

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Singh v. The Moses H. Cone Memorial Hospital Operating Corp., et al.

Case No. 1:24-cv-00558

United States District Court for the Middle District of North Carolina

IF YOU ACCESSED THE MYCHART PATIENT PORTAL OR COMPLETED A SUBMISSION FORM ON A CONE MEMORIAL HOSPITAL OR CONE HEALTH WEBSITE BETWEEN SEPTEMBER 1, 2016 AND NOVEMBER 3, 2022, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS AND ENTITLE YOU TO A CASH PAYMENT.

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 The Moses H. Cone Memorial Hospital Operating Corporation, d/b/a Cone Health and The Moses H. Cone Memorial Hospital d/b/a Cone Health (“Defendants” or “Cone Health”), in a class action lawsuit that claims Cone Health improperly tracked the information of users on their website, including the MyChart patient portal.
- The lawsuit is captioned *Singh v. The Moses H. Cone Memorial Hospital Operating Corp., et al.*, Case No. 1:24-cv-00558, pending in the United States District Court for the Middle District of North Carolina (the “Action”).
- Cone Health denies each and every one of the claims and contentions alleged against it in the Action and denies all charges of wrongdoing or liability alleged (or which could be alleged) in the Action, but has agreed to a settlement to avoid the costs and risks associated with continuing the litigation.
- You are included in the Settlement Class if between September 1, 2016 and November 3, 2022, you accessed the MyChart patient portal on Defendants’ website or completed a submission form on Defendants’ website.
- 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 from this Settlement is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.ConePixelSettlement.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 <u>receive no payment</u>. 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 legal counsel at your own expense.	October 5, 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.	October 5, 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 from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement.	N/A

These rights and options – **and the deadlines to exercise them** – are explained in this Notice.

The Court that is presiding over this case still must decide whether to grant final approval of the Settlement. Payments will only be made after the Court grants final approval of the Settlement and after any appeals are resolved.



For complete information and to file a claim, scan this QR code to go directly to the Settlement website:

www.ConePixelSettlement.com

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BASIC INFORMATION

1. Why was this Notice issued?

The United States District Court for the Middle District of North Carolina authorized this Notice because 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 captioned *Singh v. The Moses H. Cone Memorial Hospital Operating Corp., et al.*, Case No. 1:24-cv-00558, pending in the United States District Court for the Middle District of North Carolina. The person who filed this lawsuit is called the “Plaintiff” (or “Class Representative”) and the entities they sued, The Moses H. Cone Memorial Hospital Operating Corporation, d/b/a Cone Health, and The Moses H. Cone Memorial Hospital d/b/a Cone Health, are called the “Defendants.”

2. What is this lawsuit about?

This lawsuit claims that Cone Health improperly tracked the information of users on their website, including the MyChart patient portal.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. This individual is known as “Plaintiff” or “Class Representative.” 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 a settlement. In this Settlement, the Class Representative is Ashika Singh. Everyone included in this Action is a Class Member.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff or the Defendants. Plaintiff and the Defendants have agreed to a Settlement to avoid the costs and delays of litigation, and to allow the Class Members to receive benefits from the Settlement. The Plaintiff and her attorney think the Settlement is best for all Class Members. This Settlement is not an admission of wrongdoing by Cone Health and does not imply that there has been, or would be, any finding that Cone Health violated the law. There has been no determination by the Court in this Action that Cone Health has done anything wrong.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

The Settlement Class includes living individuals who between September 1, 2016 and November 3, 2022 accessed the MyChart patient portal on Defendants’ website or completed a submission form on Defendants’ website.

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (a) any Judge presiding over this Action, any members of the Judges’ respective staffs, and immediate members of the Judge’s family; (b) employees, officers, and agents of the Defendants, Defendants’ affiliates, subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendants or their parents have a controlling interest; (c) persons who timely

and validly request exclusion from or opt out of the Settlement Class; (d) the legal representatives, successors, or assigns of any such excluded persons; and (e) Class Counsel.

If you are not sure whether you are included in the Settlement Class, you can ask for free help by contacting the Settlement Administrator at:

- Email: info@ConePixelSettlement.com
- Call toll free, 24/7: 1-833-421-7350
- By mail:

Cone Health Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

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

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Cone Health has agreed to provide a Settlement Fund of \$1,765,000.00. After reasonable attorneys' fees and expenses, a service award for the Class Representative, and costs of administration are paid, the net amount of the Settlement Fund will be equally distributed to all Settlement Class Members who submit a valid and timely claim. The final amount of the payment will depend on the total number of valid claims.

If you have questions about receiving your settlement payment, you can ask for free help by contacting the Settlement Administrator at:

- Email: info@ConePixelSettlement.com
- Call toll free, 24/7: 1-833-421-7350
- By mail:

Cone Health Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

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

8. What claims am I releasing if I stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants about any of the legal claims this Settlement resolves. The "Release" section of the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement is available for review at www.ConePixelSettlement.com.

RECEIVING SETTLEMENT BENEFITS

9. Do I need to submit a claim to receive a Settlement payment?

Yes, you must submit a valid and timely claim by **October 5, 2026**, to receive a Settlement payment. If you are submitting a paper Claim Form by U.S. Mail, it must be postmarked by **October 5, 2026**.

To submit your claim, affirm that between September 1, 2016 and November 3, 2022, you accessed the MyChart patient portal on Defendants' website or completed a submission form on Defendants' website, and sign the Claim Form.

10. Are there any deadlines I need to know about?

Yes, claim forms must be submitted by **October 5, 2026**. If you are submitting a paper claim form by U.S. Mail, it must be postmarked by **October 5, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **November 5, 2026**. If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them.

Settlement benefits will be distributed if the Court grants final approval of the Settlement and after any appeals are resolved, or after the period to seek an appeal has expired.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys David S. Almeida of Almeida Law Group LLC, and Brandon M. Wise of Peiffer Wolf Carr Kane Conway & Wise, LLP, 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 to be represented by your own lawyer, you may hire one at your own expense.

14. How will Class Counsel be paid?

Class Counsel will seek Court approval for attorneys' fees, costs, and expenses not to exceed \$613,333.33, and a service award of \$5,000.00 for the Class Representative for bringing this Action on behalf of the Class. These fees and costs, as well as the costs of administration, will be paid from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

15. How do I opt out of the Settlement?

If you do not want to receive a Settlement payment, and you want to keep your right, if any, to separately sue the Defendants about the legal issues in this case, you must exclude yourself (“opt out”) from the Settlement Class. The deadline to submit a request for exclusion from the Settlement is **October 5, 2026**.

To exclude yourself from the Settlement, you must submit a written request with the following information:

1. the case name: *Singh v. The Moses H. Cone Memorial Hospital Operating Corp., et al.*, Case No. 1:24-cv-00558, pending in the United States District Court for the Middle District of North Carolina
2. your full name and current address;
3. personal signature; and
4. the words “Request for Exclusion” or a clear and similar statement that you do not wish to participate in the Settlement.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, **postmarked no later than October 5, 2026**.

Cone Health Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

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

You may only exclude yourself—not any other person.

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 a portion or all of the Settlement, you can object to it, if you choose. You can give reasons why you think the Court should not approve it. The Court will consider your views.

For an objection to be considered by the Court, the objection must include:

- i. your full name, current address, telephone number, and email address;
- ii. contain your original signature;
- iii. contain proof that you are a member of the Settlement Class (e.g., copy of settlement notice);
- iv. state that you object to the Settlement, in whole or in part;
- v. state why you believe you are a member of the Settlement Class;
- vi. provide a statement of the legal and factual basis for the Objection;
- vii. state whether your objection applies to you alone, multiple people, or the entire class;
- viii. provide copies of any documents that you wish to submit in support of your position;
- ix. identify all counsel representing you, if any;

- x. contain the signature of your duly authorized attorney or other duly authorized representative, if any, along with documentation setting forth such representation; and
- xi. contain a list, including case name, court and docket number, of all other cases in which you and/or your attorney have filed an objection to any proposed class action settlement in the past three (3) years;
- xii. state whether you intend to appear at the Final Approval Hearing, and if so, whether personally or through counsel; and
- xiii. if you are represented by counsel that intends to speak at the Final Approval Hearing, you must also identify any witnesses you intend to call at the Final Approval Hearing and describe any documents or evidence you intend to offer at the Final Approval Hearing.

To be timely, a written notice of an objection containing the above information must be filed with the Clerk of the Court, with copies served on Class Counsel and Counsel for Cone Health, no later than **October 5, 2026**.

Clerk of the Court	Class Counsel	Counsel for Cone Health
Clerk of the Court 324 W. Market Street Greensboro, NC 27401-2544	David S. Almeida Almeida Law Group LLC 849 W. Webster Avenue Chicago, IL 60614 Brandon M. Wise Peiffer Wolf Carr Kane Conway & Wise, LLP One US Bank Plaza Suite 1950 St. Louis, MO 63101	Patrick M. Kane Fox Rothschild LLP 230 N. Elm Street Suite 1200 Greensboro, NC 27401

If you do not comply with the requirements for objecting you will waive and forfeit any and all rights you may have to appear separately and/or to object to the Settlement, and will be bound by all the terms of the Settlement and by all proceedings, orders and judgments in the Litigation.

17. What is the difference between objecting and excluding yourself?

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 hearing on **November 5, 2026 at 2:00 PM Eastern Time**, in the United States District Court, Middle District of North Carolina, 324 W. Market Street Greensboro, NC 27401.

At the final approval hearing, the Court will consider whether to approve the Settlement, how much attorneys' fees and costs to award to Class Counsel for representing the Settlement Class, and whether to award a Service Award to the Class Representative who brought this Action on behalf of the Settlement Class. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your attorney may ask permission to speak at the hearing at your own cost. The date and time of this hearing may change without further notice. Please check www.ConePixelSettlement.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. If you file an objection, you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but such attendance is not necessary for the Court to consider an objection that was filed on time.

GETTING MORE INFORMATION

20. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, www.ConePixelSettlement.com.

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

- Email: info@ConePixelSettlement.com
- Call toll free, 24/7: 1-833-421-7350
- By mail:

Cone Health Pixel Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

Publicly filed documents can also be obtained by visiting the office of the Clerk of the Court, U.S. District Court for the Middle District of North Carolina, 324 W. Market Street, Greensboro, NC 27401-2544.

DO NOT CONTACT THE COURT OR CLERK OF COURT, CONE HEALTH, OR CONE HEALTH'S COUNSEL REGARDING THIS SETTLEMENT. ALL QUESTIONS ABOUT THE SETTLEMENT SHOULD BE REFERRED TO THE SETTLEMENT ADMINISTRATOR OR CLASS COUNSEL.



For complete information and to file a claim, scan this QR code to go directly to the Settlement website:

www.ConePixelSettlement.com