

NOTICE OF PENDENCY AND SETTLEMENT OF CLASS ACTION

You May Be Entitled to a Payment From a Class Action Settlement Because You Used Concord Web Properties That Utilized Third-Party Tracking Technology, Including Website Pixels Such as Google Analytics and Geonetric

A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

- A settlement (the “Settlement”) has been reached in a class action lawsuit against Defendants Concord Hospital, Inc., Concord Hospital – Laconia, Concord Hospital – Franklin, and Capital Region Healthcare Corporation (collectively, “Concord” or “Defendants”). The class action lawsuit is called *Branson & Phillips v. Concord Hospital Inc. et al.*, Case No. 217-2024-CV-00295, pending in the Hillsborough Superior Court, Manchester, New Hampshire (the “Class Action”), and alleges that Concord violated the New Hampshire Wiretapping and Electronic Surveillance Act and the New Hampshire Patient Privacy Law by using third-party tracking technology, including Website Pixels such as Google Analytics and Geonetric, on Concord Web Properties, which Plaintiffs allege may have intercepted Settlement Class Members’ telecommunications and/or disclosed their Protected Health Information.
- The Settlement creates an \$800,000.00 common fund (the “Settlement Fund”) for the benefit of members of the following Settlement Classes: (i) all individuals whose telecommunications were allegedly intercepted by Google and/or Geonetric while using the Concord Web Properties between May 9, 2021 and the date of the Preliminary Approval Order; and (ii) all individuals whose Protected Health Information may have been disclosed to Google, Geonetric, or other online tracking technology while using the Concord Web Properties between May 9, 2021 and the date of the Preliminary Approval Order.
- Persons included in the Settlement will be eligible to receive a *pro rata* portion of the Settlement Fund. To receive a settlement payment, Settlement Class Members must submit a valid Claim Form by the Claims Deadline. Claim Forms will be available on the Settlement Website. Payments to Settlement Class Members will come by check unless you elect to receive payment electronically via the Settlement Website.
- **Read this Notice carefully. It explains your rights and options—and the deadlines to exercise them.** Your legal rights are affected whether you act, or do not act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY SEPTEMBER 11, 2026	If you are a Settlement Class Member and do not exclude yourself, you can receive a <i>pro rata</i> share of the Net Settlement Fund by submitting a valid Claim Form by the Claims Deadline, September 11, 2026. Claim Forms are available on the Settlement Website, www.ConcordPixelSettlement.com . As a member of the Settlement Classes, you will give up your rights to sue Concord in the future regarding the claims raised or that could have been raised in this case.
EXCLUDE YOURSELF BY SEPTEMBER 11, 2026	You will receive no benefits, but you will retain any rights you currently have to sue Concord regarding the claims in this case.
OBJECT BY SEPTEMBER 11, 2026	Write to the Court explaining why you don’t like the Settlement.
GO TO THE HEARING ON NOVEMBER 3, 2026	Ask to speak in Court about your opinion of the Settlement.

BASIC INFORMATION

1. Why was a Class Action Notice issued?

A Court authorized this notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The class action is called *Branson & Phillips v. Concord Hospital Inc. et al.*, Case No. 217-2024-CV-00295, and is pending in the Hillsborough Superior Court, Manchester, New Hampshire (the “Class Action”). The persons who have sued, Alan Branson and Helena Phillips, are called the Plaintiffs. The entities being sued, Concord Hospital, Inc., Concord Hospital – Laconia, Concord Hospital – Franklin, and Capital Region Healthcare Corporation, are called the Defendants.

2. What is a class action?

In a class action, one or more people called the class representatives (in this case, Alan Branson and Helena Phillips) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the class.

3. What is this lawsuit about?

This lawsuit claims that Concord violated the New Hampshire Wiretapping and Electronic Surveillance Act and the New Hampshire Patient Privacy Law by using third-party tracking technology, including Website Pixels such as Google Analytics and Geonetric, on Concord Web Properties, which may have intercepted Settlement Class Members’ telecommunications and/or disclosed their Protected Health Information. Concord denies any wrongdoing or that it violated any laws. The Settlement does not establish who is right or wrong, but rather is a compromise to end the lawsuit and avoid the uncertainties and expense of continuing on in court.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or Defendants should win this case. Instead, both sides agreed to a Settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation, and Settlement Class Members will get compensation.

WHO’S INCLUDED IN THE SETTLEMENT?

5. How do I know if I am in the Settlement Classes?

The Settlement Classes are defined as:

(i) All individuals whose telecommunications were allegedly intercepted by Google and/or Geonetric while using the Concord Web Properties between May 9, 2021 and June 12, 2026; and (ii) all individuals whose Protected Health Information may have been disclosed to Google, Geonetric, or other online tracking technology while using the Concord Web Properties between May 9, 2021 and June 12, 2026.

SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: Concord will pay \$800,000.00 into a Settlement Fund account for the benefit of the Settlement Classes.

7. How much will my payment be?

The amount in the Settlement Fund will be distributed to Settlement Class Members who submit a valid Claim Form on a *pro rata* basis, after deducting any Court-approved attorneys' fees, litigation expenses, service awards for the class representatives, and costs of settlement notice and administration. To receive a settlement payment, you must submit a valid Claim Form by the Claims Deadline, September 11, 2026. Claim Forms are available on the Settlement Website, www.ConcordPixelSettlement.com, and may be submitted electronically through the Settlement Website or by mail to the Settlement Administrator. Payments to Settlement Class Members will come by check unless you elect to receive payment electronically via the Settlement Website.

8. When will I get my payment?

The Court will hold a hearing to consider the fairness of the Settlement on November 3, 2026. If the Court approves the Settlement, it is estimated that Settlement Class Members will receive their payment within 90 days after the Settlement has been finally approved and/or any appeals process is complete.

REMAINING IN THE SETTLEMENT CLASSES

9. What am I giving up if I stay in the Settlement Classes?

If the Settlement becomes final, you will give up (or “release”) your rights to sue Concord and certain of its affiliates (Released Parties) regarding the Released Claims, which are described and defined in the Settlement Agreement. Unless you exclude yourself (*see* Question 12), you will release the Released Claims. You may access the Settlement Agreement through the “Important Documents” tab on the Settlement Website.

The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions you may speak to the lawyers listed in Question 10 for free or you may, of course, speak to your own lawyer.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in the case?

The Court has appointed the law firm of Carney Bates & Pulliam, PLLC to represent the Settlement Classes. They are called “Class Counsel.” After conducting an extensive investigation, they believe that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Classes. You will not be charged out-of-pocket for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

11. How will the lawyers be paid?

Class Counsel's attorneys' fees, costs, and expenses will be paid from the Settlement Fund in an amount determined and awarded by the Court. Class Counsel is entitled to seek attorneys' fees not to exceed 33.33% of the \$800,000.00 Settlement Fund plus reasonable expenses, but the Court may award less than this amount.

Class Counsel may also seek a Service Award of up to \$2,500.00 for each of the Class Representatives for their service in helping to bring and settle the case. Any court-awarded Service Award will be paid out of the Settlement Fund, but the Court may award less than this amount.

EXCLUDING YOURSELF FROM THE SETTLEMENT

12. How do I get out of the Settlement?

To exclude yourself from the Settlement Classes, you must mail or otherwise deliver a letter stating that you wish to be excluded. Your letter must include:

- a. The name and number of this case, *Branson & Phillips v. Concord Hospital Inc. et al.*, Case No. 217-2024-CV-00295;
- b. Your full name and mailing address;
- c. A statement that you wish to be excluded; and
- d. Your handwritten or electronically imaged written signature.

You must mail or deliver your request for exclusion letter, postmarked no later than **September 11, 2026** to:

Simpluris, Inc.
P.O. Box 25226
Santa Ana, CA, 92799-9834

13. If I don't exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Concord for the Released Claims being resolved by this Settlement.

14. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you are not eligible to receive a settlement payment from the Settlement Fund.

OBJECTING TO THE SETTLEMENT

15. How do I object to the Settlement?

If you're a Settlement Class Member, you may ask the Court to deny approval by filing an objection. You may object to any aspect of the Settlement, Class Counsel's request for attorneys' fees and litigation expenses, or the request for Service Awards. You can give reasons why you think the Court should not give its approval. The Court will consider your views.

QUESTIONS? CALL 1-833-421-7303 TOLL FREE, OR VISIT www.ConcordPixelSettlement.com

If you choose to make an objection, you must mail or file with the Court a letter or brief stating that you object to the Settlement. Your letter or brief must include the name and number of this case, *Branson & Phillips v. Concord Hospital Inc. et al.*, Case No. 217-2024-CV-00295, as well as the following information:

- a. Your full name and mailing address;
- b. An explanation of any and all your reasons for your objections, including citations to legal authority and supporting evidence, and attaching any materials you rely on for your objections;
- c. The name and contact information of any and all attorneys representing, advising, or in any way assisting you in connection with your objection;
- d. A statement indicating whether you or your attorney intends to appear at the Final Approval Hearing;
- e. Your handwritten or electronically imaged written signature; and
- f. If you or any of the Objecting lawyers have objected to any class action settlement where you or the Objecting lawyer asked for or received any payment in exchange for dismissal of the objection, or any related appeal, without any modification to the settlement, then you must include a statement identifying each such case by full case caption and amount of payment received.

You must also mail or deliver your written objection, postmarked no later than **September 11, 2026** to:

Simpluris, Inc.
P.O. Box 25226
Santa Ana, CA, 92799-9834

You must also mail or otherwise deliver a copy of your written objection to Class Counsel and Defendants' Counsel at the following addresses:

Class Counsel	Defendants' Counsel
Randall K. Pulliam Carney Bates & Pulliam, PLLC One Allied Dr., Ste. 1400 Little Rock, AR 72202 Email: rpulliam@cbplaw.com	Josh Becker Shook, Hardy & Bacon LLP 1230 Peachtree Street, Suite 1200 Atlanta, GA 30309 Email: jbecker@shb.com

16. What's the difference between objecting and excluding myself from the Settlement?

Objecting simply means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Classes. Excluding yourself from the Settlement Classes is telling the Court that you don't want to be part of the Settlement Classes. If you exclude yourself, you have no right to object or receive a monetary benefit because the case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

17. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at **9:00 a.m. on November 3, 2026** at the Hillsborough Superior Court, 300 Chestnut St., Manchester, New Hampshire. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Classes; to consider Class Counsel's request for attorneys' fees and litigation expenses; and to consider the request for Service Awards to the Class Representatives. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check the Settlement Website, www.ConcordPixelSettlement.com, for any updates. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

18. Do I have to attend the 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 or comment, you don't have to attend the hearing to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it. You may also retain your own lawyer (at your own expense) to attend, but it's not required.

19. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that you or your attorney intends to appear at the Final Approval Hearing.

GETTING MORE INFORMATION

20. Where do I get more information?

This Notice contains only a summary of the Settlement and the proceedings to date. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.ConcordPixelSettlement.com. You may also write with questions to the Settlement Administrator, Simpluris, Inc., P.O. Box 25226, Santa Ana, CA, 92799-9834. You can also call the Settlement Administrator at 1-833-421-7303 or Class Counsel at info@cbplaw.com, if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the Settlement Website.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANTS, OR DEFENDANTS' COUNSEL TO ASK QUESTIONS ABOUT THIS ACTION OR THIS NOTICE. THEY CANNOT ANSWER ANY QUESTIONS OR DISCUSS THE ACTION.