

A proposed Settlement has been reached in a class action lawsuit known as *Sheffler v. Activate Healthcare, LLC et al.*, Case No. 1:23-cv-01206-SEB-TAB, filed in the United States District Court for the Southern District of Indiana

A settlement has been reached in a class action lawsuit against Activate Healthcare, LLC (“Activate”) and Everside Health, LLC (“Everside,” together with Activate, “Defendants”) arising out of a 2023 data security incident involving Defendants (the “Data Incident”). Plaintiff alleges that the Data Incident potentially resulted in the unauthorized third party’s potential access to personal information belonging to Plaintiff and members of the Settlement Class, including their name, date of birth, address, Social Security number, driver’s license number, and clinical information, such as provider name, date of service, and/or diagnosis (“Sensitive Private Information” or “SPI”). Defendants disagree with Plaintiff’s claims and denies any wrongdoing.

You are receiving this notice because you may be a Settlement Class Member. You are a Settlement Class Member if you were notified that your SPI was potentially impacted in the Data Incident.

Under the terms of the Settlement, you may submit a Claim for the following benefits:

- **Documented Out-of-Pocket Loss Expense Reimbursement:** Reimbursement for up to \$250 for documented out-of-pocket expenses, and
- **Cash Payment:** \$50 cash payment, adjusted up or down depending upon the number of claims approved.

The easiest way to submit a claim is online at www.ActivateEversideSettlement.com, using your Class Member ID found on the front of this postcard. To be eligible, you must complete and submit a Valid Claim Form, postmarked or submitted online on or before **December 30, 2024**.

You can exclude yourself or object to the settlement, including Class Counsel’s request for attorneys’ fees, costs, and expenses, and request for a service award for the Class Representative on or before **November 29, 2024**. If you do not exclude yourself from the Settlement, you will remain in the class and give up the right to sue Activate, Everside, or the Released Persons for the Released Claims in the Settlement.

A summary of your rights under the Settlement and instructions regarding how to submit a Claim, exclude yourself, or object to the Settlement are available at www.ActivateEversideSettlement.com.

The Court will hold the Final Fairness Hearing on **January 29, 2025 at 2:00 p.m.** to consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also consider Class Counsel’s request for an award of attorneys’ fees of up to 1/3 of the net Settlement Fund after administration costs plus case expenses, and Class Counsel’s request for a \$5,000 service award for the Class Representative. The Court will also determine whether the Settlement should be approved. You may attend the hearing, at your own expense, but you don’t have to.

This is only a summary. For additional information, including a copy of the Settlement Agreement, Long Form Notice, Claim Form, Class Counsel’s Motion for Attorneys’ Fees, Costs, and Expenses, and for the Service Award, and other documents, visit www.ActivateEversideSettlement.com, or call (877) 620-3628.

Activate & Everside Settlement

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COURT-ORDERED LEGAL NOTICE