Joint Motion for Preliminary Approval
Of a Modification of the Parties' Settlement
Agreement and Revision of the Court's
Preliminary Approval Order

Exhibit 1

Addendum to Settlement Agreement

ADDENDUM TO SETTLEMENT AGREEMENT

Subject to the approval of the Court, the Parties hereby agree to modify the terms of their Settlement Agreement and Release of March 8, 2017 that was preliminarily approved on March 10, 2017 as follows:

(1) The Notice Deadline is extended to May 12, 2017.

(2) The Objection Deadline and Opt-Out Deadline are extended to July 12, 2017.

(3) The Claims Deadline is extended to September 14, 2017.

(4) The Parties have decided to provide publication notice to the class in addition to the two other forms of notice provided under the settlement. Accordingly, the first sentence of Paragraph 48 of the Settlement Agreement is amended so that it reads as follows (with the new language shown in italics): "The Notice Program has *three* components: (1) Mail Notice; (2) Notice on the Settlement Website*; and (3) publication notice*." In addition, a new subparagraph (g) is added to Paragraph 48, which states as follows:

> "Notice of the settlement will also be provided by publication. The short form notice will be published in the Credit Union Journal, the ABA (American Banking Association) Banking Journal, and Independent Banker magazine."

A copy of the short form notice is attached to this Addendum as Exhibit A.

Dated: April 12, 2017

Kenneth S. Canfield
DOFFERMYRE SHIELDS CANFIELD & KNOWLES, LLC

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EXHIBIT A TO ADDENDUM TO SETTLEMENT AGREEMENT (SHORT FORM NOTICE)

If your financial institution issued payment cards that were subject to card brand alerts as a result of the 2014 Home Depot data breach, it could get a payment from a class action settlement.

- A class action by financial institutions arising from the 2014 Home Depot data breach has been settled subject to final approval by a federal court in Atlanta. The lawsuit alleges Home Depot is legally responsible because it lacked adequate data security practices. Home Depot denies these allegations.
- Under the settlement, $25 million will be distributed to eligible financial institutions that have not released their legal rights against Home Depot. Financial institutions will get an estimated $2 for each alerted-on payment card without providing documentation of their losses. Financial institutions that provide documentation may get up to 60 percent of their uncompensated losses.
- Home Depot will also pay up to $2.25 million to certain independent sponsored financial institutions whose legal claims were released by their sponsors as part of MasterCard's ADC program. A sponsored institution may get up to $2 for each payment card by certifying it did not have sufficient time or information to consider MasterCard's Alternative Recovery Offer.
- To get a payment, your financial institution must file a claim by September 14, 2017. Your financial institution has until July 12, 2017 to object to or opt out. If your financial institution does nothing, it will be bound by the settlement and get no payment.
- Further information, including claims forms and a description of other important settlement terms, is available at www.HomeDepotBankSettlement.com.