

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Doe et al. v. Bayhealth Medical Center Inc., d/b/a Bayhealth

Case No. N24C-09-002 FJJ

Superior Court of the State of Delaware

IF YOU USED THE BAYHEALTH WEBSITE TO ACCESS THE BAYHEALTH MYCHART PATIENT PORTAL, OR OTHERWISE ACCESSED THE BAYHEALTH MYCHART PATIENT PORTAL, THROUGH BAYHEALTH WEB PAGES BETWEEN JANUARY 1, 2019, AND DECEMBER 31, 2025, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS.

A court has authorized this notice. This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A Settlement has been reached with Bayhealth Medical Center Inc., d/b/a Bayhealth (“Bayhealth” or “Defendant”) in a class action lawsuit. This lawsuit concerned Bayhealth’s use of third-party tracking technologies, called “tracking pixels,” on its web pages. The plaintiff claims that using tracking pixels allegedly violated certain privacy laws.
- The lawsuit is called *Doe et al. v. Bayhealth Medical Center Inc., d/b/a Bayhealth*, Case No. N24C-09-002 FJJ. It is pending in the Superior Court of Georgetown County, Delaware (the “Litigation”).
- Bayhealth denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the Litigation.
- Bayhealth's records indicate that you are a Class Member and entitled to benefits under the Settlement.
- Your rights are affected whether you act or don’t act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive benefits or payments from this Settlement is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.BayhealthPixelSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	October 5, 2026
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	September 4, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for Settlement benefits.	September 4, 2026
DO NOTHING	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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Basic Information

1. Why was this Notice issued?

The Superior Court of the State of Delaware authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is called *Doe et al. v. Bayhealth Medical Center Inc., d/b/a Bayhealth*, Case No. N24C-09-002 FJJ. It is pending in the Superior Court of the State of Delaware. The people that filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the company they sued, Bayhealth Medical Center Inc., d/b/a Bayhealth, is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that Bayhealth used third-party tracking technologies, called “tracking pixels,” on its website in a way that violates certain privacy laws. Bayhealth denies that it did anything wrong.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the “Plaintiffs” or “Class Representatives.” Together, the people included in the class action are called a “Class” or “Class Members.” One court resolves the lawsuit for all Class Members, except for those who opt out from the settlement. In this Settlement, the Class Representatives are Jane Doe; John Doe; and Jack Doe. Everyone included in this Action are the Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Class Members to receive benefits from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The court has defined the Class this way: “All Bayhealth patient portal users who have used the Bayhealth Web Properties as of December 31, 2025.”

In this sentence, “Bayhealth Web Properties” means the webpages located at the domain www.BayHealth.org, with a website “button” linking website users to the Bayhealth MyChart patient portals’ login webpage, as well as the Bayhealth MyChart patient portal itself, between January 1, 2019, and December 31, 2025.

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) Bayhealth and its officers, directors, and related companies; (2) anyone who validly excludes themselves from the Settlement; and (3) the Judge in this case, and the Judge’s family and staff.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@BayhealthPixelSettlement.com
- Call toll free, 24/7: 1- (833) 421-7289
- By mail: Bayhealth Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.BayhealthPixelSettlement.com.

The Settlement Benefits

7. What does the Settlement provide?

Bayhealth has agreed to pay for two benefits that are available to all Class Members.

You may file a claim for one or both of these benefits.

BENEFITS

Cy Ex Privacy Shield. All Class Members are eligible to enroll in one year of CyEx Privacy Shield. This comprehensive service is designed to restore users' privacy and anonymity, and includes:

- Dark Web scanning
- compromised password scanning
- VPN, password manager, and other online privacy tools

If anything suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

Cash Payment. All Class Members may claim a one-time **\$25.00** cash payment. You do not have to provide any proof or explanation to claim this payment.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

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- Call toll free, 24/7: 1- (833) 421-7289
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8. What claims am I releasing if I stay in the Class?

If you stay in the class, you won't be able to be part of any other lawsuit against Bayhealth about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section IX) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.BayhealthPixelSettlement.com.

Submitting a Claim Form for a Settlement Payment

9. How do I submit a claim for a Settlement benefit?

The fastest way to submit your Claim Form is online at www.BayhealthPixelSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Bayhealth Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, 1- (833) 421-7289, by email info@BayhealthPixelSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **October 5, 2026**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form must be postmarked no later than **October 5, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **October 29, 2026 at 10:00am (see Question 18)**. If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants final approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys Raina C. Borrelli of Strauss Borrelli PLLC and Joshua Jacobson of Jacobson Phillips PLLC, to represent you and other Class Members (“Class Counsel”).

13. Should I get my own lawyer?

You will not be charged for Class Counsel’s services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve \$800,000.00 as reasonable attorneys’ fees and costs of litigation. This amount will be paid by Bayhealth.

Class Counsel will also ask for Service Award payments of \$2,500.00 for each of the Class Representatives. Service Award payments will also be paid by Bayhealth.

Excluding Yourself from the Settlement

15. How do I opt out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called a Request for Exclusion, and is sometimes also called “opting out.” If you opt out, you will not receive Settlement benefits or payment. However, you will keep any rights you may have to sue Bayhealth on your own about the legal issues in this case.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **September 4, 2026**.

To be valid, your Request for Exclusion must have the following information:

- (1) the name of the Litigation: *Doe et al. v. Bayhealth Medical Center Inc., d/b/a Bayhealth*, Case No. N24C-09-002 FJJ, pending in the Superior Court of the State of Delaware;
- (2) your full name, mailing address, telephone number, and email address;
- (3) personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

Bayhealth Pixel Settlement
ATTN: Exclusion Request
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be submitted, postmarked, or emailed by **September 4, 2026**.

Commenting on or Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (**see Question 15**)

You must provide the following information for the Court to consider your objection:

- (1) the name of the Litigation: *Doe et al. v. Bayhealth Medical Center Inc., d/b/a Bayhealth*, Case No. N24C-09-002 FJJ, pending in the Superior Court of the State of Delaware;
- (2) your full name, mailing address, telephone number, and email address;
- (3) information that proves that you are a Class Member (such as a notice you have received);
- (4) a clear description of all the reasons you object; include any legal support, such as documents, you may have for your objection;
- (5) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, contact information, and signature;
- (6) if you or your lawyer have objected in any other cases in the past three years, list the names, courts, and civil action numbers for each of those cases; and
- (7) your signature (if you have hired your own lawyer, their signature is not sufficient).

For your objection to be valid, it must meet each of these requirements.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **September 4, 2026**. You must also send a copy of the objection to the Settlement Administrator.

Clerk of the Court	Settlement Administrator
Clerk of the Court The Superior Court of the State of Delaware 500 N. King St. Wilmington, DE 19801	Bayhealth Pixel Settlement ATTN: Objections P.O. Box 25226 Santa Ana, CA 92799-9958

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Court's Final Approval Hearing

18. When is the Court's Final Approval Hearing?

The Court will hold a final approval on **October 29, 2026 at 10:00am Eastern Time**, in Courtroom 6A of the Superior Court of the State of Delaware, at 500 N. King St., Wilmington, DE 19801.

At the final approval hearing, the Court will decide whether to approve the Settlement. The court will also decide how Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (**See Question 16**).

The date and time of this hearing may change without further notice. Please check www.BayhealthPixelSettlement.com for updates.

19. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive a benefit from this Settlement.

You will also give up the rights described in **Question 8**.

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.BayhealthPixelSettlement.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@BayhealthPixelSettlement.com
- Call toll free, 24/7: 1- (833) 421-7289

- By mail: Bayhealth Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, Superior Court of the State of Delaware, at 500 N. King St., Wilmington, DE 19801.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT