

Have you purchased, sold, or held DraftKings NFTs?

If you purchased, sold, held, or otherwise transacted in DraftKings NFTs at any point from August 11, 2021, through and inclusive of the date of entry of the judgment, you should read this Notice of Class Action Settlement as it may impact your legal rights.

A court authorized this notice. This is not a solicitation.

You must file a Claim Form by July 21, 2025, to receive cash benefits from this Settlement. To file a Claim, please visit the website www.DraftKingsNFTSettlement.com.

A Settlement has been reached with DraftKings Inc. and certain of its officers (“DraftKings”) in *Dufoe v. DraftKings*, No. 1:23-cv-10524 (D. Mass.), a class action lawsuit (the “Action”) alleging that NFTs purchased, sold, held, or otherwise transacted on the DraftKings Marketplace constitute securities that were not registered in accordance with federal and state law. The Action also alleges that the DraftKings Marketplace is a securities exchange and DraftKings acts as a securities broker when transacting in NFTs, neither of which were registered as required by federal and state law. DraftKings denies all allegations of wrongdoing.

Your options are: (1) stay in the Settlement Class and submit a claim; (2) ask to be excluded from the Settlement Class (opt out); or (3) object to the Settlement.

The Court has appointed Class Counsel to represent you and will decide whether to approve the Settlement at a Final Approval Hearing currently scheduled for July 30, 2025. That date is subject to change without further notice. A current date of the Final Approval Hearing can be found on the Settlement website.

Class Counsel may ask the Court for an award of attorneys’ fees up to one-third of the \$10 million Settlement Amount, and costs not to exceed \$100,000, as well as a Service Award not to exceed \$50,000 for Lead Plaintiff. The Court will determine the amounts to be paid, which will come from the Settlement Amount.

To learn more about your options or to contact Class Counsel, you may visit the Settlement website at www.DraftKingsNFTSettlement.com or call (877) 883-9186. The deadline to file a claim is July 21, 2025, and the deadline to opt out or object is July 9, 2025.

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK’S OFFICE REGARDING THIS NOTICE, THIS SETTLEMENT, OR THE CLAIMS PROCESS.