

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

If You Received Text Messages from EyeBuyDirect, Inc., After Opting Out, 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 Settlement¹ has been reached in a class action lawsuit about whether EyeBuyDirect, Inc. (“Defendant”) sent text messages to consumers who had opted out in violation of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, *et seq.* Defendant denies the allegations and any wrongdoing. The Court has not decided who is right.
- The Settlement offers payments to Settlement Class Members who file valid Claims.
- Your legal rights are affected whether you act or do not act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	If you are a member of the Settlement Class, you must submit a timely, valid, and completed Claim Form to receive a payment. If the Court approves the Settlement and it becomes final and effective, and you remain in the Settlement Class, you will receive your payment by check.
EXCLUDE YOURSELF	You may request to be excluded from the Settlement and, if you do, you will receive no benefits from the Settlement.
OBJECT	Write to the Court if you do not like the Settlement.
GO TO A HEARING	Ask to speak in court about the fairness of the Settlement.
DO NOTHING	You will not receive a payment if you fail to timely submit a valid and completed Claim Form, and you will give up your right to bring your own lawsuit against Defendant about the Released Claims in this case.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, benefits will be distributed to those who submit qualifying Claims. Please be patient.

¹ Capitalized terms herein have the same meanings as those defined in the Settlement Agreement, a copy of which may be found online at the Settlement Website.

QUESTIONS? CALL 1-866-742-4955 OR VISIT

www.EBDTCPASettlement.com

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BASIC INFORMATION

Y† Why is there a Notice?

A court authorized this Notice because you have a right to know about a proposed Settlement of a class action lawsuit known as ***Watkins v. EyeBuyDirect, Inc.*** in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County (the “Action”), and about all of 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.

Hon. Joseph Perkins a Judge of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida is overseeing this case. The person who sued, Jesse Watkins, is called the “Plaintiff” or “Class Representative”. EyeBuyDirect, Inc. is called the “Defendant”.

Z† What is this litigation about?

The lawsuit alleges that Defendant placed text messages to persons who had opted out in violation of the Telephone Consumer Protection Act, and seeks statutory damages under the TCPA on behalf of Plaintiff and a class of all individuals in the United States.

Defendant denies each and every allegation of wrongdoing, liability, and damages that were or could have been asserted in the Action and denies that the claims in the Action would be appropriate for class treatment if the Action were to proceed.

The Plaintiff’s Complaint, Settlement Agreement, and other case-related documents are posted on the Settlement Website, www.EBDTCPASettlement.com. The Settlement resolves the Action. The Court has not decided who is right.

[† What is the TCPA ?

The Telephone Consumer Protection Act (commonly referred to as the “TCPA”) is a federal law that restricts, among other things, certain telephonic outreach to persons who have opted out.

\† Why is this a class action?

In a class action, one person called the “Class Representative” (in this case, Plaintiff) sues on behalf of themselves and other people with similar claims.

All of the persons who have claims similar to the Plaintiff’s, as defined in the Settlement and detailed herein, and who appear on the Class List are Settlement Class Members, except for those who exclude themselves from the class, among others specifically detailed herein and in the Settlement.

]† Why is there a settlement?

The Court has not found in favor of either Plaintiff or Defendant. Instead, both sides have agreed to a Settlement. By agreeing to the Settlement, the Parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class Claimants will be eligible to file a Claim to

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receive the benefits described in this Notice. Defendant denies all legal claims in this Action, and denies that class certification would be appropriate outside of the settlement context. Plaintiff and his lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT?

^ † Who is included in the Settlement?

The Settlement Class is defined as:

All persons within the United States who, from October 1, 2024 through the date of preliminary approval, received two or more text messages within any 12-month period, regarding Defendant's goods or services, to said person's residential cellular telephone number, after communicating at any point to Defendant that they did not wish to receive text messages by replying to the messages with a "stop" or similar opt-out instruction, and who appear on the Class List.

Persons meeting this definition are referred to collectively as the "Settlement Class" and, individually, as a "Settlement Class Member."

The Settlement Class excludes the following: (1) the trial judge presiding over this case; (2) Defendant, as well as any parent, subsidiary, affiliate, or control person of Defendant, and the officers, directors, agents, servants, or employees of Defendant; (3) any of the Released Parties; (4) the immediate family of any such person(s); (5) any Settlement Class Member who has timely opted out of this proceeding; and (6) Plaintiff's Counsel, their employees, and their immediate family.

_ † What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are in the Settlement Class or have any other questions about the Settlement, visit the Settlement Website at www.EBDTCPASettlement.com or call the toll-free number, 1-866-742-4955. You also may send questions to the Settlement Administrator at EBD TCPA Settlement Administrator, P.O. Box 59479, Philadelphia, PA 19102-9479.

THE SETTLEMENT BENEFITS

` † What does the Settlement provide?

To fully settle and release claims of the Settlement Class Members, Defendant has agreed to make available a Settlement Cap of up to \$900,000 to pay Settlement Class Members who submit a timely and valid Claim Form, Notice and Administrative Costs (up to \$50,000, after which such costs are borne by Class Counsel), Attorneys' Fees and Expenses awarded to Class Counsel for the Settlement Class, and a Service Award awarded to the named Plaintiff. The Parties agree that undistributed funds—that is, funds not used to pay the Claim Settlement Payments, Notice and Administrative Costs, Service Award, and Attorneys' Fees and Expenses—and uncashed checks will remain with Defendant.

Each Settlement Class Member who submits a timely, valid, correct, and verified Claim Form by the Claim Deadline in the manner required by this Agreement, making all the required affirmations and representations, shall be sent a Claim Settlement Check by the Administrator up to \$358.00, less a pro rata share of Notice and Administrative Costs, Attorneys' Fees and Expenses and any Service Award.

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Settlement Class Claimants will be sent their Claim Settlement Payments to the address they submitted on their Claim Form within 60 days following the Effective Date.

a † How do I file a Claim?

If you qualify for a payment, you must complete and submit a valid Claim Form. You may access or download a Claim Form at the Settlement Website, www.EBDTCPASettlement.com, or request a Claim Form by calling the Settlement Administrator at the toll-free number below. To be valid, a Claim Form must be completed fully and accurately and submitted timely. One claim is allowed per Settlement Class Member and per telephone number on the Class List.

You must submit a Claim Form by U.S. mail or through the Settlement Website, and it must be postmarked by or submitted online by August 24, 2026. A valid Claim must use the Claim ID No. on the Email Notice or Postcard Notice you received and a phone number appearing on the Class List.

Please read the Claim Form carefully and provide all the information required. Only one Claim Form may be submitted per Settlement Class Member and per telephone number on the Class List.

YX † When will I receive my check?

Payments in the form of a check to Settlement Class Claimants will be made only after the Court grants Final Approval to the Settlement and after any appeals are resolved (*see* “Final Approval Hearing” below). If there are appeals, resolving them can take time. Please be patient.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep the right to sue or continue to sue Defendant on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself—or it is sometimes referred to as “opting out” of the Settlement Class.

YY † How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a timely letter by mail to:

EBD TCPA Settlement Administrator
P.O. Box 59479
Philadelphia, PA 19102-9479

To opt-out, a Settlement Class Member must complete and send to the Administrator, at the address above, a Request for Exclusion that is postmarked no later than the August 10, 2026. The Request for Exclusion must: (a) identify the case name; (b) identify the name, address, and telephone number of the Settlement Class Member; (c) identify the telephone number at which the Settlement Class Member received the text messages at issue from or on behalf of Defendant; (d) be personally signed by the Settlement Class Member requesting exclusion; and (e) contain a statement that indicates a desire to be excluded from the Settlement Class in the Action, such as: “I request that I be excluded from the proposed Settlement Class.”

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You cannot ask to be excluded on the phone, by email, or at the Settlement Website. No mass or class opt outs are permitted.

You may opt out of the Settlement Class only for yourself.

YZ †If I do not exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up the right to sue Defendant and the Released Parties for the Released Claims. You must exclude yourself from this Settlement Class in order to pursue your own lawsuit.

Y[†What am I giving up to stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue or be part of any other lawsuit against Defendant or the Released Parties about or relating to the issues in the Action and the Released Claims, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you.

The Settlement Agreement is available at www.EBDTCPASettlement.com. The Settlement Agreement provides more detail regarding the Released Claims and Released Parties and describes the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Settlement Class listed in Question 15 at no charge to you, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Claims or what they mean.

Y\ †If I exclude myself, can I still get a payment?

No. You will not get a Claim Settlement Payment if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

Y] †Do I have a lawyer in the case?

The Court has appointed the following lawyers as “Class Counsel” to represent all Settlement Class Members.

Michael Eisenband, Esq.
Eisenband Law, P.A.
515 E Las Olas Boulevard, Suite 1301
Fort Lauderdale, Florida 33301

Manuel S. Hiraldo, Esq.
Hiraldo P.A.
246 Shore Court
Lauderdale-by-the-Sea, Florida 33308

Scott Edelsberg, Esq.
Edelsberg Law, P.A.,
20900 NE 30th Avenue, Suite 417

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Aventura, Florida 33180

Christopher Berman, Esq.
Shamis and Gentile, P.A.
14 NE 1st Avenue, Suite 705
Miami, Florida 33132

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

Y^ †How will the lawyers be paid?

Class Counsel intend to request up to 33.3% of the Settlement Cap (up to \$299,700) for Attorneys' Fees and Expenses, which includes their reimbursement of reasonable, actual out-of-pocket expenses incurred in the Action. The fees and expenses awarded by the Court will be paid out of the Settlement Cap. The Court will decide the amount of Attorneys' Fees and Expenses to award.

Class Counsel will also request a Service Award of up to \$5,000 for Plaintiff for his service as Class Representative on behalf of the whole Settlement Class. Any Service Award will be paid out of the Settlement Cap. The Court will decide the amount of any Service Award to award.

OBJECTING TO THE SETTLEMENT

Y_ †How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class Member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement. To object, you must timely submit a letter that includes the following:

- a. the name of the Action;
- b. the objector's full name, address, and telephone number;
- c. an explanation of the basis upon which the objector claims to be a Settlement Class Member, including the telephone number at which the text messages at issue were received;
- d. all grounds for the objection, accompanied by any legal support for the objection known to the objector or his counsel;
- e. the number of times in which the objector has objected to a class action settlement within the five years preceding the date that the objector files the objection, the caption of each case in which the objector has made such an objection, and a copy of any orders related to or ruling upon the objector's prior such objections that were issued by the trial and appellate courts in each listed case;
- f. the identity of all counsel who represent the objector, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement and/or application for Attorneys' Fees and Expenses and/or Service Award;
- g. a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections made by individuals or organizations represented by the counsel or the counsel's law

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firm(s) that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;

- h. any and all agreements that relate to the objection or the process of objecting—whether written or oral—between objector or objector's counsel and any other person or entity;
- i. the identity of all counsel (if any) representing the objector who will appear at the Final Approval Hearing;
- j. a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing;
- k. a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection; and
- l. the objector's signature (an attorney's signature is not sufficient).

If you wish to object, you must file your objection with the Court (using the Court's electronic filing system or in any manner in which the Court accepts filings) and mail your objection to each of the following addresses, and your objection must be postmarked by **August 10, 2026**.

Clerk of the Court	Class Counsel	Defendants' Counsel
Eleventh Judicial Circuit Osvaldo N. Soto Miami-Dade Justice Center Miami-Dade County Clerk of the Court 20 NW 1st Avenue Miami, Florida 33128	Manuel Hiraldo, Esq. Hiraldo, PA 246 Shore Court Lauderdale-by-the-Sea, Florida 33308	Jordan S. Kosches, Esq., GrayRobinson, P.A., 333 S.E. 2nd Avenue Suite 3200, Miami, Florida 33131 Mark S. Eisen Esq. Benesch Friedlander Coplan & Aronoff LLP 71 South Wacker Drive Suite 1600 Chicago, Illinois 60606
	and	
	Michael Eisenband, Esq. Eisenband Law, P.A. 515 E. Las Olas Boulevard Suite 3101 Fort Lauderdale, Florida 33301	
	and	
	Scott Edelsberg, Esq. Edelsberg Law, P.A., 20900 NE 30th Avenue Suite 417 Aventura, Florida 33180	
	and	
	Christopher Berman, Esq.	

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	Shamis and Gentile, P.A. 14 NE 1st Avenue Suite 705 Miami, Florida 33132	
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No mass or class objections will be permitted. Subject to approval by the Court, any Settlement Class Member who files and serves a written objection in accordance with this Section may appear, in person or by counsel, at the Final Approval Hearing held by the Court, to show cause why the Settlement should not be approved as fair, adequate, and reasonable, but only if the objecting Settlement Class Member: (a) files with the Court a Notice of Intention to Appear at the Final Approval Hearing by the Objection Deadline, meeting the requirements set forth in the Settlement; and (b) serves the Notice of Intention to Appear on Class Counsel and Counsel for Defendant by the Objection Deadline.

Y^ †What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for Attorneys' Fees and Expenses and Service Award ("Final Approval Hearing").

Ya †When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Final Approval Hearing on **September 28, 2026 at 4:15 p.m. through Zoom or other video conferencing equipment**. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.EBDTCPASettlement.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for Attorneys' Fees and Expenses and for a Service Award to the Class Representative. If there are objections, the Court will consider them at that time. At or after the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

ZX †Do I have to attend 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 do not have to come to Court to talk about it. As long as you submitted your written objection on time and in the manner set forth herein and it complies with all the other requirements set forth above, the Court will consider it. You may also pay your own lawyer to attend the hearing, but it is not necessary.

ZY†May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, your timely filed objection must include a statement of whether you intend to appear at the Final Approval Hearing

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and you must meet the requirements set forth herein and in the Settlement for a Notice of Intention to Appear (*see* Question 17 above).

You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

ZZ †What happens if I do nothing at all?

If you are a Settlement Class Member and do nothing, meaning you do not file a timely and valid Claim, you will not get benefits from the Settlement. Further, unless you exclude yourself, you will be bound by the judgment entered by the Court whether or not you submit a timely and valid Claim.

GETTING MORE INFORMATION

Z [†How do I get more information?

This Notice summarizes the proposed Settlement. You are urged to review more details in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at www.EBDTCPASettlement.com. You also may write with questions to the Settlement Administrator at EBD TCPA Settlement Administrator, P.O. Box 59479, Philadelphia, PA 19102-9479 or call the toll-free number, 1-866-742-4955.

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