

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

**NOTICE OF CLASS ACTION SETTLEMENT, SETTLEMENT APPROVAL HEARING,
AND MOTION FOR ATTORNEYS' FEES AND COSTS**

**READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS WILL BE AFFECTED
WHETHER OR NOT YOU TAKE ANY ACTION.**

This notice advises you of the Settlement of *Takala, et al. v. Nordstrom, Inc.*, Case No. 2:25-cv-1396-JHC (W.D. Wash.), a class action lawsuit brought by Amy Takala and Jennifer Wescott ("Plaintiffs") on behalf of themselves, the Settlement Class described below, and Nordstrom, Inc. ("Defendant") (Defendant, collectively with Plaintiffs, the "Parties"). The Parties have agreed to settle this case for \$450,000 (the "Gross Settlement Amount"). The Court has preliminarily approved the Settlement, which provides for allocation of Settlement funds to the Settlement Class. The Action was brought under the Employee Retirement Income Security Act of 1974, as amended, ("ERISA") concerning Defendant's tobacco surcharge wellness program under the Nordstrom Welfare Benefit Plan (the "Plan"). The Settlement would release Defendant and related parties from any claims filed against the Defendant in the Action. The terms and conditions of the Settlement are set forth in a Settlement Agreement. Capitalized terms used in this notice but not defined in this notice have the meanings assigned to them in the Settlement Agreement. The Settlement Agreement and additional information with respect to the Action and the Settlement are available [*here/at hyperlink*] or by contacting Class Counsel as described below.

The Court has scheduled a hearing concerning final approval of the Settlement and Class Counsel's motion for attorneys' fees and costs and for compensation to the Plaintiffs. That hearing, before the Honorable John H. Chun, is scheduled on _____, 2026, at _____ in [ROOM #] United States District Court – Western District of Washington, 700 Stewart Street, Seattle, Washington. Alternatively, the Court may schedule the hearing virtually. If the Court grants final approval of the Settlement, the Settlement will bind the Settlement Class. You may appear at this hearing and/or object to the Settlement but only if you follow the instructions below. More information about the hearing and how to object is explained below.

**PLEASE DO NOT CONTACT DEFENDANT, DEFENDANT'S COUNSEL, OR THE
COURT. THEY WILL NOT BE ABLE TO ANSWER YOUR QUESTIONS.**

QUESTIONS? CALL [HOTLINE NUMBER] TOLL FREE, OR VISIT WWW.____.COM.

THIS TABLE CONTAINS A SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
OBJECT BY [], 2026	You may write to the Court and counsel if you don't like the Settlement to explain why you object or wish to make comments about the settlement. More information is provided below. If the Court approves the Settlement, you will get a share of the Settlement benefits to which you are entitled, regardless of whether you objected to or commented about the Settlement.
ATTEND A HEARING	You may attend the hearing and ask to speak in Court about the fairness of the Settlement at the Final Approval Hearing. More information on when and where to attend is provided below. You should check the settlement website at www.____.com before the hearing date stated in this notice to get updated information as to the hearing date. If the Court approves the Settlement, you will get a share of the Settlement benefits to which you are entitled, regardless of whether you spoke in Court about the fairness of the Settlement.
DO NOTHING	If the Court approves the Settlement, you will get a share of the Settlement benefits to which you are entitled.

BASIC INFORMATION

What is this notice and why should I read it?

A court authorized this notice to let you know about a proposed settlement of a class action lawsuit called *Takala, et al. v. Nordstrom, Inc.*, Case No. 2:25-cv-1396-JHC (W.D. Wash.), filed in the United States District Court for the Western District of Washington (the “Action”). The Court ordered this notice to be sent to you because you have a right to know about the Settlement and the options available to you regarding the Settlement before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after any objections and appeals are resolved, the Net Settlement Amount will be allocated among the Settlement Class according to a Court-approved Plan of Allocation.

This notice describes the Settlement. Please read this notice carefully. Your rights and options—and the deadlines to exercise them—are explained in this notice. Please understand that if you are a Class Member, your legal rights are affected regardless of whether you act.

What is a class action lawsuit?

In a class action, one or more plaintiffs called “Class Representatives” sue on behalf of many people who have similar claims. All the individuals on whose behalf the Class Representatives are suing are “Class Members.” One court resolves the issues for all Class Members. In its order setting the Final Approval Hearing, the Court preliminarily certified the Settlement Class in the Action.

What is this lawsuit about?

Plaintiffs filed a class action complaint against Defendant on behalf of a class of Plan participants alleging that Defendant violated ERISA in connection with the Plan’s tobacco surcharge wellness program. A complete description of Plaintiffs’ allegations is in the Complaint and is available on the Settlement Website at www.####.com.

Defendant has denied and continues to deny Plaintiffs’ claims and allegations in their entirety, denies that it is liable at all to the Plaintiffs or the Class Members, and denies that the Plaintiffs, Class Members, or the Plan have suffered any harm or damage. Defendant denies all allegations of wrongdoing and asserts that its conduct was lawful. Defendant is settling the Action solely to avoid the expense, inconvenience, and inherent risk and disruption of litigation.

Why is there a Settlement?

The Court has not reached any final decision in connection with Plaintiffs’ claims against Defendant. Instead, Plaintiffs and Defendant have agreed to a Settlement. In reaching the Settlement, they have avoided the cost, risks, time, and disruption of prolonged litigation and trial. Class Counsel believe that the Settlement is the best option for the Settlement Class Members.

WHO’S INCLUDED IN THE SETTLEMENT?

How do I know if I am a Class Member and included in the Settlement?

The Court decided that everyone who fits this description is a **Class Member**:

The individual resides in the United States; and

- (1) was a Plan participant or beneficiary at any point from July 24, 2019, through the date of entry of the Preliminary Approval Order; and
- (2) paid a tobacco or nicotine surcharge in connection with their participation in the Plan from July 24, 2019, through the entry of the Preliminary Approval Order.

THE SETTLEMENT BENEFITS

What does the Settlement provide?

Defendant has agreed to pay \$450,000 into a Settlement Fund, which will be used to issue settlement payments to eligible Class Members, and to pay expenses associated with administering the Settlement, an independent fiduciary's review of the settlement, Class Counsel's attorneys' fees (not to exceed \$150,000) and costs, and a case contribution award to Plaintiffs to be determined by the Court..

The Net Settlement Amount will be distributed to Class Members in proportion to the net tobacco surcharges each paid during the Class Period (from July 24, 2019 through the date of Preliminary Approval). The amount of each Class Member's payment will be determined according to a Plan of Allocation set forth in the Settlement Agreement, which will be available on the Settlement Website at www.####.com prior to the Final Approval Hearing. Each Class Member will receive payment under the Settlement directly in the form of a check.

How do I get benefits?

If the Settlement is given final approval, you will not have to do anything to get a payment from the Settlement if you are entitled to one under the Plan of Allocation. Checks will be mailed automatically to the last known address of each Class Member after the Settlement becomes final.

Checks **will be valid for 200 calendar days** from the date of issue. If a check is not cashed within 200 calendar days, the Settlement Administrator will handle any remaining funds in accordance with the Court-approved Plan of Allocation.

When will I get my payment?

The hearing to consider whether to finally approve the Settlement is scheduled for _____, 2026.

The balance of the Net Settlement Amount will be allocated to Class Members pursuant to the Plan of Allocation as soon as possible after final approval has been obtained for the Settlement, including any appeals. Any appeal of the final approval may take a year or more. Please be patient.

These payments may have certain tax consequences; you should consult your tax advisor. Defendant, Defense Counsel, and Class Counsel cannot provide tax advice concerning the settlement.

There will be no payments if the Settlement is terminated.

The Settlement may be terminated for several reasons, which are described in the Settlement Agreement. In the event any of these conditions occur, there will be no settlement payment made, and the litigation will resume.

THE LAWYERS REPRESENTING YOU

Who represents the Class Members?

The Court has appointed lawyers from the law firm of Siri & Glimstad LLP to represent Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense. In addition, the Court appointed Amy Takala and Jennifer Wescott to serve as the Class Representatives. They are also Class Members.

Subject to approval by the Court, Class Counsel has proposed that up to \$7,500 each may be paid to the Class Representatives in recognition of the time and effort they expended on behalf of the Class Members. The Court will determine the proper amount of any such award. The Court may award less than the requested amount.

How will the lawyers be paid?

From the beginning of the case, which was filed in July 2025, to the present, Class Counsel have not received any payment for their services in prosecuting the case or obtaining the settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. Class Counsel will apply to the Court for an award of attorneys' fees, not to exceed 33.33% of the \$450,000 settlement (maximum \$150,000), as well as costs and expenses. The Court will determine the proper amount of any attorneys' fees and costs to award Class Counsel.

Any attorneys' fees and costs awarded by the Court will be paid to Class Counsel from the Gross Settlement Amount out of the Qualified Settlement Fund.

What is the effect of Final Approval of the Settlement?

If the Court grants Final Approval of the Settlement, a final order and judgment dismissing the case will be entered in the Action. Once the appeal period expires or any appeal is resolved, payments under the Settlement will then be processed and distributed, and the Release outlined in the Settlement Agreement will also take effect. All Class Members included in the Settlement will release and forever discharge Defendant and Released Parties (as defined in the Settlement Agreement) from any and all Released Claims (as defined in the Settlement Agreement). Please refer to the Settlement Agreement for a full description of the claims and persons that will be released upon Final Approval of the settlement.

No Class Member will be permitted to continue to assert Released Claims in any other litigation against Defendant or the other persons and entities covered by the Release. If you object to the terms of the Settlement Agreement, you must notify the Court of your objection.

What happens if I do nothing at all?

If you do nothing, and the Settlement is finally approved, you will release any claims you may have against Defendant and the Released Parties concerning the conduct Plaintiffs allege in the

Complaint and the management and administration of the Plan. You will also receive any payment to which you are entitled under the Plan of Allocation.

How do I get out of the Settlement?

In some class actions, class members can exclude themselves from the Settlement. This is sometimes referred to as “opting out” of the Settlement. **Because of the legal issues involved in the Action, however, the class of participants affected by this Settlement has been preliminarily certified as a mandatory class. This means you cannot opt out of the Settlement to pursue you own claims or for any other reason. Therefore, you will be bound by any judgments or orders that are entered in this Action, and if the Settlement is approved, you will be deemed to have released Defendant and the Released Parties (as defined in the Settlement Agreement) from any and all claims that were or could have been asserted in this case on your behalf or on behalf of the Plan or that are otherwise included in the Release in the Settlement, other than your right to obtain the relief provided to you, if any, by the Settlement and in accordance with the Plan of Allocation.**

Although you cannot opt out of the Settlement, you can object to the Settlement and ask the Court not to approve the Settlement, as described below.

Can I sue Defendant for the same claims later?

No. If the Court approves the Settlement, you will have given up any right to sue Defendant and the Released Parties for all Released Claims covered by the Settlement.

How do I object to the Settlement?

If you are a Class Member, you can object to the Settlement if you do not agree with any part of it. You must give reasons why you think the Court should not approve the Settlement, including any legal support or evidence you want to bring to the Court’s attention or introduce in support of the objection.

To object, you must send a written filing explaining the reasons you object to the Settlement and include your name, address, telephone number, and physical signature. Any objection must be signed by the objector even if an attorney is retained to represent the objector. Be sure to include the following case caption and notation: “*Takala, et al. v. Nordstrom, Inc.*, Case No. 2:25-cv-1396-JHC (W.D. Wash.).”

Mail the objection to each of the addresses listed below, postmarked no later than _____, 2026. You must mail your objection by this date. If you fail to do so, the Court will not consider your objections.

If you plan to speak at the Final Approval Hearing, you must send a Notice of Intention to Appear along with your objection. You may only request permission to speak at the Final Approval Hearing if you have filed and served a timely objection to the Settlement. To do so, you must submit a written “Notice of Intention to Appear at Final Approval Hearing in *Takala, et al. v. Nordstrom, Inc.*, Case No. 2:25-cv-1396-JHC (W.D. Wash.)” The Notice of Intention to Appear must include the Objector’s (and, if applicable, the Objector’s attorney’s) name, address and telephone number.

Mail the Notice of Intention to Appear to each of the addresses listed below, postmarked no later than _____, 2026. You must mail your Notice of Intention to Appear by this date. If you fail to do so, the Court will not consider your objections.

Clerk of Court	Class Counsel	Defendant's Counsel
United States District Court Western District of Washington 700 Stewart Street Seattle, WA 98101	Oren Faircloth Siri & Glimstad LLP 100 Pearl Street, 14 th Floor #16946876 Ofaircloth@sirillp.com	Deborah S. Davidson Morgan Lewis & Bockius LLP 110 North Wacker Drive, Suite 2800 Chicago, IL 60606-1511 deborah.davidson@morganlewis.com Dylan D. Rudolph Morgan Lewis & Bockius LLP 1400 Page Mill Road Palo Alto, CA 94304-1124 dylan.rudolph@morganlewis.com

THE COURT'S FINAL APPROVAL HEARING

When and where will the Court hold a hearing on the fairness of the Settlement?

Class Counsel will file with the Court their request for attorneys' fees forty-five (45) days prior to the Final Approval Hearing. The Final Approval Hearing has been set for _____, 2026, at _____. The hearing may be conducted in person or virtually by videoconference before the Honorable John H. Chun at the United States District Court for the Western District of Washington, 700 Stewart Street, Seattle, Washington 98101-9906. At the hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys' fees and costs and the incentive award to Plaintiffs as the Class Representatives. You do not need to attend this hearing. You also do not need to attend to have an objection considered by the Court.

Note: The date, time, and location of the Final Approval Hearing are subject to change by Court Order, but any changes will be posted on the Settlement Website at www.###.com.

Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection and/or comment, you don't have to come to Court to talk about it as long as any written objection and/or comment you choose to make is filed and mailed on time and meets the other criteria described above. You may also pay another lawyer to attend, but you don't have to.

Where can I get additional information?

This notice provides only a summary of the matters relating to the Settlement. For more detailed information, you may wish to review the Settlement Agreement. You can view the Settlement Agreement and get more information on the Settlement Website at www.####.com. You can also get more information by writing to the Settlement Administrator at [SETTLEMENT ADMINISTRATOR CONTACT INFORMATION] or Class Counsel at #####.

The Agreement and all other pleadings and papers filed in the case are also available for inspection and copying during regular business hours at the office of the Clerk of the Western District of Washington, located at Office of the Clerk, the United States District Court for the Western District of Washington, 700 Stewart Street, Seattle, Washington 98101-9906. If you would like additional information, you can also call [SETTLEMENT ADMINISTRATOR HOTLINE NUMBER].

PLEASE DO NOT CONTACT THE COURT, THE JUDGE, OR DEFENDANT WITH QUESTIONS ABOUT THE SETTLEMENT.