduced pro rata (a legal term meaning equal share) depending on the number of valid Claims filed.
- Read this notice carefully. Your legal rights are affected whether you act, or do not act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
Submit a Claim Form	This is the only way to receive a cash payment and a one-year subscription to BuzzFeed+ with no subscription fee. A Claim Form is available at www.BFVPPASettlement.com . As a Settlement Class Member, you will give up your rights to sue BuzzFeed in the future regarding the legal claims in this lawsuit. Refer to your Email Notice for your Claim Filing Deadline.
Exclude Yourself by October 14, 2024	You will receive no cash payment and a one-year subscription to BuzzFeed+, but you will retain any rights you currently have to sue BuzzFeed regarding the legal claims in this lawsuit.
Object by October 14, 2024	Write to the Court explaining why you don’t like the Settlement.
Go to the Hearing on October 18, 2024	Ask to speak in Court about your opinion of the Settlement.
Do Nothing	You will not receive a cash payment and a one-year subscription to BuzzFeed+ with no subscription fee and you will give up your rights to sue BuzzFeed regarding the legal claims in this lawsuit.

Your rights and options—and the deadlines to exercise them—are explained in this Notice.

Questions? Visit www.BFVPPASettlement.com or call 1-877-438-1665

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all your options, before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Jeffrey R. Levenson, of the Circuit Court of the 17th Judicial Circuit, in and for Broward County, Florida, is overseeing this lawsuit. The lawsuit is called *Peters v. BuzzFeed, Inc.*, Case No. CACE24004380. The person who has sued is called the Plaintiff. The entity being sued, BuzzFeed, is called the Defendant.

2. What is a class action?

In a class action, one or more people called the class representative (in this case, Plaintiff Darian Peters) sue on behalf of a group or a “class” of people who have similar legal claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the class.

3. What is this lawsuit about?

This lawsuit alleges that BuzzFeed violated the Video Privacy Protection Act, 18 U.S.C. § 2710, *et seq.* (“VPPA”) by disclosing its subscribers’ personally identifiable information (“PII”) to Facebook without permission. The VPPA defines PII to include information which identifies a person as having requested or obtained specific video materials or services from a video tape service provider. BuzzFeed denies that it violated any law. The Court has not decided who is right. Rather, the parties have agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiff or BuzzFeed should win this lawsuit. Instead, both the Plaintiff and BuzzFeed have agreed to a Settlement. The Plaintiff and the lawyers for the Settlement Class (“Class Counsel”) believe the Settlement is best for all Settlement Class Members because of the benefits of the Settlement and the risks and uncertainty associated with continued litigation.

WHO’S INCLUDED IN THE SETTLEMENT?

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

The Settlement Class is defined as:

All persons who during the Class Period in the United States, (i) were log-in account holders and/or digital newsletter subscribers to a BuzzFeed Website and (ii) accessed a video through a BuzzFeed Website while a pixel was operational as to video.

A “BuzzFeed Website” is defined as BuzzFeed websites or web applications, including, but not limited to, www.buzzfeed.com, www.huffpost.com, www.tasty.com, and www.complex.com.

The “Class Period” is from May 16, 2021, through November 10, 2023.

For purposes of this Settlement, “a pixel” is a type of coding for a website that works as an analytics tool to measure actions people take on a website, here while accessing a video through a BuzzFeed Website.

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6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are (1) any Judge or Magistrate presiding over this Action and members of their families; (2) the Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest and their current or former officers, directors, agents, attorneys, and employees; (3) persons who properly execute and file a timely request for exclusion from the class; and (4) the legal representatives, successors or assigns of any such excluded persons.

7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at www.BFVPPASettlement.com or call the Settlement Administrator toll-free at 1-877-438-1665.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

Cash Payment

Settlement Class Members who file a valid Claim Form can receive a cash payment of up to \$8.00.

One-Year Subscription

In addition to a cash payment, all Settlement Class Members who submit an Approved Claim are eligible for a one-year subscription to BuzzFeed+ (valued at \$35.88/year) with no subscription fee.

9. How will the amount of the cash payment be determined?

According to the Settlement Agreement, a \$9 million Settlement Fund will be used to pay for the following: (1) Notice and Other Settlement Administration Expenses (2) the Fee Award for attorneys' fees, costs, and expenses for Class Counsel, as may be approved by the Court; (3) a Service Award to the Class Representative; and (4) up to an \$8.00 cash payment to each Settlement Class Member who submits a valid Claim. The \$8.00 cash payment may be reduced pro rata (a legal term meaning equal share) if the total value of all Approved Claims exceeds the funds available for distribution to Settlement Class Members depending on the number of valid Claims received.

10. How do I get a payment and subscription?

If you are a Settlement Class Member and you want to receive a payment and a one-year subscription, you **must** complete and submit a Claim Form by mail or submit it online. Claim Forms can be submitted online at www.BFVPPASettlement.com, or by printing and mailing a paper Claim Form, copies of which are available for download at www.BFVPPASettlement.com. Refer to your Email Notice for your Claim Filing Deadline.

Settlement Class Members are encouraged to submit their claim online.

11. When will I get my payment?

The Court will hold a hearing to consider the fairness of the Settlement. If the Court approves the Settlement, eligible Settlement Class Members whose claims are approved by the Settlement Administrator will receive their payment after the Settlement is finally approved and/or any appeals process is complete.

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REMAINING IN THE SETTLEMENT

12. What am I giving up if I stay in the Settlement Class?

If the Settlement becomes final, you will give up (or “release”) your rights to sue BuzzFeed and Released Parties regarding the Released Claims, which are described and defined in paragraphs 1.24 - 1.26, and described in paragraph 3 of the Settlement Agreement. Unless you exclude yourself, you will release the Released Claims, regardless of whether you submit a Claim Form or not. You may review the Settlement Agreement on the Settlement Website at www.BFVPPASettlement.com.

The Settlement Agreement describes the Released Claims in necessary legal terminology, so please read this information carefully. If you have any questions you may speak to Class Counsel for free or you may, speak to your own lawyer at your own expense.

If you remain in the Settlement Class, you will be bound by all of the Court’s orders and judgments.

13. What happens if I do nothing at all?

If you do nothing, you will not receive a cash payment or a one-year BuzzFeed subscription with no subscription fee from this Settlement. Also, if you do not exclude yourself, you will be unable to start a lawsuit or be part of any other lawsuit brought against BuzzFeed regarding the Released Claims in this lawsuit.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

The Court has appointed Gary M. Klinger of Milberg, Coleman, Bryson, Phillips, Grossman PLLC, Scott Edelsberg of Edelsberg Law, P.A. and Andrew Shamis of Shamis & Gentile, P.A. to be the lawyers representing the Settlement Class. They are called “Class Counsel.” After conducting an extensive investigation, they believe the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. 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 own expense.

15. How will the lawyers be paid?

Class Counsel’s attorneys’ fees, costs, and expenses will be paid from the Settlement Fund in an amount determined and awarded by the Court. Class Counsel will ask for no more than \$3 million (one-third of the \$9 million Settlement Fund), but the Court may award less than this amount.

Class Counsel may also seek a Service Award of up to \$5,000 for the Class Representative for their service in helping to bring and settle the case. The Service Award will be paid out of the Settlement Fund, but the Court may award less than this amount.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I get out of the Settlement?

To exclude yourself from the Class, you must mail or otherwise deliver a written request stating that you want to be excluded. Your letter must include:

- Your name;

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- Your address;
- Your signature;
- The name and number of the case (*Peters v. BuzzFeed, Inc.*, Case No. CACE24004380); and
- A statement that you wish to be excluded from the Settlement Class for the purposes of this Settlement.

You must mail or deliver your exclusion letter, **postmarked or received by October 14, 2024**, to:

BuzzFeed VPPA Settlement Exclusions
P.O. Box 2753
Portland, OR 97208-2753

No “mass” or “class” opt-outs will be allowed.

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

No. Unless you exclude yourself, you give up any right to sue BuzzFeed for the Released Claims being resolved by this Settlement.

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

No. If you exclude yourself, you may not submit a Claim Form to receive a cash payment and free one-year BuzzFeed subscription with no subscription fee.

OBJECTING TO THE SETTLEMENT

19. How do I object to the Settlement?

If you are a Settlement Class Member, you may comment upon and/or object to the Settlement Agreement or any of its terms. If you choose to make an objection, you must mail or file with the Court your written objection stating that you object to the Settlement Agreement. Your written objection must include:

- Your name and address;
- An explanation of the basis upon which you claim to be a Settlement Class Member;
- All grounds for your objection, including all citations to legal authority and evidence supporting the objection;
- The name and contact information of any and all lawyers representing, advising, or in any way assisting you in connection with the preparation or submission of the objection or who may profit from the pursuit of the objection (the “Objecting Lawyers”); and
- A statement indicating whether you intend to appear at the Final Approval Hearing (either personally or through a lawyer who files an appearance with the Court in compliance with the Local Rules of the Court).
- If you or any of the Objecting Lawyers have objected to any class action settlement where the you or the Objecting Lawyers asked for or received any payment in exchange for dismissal of the objection, or any related appeal, without any modification to the settlement, then the objection must include a statement identifying each such case by full case caption and amount of payment received. Any challenge to the Settlement

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Agreement, the Final Order, or the Final Judgment will be pursuant to appeal under the applicable rules of appellate procedure and not through a collateral attack.

You must mail or deliver your written objection, so that it is **received** no later than **October 14, 2024**, to:

Clerk of the Court
Circuit Court of the 17th Judicial Circuit, in and for Broward County, Florida
Broward County Courthouse
201 SE 6th Street
Fort Lauderdale, FL 33301

You must also mail or otherwise deliver a copy of your written objection to Class Counsel and BuzzFeed’s counsel at the following addresses:

Class Counsel	Defendant’s Counsel
Gary M. Klinger gklinger@milberg.com MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN PLLC 227 W. Monroe Street, Suite 2100 Chicago, IL 60606	Joel Griswold jcggriswold@bakerlaw.com BAKER & HOSTETLER LLP One North Wacker Drive, Suite 4500 Chicago, IL 60606

No “mass” or “class” objections will be allowed.

Objections will be considered by the Court at the Final Approval Hearing only if, on or before the Objection Deadline, the Person making the objection files a notice of an intention to do so and at the same time (a) files copies of such papers he or she proposes to be submitted at the Final Approval Hearing with the Clerk of the Court, or alternatively, if the objection is from a Class Member represented by counsel, files any objection through the Court’s E-Filing Portal, and (b) sends copies of such papers by mail, hand, or overnight delivery service to Class Counsel and Defendant’s Counsel.

20. What is the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself from the Settlement Class is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no right to object or file a Claim Form because the lawsuit no longer affects you.

THE COURT’S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at **9:30 a.m.** on **October 18, 2024**, in Courtroom 16-150 at the Broward County Courthouse, 201 SE 6th Street, Fort Lauderdale, FL 33301. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Class Counsel’s request for attorneys’ fees and expenses; and to consider the request for a Service Award to the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check www.BFVPPASettlement.com or call 1-877-438-1665 to confirm the date and time. If, however, you

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timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of the Final Approval Hearing.

22. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to attend at your own expense. If you send an objection or comment, you do not have to attend the hearing to talk about it. If you file and mail your written objection on time, the Court will consider it. You may also hire your own lawyer (at your own expense) to attend the hearing, but it is not required.

23. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing. If you objected to the Settlement and intend to appear at the Final Approval Hearing (at your own expense and either with or without counsel), you must file notice of an intention to appear with the Clerk of the Court and at the same time file copies of any papers you propose to be submitted at the Final Approval Hearing. Alternatively, if you object and are represented by your own lawyer, you may file your objection and intent to appear at the Final Approval Hearing through the Court's E-Filing Portal, and send copies of your papers by mail or otherwise delivery to Class Counsel and Defendant's Counsel.

GETTING MORE INFORMATION

24. Where do I get more information?

This Notice summarizes the Settlement. More details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.BFVPPASettlement.com, by calling toll-free 1-877-438-1665, or by writing to:

BuzzFeed VPPA Settlement
PO Box 2753
Portland, OR 97208-2753

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE
REGARDING THIS NOTICE.**

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