

## 23andMe Canadian Class Action Update

August 25, 2025

Dear all:

On June 30, 2025, I provided an update in relation to the Canadian consumer class action involving 23andMe Holding Co. and 23andMe, Inc. (collectively, “**23andMe**”), a copy of which is [available here](#).

I write to provide a further update in relation to this class action.

### A. Developments Since June 30, 2025

In July, we made an agreement with 23andMe, which authorized us to submit one proof of claim within the Chapter 11 Proceedings on behalf of all affected Canadian customers of 23andMe (“**Canadian Class PoC**”). We submitted the Canadian Class PoC on July 10, 2025, before the Claims Bar Deadline imposed by the United States Bankruptcy Court. As a result of the filing of the Canadian Class PoC, the claims of all affected Canadian customers of 23andMe are preserved in the Chapter 11 Proceedings.

In August, we reached a settlement of the Canadian Class PoC at US\$3.25 million (approximately CA\$4.5 million), which is supported by 23andMe’s stakeholders (“**Proposed Settlement**”). The Proposed Settlement is subject to approval of the Courts in United States and Canada, and it would provide compensation for the benefit of affected Canadian customers who meet all of the following criteria:

- a the individual was a customer of 23andMe during the Cyber Security Incident Period of May 1, 2023 through October 1, 2023;
- b the individual received a notice from 23andMe notifying the customer that their personal information was compromised in the Cyber Security Incident;
- c the individual resided in Canada during the Cyber Security Incident Period of May 1, 2023 through October 1, 2023; and
- d the individual does not validly opt out of the Proposed Settlement in accordance with the Court-approved opt-out procedure, to be established as part of the settlement approval process;

(hereinafter, “**Canadian Settlement Class Members**”).

Please that if you do not meet the above-noted criteria outlined at (a) and (b), 23andMe has determined that your information was not affected as part of the data security incident.

## **B. Future Steps**

We are currently engaged with 23andMe and working through the Plan to be filed in the Chapter 11 Proceedings. As part of this procedure, the Court will be asked to approve the Proposed Settlement as well. Necessary approval Orders of the Canadian Court will also be sought in due course (“**Approval Process**”).

The Approval Process is expected to start in fall.

As part of the Approval Process, appropriate notices will be disseminated, which will provide further details regarding the Proposed Settlement, and the compensation to be provided to the Canadian Settlement Class Members. The notices will also outline the steps that Canadian Settlement Class Members will be required to take, and the options that will be available to them.

Sincerely,

Sage Nematollahi (he/him)  
KND Complex Litigation  
Toronto, Ontario